

# HOUSE JOURNAL

OF THE

## Forty-Sixth Legislature

### INDEX—VOLUME II

First Extraordinary Session, April 23 through

June 1, 1979 ..... pages 1216 through Tables  
and General Index

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## THIRTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 23, 1979.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Becker, Bond, Brekke, Charnley, Erickson, Salatino and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sharon Lynch and Tricia Fong. Prayer was offered by The 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

April 20, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 229,  
SUBSTITUTE HOUSE BILL NO. 254,  
HOUSE BILL NO. 351,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2284, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 20, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2439, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 20, 1979

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 106,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 106, by Senators Goltz, Clarke, Wilson and Lysen:

Establishing the Joint Legislative Committee on Washington/British Columbia cooperation.

To Committee on Rules

## REPORTS OF STANDING COMMITTEES

April 19, 1979

HOUSE BILL NO. 1032, Prime Sponsor: Representative Wilson, relating to transportation. Reported by Committee on Transportation.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Co-Chairman; Bender, Dawson, Erak, Gallagher, Garrett, Isaacson, McCormick, Smith (C), Sprague, Struthers, Walk.

**MINORITY recommendation:** Do not pass. Signed by Representative Charnley.

Passed to Committee on Rules for second reading.

April 20, 1979

**SENATE BILL NO. 2860, Prime Sponsor:** Senator Talley, redefining income from employment of a retired judge. Reported by Committee on Appropriations.

**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. The following acts or parts of acts are each repealed:

(1) Section 15, chapter 267, Laws of 1971 ex. sess., section 1, chapter 119, Laws of 1973 1st ex. sess. and RCW 2.10.150; and

(2) Section 16, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.160.

**NEW SECTION.** Sec. 2. There is added to chapter 267, Laws of 1971 ex. sess. and to chapter 2.10 RCW a new section to read as follows:

All judges first appointed or elected to the courts covered by chapters 2.04, 2.06, and 2.08 RCW after June 30, 1979, shall be members of the Washington public employees' retirement system under chapter 41.40 RCW.

**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 provision to other persons or circumstances is not affected.

**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 on July 1, 1979."

On page 1, on line 1 of the title, after "judicial retirement system;" strike the remainder of the title and insert "adding a new section to chapter 267, Laws of 1971 ex. sess. and to chapter 2.10 RCW; repealing section 15, chapter 267, Laws of 1971 ex. sess., section 1, chapter 119, Laws of 1973 1st ex. sess. and RCW 2.10.150; repealing section 16, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.160; providing an effective date; and declaring an emergency."

Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Douthwaite, Ehlers, McDonald, Nelson (G.A.), Nisbet, Taller, Taylor, Valle, Warnke, Williams.

Passed to Committee on Rules for second reading.

### SENATE AMENDMENTS TO HOUSE BILL

April 6, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 57 with the following amendments:

On page 20, beginning on line 35 strike "~~((commissioners))~~ legislative authority" and insert "commissioners"

On page 21, beginning on line 32 strike "board of county commissioners" and insert "~~((board of))~~ county ~~((commissioners))~~ legislative authority" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Engrossed House Bill No. 57.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 57 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 57 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 Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley,

Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Becker, Bond, Brekke, Charnley, Erickson, Hastings, Salatino, Sommers, Wilson.

Engrossed House Bill No. 57 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 6, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 164 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 46.12.080, chapter 12, Laws of 1961 and RCW 46.12.080 are each amended to read as follows:

Any person holding the certificate of license registration for a motorcycle or any vehicle registered by its motor number in which there has been installed a new or different motor than that with which it was issued certificates of ownership and license registration shall forthwith and within five days after such installation forward and surrender such certificates to the ~~((director))~~ department, together with an application for issue of corrected certificates of ownership and license registration and a fee of one dollar, and a statement of the disposition ~~((which was made))~~ of the former motor. The possession by any person of any such certificates for ~~((a))~~ such vehicle in which a new or different motor has been installed, after five days following such installation, shall be prima facie evidence of a violation of the provisions of this chapter and shall constitute a misdemeanor.

Sec. 2. Section 46.12.170, chapter 12, Laws of 1961 as last amended by section 13, chapter 25, Laws of 1975 and RCW 46.12.170 are each amended to read as follows:

If, after a certificate of ownership is issued, a security ~~((agreement))~~ interest is ((placed)) granted on the vehicle described therein, the registered owner or secured party shall, within ten days thereafter, present an application to the department, ~~((signed by the registered owner and the secured party;))~~ to which shall be attached ~~((the certificate of license registration and))~~ the certificate of ownership last issued covering the vehicle, or such other documentation as may be required by the department, which application shall be upon a form provided by the department and shall be accompanied by a fee of one dollar. The department, if satisfied that there should be a reissue of the certificate~~((s)),~~ shall note such change upon the vehicle records and issue ~~((to the registered owner a new certificate of license registration and))~~ to the secured party a new certificate of ownership.

Whenever there is no outstanding secured obligation and no commitment to make advances and incur obligations or otherwise give value, the secured party must assign the certificate of ownership to the debtor or the debtor's assignee and transmit the certificate to the department with an accompanying fee of one dollar. The department shall then issue a new certificate of ownership and transmit it to the owner. If the affected secured party fails to either assign or transmit the certificate of ownership to the ~~((debtor))~~ department within ten days after proper demand, that secured party shall be liable to the debtor for one hundred dollars, and in addition for any loss caused to the debtor by such failure.

Sec. 3. Section 46.16.260, chapter 12, Laws of 1961 as last amended by section 11, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.260 are each amended to read as follows:

A certificate of license registration to be valid must have endorsed thereon the signature of the registered owner (if a firm or corporation, the signature of one of its officers or other duly authorized agent) and must be carried in the vehicle for which it is issued, at all times in the manner prescribed by the director. It shall be unlawful for any person to operate or have in his possession a vehicle without carrying thereon such certificate of license registration and/or maximum gross weight license as herein provided. Any person in charge of such vehicle shall, upon demand of any of the local authorities or of any police officer or of any representative of the department, permit an inspection of such certificate of license registration and/or maximum gross weight license. This section does not apply to a vehicle for which annual renewal of its license number plates is not required and which is marked in accordance with the provisions of RCW 46.08.065.

Sec. 4. Section 46.44.030, chapter 12, Laws of 1961 as last amended by section 1, chapter 64, Laws of 1977 ex. sess. and RCW 46.44.030 are each amended to read as follows:

It is unlawful for any person to operate upon the public highways of this state any vehicle other than a municipal transit vehicle having an overall length, with or without load, in excess of ~~((thirty-five))~~ forty feet: PROVIDED, That an auto stage or school bus shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet: PROVIDED FURTHER, That any such school bus constructed prior to April 1, 1977, shall be equipped with three axles: PROVIDED FURTHER, That any school bus constructed on or after April 1, 1977, and in excess of thirty-six feet six inches shall be equipped with three axles: PROVIDED FURTHER, That the route of any auto stage in excess of thirty-five feet or school bus in excess of thirty-six feet six inches upon or across the public highways shall be limited as determined by the ~~((state~~

highway commission)) department of transportation for state highways, or by the local legislative authority for other public roads.

It is unlawful for any person to operate on the highways of this state any combination of vehicles which contains a vehicle of which the permanent structure is in excess of forty-five feet.

It is unlawful for any person to operate upon the public highways of this state any combination consisting of a nonstinger steered tractor and semitrailer which has an overall length in excess of sixty-five feet.

It is unlawful for any person to operate on the highways of this state any combination consisting of a truck and trailer, or any lawful combination of three vehicles, with an overall length, with or without load, in excess of sixty-five feet, or a combination consisting of a tractor and a stinger steered semitrailer which has an overall length in excess of sixty-five feet without load or in excess of seventy feet with load.

'Stinger steered' as used in this section shall mean a tractor and semitrailer combination which has the coupling connecting the semitrailer to the tractor located to the rear of the center line of the rear axle of the tractor.

These length limitations shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

Sec. 5. Section 2, chapter 137, Laws of 1965 as last amended by section 16, chapter 64, Laws of 1975-'76 2d 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 combination of vehicles not to exceed seventy-five 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
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 .....	\$ 50.00
Continuous operation of overlegal loads having nonreducible features not to exceed eighty-five feet in length and fourteen feet in width for a period of one year .....	\$150.00
<u>Continuous operation of vehicles having width not to exceed eight feet six inches, subject to such rules governing their operation as may be adopted by the department of transportation, 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 or 46.44.047 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) the fee for issuance of a duplicate permit shall be \$5.00, (3) 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.

NEW SECTION. Sec. 6. Section 46.12.090, chapter 12, Laws of 1961 and RCW 46.12.090 are each hereby repealed.

In line 7 of the title after "46.12.260;" insert "amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 1, chapter 64, Laws of 1977 ex. sess. and RCW 46.44.030; amending section 2, chapter 137, Laws of 1965 as last amended by section 16, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.0941;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to HOUSE BILL NO. 164.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 164 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 164 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Addison, Amen, Bagnariol, Barr, Bauer, Bender, Berentson, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Blair.

Not voting: Representatives Adams, Becker, Bond, Brekke, Charnley, Erickson, Hastings, Salatino, Wilson.

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 AMENDMENTS TO HOUSE BILL

April 6, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 219 with the following amendments:

Strike everything after the enacting clause and insert:

"NEW SECTION. Section 1. The following acts or parts of acts are each repealed:

- (1) Section 3, chapter 227, Laws of 1971 ex. sess. and RCW 18.57.085;
- (2) Section 4, chapter 227, Laws of 1971 ex. sess. and RCW 18.71.075;
- (3) Section 43.74.005, chapter 8, Laws of 1965 and RCW 43.74.005;
- (4) Section 43.74.010, chapter 8, Laws of 1965, section 22, chapter 77, Laws of 1973 and RCW 43.74.010;
- (5) Section 43.74.015, chapter 8, Laws of 1965, section 6, chapter 188, Laws of 1967, section 123, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.74.015;
- (6) Section 43.74.020, chapter 8, Laws of 1965 and RCW 43.74.020;
- (7) Section 43.74.025, chapter 8, Laws of 1965 and RCW 43.74.025;
- (8) Section 43.74.035, chapter 8, Laws of 1965 and RCW 43.74.035;
- (9) Section 2, chapter 227, Laws of 1971 ex. sess., section 23, chapter 77, Laws of 1973 and RCW 43.74.037;
- (10) Section 43.74.040, chapter 8, Laws of 1965, section 24, chapter 77, Laws of 1973 and RCW 43.74.040;

- (11) Section 43.74.050, chapter 8, Laws of 1965 and RCW 43.74.050;
- (12) Section 43.74.060, chapter 8, Laws of 1965 and RCW 43.74.060;
- (13) Section 43.74.065, chapter 8, Laws of 1965 and RCW 43.74.065;
- (14) Section 43.74.075, chapter 8, Laws of 1965 and RCW 43.74.075;
- (15) Section 43.74.080, chapter 8, Laws of 1965, section 25, chapter 77, Laws of 1973 and RCW 43.74.080;
- (16) Section 1, chapter 227, Laws of 1971 ex. sess., section 26, chapter 77, Laws of 1973 and RCW 43.74.085;
- (17) Section 43.74.090, chapter 8, Laws of 1965 and RCW 43.74.090; and
- (18) Section 43.74.900, chapter 8, Laws of 1965 and RCW 43.74.900."

In the title, page 1, line 1, strike all after "sciences;" and insert "repealing section 3, chapter 227, Laws of 1971 ex. sess. and RCW 18.57.085; repealing section 4, chapter 227, Laws of 1971 ex. sess. and RCW 18.71.075; repealing section 43.74.005, chapter 8, Laws of 1965 and RCW 43.74.005; repealing section 43.74.010, chapter 8, Laws of 1965, section 22, chapter 77, Laws of 1973 and RCW 43.74.010; repealing section 43.74.015, chapter 8, Laws of 1965, section 6, chapter 188, Laws of 1967, section 123, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.74.015; repealing section 43.74.020, chapter 8, Laws of 1965 and RCW 43.74.020; repealing section 43.74.025, chapter 8, Laws of 1965 and RCW 43.74.025; repealing section 43.74.035, chapter 8, Laws of 1965 and RCW 43.74.035; repealing section 2, chapter 227, Laws of 1971 ex. sess., section 23, chapter 77, Laws of 1973 and RCW 43.74.037; repealing section 43.74.040, chapter 8, Laws of 1965, section 24, chapter 77, Laws of 1973 and RCW 43.74.040; repealing section 43.74.050, chapter 8, Laws of 1965 and RCW 43.74.050; repealing section 43.74.060, chapter 8, Laws of 1965 and RCW 43.74.060; repealing section 43.74.065, chapter 8, Laws of 1965 and RCW 43.74.065; repealing section 43.74.075, chapter 8, Laws of 1965 and RCW 43.74.075; repealing section 43.74.080, chapter 8, Laws of 1965, section 25, chapter 77, Laws of 1973 and RCW 43.74.080; repealing section 1, chapter 227, Laws of 1971 ex. sess., section 26, chapter 77, Laws of 1973 and RCW 43.74.085; repealing section 43.74.090, chapter 8, Laws of 1965 and RCW 43.74.090; and repealing section 43.74.900, chapter 8, Laws of 1965 and RCW 43.74.900."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Adams, the House concurred in the Senate amendments to Substitute House Bill No. 219.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be final passage of Substitute House Bill No. 219 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 219 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yeas: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Becker, Bond, Brekke, Charnley, Erickson, Hastings, Salatino, Wilson.

Substitute House Bill No. 219 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 6, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 262 with the following amendment:

On page 2, line 16 after "child" and before the period insert "or its legitimacy" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Whiteside moved that the House do concur in the Senate amendment to Substitute House Bill No. 262.

Mr. Whiteside spoke in favor of the motion, and Ms. Teutsch spoke against it.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Substitute House Bill No. 262, and the motion was carried by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Bauer, Brown, Burns, Chandler, Clayton, Deccio, Dunlap, Ehlers, Eng, Erak, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Haley, Heck, Hughes, Hurley, Isaacson, King, Knowles, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Patterson, Pruitt, Rohrbach, Sanders, Schmitt, Scott, Smith C. P., Sommers, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barr, Bender, Berentson, Blair, Craswell, Dawson, Douthwaite, Eberle, Fancher, Grimm, Gruger, Houchen, Keller, Kreidler, Lux, Martinis, McDonald, McGinnis, Nelson G. A., Nisbet, Oliver, Polk, Rosbach, Sherman, Smith R., Sprague, Tupper, Walk, Warnke, Williams.

Not voting: Representatives Becker, Bond, Brekke, Charnley, Erickson, Hastings, Jovanovich, Salatino, Wilson.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 262 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 262 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Craswell, Nisbet, Sprague.

Not voting: Representatives Becker, Bond, Brekke, Charnley, Erickson, Hastings, Salatino, Wilson.

Substitute House Bill No. 262 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.

April 6, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 295 with the following amendments:

On page 1, line 7 after "enrolled in" strike "an accredited nonsectarian" and insert "any"

On page 1, line 8 after "education" strike "in this state," and insert "as defined in RCW 28B.10.802(1)."

On page 1, beginning on line 8 after "in any" strike "accredited nonsectarian" and insert "such"

On page 2, line 15 after "general shall" strike "develop and administer" and insert "be solely responsible for the development and administration of" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Taller moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 295.

Representatives Taller and Barnes spoke in favor of the motion, and Representatives Lux and Douthwaite spoke against it.

Mr. Barnes spoke again in favor of the motion to concur, and Mr. Douthwaite again opposed it.



## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 295, and the motion was carried by the following vote: Yeas, 72; nays, 16; not voting, 10.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Berentson, Chandler, Clayton, Craswell, Dawson, Eberle, Ehlers, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bender, Blair, Brown, Burns, Douthwaite, Eng, Gruger, Kreidler, Lux, May, Nelson D., Patterson, Sommers, Tupper, Valle, Walk.

Not voting: Representatives Becker, Bond, Brekke, Charnley, Deccio, Dunlap, Erickson, Hastings, Salatino, Wilson.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 295 as amended by the Senate.

Mr. Ehlers 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. 295 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; nays, 17; not voting, 8.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Berentson, Brown, Chandler, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bender, Blair, Burns, Craswell, Douthwaite, Eng, Gruger, Lux, McDonald, Newhouse, Patterson, Sherman, Sommers, Thompson, Tupper.

Not voting: Representatives Becker, Bond, Brekke, Charnley, Erickson, Hastings, Salatino, Wilson.

Engrossed Substitute House Bill No. 295 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 11, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 307 with the following amendments:

On page 1, line 11 of the title after "9.79.220;" insert "amending section 9A.16.020, chapter 260, Laws of 1975 1st ex. sess. as amended by section 13, chapter 80, Laws of 1977 ex. sess. and RCW 9A.16.020;"

On page 1, line 26 of the title after "9A.88.030;" insert "amending section 9, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.065; adding a new section to chapter 7.68 RCW;"

On page 1, line 26 of the title after "9A.88.030;" insert "amending section 14, chapter 46, Laws of 1971 ex. sess. and RCW 10.88.330;"

On page 1, line 26 of the title after "RCW 9A.88.030;" insert "adding a new section to chapter 7.68 RCW;"

On page 4, after line 19 insert the following additional sections:

\*Sec. 7. Section 9A.16.020, chapter 260, Laws of 1975 1st ex. sess. as amended by section 13, chapter 80, Laws of 1977 ex. sess. and RCW 9A.16.020 are each amended to read as follows:

The use, attempt, or offer to use force upon or toward the person of another ((~~shall~~)) is 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~~)) is necessary;

(4) Whenever reasonably used by a person to detain someone who enters or remains unlawfully in a building or on real property lawfully in the possession of such person, so long as such detention is reasonable in duration and manner to investigate the reason for the detained person's presence on the premises, and so long as the premises in question did not reasonably appear to be intended to be open to members of the public;

(5) 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)) (6) 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))~~ is necessary to expel the offender with reasonable regard to his personal safety;

((6)) (7) Whenever used by any person to prevent a mentally ill, mentally incompetent, or mentally disabled 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))~~ is necessary to obtain legal authority for the restraint or custody of his person."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 6, line 14 after "intruders)" strike "other than a fenced area"

On page 7, after line 5 insert the following subsection:

"(2) 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 and who issues a stop-payment order directing the bank or depository on which the check is drawn not to honor said check, and who fails to make payment of money in the amount of the check or draft or otherwise arrange a settlement agreed upon by the holder of the check within thirty days of issuing said check or draft shall be guilty of unlawful issuance of a bank check."

Renumber remaining subsections consecutively.

On page 7, after line 32 insert the following:

"Sec. 15. Section 9, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.065 are each amended to read as follows:

Each law enforcement agency to which a criminal act has been reported and which criminal act results in physical injury or death to a victim shall make a reasonable effort to inform the known victim or his surviving dependent(s) of the existence of this chapter and the procedure for making application for benefits provided by this chapter. In any criminal case wherein the victim has sustained physical, emotional, or financial trauma, the law enforcement agency shall make a reasonable effort to inform the known victim of the existence and method of contacting agencies which may be able to assist the victim. Such list of agencies shall include public or private organizations that provide support for victims of crime: PROVIDED, That the failure to so act ((with)) under this section shall not stay the operation of RCW 7.68.060.

NEW SECTION. Sec. 16. There is added to chapter 7.68 RCW a new section to read as follows:

No costs incurred by a hospital or other emergency medical facility for the examination of the victim of a sexual assault, when such examination is performed for the purposes of gathering evidence for possible prosecution, shall be billed or charged directly or indirectly to the victim of such assault. Such costs shall be paid by the state pursuant to this chapter."

Renumber the remaining sections and correct internal references accordingly.

On page 7, after line 32 insert the following:

"Sec. 15. Section 14, chapter 46, Laws of 1971 ex. sess. and RCW 10.88.330 are each amended to read as follows:

(1) The arrest of a person may be lawfully made also by any peace officer or a private person, without a warrant upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year, but when so arrested the accused must be taken before a judge or magistrate with all practicable speed and complaint must be made against him under oath setting forth the ground for the arrest as in RCW 10.88.320; and thereafter his answer shall be heard as if he had been arrested on a warrant.

(2) An officer of the United States customs service or the immigration and naturalization service may, without a warrant, arrest a person if:

(a) The officer is on duty;

(b) One or more of the following situations exists:

(i) The person commits an assault or other crime involving physical harm, defined and punishable under chapter 9A.36 RCW, against the officer or against any other person in the presence of the officer;

(ii) The person commits an assault or related crime while armed, defined and punishable under chapter 9A.41 RCW, against the officer or against any other person in the presence of the officer;

(iii) The officer has reasonable cause to believe that a crime as defined in (b) (i) or (ii) of this subsection has been committed and reasonable cause to believe that the person to be arrested has committed it;

(iv) The officer has reasonable cause to believe that a felony has been committed and reasonable cause to believe that the person to be arrested has committed it; or

(v) The officer has received positive information by written, telegraphic, teletypic, telephonic, radio, or other authoritative source that a peace officer holds a warrant for the person's arrest; and

(c) The regional commissioner of customs certifies to the state of Washington that the customs officer has received proper training within the agency to enable that officer to enforce or administer this subsection."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 7, after line 32 insert a new section to read as follows:

"**NEW SECTION.** Sec. 14. There is added to chapter 7.68 RCW a new section to read as follows:

(1) Every person, firm, corporation, partnership, association, or other legal entity contracting with any person or the representative or assignee of any person, accused of a crime in this state, with respect to the reenactment of the events of such crime, by way of a movie, book, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of such person's thoughts, feelings, opinions, or emotions regarding such events, shall pay over to the department any moneys which would otherwise, by terms of such contract be owing to the person so convicted or his representatives.

(2) The department shall deposit such moneys in an escrow account for the benefit of and payable to any victim of crimes committed by such person if such person is eventually convicted of the crime and the victim, within ten years of the date of the crime, brings a civil action in a court of competent jurisdiction and recovers a money judgment against such person or his representatives. The moneys in said escrow account shall be subject to execution in accordance with the provisions of Title 6 RCW if such person is convicted of a crime or crimes arising out of the events described in subsection (1) of this section. The moneys in the escrow account may also be paid over pursuant to a restitution order entered by the court in the underlying criminal conviction.

(3) Upon disposition of charges favorable to any person accused of committing a crime, or upon a showing by such person that ten years have elapsed from the establishment of such escrow account and further that no actions are pending against such person pursuant to this section, the person may petition a court of competent jurisdiction for the return of the surplus money in the escrow account.

(4) Notwithstanding the foregoing provisions of this section, the department shall make payments from an escrow account to any person accused of crime upon the order of a court of competent jurisdiction after a showing by such person that such moneys shall be used for the exclusive purpose of retaining legal representation at any stage of the proceedings against such person, including the appeals process.

(5) Any action taken by any person convicted of a crime, whether by way of execution of a power of attorney, creation of corporate entities, or otherwise, to defeat the purpose of this section shall be null and void as against the public policy of this state."

Renumber the remaining sections consecutively.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Newhouse moved that the House do concur in the Senate amendment to page 4, line 19.

Representatives Newhouse and Tilly spoke in favor of the motion, and Representatives Ehlers and Scott spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to page 4, line 19 of House Bill No. 307, and the motion was carried by the following vote: Yeas, 61; nays, 30; not voting, 7.

\* Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Fancher, Flanagan, Fuller, Galloway, Granlund, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, King, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Sherman, Smith C. P., Sprague, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bender, Blair, Brown, Burns, Douthwaite, Ehlers, Eng, Gallagher, Garrett, Gruger, Haley, Jovanovich, Keller, Knowles, Kreidler, Lux, Martinis, May, Monohon, Nelson D., Pruitt, Scott, Smith R., Sommers, Thompson, Valle, Vrooman.

Not voting: Representatives Becker, Bond, Brekke, Charnley, Erickson, Salatino, Wilson.

#### MOTION

Mr. Newhouse moved that the House do concur in the Senate amendment to page 6, line 14.

Mr. Newhouse spoke in favor of the motion.

The Speaker (Mr. Amen presiding) declared the House to be at ease until 1:30 p.m.

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

The Speaker (Mr. Amen presiding) stated the question before the House to be the motion by Mr. Newhouse that the House do concur in the Senate amendment to page 6, line 14 of House Bill No. 307.

Representatives Newhouse and Tilly spoke in favor of the motion, and Mr. Ehlers spoke against it.

The motion was carried.

On motion of Mr. Newhouse, the House concurred in the Senate amendment to page 7, line 5.

Mr. Newhouse moved that the House do not concur in the Senate amendment to page 7, line 32, adding a new section amending RCW 7.68.065.

Mr. Newhouse spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Nelson (D).

Mr. Nelson (D): Representative Newhouse, the second section, new section 16, talks about relieving victims of sexual assault from the cost of attaining evidence about that assault. I'm wondering if your intention is to eliminate that section, too."

Mr. Newhouse: "Yes, Representative Nelson, that would be my intent. I understand the victim of crime is not presently assessed those charges. In other words, if someone is a victim of a sexual assault and hospital tests are necessary to determine that an assault has been committed, the state or the county presently picks up the tab for the hospital charge; therefore, we felt that this was not really necessary. However, in putting this amendment in a nonconcurrency position with the Senate, this is still available by any negotiation process. That's up to the conference committee."

The motion was carried.

On motion of Mr. Newhouse, the House concurred in the Senate amendment to page 7, line 32, adding a section amending RCW 10.88.330.

On motion of Mr. Newhouse, the House concurred in the Senate amendment to page 7, line 32 adding a new section 14.

On motion of Mr. Newhouse, the House concurred in the Senate amendments to the title that coincide with the Senate amendments adopted by the House, and did not concur in the amendments to the title pertaining to the amendments not adopted.

#### MOTION FOR RECONSIDERATION

Mr. Whiteside moved that the rules be suspended, to allow reconsideration of the vote by which the House passed SUBSTITUTE HOUSE BILL NO. 262 as amended by the Senate.

Representatives Whiteside and Lux spoke in favor of the motion, and it was carried.

#### MOTION FOR RECONSIDERATION

Mr. Whiteside moved that the House reconsider the vote by which the House concurred in the Senate amendments to Substitute House Bill No. 262.

The motion was carried.

The Speaker (Mr. Amen presiding) stated the question before the House to be the motion to concur in the Senate amendments to Substitute House Bill No. 262.

Mr. Whiteside spoke against concurrence.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Whiteside, since I'm the one who followed the bill over to the Senate and was concerned about the illegitimacy question, could you calm my fears that this would not be a problem with the birth certificates?"

Mr. Whiteside: "Right now I don't know what to promise you. Whatever your fears may be, I feel they should be calmed."

The motion failed.

The Speaker (Mr. Amen presiding) stated that the House, by its action, had not concurred in the Senate amendments to Substitute House Bill No. 262.

### SENATE AMENDMENT TO HOUSE BILL

April 6, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 330 with the following amendment:

On page 1, line 13 after "document" and before "; or" insert ": PROVIDED, That a person may purchase a license, permit, tag or other document that is not authorized by the same section of Title 77 RCW as the revoked document"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Schmitten, the House concurred in the Senate amendment to House Bill No. 330.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 330 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 330 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Chandler, Charnley, Erickson, Owen, Salatino.

House Bill No. 330 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 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 338 with the following amendments:

On page 1, line 6 after "26.04.210;" insert "amending section 419, chapter 249, Laws of 1909 and RCW 26.04.250;"

On page 2, beginning on line 6 strike all the material down through and including "that" on line 8 and insert "((PROVIDED, That in addition, the affidavits of both applicants they are for such marriage license shall show that))"

On page 2, beginning on line 23 insert a new section to read as follows:

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

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

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed House Bill No. 338.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 338 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 338 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Craswell, Erickson, Owen, Salatino, Valle.

Engrossed House Bill No. 338 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 9, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 398 with the following amendments:

On line 4 of the title after "28B.50.100" and before the period insert "; amending section 28B.20.100, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 62, Laws of 1973 and RCW 28B.20.100; amending section 28B.30.100, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 62, Laws of 1973 and RCW 28B.30.100; amending section 45, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.100; amending section 28B.40.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 65, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.100; amending section 28B.30.120, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.120; and creating new sections"

On page 1, line 23, after "and" strike everything down to and including "state" on line 24 and insert "qualified"

On page 2, following section 1 add new sections to read as follows:

"Sec. 2. Section 28B.20.100, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 62, Laws of 1973 and RCW 28B.20.100 are each amended to read as follows:

The (~~government~~) governance of the University of Washington shall be vested in a board of regents to consist of seven members (~~who~~). They shall be appointed by the governor (~~of the state, by and~~) with the (~~advice and~~) consent of the senate, and (~~who~~) shall hold their offices (~~respectively~~) for a term of six years from the (~~second Monday in March next succeeding their appointment~~) first day of October and until their successors shall be appointed and (~~shall qualify by filing their oath with the secretary of state~~) qualified. Four members of said board shall constitute a quorum for the transaction of business. (~~Whenever there shall be~~) In the case of a vacancy ((in the said board of regents, from any cause whatever, it shall be the duty of), or when an appointment is made after the date of the expiration of a term, the governor ((to) shall fill ((such office by appointment for the unexpired)) the vacancy for the remainder of the term of the ((incumbent) regent whose ((position) office has become vacant or expired.

No more than the terms of two members will expire simultaneously on the last day of September in any one year.

Sec. 3. Section 28B.30.100, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 62, Laws of 1973 and RCW 28B.30.100 are each amended to read as follows:

The (~~seven members of the~~) governance of Washington State University shall be vested in a board of regents ((of Washington State University)) to consist of seven members. They shall be appointed by the governor, by and with the consent of the senate((~~PROVIDED~~, That all appointments made to fill vacancies caused by death, resignation or otherwise, shall be for the unexpired term of the incumbent whose place shall have become vacant)) and shall hold their offices for a term of six years from the first day of October and until their successors are appointed and qualified. ((Except as otherwise in this section provided, all appointments shall be for the term of six years and until the appointment and qualification by filing his oath with the secretary of state of a successor to each appointee.)) Four members of said board shall constitute a quorum for the transaction of business. In the case of a vacancy or when an appointment is made after the date of the expiration of a term, the governor shall fill the vacancy for the remainder of the term of the regent whose office has become vacant or expired.

No more than the terms of two members will expire simultaneously on the last day of September in any one year.

Each regent shall, before entering upon the discharge of his respective duties as such, execute a good and sufficient bond to the state of Washington, with two or more sufficient sureties, residents of the state, or with a surety company licensed to do business within the state, in the penal sum of not less than five thousand dollars, conditioned for the faithful performance of his duties as such regent: PROVIDED, That the university shall pay any fees incurred for any such bonds for their board members.

Sec. 4. Section 45, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.100 are each amended to read as follows:

The ~~((government))~~ governance of each of the regional universities shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the ~~((second Monday in March next succeeding their appointment))~~ first day of October and until their successors are appointed and qualified. In case of a vacancy, or when an appointment is made after the date of expiration of the term, the governor shall fill the vacancy for the ~~((unexpired))~~ remainder of the term of the trustee whose office has become vacant or expired.

No more than the terms of two members will expire simultaneously on the ~~((second Monday of March))~~ last day of September in any one year.

Sec. 5. Section 28B.40.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 65, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.100 are each amended to read as follows:

The ~~((government))~~ governance of The Evergreen State College shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the ~~((second Monday in March next succeeding their appointment))~~ first day of October and until their successors are appointed and qualified. In case of a vacancy, or when an appointment is made after the date of expiration of the term, the governor shall fill the vacancy for the ~~((unexpired))~~ remainder of the term of the trustee whose office has become vacant or expired.

No more than the terms of two members will expire simultaneously on the ~~((second Monday of March))~~ last day of September in any one year.

Sec. 6. Section 28B.30.120, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.120 are each amended to read as follows:

Meetings of the board of regents may be called in such manner as the board may prescribe, and a full meeting of the board shall be called at least once a year. ~~((A majority of said board shall constitute a quorum for the transaction of business but a less number may adjourn from time to time.))~~ No vacancy in said board shall impair the rights of the remaining members of the board.

NEW SECTION. Sec. 7. Nothing in sections 2 through 6 of this amendatory act shall shorten the terms of regents or trustees presently in office.

NEW SECTION. Sec. 8. 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Grimm moved that the House do concur in the Senate amendments to Substitute House Bill No. 398.

Representatives Grimm and Teutsch spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 398 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 398 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Nelson G. A., Owen, Salatino.

Substitute House Bill No. 398 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 9, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 415 with the following amendments:

On page 1, lines 13-14, after "thereof" strike "or before an officer designated by the legislative authority" and insert "or the legislative authority of any city having a population of 15,000 or more may designate an officer to conduct such hearings"

On page 1, line 21 before the period after "authority" insert ": PROVIDED, That a local ordinance shall provide for an appeal by any person protesting his or her assessment to the legislative authority of a decision made by such officer"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to House Bill No. 415.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 415 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 415 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Owen, Salatino.

House Bill No. 415 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 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 424 with the following amendment:

On page 1, line 23 strike "~~((four dollars))~~" and insert "four dollars" or and after "penalty" insert ", whichever is greater,"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendment to Engrossed House Bill No. 424.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 424 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 424 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 4; not voting, 7.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis,



Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Ehlers, Garrett, North, Teutsch.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Haley, Owen, Salatino.

Engrossed House Bill No. 424 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 11, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 459 with the following amendments:

On page 1, line 6 of the title after "48.14.070;" insert "and amending section .13.21, chapter 79, Laws of 1947 and RCW 48.13.210;"

On page 3, after line 15 insert:

"Sec. 4. Section .13.21, chapter 79, Laws of 1947 and RCW 48.13.210 are each amended to read as follows:

(1) An insurer other than a life insurer may invest a portion of its surplus funds in an aggregate amount not exceeding fifty percent of its surplus over its capital stock and other liabilities, or thirty-five percent of its capital funds, whichever is greater, in the stocks of other insurers organized and existing under the laws of states of the United States. Indirect or proportionate interests in insurance stocks held by an insurer through any intermediate subsidiary or subsidiaries shall be included in applying the limitations provided in subsections (1), (2), and (3) of this section.

(2) A life insurer may invest in such insurance stocks in an aggregate amount not exceeding the smaller of the following amounts: Five percent of its assets; or twenty-five percent of its surplus over its capital stock and other liabilities, or of surplus over its required minimum surplus if a mutual life insurer.

(3) An insurer shall not purchase or hold as an investment more than five percent of the voting stock of any one other insurer, and subject further to the investment limits of RCW 48.13.030. This limitation shall not apply if such other insurer is the subsidiary of, and substantially all its shares having voting powers are owned by, ~~(an) the insurer (other than a life insurer)~~.

(4) No such insurance stock shall be eligible as an investment unless it meets the qualifications for stocks of other corporations as set forth in RCW 48.13.220.

(5) The limitations on investment in insurance stocks set forth in this chapter shall not apply to stocks acquired under a plan for merger of the insurers which has been approved by the commissioner or to shares received as stock dividends upon shares already owned."

Renumber the remaining section consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Maxie, the House concurred in the Senate amendments to Substitute House Bill No. 459.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 459 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 459 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Owen, Salatino.

Substitute House Bill No. 459 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 9, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 619 with the following amendments:

On page 2, line 8 after "food" insert ", minerals or vitamins"

On page 2, line 15 strike "~~((any applicable federal or))~~" and insert "any applicable federal or"

On page 2, line 22 after "RCW," insert "an osteopathic physician or"

On page 3, line 4 after "RCW," insert "an osteopathic physician or"

On page 3, line 34 after "only" and before the period insert ": PROVIDED, That such designation shall not include any drug not so designated under the Federal Food, Drug and Cosmetic Act and regulations adopted thereto"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTIONS

On motion of Mr. Mitchell, the House concurred in the Senate amendments to page 2, line 8; page 2, line 22; and page 3, line 4.

On motion of Mr. Mitchell, the House refused to concur in the Senate amendments to page 2, line 15 and page 3, line 34.

### SENATE AMENDMENT TO HOUSE BILL

April 6, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 624 with the following amendment:

On page 2, line 6 after "physicians" insert ", licensed pursuant to chapter 18.71 RCW," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Mitchell, the House concurred in the Senate amendment to Substitute House Bill No. 624.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 624 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 624 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; nays, 17; not voting, 7.

Voting yea: Representatives Adams, Addison, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Brown, Burns, Chandler, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Flanagan, Fuller, Gallagher, Galloway, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rosbach, Schmitten, Scott, Sherman, Smith C. P., Sommers, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson.

Voting nay: Representatives Amen, Barnes, Blair, Clayton, Craswell, Fancher, Garrett, Greengo, Hastings, McGinnis, Patterson, Polk, Rohrbach, Sanders, Sprague, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Nelson G. A., Salatino, Smith R.

Substitute House Bill No. 624 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 11, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 697 with the following amendments:

On page 4, line 34 after "damages" insert ", court costs, including reasonable attorneys' fees, and costs of recovery"

On page 5, line 4 after "costs," insert "including reasonable attorneys' fees" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Substitute House Bill No. 697.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 697 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 697 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Teller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Warnke.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, North, Salatino.

Substitute House Bill No. 697 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 11, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 860 with the following amendment:

On page 2, after line 21 add a subsection as follows:

"(10) Provide reasonable assurance that the extension of municipal services and the additional payments to be made by the property owners of the area to be annexed in the form of taxes bear a reasonable relation to the value of the additional municipal services to be received. This objective shall apply only to cities with a population of 400,000 or more which initiates a resolution for annexation proceedings."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Van Dyken moved that the House do concur in the Senate amendment to House Bill No. 860.

Mr. Van Dyken spoke in favor of the motion, and Mr. Blair spoke against it.

## MOTION

On motion of Mr. Knowles, further consideration of House Bill No. 860 and the Senate amendments thereto was deferred until tomorrow.

## SENATE AMENDMENT TO HOUSE BILL

April 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 954 with the following amendment:

On page 9, beginning on line 7 strike all the material down to and including "entity" on line 18 and insert the following:

"Whenever a first class city owns and operates a municipal airport which is located in an unincorporated area of a county, the airport shall be subject to the county's comprehensive plan and zoning ordinances in the same manner as if the airport were privately owned and operated" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendment to Engrossed House Bill No. 954.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 954 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 954 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Gallagher.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Maxie, Newhouse, Salatino.

Engrossed House Bill No. 954 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 17, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 247 with the following amendment:

On page 8, line 13 after "sale." insert "((Such charges shall be accounted for as a per unit charge based upon the same unit of measure for which the selling price of such product was charged.))"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendment to Substitute House Bill No. 247.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 247 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 247 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Salatino.

Substitute House Bill No. 247 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 19, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 500 with the following amendments:

On page 7, line 13 insert:

"NEW SECTION. Sec. 7. 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 5 of the title after "RCW" strike "and" and after "appropriations" insert "; and declaring an emergency"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Blair, the House concurred in the Senate amendments to Substitute House Bill No. 500.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 500 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 500 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Salatino.

Substitute House Bill No. 500 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 17, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 502 with the following amendment:

On page 3, line 19 after "older" and before the period insert ", nor shall they apply to any female person twelve years of age or older with respect to immunization for rubella"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 502.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 502 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 502 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Teller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Salatino.

Engrossed Substitute House Bill No. 502 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 19, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 781 with the following amendments:

On page 14, line 17 after "fee is" strike "fifty" and insert "twenty-five"

On page 5, line 16 after "or" strike "posts and forfeits bail" and insert "has an unvacated bail forfeiture"

On page 5, line 35 after "conviction or" insert "unvacated"

On page 5, line 34 strike "including off-tract harvesting"

On page 6, line 23 after "RCW." insert "Any lessee may terminate a lease entered into pursuant to this subsection if actions of a governmental agency, beyond the control of the lessee, its agents or its employees, prohibit harvesting, for a period exceeding thirty days, during the term of the harvesting agreement. Upon termination of the lease, the lessee shall be reimbursed by the lessor for the cost paid on the lease less the value of the harvest already accomplished by the lessee on the leasehold."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

On motion of Mr. Schmitt, the House refused to concur in the Senate amendment to page 4, line 17, and asked the Senate to recede therefrom.

On motion of Mr. Schmitt, the House concurred in the remainder of the Senate amendments to Engrossed House Bill No. 781.

## SENATE AMENDMENTS TO HOUSE BILL

April 18, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 504 with the following amendments:

On page 2, line 9 after "wage" and before "shall" insert "or who is legally blind or profoundly deaf"

On page 2, line 19 after "a" insert "lifetime"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Hurley, the House concurred in the Senate amendments to Substitute House Bill No. 504.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 504 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 504 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Douthwaite, Erickson, Salatino.

Substitute House Bill No. 504 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 18, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 913 with the following amendment:

On page 1, line 11 after "except" strike "harbor areas" and insert "as prohibited by Article XV, section 1 of the Washington State Constitution"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Schmitt, the House concurred in the Senate amendment to House Bill No. 913.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 913 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 913 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Salatino.

House Bill No. 913 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

April 16, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2058 on page 11, line 22; page 11, line 23; and page 15, line 26; and does not concur in

the amendment to page 11, line 34, 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. Schmitt, the House receded from its amendment to page 11, line 34 of Substitute Senate Bill No. 2058.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 2058 without the House amendment to page 11, line 34.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2058 without one House amendment, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Isaacson.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Newhouse, Owen, Salatino.

Substitute Senate Bill No. 2058 without one 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.

Speaker Berentson assumed the Chair.

#### MESSAGE FROM THE SENATE

April 16, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2197, except for the following amendments:

On page 1, line 7 after "radioactive" insert "isotopes,"

On page 1, line 7 after "decay" strike "daughter"

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. Haley moved that the House do not recede from its amendments to Engrossed Substitute Senate Bill No. 2197, and again ask the Senate to concur therewith.

Mr. Isaacson spoke in favor of the motion, and it was carried.

#### MESSAGE FROM THE SENATE

April 16, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 2422, 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. Adams, the House receded from its amendments to Substitute Senate Bill No. 2422.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

Speaker Berentson stated the question before the House to be the final passage of Substitute Senate Bill No. 2422 without the House amendments.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2422 without the House amendments, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Brekke, Charnley, Erickson, Owen, Salatino.

Substitute Senate Bill No. 2422 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.

## SECOND READING

ENGROSSED SENATE BILL NO. 2905, by Senators Morrison and Ridder:

Modifying the licensing of electricians.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 17th Day ex. sess., April 6, 1979.)

Mr. Greengo moved adoption of the committee amendment to page 3, line 166.

Representatives Greengo and Warnke spoke in favor of the committee amendment, and it was adopted.

On motion of Mr. Warnke, the committee amendment to page 4, line 9 was adopted.

## MOTION

On motion of Mr. Polk, further consideration of Engrossed Senate Bill No. 2905 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 2852, by Senators Lysen and Morrison:

Establishing procedures for mediation and arbitration in collective bargaining by uniformed personnel.

The bill was read the second time.

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2852 be placed on final passage.

Mr. Lux spoke against the motion, and Mr. Clayton spoke in favor of it.

Mr. Lux again spoke against the motion, and Mr. Newhouse spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 2852 to third reading and final passage, and the motion failed to receive the required two-thirds majority, by the following vote: Yeas, 57; nays, 33; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Galloway, Greengo, Haley, Hastings, Houchen, Hurley, Isaacson, Jovanovich, Knowles, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Brown, Burns, Douthwaite, Ehlers, Eng, Erak, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Keller, King, Kreidler, Lux, Monohon, Nelson D., North, O'Brien, Pruitt, Scott, Sherman, Smith R., Sommers, Sprague, Thompson, Vrooman, Walk, Warnke.

Not voting: Representatives Bagnariol, Bond, Brekke, Charnley, Erickson, Owen, Salatino, Valle.

Engrossed Senate Bill No. 2852 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Tuesday, April 24, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## THIRTY-FIFTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 24, 1979.

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 Greengo, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Robert Carlson and Jim Nozel. Prayer was offered by The Reverend Frances Harland of St. John's Episcopal Church of Centralia.

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

### MESSAGE FROM THE GOVERNOR

April 23, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on April 23, 1979, Governor Ray approved the following House Bills, entitled:

- SUBSTITUTE HOUSE BILL NO. 22: Relating to powers of arrest;
- HOUSE BILL NO. 58: Relating to the exhibition of motion pictures;
- SUBSTITUTE HOUSE BILL NO. 78: Relating to special purpose districts;
- SUBSTITUTE HOUSE BILL NO. 163: Relating to the Washington state veterinary board of governors;
- SUBSTITUTE HOUSE BILL NO. 186: Relating to Christmas tree sales;
- HOUSE BILL NO. 380: Relating to the state highway system;
- HOUSE BILL NO. 455: Relating to employee welfare trust funds;
- SUBSTITUTE HOUSE BILL NO. 546: Relating to insurance;
- HOUSE BILL NO. 571: Relating to the privacy of criminal records;
- HOUSE BILL NO. 576: Relating to apprenticeship;
- HOUSE BILL NO. 630: Relating to public works and awarding of costs and attorney fees;
- HOUSE BILL NO. 689: Relating to litter control;
- HOUSE BILL NO. 759: Relating to libraries;
- SUBSTITUTE HOUSE BILL NO. 774: Relating to pawn brokers and second-hand dealers;
- HOUSE BILL NO. 888: Relating to rehabilitation;
- SUBSTITUTE HOUSE BILL NO. 962: Relating to commercial fishing;
- SUBSTITUTE HOUSE BILL NO. 1018: Relating to insurance;
- SUBSTITUTE HOUSE BILL NO. 1045: Relating to state retirement systems;
- SUBSTITUTE HOUSE BILL NO. 1057: Relating to state government;
- HOUSE BILL NO. 1115: Relating to the environmental hearings office;
- SUBSTITUTE HOUSE BILL NO. 1126: Relating to the legislature;
- HOUSE BILL NO. 1133: Relating to public disclosure;
- SUBSTITUTE HOUSE BILL NO. 1176: Relating to federal areas and jurisdictions.

Sincerely,

H. B. Hanna, Legal Counsel.

### MESSAGES FROM THE SENATE

April 23, 1979

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 308,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 23, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2071,  
 ENGROSSED SENATE BILL NO. 2378,  
 ENGROSSED SENATE BILL NO. 2584,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 23, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2284,  
 SUBSTITUTE SENATE BILL NO. 2439,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2071, by Committee on Transportation (originally sponsored by Senators Henry, Wanamaker and Conner - by Department of Licensing request):

Increasing motor vehicle dealer and manufacturer fees and eliminating restrictions on dealer plates.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 2378, by Senators Wojahn, Jones, Ridder and Talmadge:

Authorizing the payment of certain pension benefits to spouses and ex-spouses.

To Committee on Appropriations

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

Speaker Bagnariol called the House to order.

## SENATE AMENDMENTS, TO HOUSE BILL

April 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 101 with the following amendments:

On page 1, beginning on line 7 strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. It is the legislative intent in the adoption of this chapter in decriminalizing certain traffic offenses to promote the public safety and welfare on public highways and to facilitate the implementation of a uniform and expeditious system for the disposition of traffic infractions.

NEW SECTION. Sec. 2. Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) RCW 46.20.021 relating to driving without a valid driver's license;

(7) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(8) RCW 46.20.342 relating to driving with a suspended or revoked license;

(9) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(10) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

(11) Chapter 46.29 RCW relating to financial responsibility;

(12) RCW 46.48.175 relating to the transportation of dangerous articles;

(13) RCW 46.52.010 relating to duty on striking an unattended car or other property;

(14) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;

- (15) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;
- (16) RCW 46.52.100 relating to driving under the influence of liquor or drugs;
- (17) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;
- (18) RCW 46.61.015 relating to obedience to police officers, flagmen, or firefighters;
- (19) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;
- (20) Section 5 of this 1979 act relating to failure to stop and give identification to an officer;
- (21) RCW 46.61.500 relating to reckless driving;
- (22) RCW 46.61.506 and 46.61.515 relating to persons under the influence of intoxicating liquor or drugs;
- (23) RCW 46.61.520 relating to negligent homicide by motor vehicle;
- (24) RCW 46.61.525 relating to negligent driving;
- (25) RCW 46.61.530 relating to racing of vehicles on highways;
- (26) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
- (27) RCW 46.64.020 relating to nonappearance after a written promise;
- (28) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
- (29) Chapter 46.65 RCW relating to habitual traffic offenders;
- (30) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;
- (31) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;
- (32) Chapter 46.80 RCW relating to motor vehicle wreckers;
- (33) Chapter 46.83 RCW relating to driver's training schools.

**NEW SECTION.** Sec. 3. (1) A law enforcement officer has the authority to issue a notice of traffic infraction when the infraction is committed in the officer's presence or when the notice of traffic infraction is issued pursuant to RCW 46.64.017, pertaining to investigation at the scene of a motor vehicle accident.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

**NEW SECTION.** Sec. 4. There is added to chapter 46.61 RCW a new section to read as follows:

(1) Any person requested or signaled to stop by a law enforcement officer for a traffic infraction has a duty to stop.

(2) Whenever any person is stopped for a traffic infraction, the officer may detain that person for a reasonable period of time necessary to identify the person, check the status of the person's license and the vehicle's registration, and complete and issue a notice of traffic infraction.

(3) Any person requested to identify himself to a law enforcement officer pursuant to an investigation of a traffic infraction has a duty to identify himself, give his current address, and sign an acknowledgement of receipt of the notice of infraction.

**NEW SECTION.** Sec. 5. There is added to chapter 46.61 RCW a new section to read as follows:

Any person who willfully fails to stop when requested or signaled to do so by a person reasonably identifiable as a law enforcement officer or to comply with section 4(3) of this 1979 act, is guilty of a misdemeanor.

**NEW SECTION.** Sec. 6. (1) All violations of state law, local law, ordinance, regulation, or resolution designated as traffic infractions in section 2 of this 1979 act may be heard and determined by a district court, except as otherwise provided in this section.

(2) Any municipal or police court has the authority to hear and determine traffic infractions pursuant to this chapter.

(3) Any city or town with a municipal or police court may contract with the county to have traffic infractions committed within the city or town adjudicated by a district court.

(4) District court commissioners have the authority to hear and determine traffic infractions pursuant to this chapter.

**NEW SECTION.** Sec. 7. All judges and court commissioners adjudicating traffic infractions shall complete such training requirements as are promulgated by the supreme court.

**NEW SECTION.** Sec. 8. (1) A notice of traffic infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in this chapter.

(2) The form for the notice of traffic infraction shall be prescribed by rule of the supreme court and shall include the following:

(a) A statement that the notice represents a determination that a traffic infraction has been committed by the person named in the notice and that the determination shall be final unless contested as provided in this chapter;

(b) A statement that a traffic infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction; that the penalty for a traffic infraction may include sanctions against the person's driver's license including suspension, revocation, or denial;

(c) A statement of the specific traffic infraction for which the notice was issued;

(d) A statement of the monetary penalty established for the traffic infraction;

(e) A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;

(f) A statement that at any hearing to contest the determination the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed; and that the person may subpoena witnesses including the officer who issued the notice of infraction;

(g) A statement that at any hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction the person will be deemed to have committed the infraction and may not subpoena witnesses;

(h) A statement that the person must respond to the notice as provided in this chapter within seven days or the person's driver's license will not be renewed by the department until any penalties imposed pursuant to this chapter have been satisfied;

(i) A statement that failure to appear at a hearing requested for the purpose of contesting the determination or for the purpose of explaining mitigating circumstances will result in the refusal of the department to renew the person's driver's license until any penalties imposed pursuant to this chapter have been satisfied.

**NEW SECTION.** Sec. 9. (1) Any person who receives a notice of traffic infraction shall respond to such notice as provided in this section within seven days of the date of the notice.

(2) If the person determined to have committed the infraction does not contest the determination the person shall respond by completing the appropriate portion of the notice of infraction and submitting it, either by mail or in person, to the court specified on the notice. A check or money order in the amount of the penalty prescribed for the infraction must be submitted with the response. When a response which does not contest the determination is received, an appropriate order shall be entered in the court's records, and a record of the response and order shall be furnished to the department in accordance with RCW 46.20.270.

(3)(a) If the person determined to have committed the infraction wishes to contest the determination the person shall respond by completing the portion of the notice of infraction requesting a hearing and submitting it, either by mail or in person, to the court specified on the notice. The court shall notify the person in writing of the time, place, and date of the hearing, and that date shall not be sooner than seven days from the date of the notice, except by agreement.

(b) If any person who has requested a hearing to contest the determination that an infraction has been committed fails to appear without good cause at the time and place set for the hearing the department may not renew the person's driver's license until any penalties imposed pursuant to this chapter have been satisfied.

(4)(a) If the person determined to have committed the infraction does not contest the determination but wishes to explain mitigating circumstances surrounding the infraction the person shall respond by completing the portion of the notice of infraction requesting a hearing for that purpose and submitting it, either by mail or in person, to the court specified on the notice. The court shall notify the person in writing of the time, place, and date of the hearing.

(b) If any person who has requested a hearing to explain mitigating circumstances fails to appear without good cause at the time and place set for the hearing, the department may not renew the person's driver's license until any penalties imposed pursuant to this chapter have been satisfied.

(5) If any person issued a notice of traffic infraction fails to respond as provided in this section the department may not renew that person's driver's license until any penalties imposed pursuant to this chapter have been satisfied.

**NEW SECTION.** Sec. 10. (1) Procedures for the conduct of all hearings provided for in this chapter may be established by rule of the supreme court.

(2) Any person subject to proceedings under this chapter may be represented by counsel.

(3) The attorney representing the state, county, city, or town may appear in any proceedings under this chapter.

**NEW SECTION.** Sec. 11. (1) A hearing held for the purpose of contesting the determination that an infraction has been committed shall be without a jury.

(2) The court may consider the notice of traffic infraction and any other written report made under oath submitted by the officer who issued the notice or whose written statement was the basis for the issuance of the notice in lieu of the officer's personal appearance at the hearing. The person named in the notice may subpoena witnesses, including the officer, and has the right to present evidence and examine witnesses present in court.

(3) The burden of proof is upon the state to establish the commission of the infraction by a preponderance of the evidence.

(4) After consideration of the evidence and argument the court shall determine whether the infraction was committed. Where it has not been established that the infraction was committed an order dismissing the notice shall be entered in the court's records. Where it has been established that the infraction was committed an appropriate order shall be entered in the court's records. A record of the court's determination and order shall be furnished to the department in accordance with RCW 46.20.270 as now or hereafter amended.

(5) An appeal from the court's determination or order shall be in the form of a trial de novo in superior court. The person has fourteen calendar days from the date of the court's determination in which to give notice of an appeal. The decision of the superior court is subject only to discretionary review pursuant to Rule 2.3 of the Rules of Appellate Procedure.

**NEW SECTION.** Sec. 12. (1) A hearing held for the purpose of allowing a person to explain mitigating circumstances surrounding the commission of an infraction shall be an informal proceeding. The person may not subpoena witnesses. The determination that an infraction has been committed may not be contested at a hearing held for the purpose of explaining mitigating circumstances.

(2) After the court has heard the explanation of the circumstances surrounding the commission of the infraction an appropriate order shall be entered in the court's records. A record of the court's determination and order shall be furnished to the department in accordance with RCW 46.20.270 as now or hereafter amended.

(3) There may be no appeal from the court's determination or order.

NEW SECTION. Sec. 13. (1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated traffic infractions.

(3) There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction or failure to pay a monetary penalty imposed pursuant to this chapter.

(4) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(5) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may, in its discretion, grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment the court shall notify the department of the failure to pay the penalty, and the department may not renew the person's driver's license until the penalty has been paid and the penalty provided in subsection (2) of this section has been paid.

NEW SECTION. Sec. 14. (1) An order entered after the receipt of a response which does not contest the determination, or after it has been established at a hearing that the infraction was committed, or after a hearing for the purpose of explaining mitigating circumstances is civil in nature.

(2) The court may include in the order the imposition of any penalty authorized by the provisions of this chapter for the commission of an infraction. The court may, in its discretion, waive, reduce, or suspend the monetary penalty prescribed for the infraction. At the person's request the court may order performance of a number of hours of community service in lieu of a monetary penalty, at the rate of the then state minimum wage per hour.

Sec. 15. Section 9, chapter 299, Laws of 1961 as amended by section 4, chapter 73, Laws of 1971 and RCW 3.30.090 are each amended to read as follows:

A violations bureau may be established by any city or district court having jurisdiction of traffic cases to assist in processing traffic cases. As designated by written order of the court having jurisdiction of traffic cases, specific offenses under city ordinance, county resolution, or state law may be processed by such bureau. Such bureau may be authorized to receive the posting of bail for such specified offenses, and, as authorized by the court order, to accept forfeiture of bail and payment of monetary penalties. The court order shall specify the amount of bail to be posted and shall also specify the circumstances or conditions which will require an appearance before the court. Such bureau, upon accepting the prescribed bail, shall issue a receipt to the alleged violator, which receipt shall bear a legend informing him of the legal consequences of bail forfeiture. The bureau shall transfer daily to the clerk of the proper department of the court all bail posted for offenses where forfeiture is not authorized by the court order, as well as copies of all receipts. All forfeitures or penalties paid to a violations bureau for violations of municipal ordinances shall be placed in the city general fund or such other fund as may be prescribed by ordinance. All forfeitures or penalties paid to a violations bureau for violations of state laws or county resolutions shall be remitted at least monthly to the county treasurer for deposit in the current expense fund. Employees of violations bureaus of a city shall be city employees under any applicable municipal civil service system.

Sec. 16. Section 32, chapter 299, Laws of 1961 and RCW 3.42.020 are each amended to read as follows:

Each justice court commissioner shall have such power, authority, and jurisdiction in criminal matters as the justices of the peace who appointed him possess and shall prescribe. Justice court commissioners shall not have power to hear and determine civil matters other than traffic infractions.

Sec. 17. Section 51, chapter 299, Laws of 1961 and RCW 3.50.020 are each amended to read as follows:

The municipal court shall have exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinances and to pronounce judgment in accordance therewith.

Sec. 18. Section 52, chapter 299, Laws of 1961 and RCW 3.50.030 are each amended to read as follows:

Every city or town may establish and operate under the supervision of the municipal court a violations bureau to assist the court in processing traffic cases. Each municipal court shall designate the specific traffic offenses under the city or town ordinance which may be processed by the violations bureau. A violations bureau may be authorized to receive the posting of bail for specified offenses and, to the extent authorized by court order, permitted to accept forfeiture of bail and payment of penalties. Any violations bureau, upon accepting the prescribed bail, shall issue a receipt therefor to the alleged violator, acknowledging the posting thereof and informing the accused of the legal consequences of bail forfeiture. Any person charged with any criminal traffic offense within the authority of the violations bureau may, upon signing a written appearance, a written plea of guilty and a written waiver of trial, pay to the violations bureau the fine established for the

offense charged and costs and this shall have the same effect as a court conviction. All penalties and forfeitures paid to a violations bureau for the violation of municipal ordinance shall be placed in the city or town general fund or such other fund as may be prescribed by ordinance of the city or town or laws of the state of Washington. Any employees of an existing violations bureau of any city shall continue as a city employee.

Sec. 19. Section 77, chapter 299, Laws of 1961 and RCW 3.50.280 are each amended to read as follows:

In all trials for offenses in municipal court, a jury trial shall be allowed only in criminal offenses involving the revocation or suspension of a driver's license or other gross misdemeanor. No change of venue shall be taken from the municipal court, and the defendant shall not be entitled to file an affidavit of prejudice against any judge of the municipal court.

Sec. 20. Section 112, chapter 299, Laws of 1961 and RCW 3.66.010 are each amended to read as follows:

The justices of the peace elected in accordance with chapters 3.30 through 3.74 RCW are authorized to hold court as judges of the justice court for the trial of all actions enumerated in chapters 3.30 through 3.74 RCW or assigned to the justice court by law; to hear, try, and determine the same according to the law, and for that purpose where no special provision is otherwise made by law, such court shall be vested with all the necessary powers which are possessed by courts of record in this state; and all laws of a general nature shall apply to such justice court as far as the same may be applicable and not inconsistent with the provisions of chapters 3.30 through 3.74 RCW. The justice court shall, upon the demand of either party, impanel a jury to try any civil or criminal case in accordance with the provisions of chapter 12.12 RCW: PROVIDED, That in the trial of actions brought for violating any city ordinance, a jury trial shall be allowed only for criminal offenses involving the revocation or suspension of a driver's license or other gross misdemeanor: PROVIDED FURTHER, That no jury trial may be held in a proceeding involving a traffic infraction.

Sec. 21. Section 1, chapter 58, Laws of 1929 and RCW 12.36.010 are each amended to read as follows:

Any person considering himself aggrieved by the judgment or decision of a justice of the peace in a civil action may, in person or by his agent or attorney, appeal therefrom to the superior court of the county where the judgment was rendered or decision made: PROVIDED, There shall be no appeal allowed unless the amount in controversy, exclusive of costs, shall exceed the sum of twenty dollars: PROVIDED FURTHER, That an appeal from the court's determination or order on a traffic infraction proceeding may be taken only in accordance with section 11(5) of this 1979 act.

Sec. 22. Section 28B.10.565, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.565 are each amended to read as follows:

Any person violating a rule or regulation promulgated in conformity with the provisions of RCW 28B.10.560, shall be guilty of a misdemeanor, and the courts of justice of the peace in the county in which the offense is committed shall have jurisdiction over such offense: PROVIDED, That violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 23. Section 35.20.030, chapter 7, Laws of 1965 and RCW 35.20.030 are each amended to read as follows:

The municipal court shall have exclusive original jurisdiction to try violations of all city ordinances and all other actions brought to enforce or recover license penalties or forfeitures declared or given by any such ordinances. It is empowered to forfeit cash bail or bail bonds and issue execution thereon, to hear and determine all causes, civil or criminal, arising under such ordinances, and to pronounce judgment in accordance therewith: PROVIDED, That for a violation of the criminal provisions of an ordinance no greater punishment shall be imposed than a fine of five hundred dollars or imprisonment in the city jail not to exceed six months, or both such fine and imprisonment. All civil and criminal proceedings in municipal court, and judgments rendered therein, shall be subject to review in the superior court by writ of review or on appeal: PROVIDED, That an appeal from the court's determination or order in a traffic infraction proceeding may be taken only in accordance with section 11(5) of this 1979 act. Costs in civil and criminal cases may be taxed as provided in justice of the peace courts.

Sec. 24. Section 35.20.090, chapter 7, Laws of 1965 as last amended by section 3, chapter 53, Laws of 1977 ex. sess. and by section 3, chapter 248, Laws of 1977 ex. sess. and RCW 35.20.090 are each reenacted and amended to read as follows:

In all civil cases and criminal cases where jurisdiction is concurrent with district courts as provided in RCW 35.20.250, within the jurisdiction of the municipal court, the plaintiff or defendant may demand a jury, which shall consist of six citizens of the state who shall be impaneled and sworn as in cases before district courts, or the trial may be by a judge of the municipal court: PROVIDED, That no jury trial may be held on a proceeding involving a traffic infraction. A defendant requesting a jury shall pay to the court a fee which shall be the same as that for a jury in justice court. Where there is more than one defendant in an action and one or more of them requests a jury, only one jury fee shall be collected by the court. Each juror shall receive five dollars for each day in attendance upon the municipal court, and in addition thereto shall receive mileage as provided by law. Trial by jury shall be allowed in criminal cases involving violations of city ordinances commencing January 1, 1972, unless such incorporated city affected by this chapter has made provision therefor prior to January 1, 1972.

Sec. 25. Section 35.20.250, chapter 7, Laws of 1965 as amended by section 7, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.250 are each amended to read as follows:



The municipal court shall have concurrent jurisdiction with the superior court and justices of the peace in all civil and criminal matters as now provided by law for justices of the peace, and a judge thereof may sit in preliminary hearings as magistrate. Fines, penalties, and forfeitures before the court under the provisions of this section shall be paid to the county treasurer as provided for justices of the peace and commitments shall be to the county jail. Appeals from judgment or order of the court in such cases shall be governed by the law pertaining to appeals from judgments or orders of justices of the peace.

Sec. 26. Section 35.22.510, chapter 7, Laws of 1965 and RCW 35.22.510 are each amended to read as follows:

In all civil and criminal cases arising from the violations of city ordinances tried by such police judge he shall charge up as costs in each case the same fees as are charged by justices of the peace for like services in every action, and all fees so charged and collected by, and all fines, penalties, and forfeitures paid to, such police judge shall belong to and be paid over by him weekly, to the city.

Sec. 27. Section 35.22.530, chapter 7, Laws of 1965 and RCW 35.22.530 are each amended to read as follows:

All civil or criminal proceedings before such police judge and judgment rendered by him shall be subject to review in the superior court of the proper county by writ of review or appeal: PROVIDED, That an appeal from a court's determination or order in a traffic infraction proceeding may be taken only in accordance with section 11(5) of this 1979 act.

The appeal shall be to the superior court of the county in which the police court is located and shall be taken by orally giving notice thereof in open court at the time the judgment is rendered or by serving a copy of a written notice thereof upon the corporation counsel or city attorney and filing the original thereof with acknowledgment or affidavit of service with the police judge within ten days after the judgment was pronounced. After notice of appeal is given as herein required, appellant shall diligently prosecute his appeal and, within thirty days from the date of entry of judgment, shall file with the clerk of the superior court a transcript duly certified by the police judge, furnished by such police judge without charge, and containing a copy of all written pleadings and docket entries of the police court. Within ten days after the transcript is filed, appellant shall note the case for trial. The case shall be set for trial at the earliest open date thereafter and the clerk of the court shall, in writing, notify the corporation counsel or city attorney of the date thereof.

Sec. 28. Section 35.23.440, chapter 7, Laws of 1965 as last amended by section 21, chapter 316, Laws of 1977 ex. sess. and RCW 35.23.440 are each amended to read as follows:

The city council of each second class city shall have power and authority:

(1) Ordinances: To make and pass all ordinances, orders, and resolutions not repugnant to the Constitution of the United States or the state of Washington, or the provisions of this title, necessary for the municipal government and management of the affairs of the city, for the execution of the powers vested in said body corporate, and for the carrying into effect of the provisions of this title.

(2) License of shows: To fix and collect a license tax, for the purposes of revenue and regulation, on theatres, melodeons, balls, concerts, dances, theatrical, circus, or other performances, and all performances where an admission fee is charged, or which may be held in any house or place where wines or liquors are sold to the participators; also all shows, billiard tables, pool tables, bowling alleys, exhibitions, or amusements.

(3) Hotels, etc., licenses: To fix and collect a license tax for the purposes of revenue and regulation on and to regulate all taverns, hotels, restaurants, banks, brokers, manufactories, livery stables, express companies and persons engaged in transmitting letters or packages, railroad, stage, and steamboat companies or owners, whose principal place of business is in such city, or who have an agency therein.

(4) Auctioneers' licenses: To license and regulate auctioneers for the purposes of revenue and regulation.

(5) Peddlers', etc., licenses: To license, for the purposes of revenue and regulation, tax, prohibit, suppress, and regulate all raffles, hawkers, peddlers, pawnbrokers, refreshment or coffee stands, booths, or sheds; and to regulate as authorized by state law all tipping houses, dram shops, saloons, bars, and barrooms.

(6) Dance houses: To prohibit or suppress, or to license and regulate all dance houses, fandango houses, or any exhibition or show of any animal or animals.

(7) License vehicles: To license for the purposes of revenue and regulation, and to tax hackney coaches, cabs, omnibuses, drays, market wagons, and all other vehicles used for hire, and to regulate their stands, and to fix the rates to be charged for the transportation of persons, baggage, and property.

(8) Hotel runners: To license or suppress runners for steamboats, taverns, or hotels.

(9) License generally: To fix and collect a license tax for the purposes of revenue and regulation, upon all occupations and trades, and all and every kind of business authorized by law not heretofore specified: PROVIDED, That on any business, trade, or calling not provided by law to be licensed for state and county purposes, the amount of license shall be fixed at the discretion of the city council, as they may deem the interests and good order of the city may require.

(10) Riots: To prevent and restrain any riot or riotous assemblages, disturbance of the peace, or disorderly conduct in any place, house, or street in the city.

(11) Nuisances: To declare what shall be deemed nuisances; to prevent, remove, and abate nuisances at the expense of the parties creating, causing, or committing or maintaining the same, and to levy a special assessment on the land or premises whereon the nuisance is situated to defray the cost or to reimburse the city for the cost of abating the same.

(12) Stock pound: To establish, maintain, and regulate a common pound for estrays, and to appoint a poundkeeper, who shall be paid out of the fines and fees imposed and collected of the owners of any animals

impounded, and from no other source; to prevent and regulate the running at large of any and all domestic animals within the city limits or any parts thereof, and to regulate or prevent the keeping of such animals within any part of the city.

(13) Control of certain trades: To control and regulate slaughterhouses, washhouses, laundries, tanneries, forges, and offensive trades, and to provide for their exclusion or removal from the city limits, or from any part thereof.

(14) Street cleaning: To provide, by regulation, for the prevention and summary removal of all filth and garbage in streets, sloughs, alleys, back yards, or public grounds of such city, or elsewhere therein.

(15) Gambling, etc.: To prohibit and suppress all gaming and all gambling or disorderly houses, and houses of ill fame, and all immoral and indecent amusements, exhibitions, and shows.

(16) Markets: To establish and regulate markets and market places.

(17) Speed of railroad cars: To fix and regulate the speed at which any railroad cars, streetcars, automobiles, or other vehicles may run within the city limits, or any portion thereof.

(18) City commons: To provide for and regulate the commons of the city.

(19) Fast driving: To regulate or prohibit fast driving or riding in any portion of the city.

(20) Combustibles: To regulate or prohibit the loading or storage of gunpowder and combustible or explosive materials in the city, or transporting the same through its streets or over its waters.

(21) Property: To have, purchase, hold, use, and enjoy property of every name or kind whatsoever, and to sell, lease, transfer, mortgage, convey, control, or improve the same; to build, erect, or construct houses, buildings, or structures of any kind needful for the use or purposes of such city.

(22) Fire department: To establish, continue, regulate, and maintain a fire department for such city, to change or reorganize the same, and to disband any company or companies of the said department; also, to discontinue and disband said fire department, and to create, organize, establish, and maintain a paid fire department for such city.

(23) Water supply: To adopt, enter into, and carry out means for securing a supply of water for the use of such city or its inhabitants, or for irrigation purposes therein.

(24) Overflow of water: To prevent the overflow of the city or to secure its drainage, and to assess the cost thereof to the property benefited.

(25) House numbers: To provide for the numbering of houses.

(26) Health board: To establish a board of health; to prevent the introduction and spread of disease; to establish a city infirmary and to provide for the indigent sick; and to provide and enforce regulations for the protection of health, cleanliness, peace, and good order of the city; to establish and maintain hospitals within or without the city limits; to control and regulate interments and to prohibit them within the city limits.

(27) Harbors and wharves: To build, alter, improve, keep in repair, and control the waterfront; to erect, regulate, and repair wharves, and to fix the rate of wharfage and transit of wharf, and levy dues upon vessels and commodities; and to provide for the regulation of berths, landing, stationing, and removing steamboats, sail vessels, rafts, barges, and all other watercraft; to fix the rate of speed at which steamboats and other steam watercraft may run along the waterfront of the city; to build bridges so as not to interfere with navigation; to provide for the removal of obstructions to the navigation of any channel or watercourses or channels.

(28) License of steamers: To license steamers, boats, and vessels used in any watercourse in the city, and to fix and collect a license tax thereon.

(29) Ferry licenses: To license ferries and toll bridges under the law regulating the granting of such license.

(30) Penalty for violation of ordinances: To determine and impose fines for forfeitures and penalties that shall be incurred for the breach or violation of any city ordinance, notwithstanding that the act constituting a violation of any such ordinance may also be punishable under the state laws, and also for a violation of the provisions of this chapter, when no penalty is affixed thereto or provided by law, and to appropriate all such fines, penalties, and forfeitures for the benefit of the city; but no penalty to be enforced shall exceed for any offense the amount of five hundred dollars or six months' imprisonment, or both; and every violation of any lawful order, regulation, or ordinance of the city council of such city is hereby declared a misdemeanor or public offense, and all prosecutions for the same may be in the name of the state of Washington: PROVIDED, That violation of an order, regulation, or ordinance relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of an order, regulation, or ordinance equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

(31) Police department: To create and establish a city police; to prescribe their duties and their compensation; and to provide for the regulation and government of the same.

(32) Elections: To provide for conducting elections and establishing election precincts when necessary, to be as near as may be in conformity with the state law.

(33) Examine official accounts: To examine, either in open session or by committee, the accounts or doings of all officers or other persons having the care, management, or disposition of moneys, property, or business of the city.

(34) Contracts: To make all appropriations, contracts, or agreements for the use or benefit of the city and in the city's name.

(35) Streets and sidewalks: To provide by ordinance for the opening, laying out, altering, extending, repairing, grading, paving, planking, graveling, macadamizing, or otherwise improving of public streets, avenues, and other public ways, or any portion of any thereof; and for the construction, regulation, and repair of

sidewalks and other street improvements, all at the expense of the property to be benefited thereby, without any recourse, in any event, upon the city for any portion of the expense of such work, or any delinquency of the property holders or owners, and to provide for the forced sale thereof for such purposes; to establish a uniform grade for streets, avenues, sidewalks, and squares, and to enforce the observance thereof.

(36) Waterways: To clear, cleanse, alter, straighten, widen, fill up, or close any waterway, drain, or sewer, or any watercourse in such city when not declared by law to be navigable, and to assess the expense thereof, in whole or in part, to the property specially benefited.

(37) Sewerage: To adopt, provide for, establish, and maintain a general system of sewerage, draining, or both, and the regulation thereof; to provide funds by local assessments on the property benefited for the purpose aforesaid and to determine the manner, terms, and place of connection with main or central lines of pipes, sewers, or drains established, and compel compliance with and conformity to such general system of sewerage or drainage, or both, and the regulations of said council thereto relating, by the infliction of suitable penalties and forfeitures against persons and property, or either, for nonconformity to, or failure to comply with the provisions of such system and regulations or either.

(38) Buildings and parks: To provide for all public buildings, public parks, or squares, necessary or proper for the use of the city.

(39) Franchises: To permit the use of the streets for railroad or other public service purposes.

(40) Payment of judgments: To order paid any final judgment against such city, but none of its lands or property of any kind or nature, taxes, revenue, franchise, or rights, or interest, shall be attached, levied upon, or sold in or under any process whatsoever.

(41) Weighing of fuel: To regulate the sale of coal and wood in such city, and may appoint a measurer of wood and weigher of coal for the city, and define his duties, and may prescribe his term of office, and the fees he shall receive for his services: PROVIDED, That such fees shall in all cases be paid by the parties requiring such service.

(42) Hospitals, etc.: To erect and establish hospitals and pesthouses and to control and regulate the same.

(43) Waterworks: To provide for the erection, purchase, or otherwise acquiring of waterworks within or without the corporate limits of the city to supply such city and its inhabitants with water, and to regulate and control the use and price of the water so supplied.

(44) City lights: To provide for lighting the streets and all public places of the city and for furnishing the inhabitants of the city with gas, electric, or other light, and for the ownership, purchase or acquisition, construction, or maintenance of such works as may be necessary or convenient therefor: PROVIDED, That no purchase of any such water plant or light plant shall be made without first submitting the question of such purchase to the electors of the city.

(45) Parks: To acquire by purchase or otherwise land for public parks, within or without the limits of the city, and to improve the same.

(46) Bridges: To construct and keep in repair bridges, and to regulate the use thereof.

(47) Power of eminent domain: In the name of and for the use and benefit of the city, to exercise the right of eminent domain, and to condemn lands and property for the purposes of streets, alleys, parks, public grounds, waterworks, or for any other municipal purpose and to acquire by purchase or otherwise such lands and property as may be deemed necessary for any of the corporate uses provided for by this title, as the interests of the city may from time to time require.

(48) To provide for the assessment of taxes: To provide for the assessment, levying, and collecting of taxes on real and personal property for the corporate uses and purposes of the city and to provide for the payment of the debts and expenses of the corporation.

(49) Local improvements: To provide for making local improvements, and to levy and collect special assessments on the property benefited thereby and for paying the same or any portion thereof; to determine what work shall be done or improvements made, at the expense, in whole or in part, of the adjoining, contiguous, or proximate property, and to provide for the manner of making and collecting assessments therefor.

(50) Cemeteries: To regulate the burial of the dead and to establish and regulate cemeteries, within or without the corporate limits, and to acquire lands therefor by purchase or otherwise.

(51) Fire limits: To establish fire limits with proper regulations and to make all needful regulations for the erection and maintenance of buildings or other structures within the corporate limits as safety of persons or property may require, and to cause all such buildings and places as may from any cause be in a dangerous state to be put in a safe condition; to regulate the manner in which stone, brick, and other buildings, party walls, and partition fences shall be constructed and maintained.

(52) Safety and sanitary measures: To require the owners of public halls, theaters, hotels, and other buildings to provide suitable means of exit and proper fire escapes; to provide for the cleaning and purification of watercourses and canals and for the draining and filling up of ponds on private property within its limits when the same shall be offensive to the senses or dangerous to the health, and to charge the expense thereof to the property specially benefited, and to regulate and control and provide for the prevention and punishment of the defilement or pollution of all streams running in or through its corporate limits and a distance of five miles beyond its corporate limits, and of any stream or lake from which the water supply of the city is or may be taken and for a distance of five miles beyond its source of supply, and to make all quarantine and other regulations as may be necessary for the preservation of the public health and to remove all persons afflicted with any contagious disease to some suitable place to be provided for that purpose.

(53) To regulate liquor traffic: To regulate the selling or giving away of intoxicating, spirituous, malt, vinous, mixed, or fermented liquors as authorized by the general laws of the state.

(54) To establish streets on tidelands: To project or extend or establish streets over and across any tidelands within the limits of such city.

(55) To provide for the general welfare.

Sec. 29. Section 35.24.460, chapter 7, Laws of 1965 as last amended by section 12, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.460 are each amended to read as follows:

The police judge so appointed shall have exclusive jurisdiction over all offenses defined by any ordinance of the city, and all other actions brought to enforce or recover any license, penalty or forfeiture declared or given by any such ordinance, and full power to forfeit bail bonds and issue execution thereon and full power to forfeit cash bail, and full power and authority to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinance, and pronounce judgment in accordance therewith: PROVIDED, That for the violation of a criminal ordinance no greater punishment shall be imposed than the fine or imprisonment or both such fine and imprisonment prescribed by ordinance. In the trial of actions brought for the violation of any city ordinance, no jury shall be allowed.

Sec. 30. Section 35.24.470, chapter 7, Laws of 1965 as amended by section 13, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.470 are each amended to read as follows:

All civil or criminal proceedings before such police judge and judgments rendered by him shall be subject to review in the superior court of the proper county by writ of review or appeal in the same manner as is provided in RCW 35.22.530 through 35.22.560: PROVIDED, That an appeal from the court's determination or order on a traffic infraction proceeding may be taken only in accordance with section 11(5) of this 1979 act. In actions brought before such police judge to enforce or recover any license, penalty, or forfeiture declared or given by any ordinance, and in all other civil actions, the manner of commencing the same, the manner of obtaining service upon the defendants, the procedure during the pendency of the action and for the enforcement of the judgment obtained, if any, shall be as provided in the case of civil actions before justices of the peace.

Sec. 31. Section 35.27.530, chapter 7, Laws of 1965 as amended by section 17, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.530 are each amended to read as follows:

The police justice in addition to his powers as justice of the peace, if he is a justice of the peace shall have exclusive jurisdiction over all offenses defined by any ordinance of the town and all other actions brought to enforce or recover any license, penalty, or forfeiture declared or given by any ordinance with full power to forfeit bail, issue executions on bail bonds, and hear and determine all causes, civil or criminal, including traffic infractions, arising under any ordinance and pronounce judgment in accordance therewith: PROVIDED, That for the violation of a criminal ordinance no greater punishment shall be imposed than the fine or imprisonment or both such fine or imprisonment prescribed by ordinance.

Sec. 32. Section 35.27.540, chapter 7, Laws of 1965 as amended by section 18, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.540 are each amended to read as follows:

In actions brought before the police justice to enforce or recover any license, penalty, or forfeiture declared or given by any ordinance and in all other civil actions, the manner of commencing them, the manner of obtaining service upon the defendants, the procedure during the pendency of the action and for the enforcement of the judgment shall be as provided in the case of civil actions before justices of the peace.

In the trial of actions brought for violations of town ordinances no jury shall be allowed and no change of venue shall be allowed from the police judge.

All civil and criminal proceedings before a police justice and judgments rendered by him shall be subject to review in the superior court of the proper county by writ of review or appeal in the same manner as is provided in RCW 35.22.530 through 35.22.560: PROVIDED, That an appeal from the court's determination or order in a traffic infraction proceeding may be taken only in accordance with section 11(5) of this 1979 act.

Sec. 33. Section 35A.20.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.040 are each amended to read as follows:

The police judge, in addition to powers he may have as justice of the peace, shall have exclusive jurisdiction over all offenses defined by any ordinance of the city, and all other actions brought to enforce or recover any license, penalty, or forfeiture declared or given by any such ordinance, and full power to forfeit bail bonds and issue execution thereon and full power to forfeit cash bail, and full power and authority to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinance, and pronounce judgment in accordance therewith and full power to issue all warrants and process necessary to effectuate the ordinances of the city. Such police judge shall have jurisdiction to impose a fine or imprisonment, or both such fine and imprisonment, in all cases where such penalty shall be prescribed by ordinance. In the trial of actions brought for violating any city ordinance, no jury shall be allowed. All civil or criminal proceedings before such police judge and judgments rendered by him, shall be subject to review in the superior court of the proper county by writ of review or appeal in the same manner as is provided in RCW 35.22.530 through 35.22.560: PROVIDED, That an appeal from the court's determination or order in a traffic infraction proceeding may be taken only in accordance with section 11(5) of this 1979 act.

Sec. 34. Section 35A.20.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.080 are each amended to read as follows:

In all civil and criminal cases arising from the violations of city ordinances tried by such police judge he shall charge as costs in each case the same fees as are charged by justices of the peace for like services in every action, and all fees so charged and collected by, and all fines, penalties, and forfeitures paid to, such police judge shall belong to and be paid over by him, weekly, to the city.

Sec. 35. Section 36.32.120, chapter 4, Laws of 1963 as last amended by section 1, chapter 216, Laws of 1975 1st ex. sess. and RCW 36.32.120 are each amended to read as follows:

The legislative authorities of the several counties shall:

(1) Provide for the erection and repairing of court houses, jails, and other necessary public buildings for the use of the county;

(2) Lay out, discontinue, or alter county roads and highways within their respective counties, and do all other necessary acts relating thereto according to law, except within cities and towns which have jurisdiction over the roads within their limits;

(3) License and fix the rates of ferrriage; grant grocery and other licenses authorized by law to be by them granted;

(4) Fix the amount of county taxes to be assessed according to the provisions of law, and cause the same to be collected as prescribed by law: PROVIDED, That the legislative authority of a county may permit all moneys, assessments, and taxes belonging to or collected for the use of any county, including any amounts representing estimates for future assessments and taxes, to be deposited by any taxpayer prior to the due date thereof with the treasurer or other legal depository for the benefit of the funds to which they belong to be credited against any future tax or assessment that may be levied or become due from the taxpayer: PROVIDED FURTHER, That the taxpayer, with the concurrence of the county legislative authority, may designate the particular fund against which such prepayment of future tax or assessment shall be credited;

(5) Allow all accounts legally chargeable against the county not otherwise provided for, and audit the accounts of all officers having the care, management, collection, or disbursement of any money belonging to the county or appropriated to its benefit;

(6) Have the care of the county property and the management of the county funds and business and in the name of the county prosecute and defend all actions for and against the county, and such other powers as are or may be conferred by law;

(7) Make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law, and within the unincorporated area of the county may adopt by reference Washington state statutes and recognized codes and/or compilations printed in book form relating to the construction of buildings, the installation of plumbing, the installation of electric wiring, health, or other subjects, and may adopt such codes and/or compilations or portions thereof, together with amendments thereto, or additions thereto: PROVIDED, That except for Washington state statutes, there shall be filed in the county auditor's office three copies of such codes and compilations ten days prior to their adoption by reference, and one copy shall also be filed with the city clerk of each city within the county: PROVIDED FURTHER, That no such regulation, code, compilation, and/or statute shall be effective unless before its adoption, a public hearing has been held thereon by the county legislative authority of which at least ten days' notice has been given. Any violation of such regulations, ordinances, codes, compilations, and/or statutes or resolutions shall constitute a misdemeanor: PROVIDED FURTHER, That violation of a regulation, ordinance, code, compilation, and/or statute relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a regulation, ordinance, code, compilation, and/or statute equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor. The notice must set out a copy of the proposed regulations; or if a code is adopted by reference the notice shall set forth the full official title and a statement describing the general purpose of such code. The notice shall also include the day, hour, and place of hearing and must be given by publication in the newspaper in which legal notices of the county are printed;

(8) Have power to compound and release in whole or in part any debt due to the county when in their opinion the interest of their county will not be prejudiced thereby, except in cases where they or any of them are personally interested;

(9) Have power to administer oaths or affirmations necessary in the discharge of their duties and commit for contempt any witness refusing to testify before them with the same power as justices of the peace.

Sec. 36. Section 36.68.080, chapter 4, Laws of 1963 and RCW 36.68.080 are each amended to read as follows:

Any person violating any rules or regulations adopted by the board of county commissioners relating to parks, playgrounds, or other recreational facilities shall be guilty of a misdemeanor: PROVIDED, That violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 37. Section 36.69.180, chapter 4, Laws of 1963 and RCW 36.69.180 are each amended to read as follows:

The violation of any of the rules or regulations of a park and recreation district adopted by its board for the preservation of order, control of traffic, protection of life or property, or for the regulation of the use of park property shall constitute a misdemeanor: PROVIDED, That violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 38. Section 1, chapter 160, Laws of 1969 ex. sess. and RCW 43.30.310 are each amended to read as follows:

For the promotion of the public safety and the protection of public property, the department of natural resources may, in accordance with chapter 34.04 RCW, issue, promulgate, adopt, and enforce rules and

regulations pertaining to use by the public of state-owned lands and property which are administered by the department.

A violation of any rule or regulation adopted under this section shall constitute a misdemeanor: PROVIDED, That violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

The commissioner of public lands and such of his employees as he may designate shall be vested with police powers when enforcing:

(1) The rules and regulations of the department adopted under this section; or

(2) The general criminal statutes or ordinances of the state or its political subdivisions where enforcement is necessary for the protection of state-owned lands and property.

Sec. 39. Section 44, chapter 170, Laws of 1965 ex. sess. as last amended by section 124, chapter 158, Laws of 1979 and RCW 46.01.230 are each amended to read as follows:

(1) The department of licensing is authorized to accept checks and money orders for payment of drivers' licenses, certificates of ownership and registration, motor vehicle excise taxes, gross weight fees, and other fees and taxes collected by the department, in accordance with regulations adopted by the director. The director's regulations shall duly provide for the public's convenience consistent with sound business practice and shall encourage the annual renewal of vehicle registrations by mail to the department, authorizing checks and money orders for payment. Such regulations shall contain provisions for cancellation of any registrations, licenses, or permits paid for by checks or money orders which are not duly paid and for the necessary accounting procedures in such cases: PROVIDED, That any bona fide purchaser for value of a vehicle shall not be liable or responsible for any prior uncollected taxes and fees paid, pursuant to this section, by a check which has subsequently been dishonored: AND PROVIDED FURTHER, That no transfer of ownership of a vehicle ((shall)) may be denied to a bona fide purchaser for value of a vehicle if there are outstanding uncollected fees or taxes for which a predecessor paid, pursuant to this section, by check which has subsequently been dishonored nor shall the new owner be required to pay any fee for replacement vehicle license number plates that may be required pursuant to RCW 46.16.270 as now or hereafter amended.

(2) ((Any person shall be guilty of a misdemeanor who shall)) It is a traffic infraction to fail to surrender within ten days to the department or any authorized agent of the department any certificate, license, or permit after being notified by certified mail that such certificate, license, or permit has been canceled pursuant to this section.

Sec. 40. Section 46.08.170, chapter 12, Laws of 1961 as amended by section 2, chapter 158, Laws of 1963 and RCW 46.08.170 are each amended to read as follows:

Any violation of a rule or regulation prescribed under RCW 46.08.150 ((shall be punishable as)) is a ((misdemeanor)) traffic infraction, and the courts of justices of the peace in Thurston county shall have jurisdiction over such offenses: PROVIDED, That violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 41. Section 17, chapter 47, Laws of 1971 ex. sess. as last amended by section 10, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.120 are each amended to read as follows:

(1) It ((shall be unlawful)) is a traffic infraction for any person to operate any nonhighway vehicle:

((†)) White under the influence of intoxicating liquor or a controlled substance;

((‡)) (a) In such a manner as to endanger the property of another;

((‡‡)) (b) On lands not owned by the operator or owner of the nonhighway vehicle without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others regardless of ownership;

((††)) (c) On lands not owned by the operator or owner of the nonhighway vehicle without an adequate braking device or when otherwise required for the safety of others regardless of ownership;

((‡‡)) (d) Without a spark arrester approved by the department of natural resources;

((†††)) (e) Without an adequate, and operating, muffling device which effectively limits vehicle noise to no more than eighty-six decibels on the 'A' scale at fifty feet as measured by the Society of Automotive Engineers (SAE) test procedure J 331a, except that a maximum noise level of one hundred and five decibels on the 'A' scale at a distance of twenty inches from the exhaust outlet shall be an acceptable substitute in lieu of the Society of Automotive Engineers test procedure J 331a when measured:

((†††)) (i) At a forty-five degree angle at a distance of twenty inches from the exhaust outlet;

((†††)) (ii) With the vehicle stationary and the engine running at a steady speed equal to one-half of the manufacturer's maximum allowable ('red line') engine speed or where the manufacturer's maximum allowable engine speed is not known the test speed in revolutions per minute calculated as sixty percent of the speed at which maximum horsepower is developed; and

((†††)) (iii) With the microphone placed ten inches from the side of the vehicle, one-half way between the lowest part of the vehicle body and the ground plane, and in the same lateral plane as the rearmost exhaust outlet where the outlet of the exhaust pipe is under the vehicle;

((†††)) (f) On lands not owned by the operator or owner of the nonhighway vehicle upon the shoulder or inside bank or slope of any nonhighway road or highway, or upon the median of any divided highway;

((†††)) (g) On lands not owned by the operator or owner of the nonhighway vehicle in any area or in such a manner so as to unreasonably expose the underlying soil, or to create an erosion condition, or to injure, damage, or destroy trees, growing crops, or other vegetation;

~~((†))~~ (h) On lands not owned by the operator or owner of the nonhighway vehicle or on any nonhighway road or trail which is restricted to pedestrian or animal travel; and  
~~((††))~~ (i) On any public lands in violation of rules and regulations of the agency administering such lands.

(2) It is a misdemeanor for any person to operate any nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance.

Sec. 42. Section 24, chapter 47, Laws of 1971 ex. sess. as last amended by section 16, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.190 are each amended to read as follows:

(1) Except as provided in RCW 46.09.120(2) and 46.09.130 as now or hereafter amended, ~~((any person violating))~~ violation of the provisions of this chapter ~~((shall be guilty of a misdemeanor and subject to a fine))~~ is a traffic infraction for which a penalty of not less than twenty-five dollars may be imposed.

(2) In addition to the penalties provided in subsection (1) of this section, the owner and/or the operator of any nonhighway vehicle shall be liable for any damage to property including damage to trees, shrubs, or growing crops injured as the result of travel by the nonhighway vehicle. The owner of such property may recover from the person responsible three times the amount of damage.

Sec. 43. Section 9, chapter 29, Laws of 1971 ex. sess. as amended by section 5, chapter 181, Laws of 1975 1st ex. sess. and RCW 46.10.090 are each amended to read as follows:

(1) It ~~((shall be unlawful))~~ is a traffic infraction for any person to operate any snowmobile:

~~((†))~~ (a) At a rate of speed greater than reasonable and prudent under the existing conditions.

~~((††))~~ ~~While under the influence of intoxicating liquor or narcotics or habit forming drugs.~~

~~(†††)~~ (b) In a manner so as to endanger the ~~((person or))~~ property of another.

~~((†††))~~ (c) Without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others.

~~((†††))~~ (d) Without an adequate braking device which may be operated either by hand or foot.

~~((†††))~~ (e) 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.

~~((†††))~~ (f) 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.

~~((†††))~~ (g) 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.

~~((†††))~~ (h) Without a current registration decal affixed thereon, if not exempted under RCW 46.10.030 as now or hereafter amended.

(2) It is a misdemeanor for any person to operate any snowmobile so as to endanger the person of another or while under the influence of intoxicating liquor or narcotics or habit-forming drugs.

Sec. 44. Section 19, chapter 29, Laws of 1971 ex. sess. as amended by section 6, chapter 181, Laws of 1975 1st ex. sess. and RCW 46.10.190 are each amended to read as follows:

(1) Except as provided in RCW 46.10.090(2) and 46.10.130, any ~~((person violating))~~ violation of the provisions of this chapter ~~((shall be guilty of a misdemeanor))~~ is a traffic infraction; 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.

Sec. 45. Section 46.16.090, chapter 12, Laws of 1961 as last amended by section 1, chapter 25, Laws of 1977 and RCW 46.16.090 are each amended to read as follows:

Motor trucks or trailers may be specially licensed based on the maximum gross weight thereof for fifty percent of the various amounts set forth in the schedule provided in RCW 46.16.070, when such trucks or trailers are owned and operated by farmers, but only if the following condition or conditions exist:

(1) When such trucks or trailers are to be used for the transportation of such farmer's own farm, orchard, or dairy products from point of production to market or warehouse, and of supplies to be used on his farm: PROVIDED, That fish and forestry products shall not be considered as farm products; and/or

(2) When such trucks or trailers are to be used for the infrequent or seasonal transportation by one such farmer for another farmer in his neighborhood of products of the farm, orchard, or dairy owned by such other farmer from point of production to market or warehouse, or supplies to be used on such other farm, but only if such transportation for another farmer is for compensation other than money: PROVIDED, HOWEVER, That farmers shall be permitted an allowance of an additional eight thousand pounds, within the legal limits, on motor trucks or trailers, when used in the transportation of such farmer's own farm machinery between his own farm or farms and for a distance of not more than thirty-five miles from his farm or farms.

The department shall prepare a special form of application to be used by farmers applying for licenses under this section, which form shall contain a statement to the effect that the vehicle or trailer concerned will be used subject to the limitations of this section. The department shall prepare special insignia which

shall be placed upon all such vehicles or trailers to indicate that the vehicle or trailer is specially licensed, or may, in its discretion, substitute a special license plate for such vehicles or trailers for such designation.

~~((Any person who operates)) Operation of such a specially licensed vehicle or trailer in transportation upon public highways in violation of the limitations of this section ((shall be guilty of a misdemeanor)) is a traffic infraction.~~

Sec. 46. Section 46.16.135, chapter 12, Laws of 1961 as last amended by section 1, chapter 134, Laws of 1979 and RCW 46.16.135 are each amended to read as follows:

Tonnage for any vehicle or combination of vehicles having a declared gross weight of twelve thousand pounds or more may be purchased for any full registration month or months at one-twelfth of the usual annual tonnage fee multiplied by the number of full months for which tonnage is purchased. An additional fee of two dollars 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.

~~((Any person who operates)) Operation of a vehicle licensed under the provisions of this section by any person upon the public highways after the expiration of the monthly tonnage license, is (( guilty of a misdemeanor)) a traffic infraction, and in addition the person shall be required to purchase a tonnage license for the vehicle involved at the fee covering an entire registration year's operation thereof, less the fees for any registration month or months of the registration year already paid. If, within five days, no tonnage 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. 47. Section 46.16.140, chapter 12, Laws of 1961 and RCW 46.16.140 are each amended to read as follows:

~~It is a traffic infraction for any person ((who)) to operate((s)), or cause((s)), permit((s)), or suffer((s)) to be operated upon a public highway of this state any auto stage, motor truck, trailer, pole trailer, or semitrailer, with passengers, or with a maximum gross weight, in excess of that for which the vehicle is licensed ((shall be guilty of a misdemeanor)).~~

Any person who operates or causes to be operated upon a public highway of this state any motor truck, trailer, pole trailer, or semitrailer with a maximum gross weight in excess of the maximum gross weight for which the vehicle is licensed shall be deemed to have set a new maximum gross weight and shall, in addition to any penalties otherwise provided, be required to purchase a new license covering the new maximum gross weight, and any ~~((such person who fails)) failure~~ to secure such new license ~~((shall be guilty of a misdemeanor)) is a traffic infraction: PROVIDED, That this section shall not apply to for hire vehicles or auto stages operating principally within cities and towns: PROVIDED FURTHER, That upon surrender of the license originally purchased the director shall allow proper credit for the gross weight fee originally paid: PROVIDED FURTHER, That no such person may be permitted or required to purchase the new license upon a gross weight which would exceed the maximum gross weight allowed by law.~~

Sec. 48. Section 46.16.145, chapter 12, Laws of 1961 as amended by section 5, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.16.145 are each amended to read as follows:

Any person violating any of the provisions of RCW 46.16.140 shall, upon a first ~~((conviction)) offense, pay a ((fine)) penalty~~ of not less than twenty-five dollars nor more than fifty dollars; upon a second ~~(( conviction)) offense pay a ((fine)) penalty~~ of not less than fifty dollars nor more than one hundred dollars, and in addition the court may suspend the certificate of license registration of the vehicle for not more than thirty days; upon a third and subsequent ~~((conviction)) offense pay a ((fine)) penalty~~ of not less than one hundred dollars nor more than two hundred dollars, and in addition the court shall suspend the certificate of license registration of the vehicle for not less than thirty days nor more than ninety days.

Upon ordering the suspension of any certificate of license registration, the court or judge shall forthwith secure such certificate and mail it to the director.

Sec. 49. Section 46.16.350, chapter 12, Laws of 1961 as amended by section 24, chapter 32, Laws of 1967 and RCW 46.16.350 are each amended to read as follows:

Any radio amateur operator who holds a special call letter license plate as issued under the provisions of RCW 46.16.320 through 46.16.350, and who has allowed his federal communications commission license to expire, or has had it revoked, must notify the director in writing within thirty days and surrender his call letter license plate. Failure to do so ~~((will constitute a gross misdemeanor)) is a traffic infraction.~~

Sec. 50. Section 1, chapter 128, Laws of 1961 as last amended by section 1, chapter 102, Laws of 1975-'76 2nd ex. sess. and RCW 46.16.380 are each amended to read as follows:

Any person who shall submit satisfactory proof to the director that he or she has lost both of his or her lower extremities, or who has lost the normal or full use thereof, or who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair or who has lost both hands, shall be entitled to receive a special card to be left in a vehicle in a conspicuous place, bearing distinguishing marks, letters or numerals indicating that the vehicle is being used to transport such a privileged person. 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. Application for renewal, except for the permanently disabled who shall be issued a permanent card, must be made by January 10th of each renewal year together with satisfactory proof of the right to continued use of



such special card and decal. No additional fees shall be charged for the issuance of such special card and decal. The director shall promulgate such rules and regulations as he deems necessary to carry into effect this section.

Any unauthorized use of such distinguishing card and decal (~~shall constitute a gross misdemeanor~~) is a traffic infraction.

Sec. 51. Section 7, chapter 200, Laws of 1973 1st ex. sess. as amended by section 4, chapter 59, Laws of 1975 and RCW 46.16.585 are each amended to read as follows:

In addition to the regular registration fee, and any other fees and taxes required to be paid upon registration, the applicant shall be charged a fee of thirty dollars. In addition to the regular renewal fee, and in addition to any other fees and taxes required to be paid, the applicant for a renewal of such plates shall be charged an additional fee of twenty dollars: PROVIDED, That any person who purchased personalized license plates containing three letters and three digits on or between the dates of August 9, 1971, and November 6, 1973, shall not be required to pay the additional annual renewal fee of twenty dollars commencing with the year 1976. All personalized license plates must be renewed on an annual basis, regardless of whether a vehicle on which they are displayed will not be driven on public highways or may also be eligible to display permanent license plates valid for the life of such vehicle without annual renewal. Personalized license plates that are not renewed must be surrendered to the department, and failure to do so (~~shall be a misdemeanor~~) is a traffic infraction.

Sec. 52. Section 9, chapter 200, Laws of 1973 1st ex. sess. as amended by section 6, chapter 59, Laws of 1975 and RCW 46.16.595 are each amended to read as follows:

When any person who has been issued personalized license plates sells, trades, or otherwise releases ownership of the vehicle upon which the personalized license plates have been displayed, he shall immediately report the transfer of such plates to an acquired vehicle or camper eligible for personalized license plates, pursuant to RCW 46.16.590, or he shall surrender such plates to the department forthwith and release his priority to the letters or numbers, or combination thereof, displayed on the personalized license plates. Failure to surrender such plates (~~shall constitute a misdemeanor~~) is a traffic infraction.

Sec. 53. Section 2, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.021 are each amended to read as follows:

(1) No person, except those hereinafter expressly exempted shall drive any motor vehicle upon a highway in this state unless such person has a valid driver's license issued under the provisions of this chapter. No person shall receive a driver's license unless and until he surrenders to the department all valid driver's licenses in his possession issued to him by any other jurisdiction. All surrendered licenses shall be returned by the department to the issuing department together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid driver's license at any time. Violation of the provisions of this section is a misdemeanor.

(2) Any person licensed as a driver hereunder may exercise the privilege thereby granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board, or body having authority to adopt local police regulations.

Sec. 54. Section 5, chapter 121, Laws of 1965 ex. sess. as amended by section 2, chapter 61, Laws of 1979 and RCW 46.20.041 are each amended to read as follows:

(1) The department shall permit any person suffering from any physical or mental disability or disease which may affect that person's ability to drive a motor vehicle, to demonstrate personally that notwithstanding such disability or disease he or she is a proper person to drive a motor vehicle. The department may in addition require such person to obtain a certificate showing his or her condition signed by a licensed physician or other proper authority designated by the department. The certificate shall be for the confidential use of the director and the chief of the Washington state patrol and for such other cognizant public officials as may be designated by law. It shall be exempt from public inspection and copying notwithstanding the provisions of chapter 42.17 RCW. The certificate may not be offered as evidence in any court except when appeal is taken from the order of the director suspending, revoking, canceling, or refusing a vehicle driver's license.

(2) The department may issue a driver's license to such a person imposing restrictions suitable to the licensee's driving ability with respect to the special mechanical control devices required on a motor vehicle or the type of motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(3) The department may either issue a special restricted license or may set forth such restrictions upon the usual license form.

(4) The department may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee shall be entitled to a driver improvement interview and a hearing as upon a suspension or revocation under this chapter.

(5) It is a (~~misdemeanor~~) traffic infraction for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to him or her.

Sec. 55. Section 19, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.171 are each amended to read as follows:

(1) The department shall file every application for a license received by it and shall maintain suitable indexes containing the following:

- (a) All applications denied and on each thereof note the reasons for such denial;
- (b) All applications granted; and

(c) The name of every licensee whose license has been suspended or revoked by the department and after each such name shall note the reasons for such action.

(2) The department shall also maintain a record for every licensed driver which shall include all accident reports and abstracts of court records of convictions and findings that a traffic infraction has been committed received by it under the laws of this state and in connection therewith maintain convenient records in order that an individual record of each licensee showing the licensee's convictions (~~of such licensee~~), the findings that he has committed a traffic infraction, the traffic accidents in which he has been involved and any prior actions taken by the department in connection with his driving record shall be readily ascertainable for the consideration of the department.

Sec. 56. Section 46.20.190, chapter 12, Laws of 1961 as amended by section 15, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.190 are each amended to read as follows:

Every licensee shall have his driver's license in his immediate possession at all times when operating a motor vehicle and shall display the same upon demand to any police officer or to any other person when and if required by law to do so. The offense described in this section is a nonmoving offense.

Sec. 57. Section 21, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.215 are each amended to read as follows:

(1) The privilege of driving a motor vehicle on the highways of this state given to a nonresident hereunder shall be subject to suspension or revocation by the department in like manner and for like cause as a driver's license issued hereunder may be suspended or revoked.

(2) The department shall, upon receiving a record of the conviction in this state of a nonresident driver of a motor vehicle of any offense under the motor vehicle laws of this state, forward a report of such conviction to the motor vehicle administrator in the state wherein the person so convicted is a resident. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; and indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond or other security.

(3) The department shall, upon receiving a record of the commission of a traffic infraction in this state by a nonresident driver of a motor vehicle, forward a report of the traffic infraction to the motor vehicle administrator in the state where the person who committed the infraction resides. The report shall clearly identify the person found to have committed the infraction; describe the infraction, specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; and indicate whether the determination that an infraction was committed was contested or whether the individual failed to respond to the notice of infraction.

Sec. 58. Section 46.20.270, chapter 12, Laws of 1961 as last amended by section 7, chapter 61, Laws of 1979 and RCW 46.20.270 are each amended to read as follows:

(1) Whenever any person is convicted of any offense for which this title makes mandatory the suspension or revocation of the driver's license of such person by the department, the privilege of the person to operate a vehicle is suspended until the department takes the action required by this chapter, and the court in which such conviction is had shall forthwith secure the immediate forfeiture of the driver's license of such convicted person and immediately forward such driver's license to the department, and on failure of such convicted person to deliver such driver's license the judge shall cause such person to be confined for the period of such suspension or revocation or until such driver's license is delivered to such judge: PROVIDED, That if the convicted person testifies that he or she does not and at the time of the offense did not have a current and valid vehicle driver's license, the judge shall cause such person to be charged with the operation of a motor vehicle without a current and valid driver's license and on conviction punished as by law provided, and the department may not issue a driver's license to such persons during the period of suspension or revocation: PROVIDED, ALSO, That if the driver's license of such convicted person has been lost or destroyed and such convicted person makes an affidavit to that effect, sworn to before the judge, the convicted person may not be so confined, but the department may not issue or reissue a driver's license for such convicted person during the period of such suspension or revocation: PROVIDED, That perfection of notice of appeal shall stay the execution of sentence including the suspension and/or revocation of the driver's license.

(2) Every court having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, or any federal authority having jurisdiction over offenses substantially the same as those set forth in Title 46 RCW which occur on federal installations within this state, shall forward to the department within ten days of a forfeiture of bail or collateral deposited to secure the defendant's appearance in court, ~~((or))~~ a payment of a fine or penalty, ~~((or))~~ a plea of guilty or a finding of guilt, or a finding that any person has committed a traffic infraction an abstract of the court record in the form prescribed by rule of the supreme court, showing the conviction of any person or the finding that any person has committed a traffic infraction in said court for a violation of any said laws other than regulations governing standing ~~((or))~~, stopping, parking, and pedestrian offenses.

(3) For the purposes of Title 46 RCW the term 'conviction' means a final conviction in a state or municipal court or by any federal authority having jurisdiction over offenses substantially the same as those set forth in Title 46 RCW which occur on federal installations in this state, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt on a traffic law violation charge, regardless of whether the imposition of sentence is deferred or the penalty is suspended.

(4) For the purposes of Title 46 RCW the term 'finding that a traffic infraction has been committed' means a failure to respond to a notice of infraction or a determination made by a court pursuant to this

chapter. Payment of a monetary penalty made pursuant to section 9(2) of this 1979 act is deemed equivalent to such a finding.

Sec. 59. Section 1, chapter 1, Laws of 1969 as last amended by section 151, chapter 158, Laws of 1979 and RCW 46.20.308 are each amended to read as follows:

(1) Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his breath or blood for the purpose of determining the alcoholic content of his blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor. Such officer shall inform the person of his right to refuse the test, and of his right to have additional tests administered by any qualified person of his choosing as provided in RCW 46.61.506. The officer shall warn the driver that his privilege to drive will be revoked or denied if he refuses to submit to the test. Unless the person to be tested is unconscious, the chemical test administered shall be of his breath only: PROVIDED, That if an individual is under arrest for the crime of negligent homicide by motor vehicle as provided in RCW 46.61.520, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in RCW 46.61.506, which arrest results from an accident in which another person has been injured and there is a reasonable likelihood that such other person may die as a result of injuries sustained in the accident, a breath or blood test may be administered without the consent of the individual so arrested. In such circumstances, the provisions of subsections (2) through (6) of this section shall not apply.

(2) Any person who is dead, unconscious, or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection (1) of this section and the test or tests may be administered, subject to the provisions of RCW 46.61.506.

(3) If, following his arrest, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his breath, after being informed that his refusal will result in the revocation or denial of his privilege to drive, no test shall be given. The department of licensing, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor and that the person had refused to submit to the test upon the request of the law enforcement officer after being informed that such refusal would result in the revocation or denial of his privilege to drive, shall revoke his license or permit to drive or any nonresident operating privilege. If the person is a resident without a license or permit to operate a motor vehicle in this state, the department shall deny to the person the issuance of a license or permit for a period of six months after the date of the alleged violation, subject to review as hereinafter provided.

(4) Upon revoking the license or permit to drive or the nonresident operating privilege of any person, or upon determining that the issuance of a license or permit shall be denied to the person, as hereinbefore in this section directed, the department shall immediately notify the person involved in writing by personal service or by registered or certified mail of its decision and the grounds therefor, and of his right to a hearing, specifying the steps he must take to obtain a hearing. The person upon receiving such notice may, in writing and within ten days thereafter request a formal hearing. Upon receipt of such request, the department shall afford him an opportunity for a hearing as provided in RCW 46.20.329 and 46.20.332. The scope of such hearing for the purposes of this section shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, whether the person was placed under arrest and whether he refused to submit to the test upon request of the officer after having been informed that such refusal would result in the revocation or denial of his privilege to drive. The department shall order that the revocation or determination that there should be a denial of issuance either be rescinded or sustained. Any decision by the department revoking a person's driving privilege shall be stayed and shall not take effect while a formal hearing is pending as herein provided or during the pendency of a subsequent appeal to superior court: PROVIDED, That this stay shall be effective only so long as there is no conviction for a moving violation or no finding that the person has committed a traffic infraction which is a moving violation during pendency of the hearing and appeal.

(5) If the revocation or determination that there should be a denial of issuance is sustained after such a hearing, the person whose license, privilege, or permit is so affected shall have the right to file a petition in the superior court of the county wherein he resides, or, if a nonresident of this state, where the charge arose, to review the final order of revocation or denial by the department in the manner provided in RCW 46.20.334.

(6) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been revoked, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he has a license.

Sec. 60. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 1, chapter 36, Laws of 1973 1st ex. sess. and RCW 46.20.311 are each amended to read as follows:

(1) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as permitted under RCW 46.20.342. Whenever the license of any person is suspended by reason of a conviction, a finding that a traffic infraction

has been committed, or pursuant to RCW 46.20.291, such suspension shall remain in effect and the department shall not issue to such person any new or renewal of license until such person shall pay a reinstatement fee of ten dollars and shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked shall not be entitled to have such license or privilege renewed or restored unless the revocation was for a cause which has been removed, except that after the expiration of six months in cases of revocation for refusal to submit to a chemical test under the provisions of RCW 46.20.308 as now or hereafter amended, and in all other revocation cases after the expiration of one year from the date on which the revoked license was surrendered to and received by the department, such person may make application for a new license as provided by law together with an additional fee in the amount of ten dollars, but the department shall not then issue a new license unless it is satisfied after investigation of the driving ability of such person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until such person shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

Sec. 61. Section 36, chapter 121, Laws of 1965 ex. sess. as amended by section 1, chapter 29, Laws of 1972 ex. sess. and RCW 46.20.329 are each amended to read as follows:

Upon receiving a request for a formal hearing as provided in RCW 46.20.328, the department shall fix a time and place for hearing as early as may be arranged in the county where the applicant or licensee resides, and shall give ten days' notice of the hearing to the applicant or licensee, except that the hearing may be set for a different place with the concurrence of the applicant or licensee and the period of notice may be waived.

Any decision by the department suspending or revoking a person's driving privilege shall be stayed and shall not take effect while a formal hearing is pending as herein provided or during the pendency of a subsequent appeal to superior court: PROVIDED, That this stay shall be effective only so long as there is no conviction of a moving violation or a finding that the person has committed a traffic infraction which is a moving violation during pendency of hearing and appeal: PROVIDED FURTHER, That nothing in this section shall be construed as prohibiting the department from seeking an order setting aside the stay during the pendency of such appeal in those cases where the action of the department is based upon physical or mental incapacity, or a failure to successfully complete an examination required by this chapter.

A formal hearing shall be conducted by the director or by a referee or hearing board appointed by him from officers or employees of the department. Such referee or hearing board may be authorized by the director to make final determinations regarding the issuance, denial, or suspension, or revocation of a license.

Sec. 62. Section 2, chapter 27, Laws of 1969 and RCW 46.20.342 are each amended to read as follows:

(1) Any person who drives a motor vehicle on any public highway of this state at a time when his privilege so to do is suspended or revoked or when his policy of insurance or bond, when required under this chapter, shall have been canceled or terminated, shall be guilty of a misdemeanor: PROVIDED, That the offenses described in RCW 46.20.021 and 46.20.190, as now or hereafter amended, are lesser included offenses within the offense described by this section. Upon the first conviction thereof, he shall be punished by imprisonment for not less than ten days nor more than six months. Upon the second such conviction thereof, he shall be punished by imprisonment for not less than ninety days nor more than one year. Upon the third such conviction thereof, he shall be punished by imprisonment for one year. There may also be imposed in connection with each such conviction a fine of not more than five hundred dollars.

(2) The department upon receiving a record of conviction of any person or upon receiving an order by any juvenile court or any duly authorized court officer of the conviction of any juvenile under this section upon a charge of driving a vehicle while the license of such person is under suspension shall extend the period of such suspension for an additional like period and if the conviction was upon a charge of driving while a license was revoked the department shall not issue a new license for an additional period of one year from and after the date such person would otherwise have been entitled to apply for a new license.

Sec. 63. Section 5, chapter 169, Laws of 1963 as last amended by section 1, chapter 40, Laws of 1969 ex. sess. and RCW 46.29.050 are each amended to read as follows:

(1) The department shall upon request furnish any person or his attorney a certified abstract of his driving record, which abstract shall include enumeration of any motor vehicle accidents in which such person has been involved. Such abstract shall indicate the total number of vehicles involved; whether the vehicles were legally parked or moving, and; whether such vehicles were occupied at the time of the accident; and reference to any convictions of said person for violation of the motor vehicle laws as reported to the department(;;); and reference to any findings that the person has committed a traffic infraction which have been reported to the department; and a record of any vehicles registered in the name of such person. The department shall collect for each abstract the sum of one dollar and fifty cents which shall be deposited in the highway safety fund.

(2) The department shall upon request furnish any person who may have been injured in person or property by any motor vehicle, with an abstract of all information of record in the department pertaining to the evidence of the ability of any driver or owner of any motor vehicle to respond in damages. The department shall collect for each abstract the sum of one dollar and fifty cents which shall be deposited in the highway safety fund.

Sec. 64. Section 28, chapter 169, Laws of 1963 and RCW 46.29.280 are each amended to read as follows:

Whenever, under any law of this state, the license of any person is suspended or revoked by reason of a conviction (~~(or)~~), forfeiture of bail, or finding that a traffic infraction has been committed, the suspension or revocation hereinbefore required shall remain in effect and the department shall not issue to such person any new or renewal of license until permitted under the motor vehicle laws of this state, and not then unless and until such person shall give and thereafter maintain proof of financial responsibility for the future.

Sec. 65. Section 30, chapter 169, Laws of 1963 as amended by section 39, chapter 32, Laws of 1967 and RCW 46.29.300 are each amended to read as follows:

Whenever the department suspends or revokes a nonresident's driving privilege by reason of a conviction (~~(or)~~), forfeiture of bail, or finding that a traffic infraction has been committed such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility for the future.

Sec. 66. Section 60, chapter 169, Laws of 1963 and RCW 46.29.600 are each amended to read as follows:

(1) The department shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the department shall direct and the state treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this chapter as proof of financial responsibility, or the department shall waive the requirement of filing proof, in any of the following events:

(a) At any time after three years from the date such proof was required when, during the three-year period preceding the request, the department has not received record of a conviction (~~(or)~~), forfeiture of bail, or finding that a traffic infraction has been committed which would require or permit the suspension or revocation of the license of the person by or for whom such proof was furnished; or

(b) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or

(c) In the event the person who has given proof surrenders his license to the department;

(2) Provided, however, that the department shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon a liability covered by such proof is then pending or any judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money or securities has within one year immediately preceding such request been involved as a driver or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that he has been released from all of his liability, or has been finally adjudicated not to be liable, for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the department.

(3) Whenever any person whose proof has been canceled or returned under subdivision (1)(c) of this section applies for a license within a period of three years from the date proof was originally required, any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such three-year period.

Sec. 67. Section 46.32.010, chapter 12, Laws of 1961 as last amended by section 156, chapter 158, Laws of 1979 and RCW 46.32.010 are each amended to read as follows:

The chief of the Washington state patrol is hereby empowered to constitute, erect, operate, and maintain, throughout the state of Washington, stations for the inspection of vehicle equipment, and to set a date, at a reasonable time subsequent to the installation of such stations, when inspection of vehicles shall commence, and it shall be unlawful for any vehicle to be operated over the public highways of this state unless and until it has been approved periodically as to equipment. The chief of the Washington state patrol shall establish periods of vehicle equipment inspection. In the event of any such inspection, the same shall be in charge of a responsible employee of the chief of the Washington state patrol, who shall be duly authorized as a police officer and who shall have authority to secure and withhold, with written notice to the director of licensing, the certificate of license registration and license plates of any vehicle found to be defective in equipment so as to be unsafe or unfit to be operated upon the highways of this state, and it shall be unlawful for any person to operate such vehicle unless and until the same has been placed in a condition satisfactory to subsequent equipment inspection; the police officer in charge of such vehicle equipment inspection station shall grant to the operator of such defective vehicle the privilege to move such vehicle to a place for repair under such restrictions as may be reasonably necessary.

In the event any insignia, sticker, or other marker should be adopted to be displayed upon vehicles in connection with the inspection of vehicle equipment, the same shall be displayed as required by the rules and regulations of the chief of the Washington state patrol and it (~~shall be a gross misdemeanor~~) is a traffic infraction for any person to mutilate, destroy, remove, or otherwise interfere with the display thereof.

It is a traffic infraction for any person (~~who~~) to refuse(~~s~~) to have his motor vehicle examined, or, after having had it examined, to refuse(~~s~~) to place a certificate of approval, or a certificate of condemnation, if issued, upon his windshield, or (~~who~~) to fraudulently obtain(~~s~~) a certificate of approval, or (~~who~~) to refuse(~~s~~) to place his motor vehicle in proper condition after having had the same examined, or (~~who~~) to, in any manner, fail(~~s~~) to conform to the provisions of this chapter (~~shall be guilty of a gross misdemeanor~~).

It is a traffic infraction for any person (~~who~~) to perform(~~s~~) false or improvised repairs, or repairs in any manner not in accordance with acceptable and customary repair practices, upon a motor vehicle (~~shall be guilty of a gross misdemeanor~~).

Sec. 68. Section 46.32.050, chapter 12, Laws of 1961 and RCW 46.32.050 are each amended to read as follows:

It shall be unlawful for any person employed by the chief of the Washington state patrol or by any municipality or other political subdivision, in any vehicle equipment inspection station, to directly or indirectly, or in any manner whatsoever, order, direct, recommend, or influence the correction of vehicle equipment defects by any person or persons whomsoever.

It shall be unlawful for any person employed by the chief of the Washington state patrol or by any municipality or other political subdivision, while in or about any vehicle equipment inspection station, to perform any repair or adjustment upon any vehicle or any equipment or appliance of any vehicle whatsoever.

It shall be unlawful for any person to solicit in any manner the repair to any vehicle or the adjustment of any equipment or appliance of any vehicle, upon the property of any vehicle equipment inspection station or upon any public highway adjacent thereto.

~~((Any person violating any))~~ Violation of the provisions of this section ~~((shall be guilty of a gross misdemeanor))~~ is a traffic infraction.

Sec. 69. Section 46.37.010, chapter 12, Laws of 1961 as last amended by section 1, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.010 are each amended to read as follows:

(1) It is a ~~((misdemeanor))~~ traffic infraction for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter or in regulations issued by the state commission on equipment, or which is equipped in any manner in violation of this chapter or the commission's regulations, or for any person to do any act forbidden or fail to perform any act required under this chapter or the commission's regulations.

(2) Nothing contained in this chapter or the commission's regulations shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this chapter or the commission's regulations.

(3) The provisions of the chapter and the commission's regulations with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors except as herein made applicable.

(4) No owner or operator of a farm tractor, self-propelled unit of farm equipment, or implement of husbandry shall be guilty of a crime or subject to penalty for violation of RCW 46.37.160 as now or hereafter amended unless such violation occurs on a public highway.

(5) It is a ~~((misdemeanor))~~ traffic infraction for any person to sell or offer for sale vehicle equipment which is required to be approved by the commission on equipment as prescribed in RCW 46.37.005 unless it has been approved by the state commission on equipment.

(6) The provisions of this chapter with respect to equipment required on vehicles shall not apply to motorcycles or motor-driven cycles except as herein made applicable.

Sec. 70. Section 46.37.188, chapter 12, Laws of 1961 and RCW 46.37.188 are each amended to read as follows:

Every violation of RCW 46.37.184, 46.37.185, 46.37.186, or 46.37.187 is a ~~((misdemeanor))~~ traffic infraction.

Sec. 71. Section 1, chapter 77, Laws of 1971 and RCW 46.37.423 are each amended to read as follows:

No person, firm, or corporation shall sell or offer for sale for use on the public highways of this state any new pneumatic passenger car tire which does not meet the standards established by federal motor vehicle safety standard No. 109, as promulgated by the United States department of transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719, 728; 15 U.S.C. 1392, 1407).

The applicable standard shall be the version of standard No. 109 in effect at the time of manufacture of the tire.

It is a traffic infraction for any person, firm, or corporation ~~((who shall))~~ to sell or offer for sale any new pneumatic passenger car tire which does not meet the standards prescribed in this section ~~((shall be guilty of a misdemeanor))~~ unless such tires are sold for off-highway use, as evidenced by a statement signed by the purchaser at the time of sale certifying that he is not purchasing such tires for use on the public highways of this state.

Sec. 72. Section 2, chapter 77, Laws of 1971 as amended by section 36, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.424 are each amended to read as follows:

No person, firm, or corporation shall sell or offer for sale any regrooved tire or shall regroove any tire for use on the public highways of this state which does not meet the standard established by federal motor vehicle standard part 569—regrooved tires, as promulgated by the United States department of transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719, 728; 15 U.S.C. 1392, 1407).

The applicable standard shall be the version of the federal regrooved tire standard in effect at the time of regrooving.

It is a traffic infraction for any person, firm, or corporation ~~((who shall))~~ to sell or offer for sale any regrooved tire or shall regroove any tire which does not meet the standards prescribed in this section ~~((shall be guilty of a misdemeanor))~~ unless such tires are sold or regrooved for off-highway use, as evidenced by a statement signed by the purchaser or regroover at the time of sale or regrooving certifying that he is not purchasing or regrooving such tires for use on the public highways of this state.

Sec. 73. Section 3, chapter 77, Laws of 1971 as amended by section 37, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.425 are each amended to read as follows:

No person shall drive or move or cause to be driven or moved any vehicle, the tires of which have contact with the driving surface of the road, subject to registration in this state, upon the public highways of this state unless such vehicle is equipped with tires in safe operating condition in accordance with requirements established by this section or by the state commission on equipment.

The state commission on equipment shall promulgate rules and regulations setting forth requirements of safe operating condition of tires capable of being employed by a law enforcement officer by visual inspection of tires mounted on vehicles including visual comparison with simple measuring gauges. These rules shall include effects of tread wear and depth of tread.

A tire shall be considered unsafe if it has:

- (1) Any ply or cord exposed either to the naked eye or when cuts or abrasions on the tire are probed; or
- (2) Any bump, bulge, or knot, affecting the tire structure; or
- (3) Any break repaired with a boot; or
- (4) A tread depth of less than  $2/32$  of an inch measured in any two major tread grooves at three locations equally spaced around the circumference of the tire, or for those tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two major tread grooves at three locations equally spaced around the circumference of the tire; or
- (5) A tread which indicates the tire is not intended for use on public highways such as, 'not for highway use' (:) or 'for racing purposes only'; or
- (6) Such condition as may be reasonably demonstrated to render it unsafe; or
- (7) If not matched in tire size designation, construction, and profile to the other tire and/or tires on the same axle.

No person, firm, or corporation shall sell any vehicle for use on the public highways of this state unless the vehicle is equipped with tires that are in compliance with the provisions of this section. If the tires are found to be in violation of the provisions of this section, the person, firm, or corporation selling the vehicle shall cause such tires to be removed from the vehicle and shall equip the vehicle with tires that are in compliance with the provisions of this section.

It is a traffic infraction for any person (~~operating~~) to operate a vehicle on the public highways of this state, or (~~selling~~) to sell a vehicle for use on the public highways of this state, which is equipped with a tire or tires in violation of the provisions of this section or the rules and regulations promulgated by the state commission on equipment hereunder (~~shall be guilty of a misdemeanor~~): PROVIDED, HOWEVER, That if the violation relates to items (1) to (7) inclusive of this section then the condition or defect must be such that it can be detected by a visual inspection of tires mounted on vehicles, including visual comparison with simple measuring gauges.

Sec. 74. Section 46.44.047, chapter 12, Laws of 1961 as last amended by section 11, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.047 are each amended to read as follows:

A three axle truck tractor and a two axle pole trailer combination engaged in the operation of hauling logs may exceed by not more than six thousand eight hundred pounds the legal gross weight of the combination of vehicles when licensed, as permitted by law, for sixty-eight thousand pounds: PROVIDED, That the distance between the first and last axle of the vehicles in combination shall have a total wheelbase of not less than thirty-seven feet, and the weight upon two axles spaced less than seven feet apart shall not exceed thirty-three thousand six hundred pounds.

Such additional allowances shall be permitted by a special permit to be issued by the ((state highway commission)) department of transportation valid only on state primary or secondary highways authorized by the ((state highway commission)) department and under such rules, regulations, terms, and conditions prescribed by the ((state highway commission)) department. The fee for such special permit shall be fifty dollars for a twelve-month period beginning and ending on April 1st of each calendar year. Permits may be issued at any time, but if issued after July 1st of any year the fee shall be thirty-seven dollars and fifty cents. If issued on or after October 1st the fee shall be twenty-five dollars, and if issued on or after January 1st the fee shall be two dollars and fifty cents. A copy of such special permit covering the vehicle involved shall be carried in the cab of the vehicle at all times. Upon the third ((conviction)) offense within the duration of the permit for violation of the terms and conditions of the special permit, the special permit shall be canceled. The vehicle covered by such canceled special permit shall not be eligible for a new special permit until thirty days after the cancellation of the special permit issued to said vehicle. The fee for such renewal shall be at the same rate as set forth in this section which covers the original issuance of such special permit. Each special permit shall be assigned to a three-axle truck tractor in combination with a two-axle pole trailer. When the ((highway commission)) department issues a duplicate permit to replace a lost or destroyed permit and where the ((highway commission)) department transfers a permit, a fee of five dollars shall be charged for each such duplicate issued or each such transfer.

All fees collected hereinabove shall be deposited with the state treasurer and credited to the motor vehicle fund.

Permits involving city streets or county roads or using city streets or county roads to reach or leave state highways, authorized for permit by the ((state highway)) department may be issued by the city or county or counties involved. A fee of five dollars for such city or county permit may be assessed by the city or by the ((board-of)) county ((commissioners)) legislative authority which shall be deposited in the city or county road fund. The special permit provided for herein shall be known as a 'log tolerance permit' and shall designate the route or routes to be used, which shall first be approved by the city or county engineer involved. Authorization of additional route or routes may be made at the discretion of the city or county by amending the original permit or by issuing a new permit. Said permits shall be issued on a yearly basis expiring on

March 31st of each calendar year. Any person, firm, or corporation who uses any city street or county road for the purpose of transporting logs with weights authorized by state highway log tolerance permits, to reach or leave a state highway route, without first obtaining a city or county permit when required by the city or ~~((board-of)) the county ((commissioners)) legislative authority~~ shall be subject to the penalties prescribed by RCW 46.44.105. For the purpose of determining gross weight the actual scale weight taken by the officer shall be prima facie evidence of such total gross weight. In the event the gross weight is in excess of the weight permitted by law, the officer may, within his discretion, permit the operator to proceed with his vehicles in combination.

The chief of the state patrol, with the advice of the ~~((state highway commission)) department~~, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

Sec. 75. Section 23, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.105 are each amended to read as follows:

(1) ~~((Any person violating)) Violation of any of the provisions of RCW 46.44.042, 46.44.047, 46.44.090, 46.44.091, 46.44.095, and 46.44.041, or ((who fails)) failure to obtain a permit as provided by RCW 46.44.090 and 46.44.095, or ((misrepresents)) misrepresentation of the size or weight of any load or ((does not)) failure to follow the requirements and conditions of a permit issued hereunder ((shall be guilty of a misdemeanor)) is a traffic infraction, and upon the first ~~((conviction)) finding thereof shall be ((fined)) assessed a basic ((fine)) penalty of not less than fifty dollars; and upon second ((conviction)) finding thereof shall be ((fined)) assessed a basic ((fine)) penalty of not less than seventy-five dollars; and upon a third or subsequent ((conviction)) finding shall be ((fined)) assessed a basic ((fine)) penalty of not less than one hundred dollars.~~~~

(2) In addition to the ~~((fines levied)) penalties imposed in subsection (1) of this section any person violating RCW 46.44.042, 46.44.047, 46.44.090, 46.44.091, 46.44.095, or 46.44.041 shall be ((fined)) assessed three cents for each pound of excess weight: PROVIDED, That upon a first violation in any calendar year, the court may suspend the ((fine)) penalty for five hundred pounds of excess weight for each axle on any vehicle or combination of vehicles, not to exceed a two thousand pound suspension. In no case shall the basic ((fine levied)) penalty assessed in subsection (1) of this section be suspended.~~

(3) Whenever any vehicle or combination of vehicles is involved in two violations of RCW 46.44.042, 46.44.047, 46.44.090, 46.44.091, 46.44.095, or 46.44.041 during any twelve month period, the court may suspend the certificate of license registration of the vehicle or combination of vehicles for not less than thirty days. Upon a third or succeeding violation in any twelve month period, the court shall suspend the certificate of license registration for not less than thirty days. ~~((For purposes of this section, bail forfeiture shall be given the same effect as a conviction:))~~ Whenever the certificate of license registration is suspended, the court shall secure such certificate and immediately forward the same to the director with information concerning the suspension.

(4) Any person ~~((convicted of violating)) found to have violated any posted limitations of a highway or section of highway shall be ((fined)) assessed a monetary penalty of not less than one hundred and fifty dollars, and the court shall in addition thereto upon second violation within a twelve month period involving the same power unit, suspend the certificate of license registration for not less than thirty days.~~

(5) Any police officer is authorized to require the driver of any vehicle or combination of vehicles to stop and submit to a weighing either by means of a portable or stationary scale and may require that such vehicle be driven to the nearest public scale. Whenever a police officer, upon weighing a vehicle and load, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable location and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to such limit as permitted by law.

Any vehicle whose driver or owner represents that the vehicle is disabled or otherwise unable to proceed to a weighing location shall have its load sealed or otherwise marked by any police officer. The owner or driver shall be directed that upon completion of repairs, the vehicle shall submit to weighing with the load and markings and/or seal intact and undisturbed. Failure to report for weighing, appearing for weighing with the seal broken or the markings disturbed, or removal of any cargo prior to weighing shall be unlawful. Any person so convicted shall be fined five hundred dollars, and in addition the certificate of license registration shall be suspended for not less than thirty days.

(6) Any other provision of law to the contrary notwithstanding, justice courts having venue shall have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.

(7) For the purpose of determining additional ~~((fines)) penalties as provided by subsection (2) of this section, 'excess weight' shall mean the poundage in excess of the maximum gross weight prescribed by RCW 46.44.042 and 46.44.041 plus the weights allowed by RCW 46.44.047, 46.44.091, and 46.44.095.~~

(8) The basic ~~((fine)) penalty provided in subsection (1) of this section shall be distributed as prescribed in RCW 46.68.050: PROVIDED, That all fees, fines, forfeitures, and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as it now exists or is later amended. For the purpose of computing the basic ((fines)) penalties and additional ((fines)) penalties to be imposed under the provisions of subsections (1) and (2) of this section the convictions shall be on the same vehicle or combination of vehicles within a twelve month period under the same ownership.~~

(9) The additional ~~((fine)) penalty for excess poundage provided in subsection (2) of this section shall be transmitted by the court to the county treasurer and by him transmitted to the state treasurer for deposit in the motor vehicle fund: PROVIDED, That all fees, fines, forfeitures, and penalties collected or assessed by~~



a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as it now exists or is later amended. It shall then be allocated annually on or before June 30th of each year in the amounts prescribed in RCW 46.68.100 as now or hereafter amended.

(10) Any state patrol officer or any weight control officer who shall find any person operating a vehicle or a combination of vehicles in violation of the conditions of a permit issued under RCW 46.44.037, 46.44.090, and 46.44.095 may confiscate such permit and forward the same to the state highway commission which may return it to the permittee or revoke, cancel, or suspend it without refund. The state highway commission shall keep a record of all action taken upon permits so confiscated, and if a permit shall be returned to the permittee the action taken by the commission shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the commission or person designated by the commission. The commission after such hearing may reinstate any permit or revise its previous action.

Every permit issued as provided for in this chapter shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of any authority granting such a permit.

Upon the third (~~conviction~~) finding within a calendar year (~~for~~) of a violation of the requirements and conditions of a permit issued under RCW 46.44.095 as now or hereafter amended, the permit shall be canceled, and the canceled permit shall be immediately transmitted by the court or the arresting officer to the department of (~~highways, and for the purposes of this section bail forfeiture shall be considered to be a conviction~~) transportation. The vehicle covered by such canceled permit shall not be eligible for a new permit for a period of thirty days.

(11) For the purposes of determining gross weights the actual scale weight taken by the arresting officer shall be prima facie evidence of such total gross weight.

The chief of the state patrol, with the advice of the (~~state highway commission~~) department, may adopt reasonable rules to aid in the enforcement of the provisions of this section.

Sec. 76. Section 1, chapter 1, Laws of 1973 1st ex. sess. as last amended by section 20, chapter 64, Laws of 1975-76 2nd 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 46.44.041 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~~) department of transportation and the statutes. Violation of a rule adopted by the (~~highway commission~~) department as authorized by this section or a term of this section is a (~~misdemeanor~~) traffic infraction.

Sec. 77. Section 2, chapter 1, Laws of 1973 1st ex. sess. and RCW 46.44.140 are each amended to read as follows:

In addition to any other special permits authorized by law, special permits may be issued by the (~~highway commission~~) department of transportation for a quarterly or annual period upon such terms and conditions as it shall find proper for the movement of (1) farm implements used for the cutting or threshing of mature crops; or (2) other farm implements as may be identified by rule of the highway commission. Any farm implement moved under this section must have a gross weight less than forty-five thousand pounds and a total outside width of less than twenty feet while being moved and such movement must be patrolled, flagged, lighted, signed, at a time of day, and otherwise in accordance with rules hereby authorized to be adopted by the (~~highway commission~~) department for the control of such movements.

Applications for and permits issued under this section shall provide for a description of the farm implements to be moved, the approximate dates of movement, and the routes of movement so far as they are reasonably known to the applicant at the time of application, but the permit shall not be limited to these circumstances but shall be general in its application except as limited by the statutes and rules adopted by the (~~highway commission~~) department.

A copy of the governing permit shall be carried on the farm implement being moved during the period of its movement. The (~~highway commission~~) department shall collect a fee as provided in RCW 46.44.0941.

Violation of a term or condition under which a permit was issued, or a rule adopted by the (~~highway commission~~) department as authorized by this section or a term of this section is a (~~misdemeanor~~) traffic infraction.

Sec. 78. Section 4, chapter 22, Laws of 1977 ex. sess. and RCW 46.44.175 are each amended to read as follows:

Failure of any person or agent acting for a person who causes to be moved or moves a mobile home as defined in RCW 46.04.302 upon public highways of this state and (~~who fails~~) failure to comply with any of the provisions of RCW 46.44.170 and 46.44.173 is (~~guilty of a misdemeanor and shall be fined~~) a traffic infraction for which a penalty of not less than fifty dollars or more than one hundred dollars shall be assessed. In addition to the above (~~fine~~) penalty, the (~~highway commission~~) department of transportation or local authority may withhold issuance of a special permit or suspend a continuous special permit as provided by RCW 46.44.090 and 46.44.093 for a period of not less than thirty days.

Any person or agent who is denied a special permit or whose special permit is suspended may upon request receive a hearing before the (~~highway commission~~) department of transportation or the local authority having jurisdiction. The (~~commission~~) department or the local authority after such hearing may revise its previous action.

Sec. 79. Section 46.52.010, chapter 12, Laws of 1961 and RCW 46.52.010 are each amended to read as follows:

The operator of any vehicle which collided with any other vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the operator and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice, giving the name and address of the operator and of the owner of the vehicle striking such other vehicle.

The driver of any vehicle involved in an accident resulting only in damage to property fixed or placed upon or adjacent to any public highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of the name and address of the operator and owner of the vehicle striking such property, or shall leave in a conspicuous place upon the property struck a written notice, giving the name and address of the operator and of the owner of the vehicle so striking the property, and such person shall further make report of such accident as in the case of other accidents upon the public highways of this state. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 80. Section 1, chapter 18, Laws of 1975-76 2nd ex. sess. and RCW 46.52.020 are each amended to read as follows:

(1) A driver of any vehicle involved in an accident resulting in the injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at, the scene of such accident until he has fulfilled the requirements of subdivision (3) of this section; every such stop shall be made without obstructing traffic more than is necessary;

(2) The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property shall immediately stop such vehicle at the scene of such accident or as close thereto as possible and shall forthwith return to, and in any event shall remain at, the scene of such accident until he has fulfilled the requirements of subdivision (3) of this section; every such stop shall be made without obstructing traffic more than is necessary;

(3) Unless otherwise provided in subsection (6) of this section the driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person or damage to other property shall give his name, address, and vehicle license number and shall exhibit his vehicle driver's license to any person struck or injured or the driver or any occupant of, or any person attending, any such vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying or the making of arrangements for the carrying of such person to a physician or hospital for medical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person or on his behalf. Under no circumstances shall the rendering of assistance or other compliance with the provisions of this subsection be evidence of the liability of any driver for such accident;

(4) Any person failing to stop or to comply with any of the requirements of subdivision (3) of this section under said circumstances shall be guilty of a gross misdemeanor and, upon conviction, be punished by imprisonment for not less than thirty days nor more than one year or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both such fine and imprisonment: PROVIDED, That this provision shall not apply to any person injured or incapacitated by such accident to the extent of being physically incapable of complying herewith;

(5) 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;

(6) In the event that none of the persons specified are in condition to receive the information to which they otherwise would be entitled under subsection (3) of this section, and no police officer is present, the driver of any vehicle involved in such accident after fulfilling all other requirements of subsections (1) and (3) of this section insofar as possible on his part to be performed, shall forthwith report such accident to the nearest office of the duly authorized police authority and submit thereto the information specified in subsection (3) of this section.

Sec. 81. Section 46.52.100, chapter 12, Laws of 1961 as last amended by section 163, chapter 158, Laws of 1979 and RCW 46.52.100 are each amended to read as follows:

Every justice of the peace, police judge, and clerk of superior court shall keep or cause to be kept a record of every traffic complaint, traffic citation, notice of infraction, or other legal form of traffic charge deposited with or presented to said justice of the peace, police judge, superior court, or a traffic violations bureau, and shall keep a record of every official action by said court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, finding that a traffic infraction has been committed, dismissal of a notice of infraction, and the amount of fine ((or)), forfeiture, or penalty resulting from every said traffic complaint ((or)), citation, or notice of infraction deposited with or presented to the justice of the peace, police judge, superior court, or traffic violations bureau.

The Monday following the conviction ((or)), forfeiture of bail (~~of a person upon a charge of violation~~), or finding that a traffic infraction was committed for violation of any provisions of this chapter or other law regulating the operating of vehicles on highways, every said magistrate of the court or clerk of the court of record in which such conviction was had ((or)), bail was forfeited, or the finding made shall prepare

and immediately forward to the director of licensing at Olympia an abstract of the record of said court covering the case (~~(in which said person was so convicted or forfeited bail)~~), which abstract must be certified by the person so required to prepare the same to be true and correct. Report need not be made of any (~~(conviction)~~) finding involving the illegal parking or standing of a vehicle.

Said abstract must be made upon a form furnished by the director and shall include the name and address of the party charged, the number, if any, of his driver's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, (~~(or)~~) whether bail forfeited, whether the determination that a traffic infraction was committed was contested, and the amount of the fine (~~(or)~~), forfeiture, or penalty as the case may be.

Every court of record shall also forward a like report to the director upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

The director shall keep all abstracts received hereunder at his office in Olympia and the same shall be open to public inspection during reasonable business hours.

Venue in all justice courts shall be before one of the two nearest justices of the peace in incorporated cities and towns nearest to the point the violation allegedly occurred: PROVIDED, That in counties of class A and of the first class such cases may be tried in the county seat at the request of the defendant.

It shall be the duty of the officer, prosecuting attorney, or city attorney signing the charge or information in any case involving a charge of driving under the influence of intoxicating liquor or any narcotic drug immediately to make request to the director for an abstract of convictions and forfeitures which the director shall furnish.

If a driver has a record of two or more convictions or forfeitures of the offense of operating a vehicle under the influence of or affected by the use of intoxicating liquor or any narcotic drug within a five year period, he shall, upon conviction, be fined not less than one hundred dollars and not more than one thousand dollars, and shall be sentenced to not less than thirty days and not more than one year in the county jail and neither fine nor sentence shall be suspended; and the court shall revoke the driver's license.

If the driver at the time of the offense charged was without a driver's license because of a previous suspension or revocation, the minimum mandatory jail sentence and fine shall be ninety days in the county jail and a two hundred dollar fine. The penalty so imposed shall not be suspended.

Sec. 82. Section 46.52.110, chapter 12, Laws of 1961 as last amended by section 166, chapter 158, Laws of 1979 and RCW 46.52.110 are each amended to read as follows:

It shall be the duty of the sheriff of every county, the chief of police or chief police officer of every incorporated city and town of this state, constables, and members of the Washington state patrol to report immediately to the chief of the Washington state patrol all motor vehicles reported to them as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol.

In the event that any motor vehicle reported as stolen has been recovered, failure of the person so reporting the same as stolen (~~(shall be guilty of a misdemeanor unless he shall)~~) to report the recovery thereof to the sheriff, chief of police, or other chief police officer to whom such motor vehicle was reported as stolen is a traffic infraction.

Upon receipt of such information the chief of the Washington state patrol shall file the same in a 'stolen vehicle index(---)'. He shall also file any reports of vehicles stolen in other states and reported to him as such. It shall be the duty of the chief of the Washington state patrol to keep a file record of all vehicles reported to him as recovered.

The chief of the Washington state patrol shall publish at least once a month a list of all vehicles reported as stolen and not reported as having been recovered and all abandoned vehicles and forward a copy of such list to every sheriff in this state, the chief of police or chief police officer of every incorporated city and town with a population in excess of three thousand inhabitants, each member of the Washington state patrol, and the cognizant state officer of each state in the United States.

Such information shall be provided by the chief of the Washington state patrol for the use of the director of licensing as will permit the director to check the motor or serial number set forth in any application for certificate of ownership or certificate of license registration against such 'stolen vehicle index' and no such certificates shall be issued upon any vehicle recorded as stolen and the director shall immediately inform the chief of the Washington state patrol of any application upon any such vehicle.

It shall be the duty of the sheriff of every county, the chief of police or chief police officer of each incorporated city and town, members of the Washington state patrol, and constables to report to the chief of the Washington state patrol all vehicles or automobile hulks found abandoned on a public highway or at any other place and the same shall thereafter, at the direction of such law enforcement officer, be placed in the custody of a tow truck operator.

Sec. 83. Section 46.52.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 356, Laws of 1977 ex. sess. and RCW 46.52.120 are each amended to read as follows:

It shall be the duty of the director to keep a case record on every motor vehicle driver licensed under the laws of this state, together with information on each, showing all the convictions and findings of traffic infractions certified by the courts and an index cross reference record of each accident reported relating to such individuals with a brief statement of the cause of such accident, which index cross reference record shall be furnished to the director by the chief of the Washington state patrol, with reference to each driver involved in the reported accidents. The case record shall be maintained in two parts. One part shall be the employment driving record of the person which shall include all motor vehicle accidents in which the person

is involved while the person is driving a commercial motor vehicle as an employee of another (~~and~~), all convictions of the person for violation of the motor vehicle laws while the person is driving a commercial motor vehicle as an employee of another, and all findings that the person has committed a traffic infraction while the person is driving a commercial motor vehicle as an employee of another. The other part shall include all other accidents (~~and~~), convictions, and findings that the person has committed a traffic infraction. Such records shall be for the confidential use of the director and the chief of the Washington state patrol and for such police officers or other cognizant public officials as may be designated by law. Such case records shall not be offered as evidence in any court except in case appeal is taken from the order of director, suspending, revoking, canceling, or refusing vehicle driver's license. It shall be the duty of the director to tabulate and analyze vehicle driver's case records and to suspend, revoke, cancel, or refuse any vehicle driver's license to any person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. Whenever the director may order the vehicle driver's license of any such person suspended, revoked, or canceled, or shall refuse the issuance of vehicle driver's license, such suspension, revocation, cancellation, or refusal shall be final and effective unless appeal from the decision of the director shall be taken as provided by law.

Sec. 84. Section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 2, chapter 356, Laws of 1977 ex. sess. and RCW 46.52.130 are each amended to read as follows:

Any request for a certified abstract must specify which part is requested, and only the part requested shall be furnished. The employment driving record part shall be furnished only to the individual named in the abstract, an employer, the insurance carrier that has insurance in effect covering such employer, or a prospective employer. The other part shall be furnished only to the individual named in the abstract, the insurance carrier that has insurance in effect covering such named individual, or the insurance carrier to which such named individual has applied. The director, upon proper request, shall furnish a certified abstract covering the period of not more than three years last past, and such abstract whenever possible, shall include an enumeration of motor vehicle accidents in which such person was involved; the total number of vehicles involved; whether the vehicles were legally parked or moving; whether such vehicles were occupied at the time of the accident; and any reported convictions (~~or~~), forfeitures of bail, or findings that an infraction was committed based upon a violation of ((such person upon a charge of violating)) any motor vehicle law. Such enumeration shall include any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon such person by an arresting officer.

The abstract herein provided to an insurance company shall have excluded therefrom any information pertaining to any occupational driver's license when the same is issued to any person employed by another or self-employed as a motor vehicle driver who during the five years preceding the request has been issued such a license by reason of a conviction (~~of~~) or finding of a traffic infraction involving a motor vehicle offense outside the scope of his principal employment, and who has during such period been principally employed as a motor vehicle driver deriving the major portion of his income therefrom. The abstract provided to the insurance company shall also exclude any information pertaining to law enforcement officers or fire fighters as defined in RCW 41.26.030, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty during an emergency situation if the chief of the officer's or fire fighter's department certifies on the accident report that the actions of the officer or fire fighter were reasonable under the circumstances as they existed at the time of the accident.

The director shall collect for each such abstract the sum of one dollar fifty cents which shall be deposited in the highway safety fund.

Any insurance company or its agent receiving such certified abstract shall use it exclusively for its own underwriting purposes and shall not divulge any of the information therein contained to a third party: **PROVIDED**, That no policy of insurance shall be canceled on the basis of such information unless the policyholder was determined to be at fault: **PROVIDED FURTHER**, That no insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles shall use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment.

Any employer or prospective employer receiving such certified abstract shall use it exclusively for his own purpose to determine whether the licensee should be permitted to operate a commercial vehicle or school bus upon the public highways of this state and shall not divulge any information therein contained to a third party.

Any violation of this section shall be a gross misdemeanor.

Sec. 85. Section 59, chapter 155, Laws of 1965 ex. sess. as amended by section 67, chapter 32, Laws of 1967 and RCW 46.61.500 are each amended to read as follows:

(1) Any person who drives any vehicle in wilful or wanton disregard for the safety of persons or property is guilty of reckless driving. Violation of the provisions of this section is a misdemeanor.

(2) The license or permit to drive or any nonresident privilege of any person convicted of reckless driving shall be suspended by the department for not less than thirty days.

Sec. 86. Section 46.56.030, chapter 12, Laws of 1961 as amended by section 69, chapter 32, Laws of 1967 and RCW 46.61.525 are each amended to read as follows:

It shall be unlawful for any person to operate a motor vehicle in a negligent manner (~~over and along the public highways of this state~~). For the purpose of this section to 'operate in a negligent manner' shall be construed to mean the operation of a vehicle (~~upon the public highways of this state~~) in such a manner as to endanger or be likely to endanger any persons or property: **PROVIDED HOWEVER**, That any person

operating a motor vehicle on private property with the consent of the owner in a manner consistent with the owner's consent shall not be guilty of negligent driving.

The offense of operating a vehicle in a negligent manner shall be considered to be a lesser offense than, but included in, the offense of operating a vehicle in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be convicted of the lesser offense of operating a vehicle in a negligent manner. Any person violating the provisions of this section will be guilty of a misdemeanor: PROVIDED, That the director ((shall)) may not revoke any license under this section, and such offense is not punishable by imprisonment or by a fine exceeding two hundred fifty dollars.

Sec. 87. Section 46.48.050, chapter 12, Laws of 1961 and RCW 46.61.530 are each amended to read as follows:

No person or persons ((shall)) may race any motor vehicle or motor vehicles upon any public highway of this state. Any person or persons ((guilty of comparing or contesting)) who wilfully compare or contest relative speeds by ((simultaneous)) operation ((s)) of one or more motor vehicles shall be guilty of racing, which shall constitute reckless driving under RCW 46.61.500, whether or not such speed is in excess of the maximum speed prescribed by law: PROVIDED HOWEVER, That any comparison or contest of the accuracy with which motor vehicles may be operated in terms of relative speeds not in excess of the posted maximum speed does not constitute racing.

Sec. 88. Section 46.48.060, chapter 12, Laws of 1961 and RCW 46.61.535 are each amended to read as follows:

It shall be unlawful for any manufacturer, dealer, distributor, or any person, firm, or corporation to publish or advertise or offer for publication or advertisement, or to consent or cause to be published or advertised, the time consumed or speed attained by a vehicle between given points or over given or designated distances upon any public highways of this state when such published or advertised time consumed or speed attained shall indicate an average rate of speed between given points or over a given or designated distance in excess of the maximum rate of speed allowed between such points or at a rate of speed which would constitute reckless driving between such points. ((Conviction for a)) Violation of any of the provisions of this section shall be prima facie evidence of reckless driving and shall subject such person, firm, or corporation to the penalties in such cases provided.

Sec. 89. Section 46.56.100, chapter 12, Laws of 1961 and RCW 46.61.665 are each amended to read as follows:

It shall be unlawful for any person to operate a motor vehicle upon the highways of this state when such person has in his or her embrace another person which prevents the free and unhampered operation of such vehicle. ((Any person so doing shall be deemed guilty)) Operation of a motor vehicle in violation of this section is prima facie evidence of reckless driving.

Sec. 90. Section 1, chapter 151, Laws of 1961 and RCW 46.61.680 are each amended to read as follows:

It is unlawful to operate any passenger motor vehicle which has been modified from the original design so that any portion of such passenger vehicle other than the wheels has less clearance from the surface of a level roadway than the clearance between the roadway and the lowermost portion of any rim of any wheel the tire on which is in contact with such roadway.

((Any person violating)) Violation of the provisions of this section ((shall be guilty of a misdemeanor)) is a traffic infraction.

Sec. 91. Section 1, chapter 259, Laws of 1961 and RCW 46.61.690 are each amended to read as follows:

Any person who operates a motor vehicle over a toll bridge, toll tunnel, toll road, or toll ferry, and the approaches thereto, operated by the state of Washington, the ((Washington toll bridge authority)) department of transportation, or any political subdivision or municipal corporation empowered to operate toll facilities, at the entrance to which appropriate signs have been erected to notify traffic that it is entering a toll facility or its approaches and is subject to the payment of tolls at the designated station for collecting tolls, ((shall be guilty of a misdemeanor)) commits a traffic infraction if:

(1) He refuses to pay, evades, or attempts to evade the payment of such tolls, or ((who shall)) uses or attempts to use any spurious or counterfeit tickets, coupons, or tokens for payment of any such tolls, or

(2) He turns, or attempts to turn, the vehicle around in the bridge, tunnel, loading terminal, approach, or toll plaza where signs have been erected forbidding such turns, or

(3) He refuses to pass through the toll gates after having come within the area where signs have been erected notifying traffic that it is entering the area where toll is collectible or where vehicles may not turn around and where vehicles are required to pass through the toll gates for the purpose of collecting tolls.

Sec. 92. Section 79, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.750 are each amended to read as follows:

(1) It is a ((misdemeanor)) traffic infraction for any person to do any act forbidden or fail to perform any act required in RCW 46.61.750 through 46.61.780.

(2) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

Sec. 93. Section 46.64.050, chapter 12, Laws of 1961 as amended by section 3, chapter 95, Laws of 1975-'76 2nd ex. sess. and RCW 46.64.050 are each amended to read as follows:

It ((shall be a misdemeanor)) is a traffic infraction for any person to violate any of the provisions of this title unless violation is by this title or other law of this state declared to be a felony, a gross misdemeanor, or a ((violation)) misdemeanor.

Unless another penalty is in this title provided, every person convicted of a misdemeanor for violation of any provisions of this title shall be punished accordingly.

Sec. 94. Section 4, chapter 284, Laws of 1971 ex. sess. as amended by section 1, chapter 62, Laws of 1979 and RCW 46.65.020 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context, an habitual offender shall mean any person, resident or nonresident, who has accumulated convictions or findings that the person committed a traffic infraction as defined in RCW 46.20.270 as now or hereafter amended, or, if a minor, shall have violations recorded with the department of licensing, for separate and distinct offenses as described in either subsection (1) or (2) below committed within a five-year period, as evidenced by the records maintained in the department of licensing: 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:

(1) Three or more convictions, singularly or in combination, of the following offenses:

(a) Negligent homicide as defined in RCW 46.61.520;

(b) Driving or operating a motor vehicle while under the influence of intoxicants or drugs;

(c) Driving a motor vehicle while his or her license, permit, or privilege to drive has been suspended or revoked;

(d) Failure of the driver of any vehicle involved in an accident resulting in the injury or death of any person or damage to any vehicle which is driven or attended by any person to immediately stop such vehicle at the scene of such accident or as close thereto as possible and to forthwith return to and in every event remain at, the scene of such accident until he has fulfilled the requirements of RCW 46.52.020 as now or hereafter amended; or

(e) Reckless driving as defined in RCW 46.61.500 as now or hereafter amended;

(2) Twenty or more convictions or findings that the person committed a traffic infraction for separate and distinct offenses, singularly or in combination, in the operation of a motor vehicle which are required to be reported to the department of licensing other than the offenses of driving with an expired driver's license and not having a driver's license in the operator's immediate possession. Such convictions or findings shall include those for offenses enumerated in subsection (1) above when taken with and added to those offenses described herein but shall not include convictions or findings for any nonmoving violation. No person ~~(shall)~~ may be considered an habitual offender under this subsection unless at least three convictions have occurred within the three hundred sixty-five days immediately preceding the last conviction.

The offenses included in subsections (1) and (2) hereof shall be deemed to include offenses under any valid town, city, or county ordinance substantially conforming to the provisions cited in said subsections (1) and (2) or amendments thereto, and any federal law, or any law of another state, including subdivisions thereof, substantially conforming to the aforesaid state statutory provisions.

Sec. 95. Section 5, chapter 284, Laws of 1971 ex. sess. as amended by section 2, chapter 62, Laws of 1979 and RCW 46.65.030 are each amended to read as follows:

The director of the department of licensing shall certify three transcripts or abstracts of the ~~(conviction)~~ record of convictions and findings of traffic infractions as maintained by the department of licensing of any person whose record brings him or her within the definition of an habitual offender, as defined in RCW 46.65.020, to the hearing officer appointed in the event a hearing is requested. Such transcript or abstract may be admitted as evidence in any hearing or court proceeding and shall be prima facie evidence that the person named therein was duly convicted by the court wherein such conviction or holding was made of each offense shown by such transcript or abstract; and if such person shall deny any of the facts as stated therein, he or she shall have the burden of proving that such fact is untrue.

Sec. 96. Section 46.76.080, chapter 12, Laws of 1961 and RCW 46.76.080 are each amended to read as follows:

The violation of any provision of this chapter ~~(shall be a misdemeanor)~~ is a traffic infraction. In addition to any other penalty imposed upon a violator of the provisions of this chapter, the director may confiscate any transporter license plates used in connection with such violation.

Sec. 97. Section 2, chapter 9, Laws of 1970 ex. sess. as amended by section 1, chapter 26, Laws of 1971 ex. sess. and RCW 46.81.030 are each amended to read as follows:

There shall be levied and paid into the traffic safety education account of the general fund of the state treasury a penalty assessment in addition to the penalty, fine, or bail forfeiture on all offenses involving a violation of a state statute or city or county ordinance relating to the operation or use of motor vehicles or the licensing of vehicle operators, except offenses relating to parking of vehicles, in the following amounts:

(1) Where a fine or penalty is imposed, five dollars for each twenty dollars of fine, or fraction thereof.

(2) If bail is forfeited, five dollars for each twenty dollars of bail, or fraction thereof.

(3) Where multiple offenses are involved, the penalty assessment shall be based on the total penalty, fine, or bail forfeited for all offenses.

Notwithstanding, the provisions contained in chapters 3.62 and 3.16 RCW, or any other section, all moneys derived from penalty assessments made under this section shall be forwarded to the traffic safety education account of the general fund of the state treasury and shall be used exclusively for traffic safety education.

Where a fine or penalty is suspended, in whole or in part, the penalty assessment shall be levied in accordance with the fine or penalty actually imposed.

Sec. 98. Section 46.83.060, chapter 12, Laws of 1961 and RCW 46.83.060 are each amended to read as follows:

Every person required to attend a traffic school as established under the provisions of this chapter shall maintain attendance in accordance with the sentence or order. Failure so to do, unless for good cause shown by clear and convincing evidence, ~~((shall be a misdemeanor and punishable as by law provided in addition to the imposition of any punishment suspended or deferred upon the original conviction))~~ is a traffic infraction.

Sec. 99. Section 25, chapter 106, Laws of 1963 and RCW 46.85.250 are each amended to read as follows:

Each 'floater' license plate may be used interchangeably upon any semitrailer, not exceeding the maximum gross weight, for which such license is issued, owned by, or in the possession of the licensee. Such 'floater' plates shall be valid only for intracity operations.

Every violation of this section ~~((shall be punishable as a misdemeanor))~~ is a traffic infraction, and every peace officer witnessing any use of any 'floater' license plate outside of incorporated cities or towns shall confiscate such plate and forthwith return it to the director.

Sec. 100. Section 54, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.345 are each amended to read as follows:

It shall be the duty of the chief of police to report immediately to the chief of the Washington state patrol all motor vehicles reported to them as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol.

In the event that any motor vehicle reported as stolen has been recovered, failure of the person so reporting the same as stolen ((shall be guilty of a misdemeanor unless he shall)) to report the recovery thereof to the chief of police to whom such motor vehicle was reported as stolen is a traffic infraction.

It shall be the duty of the chief of police to report to the chief of the Washington state patrol all vehicles or automobile hulks found abandoned on a highway or at any other place and the same shall, at the direction of a law enforcement officer, be placed in the custody of a registered disposer.

Sec. 101. Section 102, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.560 are each amended to read as follows:

~~((Every person convicted of a))~~ Violation of any provision of RCW 46.90.500 through 46.90.540 ~~((shall be guilty of a misdemeanor))~~ is a traffic infraction.

Sec. 102. Section 31, chapter 145, Laws of 1967 ex. sess. and RCW 47.38.030 are each amended to read as follows:

Any person violating RCW 47.38.020 or any rule or regulation adopted or promulgated pursuant to RCW 47.38.020 above shall be guilty of a misdemeanor: PROVIDED, That violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 103. Section 1, chapter 38, Laws of 1961 and RCW 53.08.220 are each amended to read as follows:

A port district may formulate all needful regulations for the use by tenants, agents, servants, licensees, invitees, suppliers, passengers, customers, shippers, business visitors, and members of the general public of any properties or facilities owned or operated by it, and request the adoption, amendment, or repeal of such regulations as part of the ordinances of the city or town in which such properties or facilities are situated, or as part of the resolutions of the county, if such properties or facilities be situated outside any city or town. The port commission shall make such request by resolution after holding a public hearing on the proposed regulations, of which at least ten days' notice shall be published in a legal newspaper of general circulation in the port district. Such regulations must conform to and be consistent with federal and state law. As to properties or facilities situated within a city or town, such regulations must conform to and be consistent with the ordinances of the city or town. As to properties or facilities situated outside any city or town, such regulations must conform to and be consistent with county resolutions. Upon receiving such request, the governing body of the city, town, or county, as the case may be, may adopt such regulations as part of its ordinances or resolutions, or amend or repeal such regulations in accordance with the terms of the request. Any violation of such regulations shall constitute a misdemeanor which shall be redressed in the same manner as other police regulations of the city, town, or county, and it shall be the duty of all law enforcement officers to enforce such regulations accordingly: PROVIDED, That violation of a regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 104. Section 32, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.130 are each amended to read as follows:

Any person who shall wilfully fail to comply with the rules, regulations, and conditions set forth in this chapter or who shall aid or abet such a violation or failure to comply, shall be deemed guilty of a gross misdemeanor: PROVIDED, That violation of a rule, regulation, or condition relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule, regulation, or condition equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act is a misdemeanor.

Sec. 105. Section 4, chapter 67, Laws of 1921 as amended by section 3, chapter 143, Laws of 1923 and RCW 76.04.480 are each amended to read as follows:

Any person violating or failing to comply with any rules or regulations of the ~~((director of conservation and development through and by means of the division of forestry))~~ department of natural resources made under the provisions of ~~((this act))~~ RCW 76.04.460, shall be guilty of a misdemeanor: PROVIDED, That

violation of a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act remains a misdemeanor.

Sec. 106. Section 81.68.080, chapter 14, Laws of 1961 and RCW 81.68.080 are each amended to read as follows:

Every officer, agent, or employee of any corporation, and every other person who violates or fails to comply with, or who procures, aids, or abets in the violation of any provisions of this chapter, or who fails to obey, observe, or comply with any order, decision, rule or regulation, direction, demand, or requirement, or any part of provision thereof, is guilty of a gross misdemeanor and punishable as such: PROVIDED, That violation of an order, decision, rule or regulation, direction, demand, or requirement relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of an order, decision, rule or regulation, direction, demand, or requirement equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act is a misdemeanor.

Sec. 107. Section 18, chapter 150, Laws of 1965 and RCW 81.70.170 are each amended to read as follows:

Every person who knowingly or wilfully violates or fails to comply with or who knowingly or wilfully procures, aids, or abets in the violation of any provisions of this chapter or who knowingly or wilfully fails to obey or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission or any part or provisions thereof is guilty of a gross misdemeanor: PROVIDED, That violation of an order, decision, rule, regulation, direction, demand, or requirement relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction, except that violation of an order, decision, rule, regulation, direction, demand, or requirement equivalent to those provisions of Title 46 RCW set forth in section 2 of this 1979 act is a misdemeanor.

NEW SECTION. Sec. 108. Sections 1 through 3 and 6 through 14 of this 1979 act shall constitute a new chapter in Title 46 RCW.

NEW SECTION. Sec. 109. Section 2, chapter 155, Laws of 1965 ex. sess., section 1, chapter 95, Laws of 1975-'76 2nd ex. sess. and RCW 46.61.010 are each repealed.

NEW SECTION. Sec. 110. 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. 111. The provisions of this act shall take effect on July 1, 1980, and shall apply to violations of the traffic laws committed on or after July 1, 1980."

On page 1, line 1 of the title after "Relating to" strike the remainder of the title and insert: "motor vehicle offenses;" amending section 9, chapter 299, Laws of 1961 as amended by section 4, chapter 73, Laws of 1971 and RCW 3.30.090; amending section 32, chapter 299, Laws of 1961 and RCW 3.42.020; amending section 51, chapter 299, Laws of 1961 and RCW 3.50.020; amending section 52, chapter 299, Laws of 1961 and RCW 3.50.030; amending section 77, chapter 299, Laws of 1961 and RCW 3.50.280; amending section 112, chapter 299, Laws of 1961 and RCW 3.66.010; amending section 1, chapter 58, Laws of 1929 and RCW 12.36.010; amending section 28B.10.565, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.565; amending section 35.20.030, chapter 7, Laws of 1965 and RCW 35.20.030; reenacting and amending section 35.20.090, chapter 7, Laws of 1965 as last amended by section 3, chapter 53, Laws of 1977 ex. sess. and by section 3, chapter 248, Laws of 1977 ex. sess. and RCW 35.20.090; amending section 35.20.250, chapter 7, Laws of 1965 as amended by section 7, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.250; amending section 35.22.510, chapter 7, Laws of 1965 and RCW 35.22.510; amending section 35.22.530, chapter 7, Laws of 1965 and RCW 35.22.530; amending section 35.23.440, chapter 7, Laws of 1965 as last amended by section 21, chapter 316, Laws of 1977 ex. sess. and RCW 35.23.440; amending section 35.24.460, chapter 7, Laws of 1965 as last amended by section 12, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.460; amending section 35.24.470, chapter 7, Laws of 1965 as amended by section 13, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.470; amending section 35.27.530, chapter 7, Laws of 1965 as amended by section 17, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.530; amending section 35.27.540, chapter 7, Laws of 1965 as amended by section 18, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.540; amending section 35A.20.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.040; amending section 35A.20.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.20.080; amending section 36.32.120, chapter 4, Laws of 1963 as last amended by section 1, chapter 216, Laws of 1975 1st ex. sess. and RCW 36.32.120; amending section 36.68.080, chapter 4, Laws of 1963 and RCW 36.68.080; amending section 36.69.180, chapter 4, Laws of 1963 and RCW 36.69.180; amending section 1, chapter 160, Laws of 1969 ex. sess. and RCW 43.30.310; amending section 44, chapter 170, Laws of 1965 ex. sess. as last amended by section 124, chapter 158, Laws of 1979 and RCW 46.01.230; amending section 46.08.170, chapter 12, Laws of 1961 as amended by section 2, chapter 158, Laws of 1963 and RCW 46.08.170; amending section 17, chapter 47, Laws of 1971 ex. sess. as last amended by section 10, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.120; amending section 24, chapter 47, Laws of 1971 ex. sess. as last amended by section 16, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.190; amending section 9, chapter 29, Laws of 1971 ex. sess. as amended by section 5, chapter 181, Laws of 1975 1st ex. sess. and RCW 46.10.090; amending section 19, chapter 29, Laws of 1971 ex. sess. as amended by section 6, chapter 181, Laws of 1975 1st ex. sess. and RCW 46.10.190; amending section 46.16.090, chapter 12, Laws of 1961 as last amended by section 1, chapter 25, Laws of 1977 and RCW 46.16.090; amending section 46.16.135, chapter 12, Laws of 1961 as last amended by section 1, chapter 134, Laws of 1979 and RCW 46.16.135; amending section 46.16.140, chapter 12, Laws of 1961 and RCW 46.16.140; amending section 46.16.145, chapter 12, Laws of 1961 as amended by section 5,



chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.16.145; amending section 46.16.350, chapter 12, Laws of 1961 as amended by section 24, chapter 32, Laws of 1967 and RCW 46.16.350; amending section 1, chapter 128, Laws of 1961 as last amended by section 1, chapter 102, Laws of 1975-'76 2nd ex. sess. and RCW 46.16.380; amending section 7, chapter 200, Laws of 1973 1st ex. sess. as amended by section 4, chapter 59, Laws of 1975 and RCW 46.16.585; amending section 9, chapter 200, Laws of 1973 1st ex. sess. as amended by section 6, chapter 59, Laws of 1975 and RCW 46.16.595; amending section 2, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.021; amending section 5, chapter 121, Laws of 1965 ex. sess. as amended by section 2, chapter 61, Laws of 1979 and RCW 46.20.041; amending section 19, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.171; amending section 46.20.190, chapter 12, Laws of 1961 as amended by section 15, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.190; amending section 21, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.215; amending section 46.20.270, chapter 12, Laws of 1961 as last amended by section 7, chapter 61, Laws of 1979 and RCW 46.20.270; amending section 1, chapter 1, Laws of 1969 as last amended by section 151, chapter 158, Laws of 1979 and RCW 46.20.308; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 1, chapter 36, Laws of 1973 1st ex. sess. and RCW 46.20.311; amending section 36, chapter 121, Laws of 1965 ex. sess. as amended by section 1, chapter 29, Laws of 1972 ex. sess. and RCW 46.20.329; amending section 2, chapter 27, Laws of 1969 and RCW 46.20.342; amending section 5, chapter 169, Laws of 1963 as last amended by section 1, chapter 40, Laws of 1969 ex. sess. and RCW 46.29.050; amending section 28, chapter 169, Laws of 1963 and RCW 46.29.280; amending section 30, chapter 169, Laws of 1963 as amended by section 39, chapter 32, Laws of 1967 and RCW 46.29.300; amending section 60, chapter 169, Laws of 1963 and RCW 46.29.600; amending section 46.32.010, chapter 12, Laws of 1961 as last amended by section 156, chapter 158, Laws of 1979 and RCW 46.32.010; amending section 46.32.050, chapter 12, Laws of 1961 and RCW 46.32.050; amending section 46.37.010, chapter 12, Laws of 1961 as last amended by section 1, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.010; amending section 46.37.188, chapter 12, Laws of 1961 and RCW 46.37.188; amending section 1, chapter 77, Laws of 1971 and RCW 46.37.423; amending section 2, chapter 77, Laws of 1971 as amended by section 36, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.424; amending section 3, chapter 77, Laws of 1971 as amended by section 37, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.425; amending section 46.44.047, chapter 12, Laws of 1961 as last amended by section 11, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.047; amending section 23, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.105; amending section 1, chapter 1, Laws of 1973 1st ex. sess. as last amended by section 20, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.130; amending section 2, chapter 1, Laws of 1973 1st ex. sess. and RCW 46.44.140; amending section 4, chapter 22, Laws of 1977 ex. sess. and RCW 46.44.175; amending section 46.52.010, chapter 12, Laws of 1961 and RCW 46.52.010; amending section 1, chapter 18, Laws of 1975-'76 2nd ex. sess. and RCW 46.52.020; amending section 46.52.100, chapter 12, Laws of 1961 as last amended by section 163, chapter 158, Laws of 1979 and RCW 46.52.100; amending section 46.52.110, chapter 12, Laws of 1961 as last amended by section 166, chapter 158, Laws of 1979 and RCW 46.52.110; amending section 46.52.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 356, Laws of 1977 ex. sess. and RCW 46.52.120; amending section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 2, chapter 356, Laws of 1977 ex. sess. and RCW 46.52.130; amending section 59, chapter 155, Laws of 1965 ex. sess. as amended by section 67, chapter 32, Laws of 1967 and RCW 46.61.500; amending section 46.56.030, chapter 12, Laws of 1961 as amended by section 69, chapter 32, Laws of 1967 and RCW 46.61.525; amending section 46.48.050, chapter 12, Laws of 1961 and RCW 46.61.530; amending section 46.48.060, chapter 12, Laws of 1961 and RCW 46.61.535; amending section 46.56.100, chapter 12, Laws of 1961 and RCW 46.61.665; amending section 1, chapter 151, Laws of 1961 and RCW 46.61.680; amending section 1, chapter 259, Laws of 1961 and RCW 46.61.690; amending section 79, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.750; amending section 46.64.050, chapter 12, Laws of 1961 as amended by section 3, chapter 95, Laws of 1975-'76 2nd ex. sess. and RCW 46.64.050; amending section 4, chapter 284, Laws of 1971 ex. sess. as amended by section 1, chapter 62, Laws of 1979 and RCW 46.65.020; amending section 5, chapter 284, Laws of 1971 ex. sess. as amended by section 2, chapter 62, Laws of 1979 and RCW 46.65.030; amending section 46.76.080, chapter 12, Laws of 1961 and RCW 46.76.080; amending section 2, chapter 9, Laws of 1970 ex. sess. as amended by section 1, chapter 26, Laws of 1971 ex. sess. and RCW 46.81.030; amending section 46.83.060, chapter 12, Laws of 1961 and RCW 46.83.060; amending section 25, chapter 106, Laws of 1963 and RCW 46.85.250; amending section 54, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.345; amending section 102, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.560; amending section 31, chapter 145, Laws of 1967 ex. sess. and RCW 47.38.030; amending section 1, chapter 38, Laws of 1961 and RCW 53.08.220; amending section 32, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.130; amending section 4, chapter 67, Laws of 1921 as amended by section 3, chapter 143, Laws of 1923 and RCW 76.04.480; amending section 81.68-.080, chapter 14, Laws of 1961 and RCW 81.68.080; amending section 18, chapter 150, Laws of 1965 and RCW 81.70.170; adding new sections to chapter 46.61 RCW; adding a new chapter to Title 46 RCW; repealing section 2, chapter 155, Laws of 1965 ex. sess., section 1, chapter 95, Laws of 1975-'76 2nd ex. sess. and RCW 46.61.010; prescribing penalties; and prescribing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed House Bill No. 101.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed House Bill No. 101 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 101 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; nays, 1; not voting, 16.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representative Zimmerman.

Not voting: Representatives Charnley, Clayton, Ehlers, Fuller, Greengo, Hughes, Hurley, Isaacson, McGinnis, Oliver, Owen, Pruitt, Smith C. P., Smith R., Tilly, Tupper.

Engrossed House Bill No. 101 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

The House resumed consideration of the Senate amendment to HOUSE BILL NO. 860. (For Senate message, see yesterday's Journal.)

Speaker Bagnariol stated the question before the House to be the motion by Representative Van Dyken that the House do concur in the Senate amendment.

Representatives Zimmerman, Polk and Martinis spoke in favor of the motion, and Representatives Charnley, Lux and Pruitt spoke against it.

Mr. Charnley spoke again in opposition to the motion to concur.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Lux, I'm looking at this small map and I'm trying to interpret what the boundaries are with the proposed annexation. Does it include the present county airport which is referred to as Boeing Field?"

Mr. Lux: "Yes, Representative Patterson, north of the dark line where Boeing Field is spelled out, is in the city. The portion that is in the county that is proposed for annexation is where it says East Marginal Way. That strip there and on the other side of the river there are 110 homes and that dark line is the city limits, that runs right down the middle of Dallas Avenue about 2 to 2 1/2 blocks along the river. That area is in the county and when those folks go for police protection it has to come from a county sheriff's office and not from the city police."

Mr. Patterson: "Then, as I interpret what you're saying, is that the annexation would isolate the old county airport which I know as Boeing Field?"

Mr. Lux: "No, that's in the city now."

Mr. Douthwaite spoke against the motion to concur, and Representatives Martinis and Lux spoke again in favor of it.

Mr. Warnke demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to House Bill No. 860, and the motion was carried by the following vote: Yeas, 73; nays, 24; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Bauer, Berentson, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Martinis, May, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt,

Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Becker, Bender, Blair, Brekke, Burns, Charnley, Douthwaite, Ehlers, Eng, Gruger, Haley, Jovanovich, Lux, Maxie, McDonald, Nelson D., O'Brien, Pruitt, Sherman, Smith R., Sommers, Thompson, Valle.

Not voting: Representative Greengo.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 860 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 860 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Blair, Brekke, Burns, Charnley, Douthwaite, Eng, Haley, Jovanovich, Lux, Maxie, Nelson D., O'Brien, Pruitt, Sommers, Valle.

Not voting: Representative Greengo.

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.

### SENATE AMENDMENT TO HOUSE BILL

April 12, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 76 with the following amendment:

On page 1, line 7 after "Section 1." strike the remainder of the amendment and insert:

"The legislature finds that confusion and ambiguity exists in relation to 'home rule' powers of cities and counties. The legislature further recognizes that expansion of home rule powers creates questions of conflict and duplication of laws and ordinances, the effects of which are of concern to all the citizens of the state of Washington.

Therefore, the legislature hereby empowers and directs that a joint committee composed of six members of the Senate and six members of the House of Representatives be appointed to study the issue of 'home rule.' The committee shall be composed of three members of the majority and three members of the minority from each house of the legislature appointed by the President of the Senate and the Speaker(s) of the House of Representatives. The joint committee shall hold hearings and report to the legislature their findings and recommendations on or before February 1, 1981."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Zimmerman moved that the House do not concur in the Senate amendment to Substitute House Bill No. 76.

Representatives Zimmerman and Charnley spoke in favor of the motion, and Mr. Newhouse spoke against it.

### ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendment to Substitute House Bill No. 76, and the motion was carried by the following vote: Yeas, 63; nays, 33; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barnes, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Fuller, Haley, Houchen, Hughes, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Sprague, Taller, Warnke, Williams, Wilson.

Not voting: Representatives Greengo, Valle.

#### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO.	29,
HOUSE BILL NO.	41,
SUBSTITUTE HOUSE BILL NO.	156,
HOUSE BILL NO.	164,
SUBSTITUTE HOUSE BILL NO.	219,
SUBSTITUTE HOUSE BILL NO.	247,
SUBSTITUTE HOUSE BILL NO.	280,
SUBSTITUTE HOUSE BILL NO.	295,
HOUSE BILL NO.	308,
SUBSTITUTE HOUSE BILL NO.	398,
HOUSE BILL NO.	415,
HOUSE BILL NO.	419,
SUBSTITUTE HOUSE BILL NO.	438,
HOUSE BILL NO.	450,
SUBSTITUTE HOUSE BILL NO.	481,
SUBSTITUTE HOUSE BILL NO.	500,
SUBSTITUTE HOUSE BILL NO.	502,
SUBSTITUTE HOUSE BILL NO.	624,
HOUSE BILL NO.	645,
HOUSE BILL NO.	750,
SUBSTITUTE HOUSE BILL NO.	751,
HOUSE BILL NO.	913,
HOUSE BILL NO.	954,
SUBSTITUTE SENATE BILL NO.	2284,
SUBSTITUTE SENATE BILL NO.	2439.

#### SENATE AMENDMENTS TO HOUSE BILL

April 18, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 79 with the following amendments:

On line 1 of the title after "materials;" and before "and adding" insert "amending section 28A.58.103, chapter 223, Laws of 1969 ex. sess. as last amended by section 109, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.103;"

Following section 1, add a section 2 to read as follows:

\*Sec. 2. Section 28A.58.103, chapter 223, Laws of 1969 ex. sess. as last amended by section 109, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.103 are each amended to read as follows:

Every board of directors, unless otherwise specifically provided by law, shall:

(1) Prepare, negotiate, set forth in writing and adopt, policy relative to the selection of instructional materials. Such policy shall:

(a) State the school district's goals and principles relative to instructional materials;

(b) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including text books;

(c) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of representative members of the district's professional staff, including representation from the district's curriculum development committees, and, in the case of districts which operate elementary school(s) only, the educational service district superintendent, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children;

(d) Provide for terms of office for members of the instructional materials committee;

(e) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district;

(f) Provide free text books, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage.

Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. Approval shall be by the local school district's board of directors.

Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances.

(2) Establish a depreciation scale for determining the value of texts which students wish to purchase.

~~((Local boards of school directors may declare selected instructional materials obsolete and dispose of them by sale to the highest bidder, following public notice in a newspaper of general circulation in the area.))~~

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendment to Substitute House Bill No. 79.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 79 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 79 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Greengo.

Substitute House Bill No. 79 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

HOUSE BILL NO. 871, by Representatives Wilson, Martinis, Scott, Garrett, Struthers, Tilly, Isaacson, Patterson, Sanders and Teutsch (by Office of Financial Management request):

Making biennial appropriations for operations and capital improvements of the department of transportation, the urban arterial board, and the board of pilotage commissioners.

The bill was read the second time.

On motion of Mr. Wilson, Substitute House Bill No. 871 was substituted for House Bill No. 871 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 871 was read the second time.

With the consent of the House, further consideration of Substitute House Bill No. 871 was deferred.

HOUSE BILL NO. 872, by Representatives Martinis, Wilson, Scott, Garrett, McCormick, Isaacson, Patterson, Sanders, Struthers and Tilly (by Office of Financial Management request):

Making appropriations to the department of transportation.

The bill was read the second time.

On motion of Mr. Wilson, Substitute House Bill No. 872 was substituted for House Bill No. 872, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 872 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 872 was placed on final passage.

Representatives Martinis and 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. 872, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Nisbet.

Not voting: Representative Greengo.

Substitute House Bill No. 872, having received the 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. 871:

The House resumed consideration of the bill on second reading.

Mr. Hastings moved adoption of the following amendments:

On page 2, line 15 strike "63,520,000" and insert "65,320,000"

On page 2, line 16 strike "60,744,700" and insert "62,544,000"

On page 2, line 17 after "funds" insert ": PROVIDED, That \$1,800,000 shall be expended for the Pasco-Kennewick Intercity Bridge project"

Representatives Hastings, Struthers, Isaacson and Eberle spoke in favor of the amendments, and Representatives Wilson and Martinis spoke against them.

The amendments were not adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 871 was placed on final passage.

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Would you spell out what the intent is on page 2 of the bill and the language '...improvements to SR 90 from SR 5 to SR 405 (other than safety improvements) are reduced due to legal delays.' I'd like to know what length of time you are referring to?"

Mr. Wilson: "My understanding is that the case will be in court in July and we expect a decision by January or February of next year at the latest on whether the I-90 projects will continue."

Mr. Douthwaite: "So, in effect, we're giving the sixth months to decide the issue and if the delay is longer the funds will flow to the other projects?"

Mr. Wilson: "There is no specific deadline there. It speaks to when the court comes to a conclusion. Perhaps Representative Martinis has something more to add."

Mr. Martinis: "The time would be adjusted according to the determination of the DOT Commission. The initial court action is still pending and the appeals possibility is that any appeals being successful on this project, the DOT, I would imagine, would still withhold these funds or keep these funds for I-90, but when it became apparent to them at any particular time during this biennium then these funds would flow to the Category C projects. It's the statutory authority of the DOT."

Representatives Blair and Wilson spoke in favor of the bill, and Representative North spoke against it.

## POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Lux.

Mr. Lux: "Representative Wilson, what is the amount proposed in bond funding in this budget?"

Mr. Wilson: "\$100 million is proposed provided another bill is passed for the I-90 project. If that particular bill, which may come up this afternoon, is passed by the House, it will release between \$8 and \$9 million more for Category C. These six projects that were mentioned are the main benefits for us country mice."

Mr. Lux: "So there is only \$100 million proposed in bonding in this?"

Mr. Wilson: "That's correct."

Mr. Charnley spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 871, and the bill passed the House by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Brown, Chandler, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Isaacson, Jovanovich, King, Knowles, Kreidler, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Brekke, Burns, Charnley, Craswell, Douthwaite, Eng, Hurley, Keller, Lux, Maxie, Nelson D., Nisbet, North, Sherman, Sommers, Van Dyken, Williams.

Not voting: Representatives Greengo, Hughes, Thompson, Valle.

Substitute House Bill No. 871, having received the 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. 1032, by Representatives Wilson and Martinis:

Relating to transportation.

The bill was read the second time.

On motion of Mr. Wilson, Substitute House Bill No. 1032 was substituted for House Bill No. 1032, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1032 was read the second time.

Mr. Eng moved adoption of the following amendment by Representatives Eng and Lux:

On page 1, line 13 after "funding" insert ", or to pay the state's share of the costs of other state highway projects, including transit related projects, in the Seattle-Everett urbanized area pursuant to applicable federal laws and regulations relating to interstate withdrawal and substitution"

Representatives Eng and Douthwaite spoke in favor of the amendment, and Representatives Wilson, Martinis and Patterson spoke against it.

Mr. Martinis spoke again in opposition to the amendment.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Eng and Lux to Substitute House Bill No. 1032, and the amendment was not adopted by the following vote: Yeas, 24; nays, 72; not voting, 2.

Voting yea: Representatives Becker, Blair, Brekke, Burns, Chandler, Charnley, Douthwaite, Eng, Gruger, Hurley, Jovanovich, King, Kreidler, Lux, Maxie, Nelson D., Nelson G. A., North, Pruitt, Sherman, Sommers, Valle, Van Dyken, Warnke.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brown, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Keller, Knowles, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Craswell, Greengo.

Mr. Wilson moved adoption of the following amendment:

On page 4, line 12 after "fund" insert ": PROVIDED FURTHER, That the money made available under this appropriation used for I-90 amenities such as the Mercer Island and Mt. Baker lidding be reimbursed to the department of transportation by the cities of Mercer Island and Seattle"

Mr. Wilson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Wilson, would you make clear to the body exactly what moneys would be involved in this amendment if this were to pass, since we're dealing with both state and federal matching funds?"

Mr. Wilson: "This would be the state match only. The cost of these amenities is roughly \$10 million. It would be about \$10 million, since there is 90% match from the federal money."

Mr. Charnley: "So your point is that the \$10 million would come from Mercer Island or Seattle, proportionately, for these funds?"

Mr. Wilson: "The total cost of 7-1/2 mile extension to the state and federal transportation system, \$10 million is just an eyedrop."

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Tupper.

Mr. Tupper: "It's my understanding of the way lids operate that in addition to the initial capital cost there's going to be some operating costs that will be involved on a year-in, year-out basis. Could you explain a little bit about these costs, and who's going to be picking them up?"

Mr. Wilson: "Of course, the lid requires a ventilation system, making a tunnel out of part of the freeway. If they estimated that the operation of these ventilation systems may cost as much as \$2 million, that comes right out of the transportation budget."

Representatives Polk, Martinis and Dunlap spoke against the amendment, and Ms. North spoke in favor of it.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wilson to Substitute House Bill No. 1032, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Brown, Charnley, Clayton, Craswell, Deccio, Eberle, Ehlers, Erickson, Fancher, Flanagan, Gallagher, Galloway, Grimm, Haley, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, May, Mitchell, Newhouse, Nisbet, North, Oliver, Patterson, Rohrbach, Schmitt, Scott, Smith C. P., Smith R., Taylor, Tilly, Tupper, Van Dyken, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Addison, Bagnariol, Becker, Bender, Berentson, Blair, Bond, Brekke, Burns, Chandler, Dawson, Douthwaite, Dunlap, Eng, Erak, Fuller, Garrett, Granlund, Gruger, Hastings, Hughes, Lux, Martinis, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., O'Brien, Owen, Polk, Pruitt, Rosbach, Salatino, Sanders, Sherman, Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Valle, Vrooman, Walk, Williams.

Not voting: Representatives Greengo, Maxie.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1032 was placed on final passage.

Representatives Martinis and Wilson spoke in favor of the bill, and Ms. Becker spoke against it.

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Wilson, can you give me the total amount of money appropriated for Category C?"



Mr. Wilson: "\$63 million."

Representatives Dunlap and Isaacson spoke in favor of the bill, and Representatives Charnley and Lux spoke against it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Martinis: "Mr. Speaker, I'd like a ruling, since this is a bond issue, on the number of votes required to pass this bill?"

Speaker Bagnariol: "Fifty-nine votes."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1032, and the bill passed the House by the following vote: Yeas, 61; nays, 35; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Bender, Berentson, Bond, Brown, Chandler, Clayton, Dawson, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Gruger, Hastings, Heck, Houchen, Isaacson, Keller, King, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Vrooman, Walk, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Amen, Barr, Becker, Blair, Brekke, Burns, Charnley, Craswell, Deccio, Douthwaite, Eng, Flanagan, Grimm, Haley, Hughes, Hurley, Jovanovich, Kreidler, Lux, Maxie, May, Nelson D., Nelson G. A., Newhouse, Nisbet, North, Owen, Sherman, Sommers, Taller, Tupper, Van Dyken, Whiteside, Williams, Winsley.

Not voting: Representatives Greengo, Valle.

Substitute House Bill No. 1032, having received the 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. King, the House advanced to the eighth order of business.

On motion of Mr. King, HOUSE BILL NO. 1064 was rereferred from Committee on Rules to Committee on Appropriations.

On motion of Mr. King, HOUSE BILL NO. 1341 was rereferred from Committee on Appropriations to Committee on Rules.

On motion of Mr. King, SENATE BILL NO. 2860 was rereferred from Committee on Rules to Committee on Appropriations.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, April 25, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## THIRTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 25, 1979.

The House was called to order at 9:30 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representatives Greengo and McDonald, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kim Schley and Sara Aaker. Prayer was offered by The Reverend Charles Loyer of the Westminster 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 24, 1979

Mr. Speaker:

The Senate has concurred in the amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2197 on page 1, beginning on line 7 after "radioactive" insert "isotopes," and on page 1, line 7, after "decay" strike "daughter" and has passed the bill with all of the House amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 24, 1979

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2794,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 24, 1979

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 619 on page 2, line 15 and on page 3, line 34, and has passed the bill with the remaining Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENTS

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 619 without certain Senate amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 619 without certain Senate amendments, and the bill passed the House by the following vote: Yeas, 77; nays, 0; not voting, 21:

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, King, Knowles, Martinis, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taler, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Barr, Berentson, Blair, Clayton, Douthwaite, Galloway, Greengo, Haley, Hughes, Keller, Kreidler, Lux, Maxie, McDonald, Oliver, Patterson, Sommers, Tilly, Valle, Vrooman, Zimmerman.

Substitute House Bill No. 619 without certain Senate 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.

## MESSAGE FROM THE SENATE

April 24, 1979

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED HOUSE BILL NO. 781 on page 4, line 17, and has passed the bill with the remaining Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 781 with certain Senate amendments.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 781 with certain Senate amendments, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dawson, Douthwaite, Granlund, Greengo, Keller, McDonald, Smith C. P., Vrooman.

Engrossed House Bill No. 781 without the Senate amendment to page 4, line 17, having received the 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 11, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 99 with the following amendments:

On page 1, line 8 of the title after "2.36.120;" insert "amending section 1, chapter 56, Laws of 1907 as last amended by section 1, chapter 76, Laws of 1975 1st ex. sess. and RCW 2.36.150; amending and reenacting section 35.20.090, chapter 7, Laws of 1965 as last amended by section 3, chapter 53, Laws of 1977 ex. sess. and by section 3, chapter 248, Laws of 1977 ex. sess. and RCW 35.20.090;"

On line 15 of the title after "38.40 RCW" and before the period insert "; amending section 72, page 235, Laws of 1854 as last amended by section 3, page 119, Laws of 1888 and RCW 12.12.050; and creating a new section"

On page 2, line 29 after "sum of" strike "five" and insert "((five)) ten"

On page 6, after line 5 insert the following:

"Sec. 7. Section 1, chapter 56, Laws of 1907 as last amended by section 1, chapter 76, Laws of 1975 1st ex. sess. and RCW 2.36.150 are each amended to read as follows:

Jurors shall receive for each day's attendance, besides mileage at ((thirteen cents per mile each way)) the rate determined under RCW 43.03.060, the following compensation:

(1) Grand jurors ((~~shall~~)) may receive ((ten)) up to twenty-five dollars but in no case less than ten dollars;

(2) Petit jurors ((~~shall~~)) may receive ((ten)) up to twenty-five dollars but in no case less than ten dollars;

(3) Coroner's jurors ((~~shall~~)) may receive ((ten)) up to twenty-five dollars but in no case less than ten dollars;

(4) Justice of the peace jurors ((~~shall~~)) may receive ((ten)) up to twenty-five dollars but in no case less than ten dollars;

PROVIDED, That a person excused from jury service at his own request shall be allowed not more than a per diem and such mileage, if any, as to the court shall seem just and equitable under all circumstances: PROVIDED FURTHER, That the state shall fully reimburse the county in which trial is held for all jury fees and witness fees related to criminal cases which result from incidents occurring within an adult or juvenile correctional institution: PROVIDED FURTHER, That the compensation paid jurors shall be determined by the county legislative authority and shall be uniformly applied within the county.

Sec. 8. Section 35.20.090, chapter 7, Laws of 1965 as last amended by section 3, chapter 53, Laws of 1977 ex. sess. and by section 3, chapter 248, Laws of 1977 ex. sess. and RCW 35.20.090 are each amended and reenacted to read as follows:

In all civil cases and criminal cases where jurisdiction is concurrent with district courts as provided in RCW 35.20.250, within the jurisdiction of the municipal court, the plaintiff or defendant may demand a jury, which shall consist of six citizens of the state who shall be impaneled and sworn as in cases before district courts, or the trial may be by a judge of the municipal court. A defendant requesting a jury shall pay to the court a fee which shall be the same as that for a jury in justice court. Where there is more than one defendant in an action and one or more of them requests a jury, only one jury fee shall be collected by the court. Each juror (~~shall~~) may receive up to twenty-five dollars but in no case less than ten dollars for each day in attendance upon the municipal court, and in addition thereto shall receive mileage (~~as provided by law~~) at the rate determined under RCW 43.03.060: PROVIDED, That the compensation paid jurors shall be determined by the legislative authority of the city and shall be uniformly applied. Trial by jury shall be allowed in criminal cases involving violations of city ordinances commencing January 1, 1972 unless such incorporated city affected by this chapter has made provision therefor prior to January 1, 1972."

Remember the sections consecutively.

On page 6, following section 8 add new sections to read as follows:

\*Sec. 9. Section 72, page 235, Laws of 1854 as last amended by section 3, page 119, Laws of 1888 and RCW 12.12.050 are each amended to read as follows:

The justice shall write in a panel the names of eighteen persons, (~~citizens of the county~~) selected at random from persons registered as voters within the justice court district, from which the defendant, his agent, or attorney(;) must strike one name; the plaintiff, his agent, or attorney, one; and so on alternately until each party shall have stricken six names, and the remaining six names shall constitute the jury to try such case; and if either party neglect or refuse to aid in striking the jury as aforesaid, the justice shall strike the name in behalf of such party.

NEW SECTION. Sec. 10. 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Substitute House Bill No. 99.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 99 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 99 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Granlund, Greengo, Keller, McDonald, Newhouse.

Substitute House Bill No. 99 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.

April 19, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 125 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 15, chapter 206, Laws of 1963 as amended by section 3, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20.300 are each amended to read as follows:

No filing or recording fees, court fees, or fees for making copies of documents (~~or fees for service of process~~) shall be required from the state department of social and health services by any county clerk.

county auditor, ((sheriff)) or other county officer for the filing of any actions or documents (( authorized by this chapter, or for the service of any summons or other process in any action or proceeding authorized by this chapter)) necessary to establish paternity or enforce or collect support moneys.

Filing fees shall also not be required of any prosecuting attorney or the attorney general for action to establish paternity or enforce or collect support moneys.

Sec. 2. Section 74.04.290, chapter 26, Laws of 1959 as last amended by section 305, chapter 141, Laws of 1979 and RCW 74.04.290 are each amended to read as follows:

In carrying out any of the provisions of this title, the secretary, county administrators, hearing examiners or other duly authorized officers of the department shall have power to subpoena witnesses, administer oaths, take testimony and compel the production of such papers, books, records and documents as they may deem relevant to the performance of their duties; but no officer or agency mentioned in this section shall have power to compel the production of any papers, books, records or documents which are in the custody of any other such officer or agency and within his or its power to provide voluntarily on request.

If an individual fails to obey the subpoena or obeys the subpoena but refuses to testify when required concerning any matter under examination or investigation or the subject of a hearing, the officer or agency issuing the subpoena may petition the superior court of the county where the examination or investigation is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court upon such petition shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why he has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers, and on failing to obey said order the witness shall be dealt with as for contempt of court.

The subpoena shall be served in the same manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested. The receipt shall be prima facie evidence of service.

Sec. 3. Section 2, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.020 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) 'Department' means the state department of social and health services.
- (2) 'Secretary' means the secretary of the department of social and health services, his designee or authorized representative.
- (3) 'Dependent child' means any person under the age of twenty-one who is not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States.
- (4) 'Superior court order' means any judgment or order of the superior court of the state of Washington ordering payment of a set or determinable amount of support moneys, or an order of a court of comparable jurisdiction of another state ordering payment of a set or determinable amount of support moneys.
- (5) 'Responsible parent' means ((the)) a natural ((or)) parent, adoptive parent, or stepparent of a dependent child.

(6) 'Stepparent' means the present spouse of the person who is either the mother, father, or adoptive parent of a dependent child, and such status shall exist and continue as provided for in RCW 26.16.205 until the relationship is terminated by death or dissolution of marriage.

(7) 'Support moneys' means any moneys paid to satisfy a support obligation whether denominated as child support, spouse support, alimony, maintenance, or any other such moneys intended to satisfy an obligation for support of any person or satisfaction in whole or in part of arrears or delinquency on such an obligation.

Sec. 4. Section 3, chapter 164, Laws of 1971 ex. sess. as amended by section 4, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.030 are each amended to read as follows:

~~((Except as provided in this section and in section 27 of this 1973 amendatory act, any payment of public assistance money made to or for the benefit of any dependent child or children creates a debt due and owing to the department by the natural or adoptive parent or parents who are responsible for support of such children in an amount equal to the amount of public assistance money so paid. PROVIDED, That where there has been a superior court order, the debt shall be limited to the amount provided for by said order. The department shall have the right to petition the appropriate superior court for modification of a superior court order on the same grounds as a party to said cause. Where a child has been placed in foster care, and a written agreement for payment of support has been entered into by the responsible parent or parents and the department, the debt shall be limited to the amount provided for in said agreement. PROVIDED, That if a court order for support is or has been entered, the provisions of said order shall prevail over the agreement. The department shall adopt rules and regulations, based on ability to pay, with respect to the level of support to be provided for in such agreements, or modifications of such agreements based on changed circumstances.))~~

The department shall be subrogated to the right of ((said)) any dependent child or children or person having the care, custody, and control of said child or children, if public assistance money is paid to or for the benefit of the child, to prosecute or maintain any support action or execute any administrative remedy existing under the laws of the state of Washington to obtain reimbursement of moneys ((thus)) expended, based

on the support obligation of the responsible parent established by a superior court order or RCW 26.16.205. ~~((If a superior court order enters judgment for an amount of support to be paid by an obligor parent, the department shall be subrogated to the debt created by such order, and said money judgment shall be deemed to be in favor of the department. This subrogation shall specifically be applicable to temporary spouse support orders, family maintenance orders and alimony orders up to the amount paid by the department in public assistance moneys to or for the benefit of a dependent child or children but allocated to the benefit of said children on the basis of providing necessities for the caretaker of said children.~~

~~Debt under this section shall not be incurred by nor at any time be collected))~~ No collection shall be made from a parent or other person who is the recipient of public assistance moneys ((for the benefit of minor dependent children for the period)) while such person or persons are in such status.

No collection action shall be taken against parents of children eligible for admission to, or children who have been released from, a state school for the developmentally disabled as defined by chapter 72.33 RCW.

Sec. 5. Section 6, chapter 164, Laws of 1971 ex. sess. as amended by section 7, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.060 are each amended to read as follows:

Twenty-one days after receipt or refusal of notice of debt under provisions of RCW 74.20A.040, or twenty-one days after service of notice ~~((of debt))~~ and finding of financial responsibility, or as otherwise appropriate under ~~((the provisions of RCW 74.20A.050))~~ RCW 74.20A.055, or as appropriate under ~~((the provisions of section 27 of this 1973 amendatory))~~ section 18 of this 1979 act a lien may be asserted by the secretary upon the real or personal property of the debtor. The claim of the department for a support debt, not paid when due, shall be a lien against all property of the debtor with priority of a secured creditor. This lien shall be separate and apart from, and in addition to, any other lien created by, or provided for, in this title. The lien shall attach to all real and personal property of the debtor on the date of filing of such statement with the county auditor of the county in which such property is located. A lien against earnings shall attach and be effective subject to service requirements of RCW 74.20A.070 upon filing with the county auditor of the county in which the employer does business or maintains an office or agent for the purpose of doing business.

Whenever a support lien has been filed and there is in the possession of any person, firm, corporation, association, political subdivision or department of the state having notice of said lien any property which may be subject to the support lien, such property shall not be paid over, released, sold, transferred, encumbered or conveyed, except as provided for by the exemptions contained in RCW 74.20A.090 and 74.20A.130, unless a written release or waiver signed by the secretary has been delivered to said person, firm, corporation, association, political subdivision or department of the state or unless a determination has been made in a fair hearing pursuant to RCW ~~((74.20A.056))~~ 74.20A.055 or by a superior court ordering release of said support lien on the basis that no debt exists or that the debt has been satisfied.

Sec. 6. Section 8, chapter 164, Laws of 1971 ex. sess. as amended by section 9, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.080 are each amended to read as follows:

After service of a notice of debt as provided for in RCW 74.20A.040 stating a support debt accrued and/or accruing based upon subrogation to or assignment of the amount required to be paid under any superior court order or ~~((whenever a support lien has been filed pursuant to RCW 74.20A.060))~~ twenty-one days after service of the notice and finding of financial responsibility or as otherwise appropriate under RCW 74.20A.055, or as appropriate under section 18 of this 1979 act, the secretary is hereby authorized to issue to any person, firm, corporation, association, political subdivision or department of the state, an order to withhold and deliver property of any kind including, but not restricted to, earnings which are due, owing, or belonging to the debtor, when the secretary has reason to believe that there is in the possession of such person, firm, corporation, association, political subdivision or department of the state property which is due, owing, or belonging to said debtor. The order to withhold and deliver ~~((which shall also be served upon the debtor,))~~ shall state the amount of the support debt accrued, and shall state in summary the terms of RCW 74.20A.090 and 74.20A.100. The order to withhold and deliver shall be served in the manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested. Any person, firm, corporation, association, political subdivision or department of the state upon whom service has been made is hereby required to answer said order to withhold and deliver within twenty days, exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of therein. The secretary may require further and additional answers to be completed by the person, firm, corporation, association, political subdivision or department of the state. In the event there is in the possession of any such person, firm, corporation, association, political subdivision or department of the state any property which may be subject to the claim of the department of social and health services, such property shall be withheld immediately upon receipt of the order to withhold and deliver and shall, after the twenty day period, upon demand, be delivered forthwith to the secretary. The secretary shall hold said property in trust for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability. In the alternative, there may be furnished to the secretary a good and sufficient bond, satisfactory to the secretary, conditioned upon final determination of liability. Where money is due and owing under any contract of employment, express or implied, or is held by any person, firm, corporation, or association, political subdivision or department of the state subject to withdrawal by the debtor, such money shall be delivered by remittance payable to the order of the secretary. Delivery to the secretary of the money or other property held or claimed shall satisfy the requirement of the order to withhold and deliver. Delivery to the secretary shall serve as full acquittance and the state warrants and represents that it shall defend and hold harmless for such actions persons delivering money or property to the secretary pursuant to this chapter. The state also warrants and represents that it shall defend and hold harmless for such actions persons

withholding money or property pursuant to this chapter. The foregoing is subject to the exemptions contained in RCW 74.20A.090 (~~and 74.20A.130~~).

The secretary shall also, on or before the date of service of the order to withhold and deliver, mail or cause to be mailed by certified mail a copy of the order to withhold and deliver to the debtor at the debtor's last known post office address, or, in the alternative, a copy of the order to withhold and deliver shall be served on the debtor in the same manner as a summons in a civil action on or before the date of service of the order or within two days thereafter. The copy of the order shall be mailed or served together with a concise explanation of the right to petition for a hearing. This requirement is not jurisdictional, but, if the copy is not mailed or served as in this section provided, or if any irregularity appears with respect to the mailing or service, the superior court, in its discretion on motion of the debtor promptly made and supported by affidavit showing that the debtor has suffered substantial injury due to the failure to mail the copy, may set aside the order to withhold and deliver and award to the debtor an amount equal to the damages resulting from the secretary's failure to serve on or mail to the debtor the copy.

Sec. 7. Section 11, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.110 are each amended to read as follows:

Whenever any person, firm, corporation, association, political subdivision or department of the state has in its possession earnings, deposits, accounts, or balances in excess of the amount of the debt claimed by the department (~~plus one hundred dollars~~), such person, firm, corporation, association, political subdivision or department of the state may, without liability under this chapter, release said excess to the debtor.

Sec. 8. Section 16, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.160 are each amended to read as follows:

With respect to any arrearages on a support debt assessed under RCW 74.20A.040, 74.20A.055, or section 18 of this 1979 act, the secretary may at any time consistent with the income, earning capacity and resources of the debtor, set or reset a level and schedule of payments to be paid upon the debt. The secretary may, upon petition of the debtor providing sufficient evidence of hardship, after consideration of the standards established in RCW 74.20.270, release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of the responsible parent or parents and minor children in the home of the responsible parent. Nothing in this section shall be construed to require the secretary to take any action which would require collection of less than the obligation for current support required under a superior court order or an administrative order or to take any action which would result in a bar of collection of arrearages from the debtor by reason of the statute of limitations.

Sec. 9. Section 20, chapter 164, Laws of 1971 ex. sess. as amended by section 18, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.200 are each amended to read as follows:

Any person against whose property a support lien has been filed or an order to withhold and deliver has been served pursuant to this chapter may apply for relief to the superior court of the county wherein the property is located on the basis that no support debt is due and owing (~~PROVIDED, That judicial relief shall not be granted except as provided for in RCW 74.08.080 whenever a fair hearing has been requested pursuant to RCW 74.20A.050. Liens filed during pendency of fair hearing or court review shall be reviewed pursuant to RCW 74.08.080~~). It is the intent of this chapter that jurisdictional and constitutional issues, if any, shall be subject to review, but that administrative remedies be exhausted prior to judicial review.

Sec. 10. Section 9, chapter 164, Laws of 1971 ex. sess. as amended by section 10, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.090 are each amended to read as follows:

Whenever a support lien or order to withhold and deliver is served upon any person, firm, corporation, association, political subdivision or department of the state asserting a support debt against earnings and there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state, any such earnings, RCW 7.33.280 shall not apply, but fifty percent of the disposable earnings shall be exempt and may be disbursed to the debtor whether such earnings are paid, or to be paid weekly, monthly, or at other (~~regular~~) intervals and whether there be due the debtor earnings for one week or for a longer period. The lien or order to withhold and deliver shall continue to operate and require said person, firm, corporation, association, political subdivision, or department of the state to withhold the nonexempt portion of earnings at each succeeding earnings disbursement interval until the entire amount of the support debt stated in the lien or order to withhold and deliver has been withheld. As used in this chapter, the term 'earnings' means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and, notwithstanding any other provision of law making such payments exempt from garnishment, attachment, or other process to satisfy support obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments ((by any department or division of the state based upon inability to work or obtain employment)) made under Title 50 or 74 RCW. Earnings shall specifically include all gain derived from capital, from labor, or from both combined, not including profit gained through sale or conversion of capital assets. The term 'disposable earnings' means that part of the earnings of any individual remaining after the deduction from those earnings of any amount ((be)) required by law to be withheld.

Sec. 11. Section 1, chapter 30, Laws of 1974 ex. sess. as last amended by section 41, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.040 are each amended to read as follows:

No money paid or payable under this title shall, except as provided for in RCW (~~74.20A.090 and 74.20A.100~~) 74.20A.260, prior to the issuance and delivery of the check or warrant therefor, be capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment or charge shall be void: PROVIDED, That if any worker suffers a permanent

partial injury, and dies from some other cause than the accident which produced such injury before he or she shall have received payment of his or her award for such permanent partial injury, or if any worker suffers any other injury before he or she shall have received payment of any monthly installment covering any period of time prior to his or her death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to the surviving spouse, or to the child or children if there is no surviving spouse: PROVIDED FURTHER, That, if any worker suffers an injury and dies therefrom before he or she shall have received payment of any monthly installment covering time loss for any period of time prior to his or her death, the amount of such monthly payment shall be paid to the surviving spouse, or to the child or children if there is no surviving spouse: PROVIDED FURTHER, That any application for compensation under the foregoing provisos of this section shall be filed with the department or self-insuring employer within one year of the date of death: PROVIDED FURTHER, That if the injured worker resided in the United States as long as three years prior to the date of injury, such payment shall not be made to any surviving spouse or child who was at the time of the injury a nonresident of the United States: PROVIDED FURTHER, That any worker receiving benefits under this title who is subsequently confined in, or who subsequently becomes eligible therefor while confined in any institution under conviction and sentence shall have all payments of such compensation canceled during the period of confinement but after discharge from the institution payment of benefits thereafter due shall be paid if such worker would, but for the provisions of this proviso, otherwise be entitled thereto: PROVIDED FURTHER, That if any prisoner is injured in the course of his or her employment while participating in a work or training release program authorized by chapter 72.65 RCW and is subject to the provisions of this title, he or she shall be entitled to payments under this title subject to the requirements of chapter 72.65 RCW unless his or her participation in such program has been canceled, or unless he or she is returned to a state correctional institution, as defined in RCW 72.65.010(3), as a result of revocation of parole or new sentence: PROVIDED FURTHER, That if such incarcerated worker has during such confinement period, any beneficiaries, they shall be paid directly the monthly benefits which would have been paid to him or her for himself or herself and his or her beneficiaries had he or she not been so confined. Any lump sum benefits to which the worker would otherwise be entitled but for the provisions of these provisos shall be paid on a monthly basis to his or her beneficiaries.

Sec. 12. Section 25, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.055 are each amended to read as follows:

~~((As an alternative to the hearing and appeal procedures provided in RCW 74.20A.050,))~~ (1) The secretary may, in the absence of a superior court order, serve on the responsible parent or parents a notice and finding of financial responsibility requiring a responsible parent or parents to appear and show cause in a hearing held by the department why the finding of responsibility and/or the amount thereof is incorrect, should not be finally ordered, but should be rescinded or modified. This notice and finding shall relate to the support debt accrued and/or accruing under this chapter and/or RCW 26.16.205, including periodic payments to be made in the future for such period of time as the child or children of said responsible parent or parents are in need. Said hearing shall be held pursuant to ~~((this 1973 amendatory act))~~ RCW 74.20A.055, chapter 34.04 RCW, and the rules and regulations of the department, which shall provide for a fair hearing.

(2) The notice and finding of financial responsibility shall be served in the same manner prescribed for the service of a summons in a civil action or may be served on the responsible parent by certified mail, return receipt requested. The receipt shall be prima facie evidence of service. The notice shall be served upon the debtor within 60 days from the date the state assumes responsibility for the support of the dependent child or children on whose behalf support is sought. If the notice is not served within 60 days from such date, the department shall lose the right to reimbursement of payments made after the 60 days period and before the date of notification: PROVIDED, That if the department exercises reasonable efforts to locate the debtor and is unable to do so the entire 60 day period is tolled until such time as the debtor can be located. Any responsible parent who objects to all or any part of the notice and finding shall have the right for not more than twenty days from the date of service to request in writing a hearing, which request shall be served upon the ~~((secretary or his designee))~~ department by registered or certified mail or personally. If no such request is made, the notice and finding of responsibility shall become final and the debt created therein shall be subject to collection action as authorized under this chapter. If a timely request is made, the execution of notice and finding of responsibility shall be stayed pending the decision on such hearing~~((, or any direct appeal to the courts from that decision))~~. If no timely written request for a hearing has previously been made, the responsible parent may petition the secretary or the secretary's designee at any time for a hearing as provided for in this section upon a showing of good cause for the failure to make a timely request for hearing. The filing of the petition for a hearing after the twenty-day period shall not affect any collection action previously taken under this chapter. The granting of a request for the hearing shall operate as a stay on any future collection action, pending the final decision of the secretary or the secretary's designee on the hearing. Moneys withheld as a result of collection action in effect at the time of the granting of the request for the hearing shall be delivered to the department and shall be held in trust by the department pending the final order of the secretary or during the pendency of any appeal to the courts made under chapter 34.04 RCW. The department may petition the hearing examiner to set temporary current and future support to be paid beginning with the month in which the petition for an untimely hearing is granted. The hearing examiner shall order payment of temporary current and future support if appropriate in an amount determined pursuant to the scale of suggested minimum contributions adopted under RCW 74.20.270. In the event the responsible parent does not make payment of the temporary current and future support as ordered by the hearing examiner, the department may take collection action pursuant to chapter 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the order. Temporary current and



future support paid, or collected, during the pendency of the hearing or appeal shall be disbursed to the custodial parent or as otherwise appropriate when received by the department. If the final decision of the department, or of the courts on appeal, is that the department has collected from the responsible parent other than temporary current or future support, an amount greater than such parent's past support debt, the department shall promptly refund any such excess amount to such parent.

(3) Hearings may be held in the county of residence or other place convenient to the responsible parent. Any such hearing shall be a 'contested case' as defined in RCW 34.04.010. The notice and finding of financial responsibility shall set forth the amount the department has determined the responsible parent owes, the support debt accrued and/or accruing, and (~~as appropriate, the amount to be paid thereon each month~~) periodic payments to be made in the future for such period of time as the child or children of the responsible parent are in need, all computable on the basis of the ((amount of the monthly public assistance payment previously paid, or)) need alleged ((and the ability of the responsible parent to pay all, or any portion of the amount so paid and/or being paid and/or to be paid)). The notice and finding shall also include a statement of the name of the recipient or custodian and the name of the child or children for whom ((assistance is being paid or)) need is alleged; and/or a statement of the amount of periodic future support payments as to which financial responsibility is ((found)) alleged.

(4) The notice and finding shall include a statement that the responsible parent may object to all or any part of the notice and finding, and request a hearing to show cause why said responsible parent should not be determined to be liable for any or all of the debt, past and future ((determined, and the amount to be paid thereon)).

The notice and finding shall ((also)) include a statement that, if the responsible parent fails in timely fashion to request a hearing ((that)), the support debt and payments stated in the notice and finding, including periodic support payments in the future, shall be assessed and determined and ordered by the department and that this debt shall be subject to collection action; a statement that the property of the debtor, without further advance notice or hearing, will be subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.

(5) If a hearing is requested, it shall be promptly scheduled, in no more than thirty days. The hearing, including a hearing on prospective modification, shall be conducted by a duly qualified hearing examiner appointed for that purpose.

After evidence has been presented at hearings conducted by the hearing examiner, the hearing examiner shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The hearing examiner shall file the original of the initial decision and order, signed by the hearing examiner, with the secretary or the secretary's designee. Copies of the initial decision and order shall be mailed by the hearing examiner to the department and to the appellant by certified mail to the last known address of each party. Within thirty days of filing, either the appellant or the department may file with the secretary or the secretary's designee a written petition for review of the initial decision and order. The petition for review shall set forth in detail the basis for the requested review and shall be mailed by the petitioning party to the other party by certified or registered mail to the last known address of the party.

The petition shall be based on any of the following causes materially affecting the substantial rights of the petitioner:

(a) Irregularity in the proceedings of the hearing examiner or adverse party, or any order of the hearing examiner, or abuse of discretion, by which the moving party was prevented from having a fair hearing;

(b) Misconduct of the prevailing party;

(c) Accident or surprise which ordinary prudence could not have guarded against;

(d) Newly discovered evidence, material for the party making the application, which the party could not with reasonable diligence have discovered and produced at the hearing;

(e) That there is no evidence or reasonable inference from the evidence to justify the decision, or that it is contrary to law;

(f) Error in mathematical computation;

(g) Error in law occurring at the hearing and objected to at the time by the party making the application;

(h) That the moving party is unable to perform according to the terms of the order without further clarification;

(i) That substantial justice has not been done;

(j) Fraud or misstatement of facts by any witness, which materially affects the debt;

(k) Clerical mistakes in the decision arising from oversight or omission; or

(l) That the decision and order entered because the responsible parent failed to appear at the hearing should be vacated and the matter be remanded for a hearing upon showing of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

In the event no petition for review is made as provided in this subsection by any party, the initial decision and order of the hearing examiner is final as of the date of filing and becomes the decision and order of the secretary. No appeal may be taken therefrom to the courts and the debt created is subject to collection action as authorized by this chapter.

After the receipt of a petition for review, the secretary or the secretary's designee shall consider the initial decision and order, the petition or petitions for review, the record or any part thereof, and such additional evidence and argument as the secretary or the secretary's designee may in his or her discretion allow. The secretary or the secretary's designee may remand the proceedings to the hearing examiner for additional

evidence or argument. The secretary or the secretary's designee may deny review of the initial decision and order and thereupon deny the petition or petitions at which time the initial decision and order shall be final as of the date of the denial and all parties shall forthwith be notified, in writing, of the denial, by certified mail to the last known address of the parties. Unless the petition is denied, the secretary or the secretary's designee shall review the initial decision and order and shall make the final decision and order of the department. The final decision and order shall be in writing and shall contain findings of fact and conclusions of law as to each contested issue of fact and law. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal by certified mail to the last known address of the party. The decision and order shall authorize collection action, as appropriate, under this chapter.

(6) The hearing examiner in his or her initial decision, or the secretary or the secretary's designee in review of the initial decision, shall determine the past liability and responsibility, if any, of the alleged responsible parent ((under RCW 74.20A.030)) and shall also determine the amount of periodic payments to be made ((to satisfy past, present or future liability under RCW 74.20A.030 and/or 26.16.205)) in the future, which amount is not limited by the amount of any public assistance payment made to or for the benefit of the child. In making these determinations, the hearing examiner, and the secretary or the secretary's designee, shall include in his or her considerations ((1) the necessities and requirements of the child or children, exclusive of any income of the custodian of said child or children, (2) the amount of support debt claimed, (3) the public policy and intent of the legislature to require that children be maintained from the resources of responsible parents thereby relieving to the greatest extent possible the burden borne by the general citizenry through welfare programs, and (4) the abilities and resources of the responsible parent)):

(a) All earnings and income resources of the responsible parent, including real and personal property;

(b) The earnings potential of the responsible parent;

(c) The reasonable necessities of the responsible parent;

(d) The ability of the responsible parent to borrow;

(e) The needs of the child for whom the support is sought;

(f) The amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan;

(g) The existence of other dependents; and

(h) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent.

If the responsible parent fails to appear at the hearing, upon a showing of valid service, the hearing examiner shall enter an initial decision and order declaring the support debt and payment provisions stated in the notice and finding of financial responsibility to be assessed and determined and subject to collection action. Within ((fifteen)) thirty days of entry of said decision and order, the responsible parent may petition the ((department)) secretary or the secretary's designee to vacate said decision and order upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

(7) The ((hearing examiner shall, within twenty days of the hearing, enter findings, conclusions and a)) final decision ((determining liability and responsibility and/or future periodic support payments. The determination of the hearing examiner)) entered pursuant to this section shall be entered as a decision and order and shall limit the support debt ((under RCW 74.20A.030)) to the amounts stated in said decision: PROVIDED, That said decision establishing liability and/or future periodic support payments shall be superseded upon entry of a superior court order for support to the extent the superior court order is inconsistent with the hearing order or decision: PROVIDED FURTHER, That in the absence of a superior court order, either the responsible parent or the department may petition the secretary or his designee for issuance of an order to appear and show cause based on a showing of good cause and material change of circumstances, to require the other party to appear and show cause why the decision previously entered should not be prospectively modified. Said order to appear and show cause together with a copy of the petition and affidavit upon which the order is based shall be served in the manner of a summons in a civil action or by certified mail, return receipt requested, on the other party by the petitioning party. A hearing shall be set not less than fifteen nor more than thirty days from the date of service, unless extended for good cause shown. Prospective modification may be ordered, but only upon a showing of good cause and material change of circumstances. The decision and order for prospective modification entered by the hearing examiner shall be an initial decision subject to review by the secretary or the secretary's designee as provided for in this section.

(8) The ((department, in its original determinations, and the)) hearing examiner, in making ((determinations based on objections to original determinations or on petitions to modify)) the initial decision and the secretary or the secretary's designee in the final decision determining liability and/or future periodic support payments, shall consider the standards promulgated pursuant to RCW 74.20.270 and any standards for determination of support payments used by the superior court of the county of residence of the responsible parent.

(9) Debts determined pursuant to this section, accrued and not paid, are subject to collection action under this chapter without further necessity of action by the hearing examiner, or the secretary or secretary's designee.

(10) 'Need' as used in this section shall mean the necessary costs of food, clothing, shelter, and medical attendance for the support of a dependent child or children. The amount determined by reference to the schedule of suggested minimum contributions adopted under RCW 74.20.270, based on the earnings, resources, and property of the alleged responsible parent, shall be a rebuttable presumption of the alleged responsible parent's ability to pay and the need of the family: PROVIDED, That such responsible parent

shall be presumed to have no ability to pay child support under this chapter from any income received from aid to families with dependent children, supplemental security income, or continuing general assistance.

Sec. 13. Section 16, chapter 173, Laws of 1969 ex. sess. as amended by section 2, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20.101 are each amended to read as follows:

Whenever, as a result of any action, support money is paid by the person or persons responsible for support, such payment shall be paid through the support enforcement and collections unit of the state department of social and health services upon written notice by the department to the responsible person or to the clerk of the court, if appropriate, that the children for whom a support obligation exists are receiving public assistance or that the support debt has been assigned to the department.

After service on a responsible parent of a notice under this section or RCW 74.20A.040 or 74.20A.055, payment of moneys or in-kind providings for the support of the responsible parent's children which are not paid to the department shall not be credited against or set-off against any obligation to provide support which has been assigned to the department, whether the obligation has been determined by court order, or pursuant to RCW 74.20A.055, or is unliquidated.

Sec. 14. Section 74.09.180, chapter 26, Laws of 1959 as last amended by section 1, chapter 306, Laws of 1971 ex. sess. and RCW 74.09.180 are each amended to read as follows:

The provisions of this chapter shall not apply to recipients whose personal injuries are occasioned by negligence or wrong of another: PROVIDED, HOWEVER, That the secretary of the department of social and health services may, in his discretion, furnish assistance, under the provisions of this chapter, for the results of injuries to or illness of a recipient, and the department of social and health services shall thereby be subrogated to the recipient's right of recovery therefor to the extent of the value of the assistance furnished by the department of social and health services: PROVIDED FURTHER, That to the end of securing reimbursement of any assistance furnished to such a recipient, the department of social and health services may, as a nonexclusive legal remedy, assert and enforce a lien upon any claim, right of action, and/or money, including any claim for benefits arising from an insurance program, to which such recipient is entitled (a) against any tortfeasor and/or insurer of such tortfeasor, or (b) any contract of insurance, purchased by the recipient or any other person, providing coverage to such recipient for said injuries, any illness, dental costs, costs incident to birth, or any other coverage for purposes of or costs for which the department provides assistance or meets all or part of the cost of care to a vendor, to the extent of the assistance furnished by said department to the recipient. If a recovery shall be made and the subrogation or lien is satisfied either in full or in part as a result of an independent action initiated by or on behalf of a recipient to recover the personal injuries against any tortfeasor or insurer, then and in that event the amount repaid to the state of Washington as a result of said action, whether concluded by entry of a judgment or compromise and settlement, shall bear its proportionate share of attorney's fees and costs incurred by the injured recipient or his widow, children, or dependents, as the case may be, to the extent that such attorney's fees and costs are approved by the court in which the action is initiated, and upon notice to the department which shall have the right to be heard on the matter.

**NEW SECTION.** Sec. 15. There is added to chapter 74.20 RCW a new section to read as follows:

The provisions of RCW 26.26.090 requiring appointment of a general guardian or guardian ad litem to represent the child in an action brought to determine the parent and child relationship do not apply to actions brought under chapter 26.26 RCW if:

- (1) The action is brought by the attorney general on behalf of the department of social and health services, the child, or the natural mother; or
- (2) The action is brought by any prosecuting attorney on behalf of the state, the child, or the natural mother when referral has been made to the prosecuting attorney by the department of social and health services requesting such action.

The court, on its own motion or on motion of a party, may appoint a guardian ad litem when necessary.

Sec. 16. Section 22, chapter 164, Laws of 1971 ex. sess. as amended by section 20, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.220 are each amended to read as follows:

Any support debt due the department from a responsible parent which the secretary deems uncollectible may be transferred from accounts receivable to a suspense account and cease to be accounted as an asset: PROVIDED, That at any time after six years from the date a support debt was incurred, the secretary may charge off as uncollectible any support debt upon which the secretary finds there is no available, practical, or lawful means by which said debt may be collected (~~PROVIDED FURTHER, That no proceedings or action under the provisions of this chapter may be begun after expiration of said six-year period to institute collection of a support debt. Nothing herein shall be construed to render invalid or nonactionable a support lien filed prior to the expiration of said six-year period or an assignment of earnings or order to withhold and deliver executed prior to the expiration of said six-year period~~)).

The department may accept offers of compromise of disputed claims or may grant partial or total charge-off of support arrears owed to the department up to the total amount of public assistance paid to or for the benefit of the persons for whom the support obligation was incurred. The department shall adopt rules as to the considerations to be made in the granting or denial of partial or total charge-off and offers of compromise of disputed claims of debt for support arrears.

The responsible parent owing a support debt may execute a written extension or waiver of any statute, including but not limited to RCW 4.56.210, which may bar or impair the collection of the debt and the extension or waiver shall be effective according to its terms.

**NEW SECTION.** Sec. 17. There is added to chapter 74.20 RCW a new section to read as follows:

Whenever a custodian of children, or other person, receives support moneys paid to them which moneys are paid in whole or in part in satisfaction of a support obligation which has been assigned to the department pursuant to 42 U.S.C. Sec. 602(A)(26)(a) or section 22 of this act or to which the department is owed a debt pursuant to RCW 74.20A.030, the moneys shall be remitted to the department within eight days of receipt by the custodian or other person. If not so remitted the custodian or other person shall be indebted to the department as a support debt in an amount equal to the amount of the support money received and not remitted.

By not paying over the moneys to the department, a custodial parent or other person is deemed, without the necessity of signing any document, to have made an irrevocable assignment to the department of any support delinquency owed which is not already assigned to the department or to any support delinquency which may accrue in the future in an amount equal to the amount of support money retained. The department may utilize the collection procedures in chapter 74.20A RCW to collect the assigned delinquency to effect recoupment and satisfaction of the debt incurred by reason of the failure of the custodial parent or other person to remit. The department is also authorized to make a set-off to effect satisfaction of the debt by deduction from support moneys in its possession or in the possession of any clerk of the court or other forwarding agent which are paid to the custodial parent or other person for the satisfaction of any support delinquency. Nothing in this section authorizes the department to make set-off as to current support paid during the month for which the payment is due and owing.

NEW SECTION. Sec. 18. There is added to chapter 74.20A RCW a new section to read as follows:

The secretary may issue a notice of support debt to any person, firm, corporation, association or political subdivision of the state of Washington or any officer or agent thereof who is in possession of support moneys, or who has had support moneys in his or her possession at some time in the past, which support moneys were or are claimed by the department as the property of the department by assignment, subrogation, or by operation of law or legal process under chapter 74.20A RCW, if the support moneys have not been remitted to the department as required by law.

The notice shall describe the claim of the department, stating the legal basis for the claim and shall provide sufficient detail to enable the person, firm, corporation, association or political subdivision or officer or agent thereof upon whom service is made to identify the support moneys in issue. The notice may also make inquiry as to relevant facts necessary to the resolution of the issue.

The notice may be served by certified mail, return receipt requested, or in the manner of a summons in a civil action. Upon service of the notice all moneys not yet disbursed or spent or like moneys to be received in the future are deemed to be impounded and shall be held in trust pending answer to the notice and any hearing which is requested.

The notice shall be answered under oath and in writing within twenty days of the date of service, which answer shall include true answers to the matters inquired of in the notice. The notice shall also either acknowledge the department's right to the moneys or request an administrative hearing to determine the rights to ownership of the support moneys in issue. The hearing shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department and shall be a contested case as provided for in chapter 34.04 RCW. The burden of proof to establish ownership of the support moneys claimed, including but not limited to moneys not yet disbursed or spent, is on the department.

If no answer is made within the twenty days, the department's claim shall be assessed and determined and subject to collection action as a support debt pursuant to chapter 74.20A RCW. Any such debtor may, at any time within one year from the date of service of the notice of support debt, petition the secretary or the secretary's designee for a hearing upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60. A copy of the petition shall also be served on the department. The filing of the petition shall not stay any collection action being taken, but the debtor may petition the secretary or the secretary's designee for an order staying collection action pending final decision of the secretary or the secretary's designee or the courts on any appeal made pursuant to chapter 34.04 RCW. Any moneys held and/or taken by collection action prior to the date of any such stay and any support moneys claimed by the department, including moneys to be received in the future to which the department may have a claim, shall be held in trust pending final decision and appeal, if any, to be disbursed in accordance with the final decision. The secretary or the secretary's designee shall condition the stay to provide for the trust.

If the hearing is granted it shall be an administrative hearing limited to the determination of the ownership of the moneys claimed in the notice of debt. The right to the hearing is conditioned upon holding of any funds not yet disbursed or expended or to be received in the future in trust pending the final order in these proceedings or during any appeal made to the courts. The secretary or the secretary's designee shall enter an appropriate order providing for the terms of the trust.

The hearing shall be a contested case as provided for in chapter 34.04 RCW and shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department. The hearing shall be promptly scheduled within thirty days from the date of receipt of the answer by the department. The hearing shall be conducted by a duly qualified hearing examiner appointed for that purpose. Hearings may be held in the county of residence of the debtor or other place convenient to the debtor.

If the debtor fails to appear at the hearing, the hearing examiner shall, upon showing of valid service, enter an initial decision and order declaring the amount of support moneys, as claimed in the notice, to be assessed and determined and subject to collection action. Within thirty days of entry of the decision and order the debtor may petition the secretary or the secretary's designee to vacate the decision and order upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

The hearing and review process shall be as provided for in RCW 74.20A.055.

If, at any time, the superior court enters judgment for an amount of debt at variance with the amount determined by the final order in these proceedings, the judgment shall supersede the final order in these proceedings. Any debt determined by the superior court in excess of the amount determined by the final order in these proceedings shall be the property of the department as assigned under 42 U.S.C. 602(A)(26)(a), RCW 74.20.040, 74.20A.250, or sections 17 or 22 of this act. The department may, despite any final order in these proceedings, take action pursuant to chapters 74.20 or 74.20A RCW to obtain such a judgment or to collect moneys determined by such a judgment to be due and owing.

If public assistance moneys have been paid to a parent for the benefit of that parent's minor dependent children, debt under this chapter shall not be incurred by nor at any time be collected from that parent because of that payment of assistance. Nothing in this section prohibits or limits the department from acting pursuant to section 17 of this act and this section to assess a debt against a recipient or ex-recipient for receipt of support moneys paid in satisfaction of the debt assigned under section 22 of this act which have been assigned to the department but were received by a recipient or ex-recipient from another responsible parent and not remitted to the department. The department may not take collection action during such period of time as the public assistance recipient remains in that status. Payments not credited against the department's debt pursuant to RCW 74.20.101 may not be assessed or collected under this section.

**NEW SECTION.** Sec. 19. There is added to chapter 74.20 RCW a new section to read as follows:

In order to facilitate and ensure compliance with Title IV-D of the federal social security act, now existing or hereafter amended, wherein the state is required to undertake to establish paternity of such children as are born out of wedlock, the secretary of social and health services may pay the reasonable and proper fees of attorneys admitted to practice before the courts of this state, who are engaged in private practice for the purpose of maintaining actions under chapter 26.26 RCW on behalf of such children, to the end that parent and child relationships be determined and financial support obligations be established by superior court order. The secretary or the secretary's designee shall make the determination in each case as to which cases shall be referred for representation by such private attorneys. The secretary may advance, pay, or reimburse for payment of, such reasonable costs as may be attendant to an action under chapter 26.26 RCW. The representation by a private attorney shall be only on behalf of the subject child, the custodial natural parent, and the child's personal representative or guardian ad litem, and shall not in any manner be, or be construed to be, in representation of the department of social and health services or the state of Washington, such representation being restricted to that provided pursuant to chapters 43.10 and 36.27 RCW.

Sec. 20. Section 25, chapter 164, Laws of 1971 ex. sess. as amended by section 23, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.250 are each amended to read as follows:

By accepting public assistance (~~for or on behalf of a child or children, the recipient shall be deemed to have made assignment to the department of any and all right, title, and interest in any support obligation owed to or for said child or children up to the amount of public assistance money paid for or on behalf of said child or children for such term of time as such public assistance moneys are paid;~~) ~~the recipient ((shall also be))~~ is deemed, without the necessity of signing any document, to have appointed the secretary as his or her true and lawful attorney in fact to act in his or her name, place, and stead to perform the specific act of endorsing any and all drafts, checks, money orders or other negotiable instruments representing support payments which are received on behalf of said child or children as reimbursement for the public assistance moneys previously paid to said recipient.

**NEW SECTION.** Sec. 21. There is added to chapter 74.20A RCW a new section to read as follows:

Whenever any person requests an administrative hearing under RCW 74.20A.055 or section 18 of this act, after the department has notified the person of the requirements of this section, it shall be the responsibility of the person to notify the department of the person's mailing address at the time the request for hearing is made and also to notify the department of any subsequent change of mailing address during the pendency of the action and any appeal made therefrom to the courts. Whenever the person has a duty under this section to advise the department of the person's mailing address, mailing by the department by certified mail to the person's last known address constitutes service as required by chapters 74.20A and 34.04 RCW.

**NEW SECTION.** Sec. 22. There is added to chapter 74.20 RCW a new section to read as follows.

(1) Whenever public assistance is paid under this title, each applicant or recipient is deemed to have made assignment to the department of any rights to support from any other person the applicant or recipient may have in his or her own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving public assistance, including any rights which have accrued at the time the assignment is made. Payment of public assistance under this chapter operates as an assignment by operation of law.

(2) The department may, during the four months following the last month in which public assistance was paid, and thereafter if a nonassistance application for support enforcement services has been made under RCW 74.20.040, pay the family, from collections made on the delinquent support assigned, an amount equal to the monthly amount required by either the superior court order for support or the administrative order entered under RCW 74.20A.055. Nothing in this section shall be construed to permit the department to make such payments for months in which no collections have been made on the delinquent support assigned, nor is the department permitted to make payments for the support of one person from collections on the delinquent support assigned by a different person. The department has, upon making any such payment, by operation of law an additional assignment of the unpaid obligation owed for the month in which the payment is made. The department shall take action to collect the unpaid obligation to reimburse itself and/or the federal government for the payment made.

**NEW SECTION.** Sec. 23. There is added to chapter 74.20A RCW a new section to read as follows:

While discharging its responsibilities to enforce the support obligations of responsible parents, the department shall respect the right of privacy of recipients of public assistance and of other persons. Any inquiry about sexual activity shall be limited to that necessary to resolve a genuine dispute about the parentage of a child. When a custodial mother has informed the department that a particular man is the father of her child, the department shall make no further inquiry into her personal life unless the man so identified has denied that he is the father of such child.

Sec. 24. Section 2, chapter 322, Laws of 1959 as last amended by section 364, chapter 141, Laws of 1979 and RCW 74.20.010 are each amended to read as follows:

It is the responsibility of the state of Washington through the state department of social and health services to conserve the expenditure of public assistance funds, whenever possible, in order that such funds shall not be expended if there are private funds available or which can be made available by judicial process or otherwise to partially or completely meet the financial needs of the children of this state. The failure of parents to provide adequate financial support and care for their children is a major cause of financial dependency and a contributing cause of social delinquency.

The purpose of this chapter is to provide the state of Washington, through the department of social and health services, a more effective and efficient way to effect the support of dependent children by the person or persons who, under the law, are primarily responsible for such support and to lighten the heavy burden of the taxpayer, who in many instances is paying toward the support of dependent children while those persons primarily responsible are avoiding their obligations. It is the intention of the legislature that the powers delegated to the said department in this chapter be liberally construed to the end that persons legally responsible for the care and support of children within the state be required to assume their legal obligations in order to reduce the financial cost to the state of Washington in providing public assistance funds for the care of children. It is the intention of the legislature that the department provide sufficient staff to carry out the purposes of this chapter, chapter 74.20A RCW, the abandonment and nonsupport statutes, and any applicable federal support enforcement statute administered by the department. It is also the intent of the legislature that the staff responsible for support enforcement be encouraged to conduct their support enforcement duties with fairness, courtesy, and the highest professional standards.

**NEW SECTION.** Sec. 25. There is added to chapter 74.20 RCW a new section to read as follows:

The department shall develop workload standards for each employee classification involved in support enforcement activities for each category of support enforcement cases. The department shall submit the workload standards and a preliminary forecast of the level of staffing required to meet the workload standards to the senate ways and means committee and the house of representatives revenue and appropriations committees six months before the regular legislative sessions and whenever this information is requested by the senate ways and means committee and the house of representatives revenue and appropriations committees.

**NEW SECTION.** Sec. 26. The following acts or parts of acts are each repealed:

(1) Section 5, chapter 164, Laws of 1971 ex. sess., section 6, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.050; and

(2) Section 27, chapter 183, Laws of 1973 1st ex. sess. (uncodified).

**NEW SECTION.** Sec. 27. The repeal of RCW 74.20A.050 and the amendment of RCW 74.20A.030 and 74.20A.250 by this 1979 act is not intended to affect any existing or accrued right, any action or proceeding already taken or instituted, any administrative action already taken, or any rule, regulation, or order already promulgated. The repeal and amendments are not intended to revive any law heretofore repealed.

**NEW SECTION.** Sec. 28. 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 5 of the title, after "as" strike everything through and including "sess." on line 6, and insert "last amended by section 305, chapter 141, Laws of 1979"; and on line 6, after "74.04.290;" insert "amending section 2, chapter 322, Laws of 1959 as last amended by section 364, chapter 141, Laws of 1979 and RCW 74.20.010;"

On page 2, line 12 of the title, after "74.20A.050;" insert "repealing section 27, chapter 183, Laws of 1973 1st ex. sess. (uncodified);"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Substitute House Bill No. 125.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 125 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 125 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bender, Charnley, Granlund, Greengo, McDonald, Teutsch.

Substitute House Bill No. 125 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.

April 19, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 133 with the following amendments:

On page 1, line 15 strike "without bid" and insert "~~((without bid))~~"

On page 1, line 20 after "roster." strike all of the material down through the period on line 23 and insert "~~((The board of sewer commissioners shall distribute the number of project offers as equally as possible among the contractors on the small works roster.))~~ The board of sewer commissioners shall authorize by resolution a procedure for securing telephone and/or written quotations from the contractors on the small works roster to assure establishment of a competitive price and for awarding contracts to the lowest responsible bidder. Such procedure shall require that a good faith effort be made to request quotations from all contractors on the small works roster. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry."

On page 3, line 17 strike "without bid" and insert "~~((without bid))~~"

On page 3, line 22 after "roster." strike all of the material down through the period on line 25 and insert "~~((The board of water commissioners shall distribute the number of project offers as equally as possible among the contractors on the small works roster.))~~ The board of water commissioners shall authorize by resolution a procedure for securing telephone and/or written quotations from the contractors on the small works roster to assure establishment of a competitive price and for awarding contracts to the lowest responsible bidder. Such procedure shall require that a good faith effort be made to request quotations from all contractors on the small works roster. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Substitute House Bill No. 133.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 133 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 133 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Greengo, McDonald.

Substitute House Bill No. 133 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 17, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 194 with the following amendment:

On page 1, line 8 after "funded" insert "entirely" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Grimm moved that the House do not concur in the Senate amendment to Substitute House Bill No. 194.

Mr. Grimm spoke in favor of the motion, and Mr. Barnes spoke against it.

## MOTION

Mr. King moved that the House do concur in the Senate amendment to Substitute House Bill No. 194.

Speaker Berentson stated the positive motion having precedence, the question before the House to be the motion to concur in the Senate amendment.

Representatives Barnes, Rohrbach, Bond and Newhouse spoke in favor of the motion to concur, and Representatives King, Teutsch, Burns and Grimm spoke against it.

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

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Substitute House Bill No. 194, and the motion was lost by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Haley, Hastings, Houchen, Hurley, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taler, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Greengo, McDonald.

## SENATE AMENDMENTS TO HOUSE BILL

April 18, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 335 with the following amendments:

On page 1, line 22 after "Northshore" insert ", Snohomish, Sultan, Index, Monroe,"

On page 3, line 10 after "Edmonds" strike "common school district" and insert ", Snohomish, Sultan, Index, and Monroe common school districts,"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Grimm moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 335.

Representatives Grimm and Scott spoke in favor of the motion.



## ROLL CALL

The Clerk called the roll on the motion the House do not concur in the Senate amendments to Engrossed House Bill No. 335, and the motion was lost by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hughes, Hurley, Jovanovich, Keller, Knowles, Kreidler, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Walk, Warnke, Wilson.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Becker, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gruger, Haley, Hastings, Houchen, Isaacson, King, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Greengo, Lux, McDonald.

## MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved the House reconsider the vote by which the House concurred in the Senate amendments to Engrossed House Bill No. 335.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Patterson.

Mr. Patterson: "Representative King, the inclusion of two or three school districts in one or the other of this split doesn't really affect where the students choose to go, is that correct? Give me an example of a school that would be in the Edmonds district."

Mr. King: "Snohomish would be an example."

Mr. Patterson: "Students from Snohomish High School that wanted to go to Everett certainly would have that choice, is that right?"

Mr. King: "Yes, that is correct now and I'm sure that would continue because of the natural transportation corridor. The impact of the service area is in terms of which college administers the program or which college can recruit students. In Snohomish school district, adjacent to Everett, students would have to drive right through Everett in order to go to Edmonds. It would now not be legal under existing law, if this were adopted this way, for Everett Junior College to recruit to send those students a list of their classes offered. It would be legal for Edmonds. The ratio there is even more dramatic than the overall district, so looked at this way, I think we should turn down the Senate amendments."

Representatives Patterson and Nelson (G.A.) spoke against the motion to reconsider, and Representatives Wilson, Martinis, Charnley and Teutsch spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the House concurred in the Senate amendments to Engrossed House Bill No. 335, and the motion was carried by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Deccio, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Dunlap, Flanagan, Hastings, McGinnis, Nelson G. A., Newhouse, Nisbet, Patterson, Polk, Rohrbach, Rosbach, Sanders, Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Whiteside, Williams, Zimmerman.

Not voting: Representatives Greengo, McDonald.

Speaker Berentson stated the question before the House to be the motion that the House do not concur in the Senate amendments to Engrossed House Bill No. 335.

## ROLL CALL

The Clerk called the roll on the motion to not concur in the Senate amendments to Engrossed House Bill No. 335, and the motion was carried by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Flanagan, Fuller, Hastings, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Whiteside, Williams, Zimmerman.

Not voting: Representatives Greengo, McDonald.

## SENATE AMENDMENTS TO HOUSE BILL

April 19, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 923 with the following amendments:

On page 1, line 19 after "PROVIDED, That" strike all material through "session" on line 22 and insert "(no member appointed when the legislature was not in session shall continue to be a member of the commission if that person's appointment shall have been rejected by the senate during the next legislative session) after the effective date of this amendatory act, no member appointed during a legislative session shall continue to be a member of the commission unless approved by the senate within thirty days after the appointment is presented to the senate: PROVIDED FURTHER, That if a member is appointed when the legislature is not in session or if a member's appointment is presented to the senate less than thirty days prior to the end of a legislative session then such member shall not continue to be a member unless approved by the senate by the thirtieth day of the next legislative session."

On page 2, line 14 after "commission." insert "Commission members are subject to the provisions of RCW 42.17.240."

On page 2, line 32 after "shall" strike everything to and including "amended" and insert "be paid ((fifty dollars for each day in which he has actually attended a meeting of the commission officially held)) one hundred dollars".

On page 3, line 3 after "commission." strike all the matter down through "attended")." on line 5 and insert "((The members of the commission may receive any number of daily payments for official meetings of the commission actually attended:))"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Lux, the House concurred in the Senate amendments to House Bill No. 923.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 923 as amended by the Senate.

Mr. Zimmerman spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 923 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rohrbach, Salatino, Scott, Sherman, Smith R., Sommers, Taylor, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Craswell, Eberle, Eng, Fuller, Hastings, Hurley, Isaacson, McGinnis, Mitchell, Oliver, Polk, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Teutsch, Tilly, Tupper, Van Dyken, Williams, Zimmerman.

Not voting: Representatives Blair, Greengo, McDonald.

House Bill No. 923 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.

## POINT OF INFORMATION

Speaker Bagnariol: "Could you advise the body of the number of bills that have passed the Legislature so far this session?"

Speaker Berentson: "I just happen to have that information in front of me. The House has passed 369 House bills and 197 have passed both houses. The Governor has signed 119 House bills. The Senate has passed only 303 Senate bills and 148 passed both houses. The Governor has signed 85 Senate bills. I would suggest, Speaker Bagnariol, that we might send Floor Leader King along with Representative Polk over to the Senate Chambers where they might deliver this message to that body."

## MESSAGE FROM THE SENATE

April 17, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2192 on page 1, line 26, and refuses to concur in the amendment to page 1, line 27 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. Taller, the House receded from its amendment to page 1, line 27 of Substitute Senate Bill No. 2192.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

Speaker Berentson stated the question before the House to be the final passage of Substitute Senate Bill No. 2192 without one House amendment.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2192 without the House amendment to page 1, line 27, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warne, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Greengo, McDonald.

Substitute Senate Bill No. 2192 without one 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.

## MESSAGE FROM THE SENATE

April 17, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2532, 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. Adams, the House receded from its amendments to Engrossed Substitute Senate Bill No. 2532.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2532 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2532 without the House amendments, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Halcy, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Greengo, McDonald.

Engrossed Substitute Senate Bill No. 2532 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.

## MESSAGE FROM THE SENATE

April 17, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2177, 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. Charnley moved that the House do recede from its amendments to Engrossed Substitute Senate Bill No. 2177, except the amendment to page 2, line 1.

Representatives Charnley, North and Zimmerman spoke in favor of the motion, and Representatives Scott and Brown spoke against it.

## MOTION

Mr. Ehlers moved that the question be divided, and the amendments all be considered separately.

The motion was lost.

Representatives Struthers, Barr and Charnley spoke in favor of the motion by Representative Charnley, and Representatives McGinnis, Polk and Brown spoke against it.

## MOTION

Mr. Tilly moved that the question be divided, and the House consider the amendments to page 1, line 11, page 1, line 22 and page 2, line 23 separately.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "In effect, if I understand this motion, we're going to deal with each of those separately and then get to the one I tried to divide?"

Speaker Berentson: "No, he wants to consider in one motion, the amendment on page 1, line 11, the amendment on page 1, line 22 and also to page 2, line 23. Those three amendments, Representative Ehlers."

Mr. Ehlers spoke against the motion.

## POINT OF ORDER

Mr. Charnley: "I'd like you to tell me if the effect of this motion is not the same as the effect of the motion by Representative Ehlers to divide, and that motion was turned down by this body?"

Speaker Berentson: "As I understand it, Representative Ehlers placed a separate motion to handle only the amendment on page 2, line 1 as a separate item, so this motion would be in order."

Mr. Tilly spoke in favor of the motion, and Mr. Polk spoke against it.

The motion was lost.

Speaker Berentson stated the question before the House to be the motion by Representative Charnley that the House do recede from all its amendments to Engrossed Substitute Senate Bill No. 2177, except the amendment to page 2, line 1.

Representatives Flanagan and Whiteside spoke in favor of the motion, and Mr. Dunlap spoke against it.

Mr. Newhouse demanded the previous question and the demand was sustained.

### ROLL CALL

The Clerk called the roll on the motion that the House recede from the amendments to Engrossed Substitute Senate Bill No. 2177, except the amendment to page 2, line 1, and the motion was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barr, Becker, Brekke, Chandler, Charnley, Clayton, Deccio, Douthwaite, Fancher, Flanagan, Fuller, Galloway, Garrett, Gruger, Hastings, Heck, Hurley, Keller, Knowles, Kridler, Lux, Maxie, Monohon, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rosbach, Schmitten, Smith C. P., Smith R., Sommers, Struthers, Taller, Thompson, Tilly, Valle, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Addison, Barnes, Bauer, Bender, Berentson, Bond, Brown, Burns, Craswell, Dawson, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Gallagher, Granlund, Grimm, Haley, Houchen, Hughes, Isaacson, Jovanovich, King, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Oliver, Polk, Rohrbach, Salatino, Sanders, Scott, Sherman, Sprague, Taylor, Teutsch, Tupper, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley.

Not voting: Representatives Blair, Greengo, Wilson.

Speaker Berentson announced, the motion having failed, that the House refused to recede from its amendments.

Speaker Berentson declared the House to be at case until 1:30 p.m.

Speaker Berentson called the House to order.

### SENATE AMENDMENTS TO HOUSE BILL

April 9, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 666 with the following amendments:

On line 4 of the title after "RCW 28A.58.225" and before the period insert "; amending section 28A.58.136, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 58, Laws of 1979 and RCW 28A.58.136; creating new sections; and declaring an emergency"

Strike everything after the enacting clause and insert the following:

"Section 1. Section 28A.58.225, chapter 223, Laws of 1969 ex. sess. as last amended by section 111, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.225 are each amended to read as follows:

A local district may be authorized by the educational service district superintendent to transport and educate its pupils in ((another district)) other districts for one year, either by payment of a compensation agreed upon by such school districts, or under other terms mutually satisfactory to the districts concerned when this will afford better educational facilities for the pupils and when a saving may be effected in the cost of education: PROVIDED, That notwithstanding any other provision of law, the amount to be paid by the state to the resident school district for apportionment purposes and otherwise payable pursuant to chapter 28A.41 RCW shall not be greater than the regular apportionment for each high school student of the receiving district. Such authorization may be extended for an additional year at the discretion of the educational service district superintendent.

NEW SECTION. Sec. 2. Any school district which utilized the provisions of RCW 28A.58.225 in the 1978-79 school year shall be hereafter authorized by the appropriate educational service district superintendent to transport and educate its pupils in other school districts pursuant to the provisions of RCW 28A.58.225 through the 1984-85 school year. This section shall be null and void and of no further effect after July 31, 1985.

Sec. 3. Section 28A.58.136, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 58, Laws of 1979 and RCW 28A.58.136 are each amended to read as follows:

The directors of any school district may establish, equip and operate lunchrooms in school buildings for pupils, certificated and noncertificated employees, and for school or employee functions: PROVIDED, That the expenditures for food supplies shall not exceed the estimated revenues from the sale of lunches, federal lunch aid, Indian education fund lunch aid, or other anticipated revenue, including donations, to be received for that purpose: PROVIDED FURTHER, That the directors of any school district may provide for the use of kitchens and lunchrooms or other facilities in school buildings to furnish meals to elderly persons at cost as provided in RCW 28A.58.722: PROVIDED, FURTHER, That the directors of any school district may provide for the use of kitchens and lunchrooms or other facilities in school buildings to furnish meals at cost as provided in section 2 ((of this amendatory act)), chapter 58, Laws of 1979 to children who are participating in educational or training or care programs or activities conducted by private, nonprofit organizations

and entities and to students who are attending private elementary and secondary schools. Operation for the purposes of this section shall include the employment and discharge for sufficient cause of personnel necessary for preparation of food or supervision of students during lunch periods and fixing their compensation, payable from the district general fund, or entering into agreement with a private agency for the ((preparation and service of food by a private agency)) establishment, management and/or operation of a food service program or any part thereof.

**NEW SECTION.** Sec. 4. 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.

**NEW SECTION.** Sec. 5. 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.\*  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendments to House Bill No. 666.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 666 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 666 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Thompson, Warnke.

Not voting: Representatives Becker, Bond, Greengo, Haley, Lux, McDonald, Sommers.

House Bill No. 666 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 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 933 with the following amendments:

On line 2 of the title after "70.44.200" and before the period insert "; amending section 1, chapter 264, Laws of 1945 as amended by section 1, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.005; and creating a new section"

On page 1, line 1 of the title after "districts;" strike "and" and on line 2 after "70.44.200" insert "; and amending section 6, chapter 264, Laws of 1945 as last amended by section 1, chapter 211, Laws of 1977 ex. sess. and RCW 70.44.060"

On page 2, beginning on line 28 after "(6)" strike all the material before the period on line 30 and insert the following: "The annexation procedure provided for in RCW 70.44.200 shall be an alternative method applicable only when at the time a petition is filed pursuant to RCW 70.44.200 there are no qualified electors residing in the territory to be annexed"

On page 2, following section 1 add new sections to read as follows:

\*Sec. 2. Section 1, chapter 264, Laws of 1945 as amended by section 1, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.005 are each amended to read as follows:

The purpose of this chapter is to authorize the establishment of public hospital districts to own and operate hospitals, nursing homes, extended care, outpatient, and rehabilitative facilities, contiguous with or within such facilities or hospitals, and ambulances, and to supply hospital, nursing home, extended care, outpatient, rehabilitative, health maintenance, and ambulance service for the residents of such districts and other persons(~~(= PROVIDED, That hospital districts will not construct nursing homes when such facilities are already available. PROVIDED FURTHER, That districts located in counties having a population of over eighteen thousand may not construct nursing homes)~~).

**NEW SECTION.** Sec. 3. 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 2, after line 30 insert the following:

\*Sec. 2. Section 6, chapter 264, Laws of 1945 as last amended by section 1, chapter 211, Laws of 1977 ex. sess. and RCW 70.44.060 are each amended to read as follows:

All public hospital districts organized under the provisions of this chapter shall have power:

(1) To make a survey of existing hospital and other health care facilities within and without such district.

(2) To construct, condemn and purchase, purchase, acquire, lease, add to, maintain, operate, develop and regulate, sell and convey all lands, property, property rights, equipment, hospital and other health care facilities and systems for the maintenance of hospitals, buildings, structures, and any and all other facilities, and to exercise the right of eminent domain to effectuate the foregoing purposes or for the acquisition and damaging of the same or property of any kind appurtenant thereto, and such right of eminent domain shall be exercised and instituted pursuant to a resolution of the commission and conducted in the same manner and by the same procedure as in or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: **PROVIDED**, That no public hospital district shall have the right of eminent domain and the power of condemnation against any health care facility: **AND PROVIDED, FURTHER**, That no hospital district organized and existing in districts having more than twenty-five thousand population have any of the rights herein enumerated without the prior written consent of all existing hospital facilities within the boundaries of such hospital district.

(3) To lease existing hospital and other health care facilities and equipment and/or other property used in connection therewith, including ambulances, and to pay such rental therefor as the commissioners shall deem proper; to provide hospital and other health care services for residents of said district by facilities located outside the boundaries of said district, by contract or in any other manner said commissioners may deem expedient or necessary under the existing conditions; and said hospital district shall have the power to contract with other communities, corporations, or individuals for the services provided by said hospital district; and they may further receive in said hospitals and other health care facilities and furnish proper and adequate services to all persons not residents of said district at such reasonable and fair compensation as may be considered proper: **PROVIDED**, That it must at all times make adequate provision for the needs of the district and residents of said district shall have prior rights to the available hospital and other health care facilities of said district, at rates set by the district commissioners.

(4) For the purpose aforesaid, it shall be lawful for any district so organized to take, condemn and purchase, lease, or acquire, any and all property, and property rights, including state and county lands, for any of the purposes aforesaid, and any and all other facilities necessary or convenient, and in connection with the construction, maintenance, and operation of any such hospitals and other health care facilities, subject, however, to the applicable limitations provided in subsection (2).

(5) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the hospitals thereof, and the revenues of any other facilities or services that the district is or hereafter may be authorized by law to provide, and to issue (a) revenue bonds or warrants therefor payable solely out of a special fund or funds into which the district may pledge such amount of the revenues of the hospitals thereof, and the revenues of any other facilities or services that the district is or hereafter may be authorized by law to provide, to pay the same as the commissioners of the district may determine, such revenue bonds or warrants to be issued in the same manner and subject to the same provisions as provided for the issuance of revenue bonds or warrants by cities or towns under the Municipal Revenue Bond Act, chapter 35.41 RCW, as may hereafter be amended or (b) general obligation bonds therefor in the manner and form as provided in RCW 70.44.110 to 70.44.130, inclusive, as may hereafter be amended; and to assign or sell hospital accounts receivable, and accounts receivable for the use of other facilities or services that the district is or hereafter may be authorized by law to provide, for collection with or without recourse.

(6) To raise revenue by the levy of an annual tax on all taxable property within such public hospital district not to exceed seventy-five cents per thousand dollars of assessed value or such further amount as has been or shall be authorized by a vote of the people: **PROVIDED FURTHER**, That the public hospital districts are hereby authorized to levy such a general tax in excess of said seventy-five cents per thousand dollars of assessed value when authorized so to do at a special election conducted in accordance with and subject to all of the requirements of the Constitution and the laws of the state of Washington now in force or hereafter enacted governing the limitation of tax levies. The said board of district commissioners is hereby authorized and empowered to call a special election for the purpose of submitting to the qualified voters of the hospital district a proposition to levy a tax in excess of the seventy-five cents per thousand dollars of assessed value herein specifically authorized. The superintendent shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file the same in the records of the commission on or before the first Monday in September. Notice of the filing of said proposed budget and the date and place of hearing on the same shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in said county. On the first Monday in October the commission shall hold a public hearing on said proposed budget at which any taxpayer may appear and be heard against the whole or any part of the proposed budget. Upon the conclusion of said hearing, the commission shall, by resolution, adopt the budget as finally determined and fix the final amount of expenditures for the ensuing year. Taxes levied by the commission shall be certified to and collected by the proper county officer of the county in which such

public hospital district is located in the same manner as is or may be provided by law for the certification and collection of port district taxes. The commission is authorized, prior to the receipt of taxes raised by levy, to borrow money or issue warrants of the district in anticipation of the revenue to be derived by such district from the levy of taxes for the purpose of such district, and such warrants shall be redeemed from the first money available from such taxes when collected, and such warrants shall not exceed the anticipated revenues of one year, and shall bear interest at a rate or rates as authorized by the commission.

(7) To mortgage land owned by the district, together with any improvements located thereon, for the purpose of constructing hospital or other health care facilities. The issuance of a mortgage and note under this subsection shall not be subject to the applicable limitations and requirements provided in RCW 39.36-.020 as now or hereafter amended: PROVIDED, That such mortgage and note shall be authorized by an affirmative vote of the voters of said district voting at a general election or an election held for that purpose.

(8) To enter into any contract with the United States government or any state, municipality, or other hospital district, or any department of those governing bodies, for carrying out any of the powers authorized by this chapter.

((+8)) (9) To sue and be sued in any court of competent jurisdiction: PROVIDED, That all suits against the public hospital district shall be brought in the county in which the public hospital district is located.

((+9)) (10) To pay actual necessary travel expenses and living expenses incurred while in travel status for (a) qualified physicians who are candidates for medical staff positions, and (b) other qualified persons who are candidates for superintendent or other managerial and technical positions, when the district finds that hospitals or other health care facilities owned and operated by it are not adequately staffed and determines that personal interviews with said candidates to be held in the district are necessary or desirable for the adequate staffing of said facilities.

((+10)) (11) To make contracts, employ superintendents, attorneys, and other technical or professional assistants and all other employees; to make contracts with private or public institutions for employee retirement programs; to print and publish information or literature; and to do all other things necessary to carry out the provisions of this chapter.\*

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Engrossed House Bill No. 933.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 933 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 933 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Greengo, Haley, McDonald.

Engrossed House Bill No. 933 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 19, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 972 with the following amendments:

On page 1, beginning on line 9 strike all the material down to and including "its" on line 13 and insert the following: "A city or town lying contiguous to a fire protection district may be annexed to such district if at the time of the initiation of annexation the population of the city or town is 10,000 or less. The legislative authority of the city or town may initiate annexation by the adoption of an ordinance stating an"

On page 1, line 24 after "town" and before "at" insert "and in the fire protection district"



On page 1, line 30 after "town" and before "located" strike "is" and insert "and the fire protection district are"

On page 2, line 5 after "town" and before "for" insert the following: "or unless he or she is residing within the boundaries of the fire protection district and is registered to vote in a county in which all or a portion of such district is located"

On page 2, line 12 after "proposition" insert the following: "in the city or town and a majority of the persons voting on the proposition in the fire protection district" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendments to Substitute House Bill No. 972.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 972 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 972 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Greengo, Haley, Teutsch, Valle.

Substitute House Bill No. 972 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

April 18, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2143, 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. Taller moved that the House refuse to recede from its amendments to Senate Bill No. 2143, and insist on its position.

Mr. Taller spoke in favor of the motion, and Representatives Heck, Sommers, O'Brien and Nelson (D) spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House refuse to recede from its amendments to Senate Bill No. 2143, and the motion was carried by the following vote: Yeas, 53; nays, 42; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erickson, Fancher, Flanagan, Fuller, Hastings, Houchen, Isaacson, Jovanovich, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Greengo, Haley, Hughes.

## SECOND READING

HOUSE BILL NO. 418, by Representatives Gruger, Teutsch, Brekke, Kreidler, Lux, Adams and Pruitt:

Establishing a program for victims of sexual assault.

The bill was read the second time.

On motion of Mr. Thompson, Second Substitute House Bill No. 418 was substituted for House Bill No. 418, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 418 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 418 was placed on final passage.

Representatives Gruger and Teutsch spoke in favor of the bill, and Mr. Williams spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 418, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Röhrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Nisbet, Struthers, Tilly, Williams.

Not voting: Representatives Bond, Greengo, Haley.

Second Substitute House Bill No. 418, having received the 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. 554, by Representatives Adams, Whiteside, Brekke, Erickson, Gruger, Nelson (D), Kreidler, Haley, Pruitt, Valle, Burns, Gallagher, Lux, Becker, Salatino, Keller, Ehlers, Sherman, King, Blair, Brown, Isaacson, Sommers, Charnley and Maxie:

Assisting shelters for victims of domestic violence.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 554 was substituted for House Bill No. 554, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill 554 was read the second time.

Mr. Taller moved adoption of the following amendment by Representatives Taller and Tupper:

On page 5, line 25 strike "Twenty-five" and insert "Fifty"

Representatives Taller and Tupper spoke in favor of the amendment, and Representatives Lux and Adams spoke against it.

Mr. Taller spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Taller and Tupper and the amendment was not adopted by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Grimm, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Röhrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Warnke.

Not voting: Representatives Granlund, Greengo, Haley, Vrooman.

Mr. Tilly moved adoption of the following amendment:

On page 4, beginning on line 3 strike all of section 6.

Mr. Tilly spoke in favor of the amendment, and Ms. Gruger spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Substitute House Bill No. 554, and the amendment was not adopted by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Addison, Amen, Barr, Becker, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Tilly, Tupper, Van Dyken, Walk, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taylor, Teutsch, Thompson, Valle, Vrooman, Warnke, Whiteside, Winsley.

Not voting: Representatives Greengo, Haley.

#### MOTION

Mr. King moved that the rules be suspended, the second reading considered the third, and Substitute House Bill No. 554 be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Substitute House Bill No. 554 on final passage, and the motion failed to get the necessary two-thirds majority by the following vote: Yeas, 59 nays, 37; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taylor, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, Isaacson, McDonald, Nelson G. A., Newhouse, Nisbet, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Tilly, Tupper, Van Dyken, Williams, Wilson.

Not voting: Representatives Greengo, Haley.

Substitute House Bill No. 554 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1034, by Representatives Martinis and Wilson:

Relating to transportation funding.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 1034 was substituted for House Bill No. 1034, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1034 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1034 was placed on final passage.

Representatives Martinis, Addison, Pruitt, Oliver, Sommers, Eng and Lux spoke in favor of the bill, and Representatives Douthwaite, Charnley, Tupper, Taller and Blair spoke against it.

Mr. Salatino spoke in favor of the bill.

## POINT OF ORDER

Mr. Newhouse: "It would appear the speaker is speaking neither for nor against anything on the floor and I suggest he is out of order."

Speaker Berentson: "Representative Salatino, you may continue, but please confine your remarks to the merits of the bill and not to your praise for Representative Pruitt."

Mr. Salatino continued his remarks.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, we've heard comments out here on the floor about 'obnoxious comments,' 'rudely interrupted,' and all that, and I think it's time we get a little decorum back into the deliberations of this House and show a little more courtesy toward other members of this body."

Speaker Berentson: "Representative Salatino, please don't impugn the motives of the members."

Mr. Salatino concluded his remarks in favor of passage of the bill, and Ms. Sommers spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1034, and the bill passed the House by the following vote: Yeas, 70; nays, 24; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Chandler, Clayton, Deccio, Dunlap, Eberle, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, O'Brien, Oliver, Patterson, Polk, Pruitt, Rosbach, Salatino, Schmitt, Scott, Smith C. P., Smith R., Sommers, Struthers, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Blair, Bond, Brown, Burns, Charnley, Craswell, Dawson, Douthwaite, Ehlers, Erickson, Grimm, Hurley, May, Nelson G. A., North, Owen, Rohrbach, Sanders, Sherman, Sprague, Taller, Taylor, Tupper, Winsley.

Not voting: Representatives Greengo, Haley, McDonald, Wilson.

Substitute House Bill No. 1034, having received the 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. 746, by Representatives Tilly, Nisbet, Taylor Sprague and Fuller:

Exempting fire protection systems and fire protection equipment from taxation.

The bill was read the second time.

On motion of Ms. Craswell, Substitute House Bill No. 746 was substituted for House Bill No. 746, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 746 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 746 was placed on final passage.

Ms. Craswell spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 746, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Greengo, Haley, Newhouse, Salatino.

Substitute House Bill No. 746, having received the 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. Polk, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

ENGROSSED SENATE BILL NO. 2584, by Senators Henry, Sellar and Talley:

Authorizing a security force for operating agencies.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2794, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying the law on water and water rights.

To Committee on Ecology

ENGROSSED SUBSTITUTE SENATE BILL NO. 2976, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Permitting local governments to use public funds to promote conservation of energy.

To Committee on Energy and Utilities

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 120, by Committee on Energy and Utilities (originally sponsored by Senators Bottiger and Lewis):

Authorizing government utilities to loan money for energy conservation purposes.

To Committee on Energy and Utilities

#### MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Thursday, April 26, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

### THIRTY-SEVENTH DAY

#### MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 26, 1979.

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 Greengo, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Craig and Aaron Kahn. Prayer was offered by The Reverend Charles Loyer of the Westminster 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, 1979

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 33,  
 ENGROSSED HOUSE BILL NO. 358,  
 SUBSTITUTE HOUSE BILL NO. 535,  
 HOUSE BILL NO. 1175,  
 SUBSTITUTE HOUSE BILL NO. 1347,  
 HOUSE JOINT MEMORIAL NO. 16,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 25, 1979

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 2944,  
 SUBSTITUTE SENATE BILL NO. 2967,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3034,  
 SUBSTITUTE SENATE BILL NO. 3094,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 25, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 4,  
 SUBSTITUTE HOUSE BILL NO. 29,  
 HOUSE BILL NO. 41,  
 SUBSTITUTE HOUSE BILL NO. 144,  
 SUBSTITUTE HOUSE BILL NO. 156,  
 HOUSE BILL NO. 164,  
 SUBSTITUTE HOUSE BILL NO. 219,  
 SUBSTITUTE HOUSE BILL NO. 247,  
 SUBSTITUTE HOUSE BILL NO. 280,  
 SUBSTITUTE HOUSE BILL NO. 295,  
 HOUSE BILL NO. 308,  
 SUBSTITUTE HOUSE BILL NO. 398,  
 HOUSE BILL NO. 415,  
 HOUSE BILL NO. 419,  
 SUBSTITUTE HOUSE BILL NO. 438,  
 HOUSE BILL NO. 450,  
 SUBSTITUTE HOUSE BILL NO. 481,  
 SUBSTITUTE HOUSE BILL NO. 500,  
 SUBSTITUTE HOUSE BILL NO. 502,

SUBSTITUTE HOUSE BILL NO. 624,  
 HOUSE BILL NO. 645,  
 HOUSE BILL NO. 750,  
 SUBSTITUTE HOUSE BILL NO. 751,  
 HOUSE BILL NO. 913,  
 HOUSE BILL NO. 954,  
 HOUSE BILL NO. 989,  
 SUBSTITUTE SENATE BILL NO. 2197,  
 SUBSTITUTE SENATE BILL NO. 2422,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 26, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2058,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTIONS AND FIRST READING

SECOND SUBSTITUTE SENATE BILL NO. 2944, by Committee on Ways and Means (originally sponsored by Senator Rasmussen - by Office of Financial Management request):

Making certain changes in state operating budget for 1977-79 biennium.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2967, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Transferring moneys to the forest development account and the resource management cost account.

To Committee on Appropriations

ENGROSSED SUBSTITUTE SENATE BILL NO. 3034, by Committee on Transportation (originally sponsored by Senators Benitz and Morrison):

Giving the department of transportation authority to construct a third bridge across the Columbia in the Tri-Cities area.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 3094, by Committee on Local Government (originally sponsored by Senators Bottiger and Walgren):

Modifying laws relating to sewerage, water and drainage systems.

To Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

April 24, 1979

HOUSE BILL NO. 408, Prime Sponsor: Representative Pruitt, administering the early and periodic screening, diagnosis and treatment program. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill by the Committee on Appropriations be substituted therefor and the second substitute bill do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Douthwaite, Ehlers, Grimm, Heck, Keller, Maxie, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

April 24, 1979

HOUSE BILL NO. 661, Prime Sponsor: Representative Sommers, requiring the governor's budget document to include a list of statutory provisions granting preferential tax treatment. Reported by Committee on Revenue.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Flanagan, Galloway, Granlund, Nelson (D), O'Brien, Smith (R), Winsley.

Passed to Committee on Rules for second reading.

April 24, 1979

**HOUSE BILL NO. 676,** Prime Sponsor: Representative Oliver, modifying the obligation of the state to assume a share of election costs. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Deccio, Douthwaite, Ehlers, Heck, McDonald, Nelson (G.A.), Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

April 24, 1979

**HOUSE BILL NO. 741,** Prime Sponsor: Representative Thompson, appropriating moneys for purchase of timber on state park land. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Deccio, Douthwaite, Ehlers, Heck, Keller, McDonald, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

April 24, 1979

**HOUSE BILL NO. 907,** Prime Sponsor: Representative Warnke, modifying the bond issue for the "people's lodge" regional Indian facility. Reported by Committee on Appropriations.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Becker, Chandler, Douthwaite, Ehlers, Grimm, Heck, Hughes, Keller, Maxie, Polk, Taller, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

April 25, 1979

**SUBSTITUTE SENATE BILL NO. 2451,** Prime Sponsor: Senator Goltz, pertaining to tuition and fee waivers by institutions of higher education. Reported by Committee on Higher Education.

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

On page 2, line 5 after "2" strike "and 3" and insert ", 3 and 4"

On page 2, following line 31 insert a new section to read as follows:

**\*NEW SECTION, Sec. 4.** There is added to chapter 223, Laws of 1969 ex. sess., and to chapter 28B-.15 RCW a new section to read as follows:

The boards of trustees of each of the community colleges may waive in whole or in part the tuition, operating, and services and activities fees for 'displaced homemakers' as defined by section 3, chapter 73, Laws of 1979 ex. sess. (Senate Bill No. 2406).\*

Renumber the remaining section.

Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Erickson, Gruger, McGinnis, Oliver, Teutsch.

Passed to Committee on Rules for second reading.

April 25, 1979

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2505,** Prime Sponsor: Senator Donohue, authorizing a bond issue for jail facilities. Reported by Committee on Institutions.

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

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Section 1.** In order for the state to provide safe and humane detention and correctional facilities, its long range development goals must include the renovation of jail buildings and facilities.

**NEW SECTION, Sec. 2.** For the purpose of providing funds for the planning, acquisition, construction, and improvement of jail buildings and necessary supporting facilities within the state, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred six million dollars, or so much thereof as may be required, to finance the improvements defined in this chapter and all costs incidental thereto but not including acquisition or preparation of sites. These bonds



shall be paid and discharged within thirty years. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation of the proceeds of the bonds to be sold.

**NEW SECTION.** Sec. 3. The proceeds from the sale of bonds authorized by this chapter shall be deposited in the local jail improvement and construction account hereby created in the general fund and shall be used exclusively for the purpose specified in this chapter and for payment of the expenses incurred in the issuance and sale of the bonds.

**NEW SECTION.** Sec. 4. The proceeds from the sale of the bonds deposited in the local jail improvement and construction account of the general fund under the terms of this chapter shall be administered by the Washington state jail commission subject to legislative appropriation.

**NEW SECTION.** Sec. 5. The state finance committee is authorized to prescribe the form, terms, conditions, and covenants of the bonds, the time or times of sale of all or any portion of them, and the conditions and manner of their sale and issuance. None of the bonds authorized in this chapter shall be sold for less than their par value.

**NEW SECTION.** Sec. 6. When the state finance committee has decided to issue the bonds, or a portion thereof, it may, pending the issuing of the bonds, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as 'anticipation notes.' Such portion of the proceeds of the sale of the bonds as may be required for this purpose shall be applied to the payment of the principal of and interest on any of these anticipation notes which have been issued. The bonds and notes shall pledge the full faith and credit of the state of Washington and shall contain an unconditional promise to pay the principal and interest when due. The state finance committee may authorize the use of a printed facsimile of the seal of the state of Washington in the issuance of the bonds and notes.

**NEW SECTION.** Sec. 7. The jail renovation bond retirement fund is hereby created in the state treasury. This fund shall be used for the payment of interest on and retirement of the bonds and notes authorized by this chapter. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and the interest coming due on the bonds. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the jail renovation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date. The owner and holder of each of the bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

If a state general obligation bond retirement fund is created in the state treasury by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess., and becomes effective by statute prior to the issuance of any of the bonds authorized by this chapter, the retirement fund shall be used for purposes of this chapter in lieu of the jail renovation bond retirement fund, and the jail renovation bond retirement fund shall cease to exist.

**NEW SECTION.** Sec. 8. The bonds authorized in this chapter shall be a legal investment for all state funds or for funds under state control and for all funds of any other public body.

Sec. 9. Section 6, chapter 316, Laws of 1977 ex. sess. as amended by section 170, chapter 151, Laws of 1979 and RCW 70.48.060 are each amended to read as follows:

(1) Any funds allocated to a governing unit for jail construction or renovation pursuant to this chapter shall constitute full funding of the cost of implementing the physical plant standards within the meaning of RCW 70.48.070(2). Jail construction or renovation represents the full extent of the state's financial commitment with regard to jails. Local governing units are responsible for funding all costs of operating jails.

(2) As a condition of eligibility for such financial assistance as may be provided by or through the state of Washington exclusively for the construction and/or modernization of jails, all jail construction and/or substantial remodeling projects shall be submitted by the governing unit to the commission ((for review) which shall review all submitted projects in accordance with rules to be adopted by the commission and shall approve or reject each project for purposes of state funding. The commission shall allocate available funding to the projects approved for funding in accordance with moneys actually available and the priorities established by the commission under this section. ((The commission shall submit the projects to the office of financial management, pursuant to subsection (3) of this section, if they comply with the physical plant standards adopted by the commission, pursuant to the provisions of RCW 70.48.050(5). Notice of rejection because of noncompliance to said standards shall be given within forty-five days after receipt by the commission of the submitted project.

(2) If the projects are approved, the department)) (3) The rules to be adopted by the commission for purposes of approving or denying requests for state funds for jail construction or remodeling shall:

(i) Limit state funding to the minimum amount required to fully implement the physical plant standards;

(ii) Encourage the voluntary consolidation of jail facilities and programs of contiguous governing units where feasible: PROVIDED, That such consolidation is approved by all participating governing units;

(iii) Insure that each governing unit or consolidation of governing units applying for state funds under this chapter has submitted a plan which demonstrates that pretrial and posttrial alternatives to incarceration are being considered within the governmental unit;

(iv) Establish criteria and procedures for setting priorities among the projects approved for state funding for purposes of allocating state funds actually available; and

(v) Establish procedures for the submission, review, and approval or denial of projects submitted and appeals from adverse determinations, including time periods applicable thereto.

(4) The commission shall review all submitted projects with the office of financial management and the office of financial management shall provide technical assistance to the commission for purposes of insuring the accuracy of statistical information to be used by the commission in determining projects to be funded.

(5) The commission shall oversee ((the)) approved construction and remodeling to the extent necessary to assure compliance with the standards adopted and approved pursuant to RCW 70.48.050((7)) (5).

((3)) (6) The commission shall develop estimates of the costs of the capital construction grants for each biennium required under the provisions of this chapter. The estimates ((shall be subject to the review of the secretary and)) shall be submitted to the office of financial management consistent with the provisions of chapter 43.88 RCW and the office of financial management shall review and approve or disapprove within thirty days.

(7) The commission and the office of financial management shall jointly report to the legislature on or before the convening of a regular session as to the projects approved for funding, construction status of such projects, funds expended and encumbered to date, and updated population and incarceration statistics.

(8) The jail commission shall examine, and by December 1, 1980, present to the legislature recommendations relating to detention and correctional services, including the formulation of the role of state and local governing units regarding detention and correctional facilities.

NEW SECTION. Sec. 10. There is added to chapter 70.48 RCW a new section to read as follows:

(1) In determining the capacity of a planned jail facility for purposes of funding under this chapter, the commission shall consider all relevant information, including data supplied to the commission by the office of financial management with regard to the governing unit's population projections, current incarceration rates as applied to population projections by age group, and peaking factors not to exceed 1.29 standard deviations above the mean average daily population.

(2) The number of square feet allowed per bed shall generally be consistent for facilities of similar size and classification within either major urban, medium urban, or rural counties.

(3) Funds shall be allocated to governing units based on authorized beds and square feet as determined by the commission under this chapter and the rules adopted pursuant thereto.

(4) Total dollars allocated to a governing unit for new construction or renovation shall be the lesser of the amount specified in an accepted bid, the amount computed in subsection (3) of this section, or the budget request submitted to the commission by the governing unit.

(5) If a governing unit determines the assumptions specified in subsection (1) of this section are to be exceeded, then the funding responsibility in excess of amount determined by the commission will be that of the governing unit.

(6) The office of financial management shall assist governing units in obtaining whatever federal grants and aid might be available for jail construction and renovation. The amount of such grants or aid which might be obtained shall be deducted from the moneys which would otherwise be granted to the governing units from the funds from the sale of bonds authorized by section 2 of this act.

(7) Jails which are constructed and/or renovated with funds provided pursuant to this act shall not be considered state buildings for the purposes of RCW 43.17.200.

Sec. 11. Section 2, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.020 are each amended to read as follows:

As used in this chapter the words and phrases in this section shall have the meanings indicated unless the context clearly requires otherwise.

(1) 'Holding facility' means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(2) 'Detention facility' means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(3) 'Correctional facility' means a facility operated by a governing unit primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(4) 'Jail' means any holding, detention, or correctional facility as defined in this section or any farm, camp, or work release facility established under section 17 of this 1979 act.

(5) 'Health care' means preventive, diagnostic and rehabilitative services provided by licensed health care professionals and/or facilities; such care to include providing prescription drugs where indicated.

(6) 'Commission' means the state jail commission created pursuant to RCW 70.48.030.

(7) 'Substantially remodeled' means significant alterations made to the physical plant of a jail to conform with the physical plant standards.

(8) 'Department' means the department of social and health services.

(9) 'Secretary' means the secretary of social and health services.

(10) 'Governing unit' means the city and/or county or any combinations of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(11) 'Mandatory custodial care standards' means those minimum standards, rules, or regulations that are adopted pursuant to RCW 70.48.050(1)(a) and 70.48.070(1) for jails to meet federal and state constitutional requirements relating to the health, safety, security, and welfare of inmates.

(12) 'Advisory custodial care standards' means custodial care standards recommended by the commission which are not mandatory.

(13) 'Physical plant standards' and 'physical plant requirements' mean those minimum standards, rules, or regulations that are prescribed by the commission for jails that relate to structural specifications of the physical plant, including but not limited to size of cells and rooms within a jail, design of facilities, and specifications for fixtures and other equipment.

(14) 'Jail inspector' means a person with at least five years in a supervisory position as a law enforcement or custodial corrections officer.

(15) 'Major urban' means a county or combination of counties which has a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

(16) 'Medium urban' means a county or combination of counties which has a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

(17) 'Rural' means a county or combination of counties which has a city having a population less than ten thousand based on the 1978 projections of the office of financial management.

Sec. 12. Section 3, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.030 are each amended to read as follows:

A state jail commission shall be appointed (~~by the governor~~) to establish standards approved by the legislature for the operation of city and county jails. The commission shall be comprised of fifteen members of which eleven (~~members who~~) shall be appointed by the governor and confirmed by the state senate: PROVIDED, That at least seven of the members shall be elected city, town, or county legislative or executive officials: PROVIDED FURTHER, That the secretary or the secretary's designee shall be one of the members of the commission.

At least two members of the commission shall represent minorities.

At least four members of the commission shall reside east of the crest of the Cascade Range. Any member of the commission appointed pursuant to this section as an incumbent official shall immediately, upon termination of holding said office, cease to be a member of the commission and the governor shall appoint a replacement. Vacancies shall be filled in the same manner as original appointments: PROVIDED, That a person appointed as a replacement shall serve for only the balance of the replaced member's term unless the replacement is reappointed.

Four members shall be legislators who shall be nonvoting members of the commission. The president of the senate and the speaker of the house shall each appoint two members, one from each party. The legislator members' terms shall expire on the first day of the convening of the legislature in each odd-numbered year.

Three of the original appointments shall be for terms of one year, four of the initial appointments shall be for terms of two years, and four of the initial appointments shall be for terms of three years. Subsequent appointments shall be for a three year term except for the legislative members.

The chairperson of the commission shall be appointed by the governor and shall serve as chairperson at the governor's pleasure. A vice-chairperson shall be elected by the commission. The commission shall meet on call of the chairperson or on request of a majority of its members, but not less than four times per year. (~~This commission shall be terminated on June 30, 1983, unless this date is revised by the legislature.~~)

Sec. 13. Section 5, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.050 are each amended to read as follows:

In addition to any other powers and duties contained in this chapter, the commission shall have the powers and duties:

(1) To adopt such rules and regulations, after approval by the legislature, pursuant to chapter 34.04 RCW, as it deems necessary and consistent with the purposes and intent of this chapter on the following subjects:

(a) Mandatory custodial care standards that are essential for the health, welfare, and security of persons confined in jails: PROVIDED, That in adopting each rule or regulation pertaining to mandatory custodial care standards, the commission shall cite the applicable case law, statutory law or constitutional provision which requires such rule or regulation;

(b) Advisory custodial care standards;

(c) The classification and uses of holding, detention, and correctional facilities. Except for the housing of work releasees in accordance with commission rules, a person may not be held in a holding facility longer than seventy-two hours, exclusive of weekends and holidays, without being transferred to a detention or (~~correction~~) correctional facility unless the court having jurisdiction over the individual authorizes a longer holding, but in no instance shall the holding exceed thirty days;

(d) The content of jail records which shall be maintained by the department of corrections or the chief law enforcement officer of the governing unit. In addition the governing unit, chief law enforcement officer, or department of corrections may require such additional records as they deem proper; and

(e) The segregation of persons and classes of persons confined in holding, detention, and correctional facilities;

(2) To investigate, develop, and encourage alternative and innovative methods in all phases of jail operation;

(3) To make comments, reports, and recommendations concerning all phases of jail operation including those not specifically described in this chapter;

(4) To hire necessary staff, acquire office space, supplies, and equipment, and make such other expenditures as may be deemed necessary to carry out its duties;

(5) The secretary shall submit minimum physical plant standards to the commission for review and promulgate proposed standards pursuant to chapter 34.04 RCW. After such promulgation, the standards shall be presented for review at a public conference of city, town, and county legislative and executive officials and directors of departments of correction or the chief law enforcement officers of the governing units in four regional meetings, two of which shall be east of the Cascade range. Subsequent to these reviews, and utilizing the data received, the commission shall adopt minimum physical plant standards pursuant to chapter 34.04 RCW, after approval by the legislature;

(6) To cause all jails to be inspected at least annually by designated jail inspectors and to issue a certificate of compliance to each facility which is found to satisfactorily meet the requirements of this chapter and the rules, regulations, and standards adopted hereunder: PROVIDED, That certificates of partial compliance may be issued where applicable. The inspectors shall have access to all portions of jails, to all prisoners confined therein, and to all records maintained by said jails; and

(7) To establish advisory guidelines and model ordinances to assist governing units in establishing the agreements necessary for the joint operation of jails and for the determination of the rates of allowance for the daily costs of holding a prisoner pursuant to the provisions of RCW 70.48.080(6).

Sec. 14. Section 7, chapter 316, Laws of 1977 ex. sess. as amended by section 2, chapter 147, Laws of 1979 and RCW 70.48.070 are each amended to read as follows:

All jails shall be constructed, operated, and maintained in compliance with the provisions and intent of this chapter and the rules, regulations, and standards adopted thereunder: PROVIDED, That, as limited by this section, compliance with such rules, regulations, and standards shall be pursuant to the time schedules set by the commission for classes of facilities:

(1) The mandatory custodial care standards that are essential for the health, welfare, and security of persons confined, which are adopted pursuant to RCW 70.48.050(1)(a), shall be proposed by the commission to the legislature no later than December 31, 1978. ~~((Standards shall be prescribed by the commission and submitted to the legislature and governor for approval. Such standards shall be adopted by the commission pursuant to chapter 34.04 RCW upon approval by the governor and upon approval by the legislature by concurrent resolution if the legislature is in session. If the legislature is not in session legislative approval may be given by a joint committee established by resolution for such purpose))~~;

(2) ~~((The physical plant standards shall be prescribed by the commission and submitted to the legislature and governor for approval. Such standards shall be adopted by the commission pursuant to chapter 34.04 RCW upon approval by the governor and upon approval by the legislature by concurrent resolution if the legislature is in session. If the legislature is not in session legislative approval may be given by a joint committee established by resolution for such purpose.))~~ The physical plant standards which are adopted and approved pursuant to RCW 70.48.050(5) shall not be mandatory unless, pursuant to the provisions of RCW 70.48.110, the state fully funds the cost of implementing such standards for detention and correctional facilities: PROVIDED, That, such funds shall be subject to ~~((biennial))~~ appropriation: PROVIDED FURTHER, That after such funds are made available, local jurisdictions shall have a period of time before such standards are mandatory that is adequate to effect any needed construction or repairs: PROVIDED FURTHER, That those provisions of RCW 70.48.060 and 70.48.110 requiring approval prior to funding and commencement of construction or remodeling shall not apply to prevent the funding of jails of governing units which have appropriated funds for substantial remodeling or construction of jails after February 16, 1974, and before June 23, 1977. Approval in such cases may be given retroactively: PROVIDED FURTHER, That the commission may grant variances from the physical plant standards consistent with the intent of this act, and such standards shall otherwise be mandatory for purposes of this section and RCW 70.48.080 and jail facilities approved by the commission shall be deemed to comply with the physical plant standards;

(3) The mandatory custodial care standards and physical plant standards as submitted by the commission to the legislature on December 20, 1978 are hereby approved and shall take effect after adoption by the commission. Mandatory custodial care standards shall be complied with no later than October 1, 1979;

(4) Modifications of the standards or additional standards may be adopted by the commission pursuant to chapter 34.04 RCW.

Sec. 15. Section 9, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.090 are each amended to read as follows:

(1) Contracts for jail services may be made between a county and city located within the boundaries of a county, and among counties. The contracts shall: Be in writing, give one governing unit the responsibility for the operation of the jails, specify the responsibilities of each governing unit involved, and include the applicable charges for custody of the prisoners as well as the basis for adjustments in the charges. The contracts may be terminated only by ninety days written notice to the governing units involved and to the commission. The notice shall state the grounds for termination and the specific plans for accommodating the affected jail population.

(2) The contract authorized in subsection (1) of this section shall be for a minimum term of ten years when state funds are provided to construct or remodel a jail in one governing unit that will be used to house prisoners of other governing units. The contract may not be terminated prior to the end of the term without the commission's approval. If the contract is terminated, or upon the expiration and nonrenewal of the contract, the governing unit whose jail facility was built or remodeled to hold the prisoners of other governing units shall pay to the state treasurer the amount set by the commission when it authorized disbursement of state funds for the remodeling or construction under RCW 70.48.120. This amount shall be deposited in the local jail improvement and construction account and shall fairly represent the construction costs incurred in order

to house prisoners from other governing units. The commission may pay the funds to the governing units which had previously contracted for jail services under rules which the commission may adopt. The acceptance of state funds for constructing or remodeling consolidated jail facilities constitutes agreement to the proportionate amounts set by the commission. Notice of the proportionate amounts shall be given to all governing units involved.

(3) A city or county primarily responsible for the operation of a jail or jails may create a department of corrections to be in charge of such jail and of all persons confined therein by law, subject to the authority of the governing unit. If such department is created, it shall have charge of jails and persons confined therein. If no such department of corrections is created, the chief law enforcement officer of the city or county primarily responsible for the operation of said jail shall have charge of the jail and of all persons confined therein. A department of corrections or the chief law enforcement officer shall operate a jail in conformance with the rules and regulations adopted by the commission and any rules, regulations, or ordinances adopted by the governing unit.

((2) Whenever any jail is operated by a governing unit which includes a combination of cities and/or counties, one such city or county shall be designated as being primarily responsible for the operation of said jail.))

NEW SECTION. Sec. 16. There is added to chapter 70.48 RCW a new section to read as follows:

Counties may acquire, build, operate and maintain holding, detention, and correctional facilities as defined in RCW 70.48.020 at any place designated by the county legislative authority within the territorial limits of the county. The facilities shall comply with chapter 70.48 RCW and the rules adopted thereunder.

NEW SECTION. Sec. 17. There is added to chapter 70.48 RCW a new section to read as follows:

(1) All cities and counties are authorized to establish and maintain farms, camps, and work release programs and facilities. The facilities shall meet the requirements of chapter 70.48 RCW and any rules adopted thereunder.

(2) Farms and camps may be established either inside or outside the territorial limits of a city or county. A sentence of confinement in a city or county jail may include placement in a farm or camp. Unless directed otherwise by court order, the chief law enforcement officer or department of corrections, may transfer the prisoner to a farm or camp. The sentencing court, chief law enforcement officer, or department of corrections may not transfer to a farm or camp a greater number of prisoners than can be furnished with constructive employment and can be reasonably accommodated.

(3) The city or county may establish a city or county work release program and housing facilities for the prisoners in the program. In such regard, factors such as employment conditions and the condition of jail facilities should be considered. When a work release program is established the following provisions apply:

(a) A person convicted of a felony and placed in a city or county jail is eligible for the work release program. A person sentenced to a city or county jail is eligible for the work release program. The program may be used as a condition of probation for a criminal offense. Good conduct is a condition of participation in the program.

(b) The court may permit a person who is currently, regularly employed to continue his employment. The chief law enforcement officer or department of corrections shall make all necessary arrangements if possible. The court may authorize the person to seek suitable employment and may authorize the chief law enforcement officer or department of corrections to make reasonable efforts to find suitable employment for the person. A person participating in the work release program may not work in an establishment where there is a labor dispute.

(c) The work release prisoner shall be confined in a work release facility or jail whenever the prisoner is not employed and between the hours or periods of employment unless the court directs otherwise.

(d) The chief law enforcement officer or his designee shall collect the work release prisoner's earnings and from the earnings make payments for the prisoner's board, personal expenses inside and outside the jail, and share of the administrative expenses of this section. Support payments for the prisoner's dependents, if any, shall be made as directed by the court. With the prisoner's consent, the remaining funds may be used to pay the prisoner's preexisting debts. Any balance shall be retained and paid to the prisoner when the prisoner is discharged.

(e) With court approval the prisoner's sentence may be reduced by one-fourth if the prisoner's conduct, diligence, and general attitude merit the reduction.

(f) If the work release prisoner violates the conditions of custody or employment, the prisoner shall be returned to the sentencing court. The sentencing court may require the prisoner to spend the remainder of the sentence in actual confinement and may cancel any earned reduction of the sentence.

NEW SECTION. Sec. 18. There is added to chapter 70.48 RCW a new section to read as follows:

The jurisdiction having immediate authority over a prisoner is responsible for the transportation expenses. The transporting officer shall have custody of the prisoner within any Washington county while being transported. Any jail within the state may be used for the temporary confinement of the prisoner with the only charge being for the reasonable cost of board.

NEW SECTION. Sec. 19. There is added to chapter 70.48 RCW a new section to read as follows:

A person convicted of an offense punishable by imprisonment in a city or county jail may be confined in the jail of any city or county contracting with the prosecuting city or county for jail services.

NEW SECTION. Sec. 20. There is added to chapter 70.48 RCW a new section to read as follows:

A person imprisoned in a detention or correctional facility who has not obtained a bail bond shall be transferred to a state institution designated by the secretary pending the appeal of a felony conviction after the thirtieth day and before the forty-first day from the date on which the judgment was entered. Upon a

showing of good cause, a superior court judge may order the prisoner detained in the county jail for an additional period not to exceed ten days; except that this provision does not apply to persons sentenced for a felony who are held in the facility as a condition of probation or who are specifically sentenced to confinement in the facility.

**NEW SECTION.** Sec. 21. There is appropriated from the general fund to the jail commission for the biennium ending June 30, 1981, the sum of four hundred three thousand dollars, or so much thereof as may be necessary, to defray the costs of operations.

**NEW SECTION.** Sec. 22. There is appropriated from the local jail improvement and construction account of the general fund to the jail commission for the 1979-1981 biennium the sum of one hundred six million dollars or so much thereof as may be necessary for the jail improvement and construction authorized under sections 1 through 8 of this act.

**NEW SECTION.** Sec. 23. RCW 35.21.330 as now or hereafter amended is decodified and is recodified in chapter 70.48 RCW.

**NEW SECTION.** Sec. 24. Sections 1 through 8 of this act are each added to chapter 70.48 RCW.

**NEW SECTION.** Sec. 25. 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 1 of the title, after "Relating to the support of state government;" strike the remainder of the title and insert:

"providing for the planning, acquisition, construction, remodeling, furnishing and equipping of certain jail buildings and facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; amending section 2, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.020; amending section 3, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.030; amending section 5, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.050; amending section 6, chapter 316, Laws of 1977 ex. sess. as amended by section 170, chapter 151, Laws of 1979 and RCW 70.48.060; amending section 7, chapter 316, Laws of 1977 ex. sess. as amended by section 2, chapter 147, Laws of 1979 and RCW 70.48.070; amending section 9, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.090; adding new sections to chapter 70.48 RCW; recodifying RCW 35.21.330 in chapter 70.48 RCW; making appropriations; and declaring an emergency."

Signed by Representatives Struthers, Co-Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Rohrbach.

#### MOTION

On motion of Mr. King, Engrossed Substitute Senate Bill No. 2505 was rereferred to Committee on Appropriations.

April 25, 1979

ENGROSSED SENATE BILL NO. 2667, Prime Sponsor: Senator McDermott, providing for library assistance. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 11 after "each" insert "eligible"

On page 4, line 10 after "commission" insert "up to"

Signed by Representatives Heck, Co-Chairman; Bender, Ehlers, Eng, Galloway, Sommers, Taylor, Valle, Warnke, Whiteside.

Passed to Committee on Rules for second reading.

April 24, 1979

SUBSTITUTE SENATE BILL NO. 2744, Prime Sponsor: Senator Goltz, implementing law relating to state student financial aid program and making additional appropriation therefor. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, following line 22 add a new section as follows:

"**NEW SECTION.** Sec. 2. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of this act, or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Deccio, Douthwaite, Ehlers, Grimm, Heck, Hughes, Keller, Maxie, McDonald, Nelson (G.A.), Polk, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

April 25, 1979

ENGROSSED SENATE BILL NO. 3117, Prime Sponsor: Senator Odegaard, providing for programs of education for residents in certain institutions under jurisdiction of department of social and health services. 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 term 'residential school' as used in sections 2 through 8 of this amendatory act, each as now or hereafter amended, shall mean Green Hill school, Maple Lane school, Naselle Youth Camp, Cedar Creek Youth Camp, Mission Creek Youth Camp, Echo Glen, Cascadia Diagnostic Center, Lakeland Village, Rainier school, Yakima Valley school, Interlake school, Fircrest school, Francis Haddon Morgan Center, the Child Study and Treatment Center and Secondary School of Western State Hospital, and such other schools, camps, and centers as are now or hereafter established by the department of social and health services for the diagnosis, confinement and rehabilitation of juveniles committed by the courts or for the care and treatment of persons who are exceptional in their needs by reason of mental and/or physical deficiency: **PROVIDED**, That the term shall not include the state schools for the deaf and blind or adult correctional institutions.

**NEW SECTION.** Sec. 2. Each school district within which there is located a residential school shall, singly or in concert with another school district pursuant to RCW 28A.58.075 and 28A.58.245 or pursuant to chapter 39.34 RCW, each as now or hereafter amended, conduct a program of education, including related student activities, for residents of the residential school. Except as otherwise provided for by contract pursuant to section 4 of this amendatory act, as now or hereafter amended, the duties and authority of a school district and its employees to conduct such a program shall be limited to the following:

(1) The employment, supervision and control of administrators, teachers, specialized personnel and other persons, deemed necessary by the school district for the conduct of the program of education;

(2) The purchase, lease or rental and provision of textbooks, maps, audio-visual equipment, paper, writing instruments, physical education equipment and other instructional equipment, materials and supplies, deemed necessary by the school district for the conduct of the program of education;

(3) The development and implementation, in consultation with the superintendent or chief administrator of the residential school or his or her designee, of the curriculum;

(4) The conduct of a program of education, including related student activities, for residents who are five and less than twenty-one years of age and have not met high school graduation requirements as now or hereafter established by the state board of education and the school district which includes:

(a) Not less than one hundred and eighty school days each school year;

(b) Special education pursuant to chapter 28A.13 RCW, as now or hereafter amended, and vocational education, as necessary to address the unique needs and limitations of residents; and

(c) Such courses of instruction and school related student activities as are provided by the school district for nonresidential school students to the extent it is practical and judged appropriate for the residents by the school district after consultation with the superintendent or chief administrator of the residential school: **PROVIDED**, That a preschool special education program may be provided for handicapped residential school students;

(5) The control of students while participating in a program of education conducted pursuant to this section and the discipline, suspension or expulsion of students for violation of reasonable rules of conduct adopted by the school district; and

(6) The expenditure of funds for the direct and indirect costs of maintaining and operating the program of education that are appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating residential school programs of education, and funds from federal and private grants, bequests and gifts made for the purpose of maintaining and operating the program of education.

**NEW SECTION.** Sec. 3. The duties and authority of the department of social and health services and of each superintendent or chief administrator of a residential school to support each program of education conducted by a school district pursuant to section 2 of this amendatory act, as now or hereafter amended, shall include the following:

(1) The provision of transportation for residential school students to and from the sites of the program of education through the purchase, lease or rental of school buses and other vehicles as necessary;

(2) The provision of safe and healthy building and playground space for the conduct of the program of education through the construction, purchase, lease or rental of such space as necessary;

(3) The provision of furniture, vocational instruction machines and tools, building and playground fixtures, and other equipment and fixtures for the conduct of the program of education through construction, purchase, lease or rental as necessary;

(4) The provision of heat, lights, telephones, janitorial services, repair services, and other support services for the vehicles, building and playground spaces, equipment and fixtures provided for in this section;

(5) The employment, supervision and control of persons to transport students and to maintain the vehicles, building and playground spaces, equipment and fixtures, provided for in this section;

(6) Clinical and medical evaluation services necessary to a determination by the school district of the educational needs of residential school students; and

(7) Such other support services and facilities as are reasonably necessary for the conduct of the program of education.

**NEW SECTION.** Sec. 4. Each school district required to conduct a program of education pursuant to section 2 of this amendatory act, as now or hereafter amended, and the department of social and health services shall hereafter negotiate and execute a written contract for each school year or such longer period as may be agreed to which delineates the manner in which their respective duties and authority will be cooperatively performed and exercised, and any disputes and grievances resolved. Any such contract may provide

for the performance of duties by a school district in addition to those set forth in subsections (1) through (5) of section 2 of this amendatory act, as now or hereafter amended, including duties imposed upon the department of social and health services and its agents pursuant to section 3 of this amendatory act, as now or hereafter amended: PROVIDED, That funds identified in subsection (6) of section 2 of this amendatory act, as now or hereafter amended, and/or funds provided by the department of social and health services are available to fully pay the direct and indirect costs of such additional duties and the district is otherwise authorized by law to perform such duties in connection with the maintenance and operation of a school district.

**NEW SECTION.** Sec. 5. The department of social and health services shall provide written notice on or before April 15th of each school year to the superintendent of each school district conducting a program of education pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended, of any foreseeable residential school closure, reduction in the number of residents, or any other cause for a reduction in the school district's staff for the next school year. In the event the department of social and health services fails to provide notice as prescribed by this section, the department shall be liable and responsible for the payment of the salary and employment related costs for the next school year of each school district employee whose contract the school district would have nonrenewed but for the failure of the department to provide notice.

Sec. 6. Section 72.01.200, chapter 28, Laws of 1959 and RCW 72.01.200 are each amended to read as follows:

The several penal and reformatory institutions of the state may employ certificated teachers to carry on their educational work, except for the educational programs provided pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended, and all such teachers so employed shall be eligible to membership in the state teachers' retirement fund.

Sec. 7. Section 72.05.010, chapter 28, Laws of 1959 as amended by section 177, chapter 141, Laws of 1979 and RCW 72.05.010 are each amended to read as follows:

The purposes of RCW 72.05.010 through 72.05.210 are: To provide for every child with behaviour problems, (~~defective and feeble-minded~~) mentally and physically handicapped persons, and deaf and blind children, within the purview of RCW 72.05.010 through 72.05.210, as now or hereafter amended, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure nonpolitical and qualified operation, supervision, management, and control of the Green Hill school, the Maple Lane school, the Naselle Youth Camp, the Cedar Creek Youth Camp, the Mission Creek Youth Camp, Echo Glen, the Cascadia Diagnostic Center, Lakeland Village, Rainier school, the Yakima Valley school, Interlake school, Fircrest school, the Francis Haddon Morgan Center, the Child Study and Treatment Center and Secondary School of Western State Hospital, the state school for the blind, (~~and~~) the state school for the deaf, and like residential state schools, camps and centers hereafter established, and to place them under the department of social and health services; and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

Sec. 8. Section 72.05.130, chapter 28, Laws of 1959 as amended by section 179, chapter 141, Laws of 1979 and RCW 72.05.130 are each amended to read as follows:

The department shall establish, maintain, operate and administer a comprehensive program for the custody, care, education, treatment, instruction, guidance, control and rehabilitation of all persons who may be committed or admitted to institutions, schools, or other facilities controlled and operated by the department, except for the programs of education provided pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended, which shall be established, operated and administered by the school district conducting the program, and in order to accomplish these purposes, the powers and duties of the secretary shall include the following:

(1) The assembling, analyzing, tabulating, and reproduction in report form, of statistics and other data with respect to children with behavior problems in the state of Washington, including, but not limited to, the extent, kind, and causes of such behavior problems in the different areas and population centers of the state. Such reports shall not be open to public inspection, but shall be open to the inspection of the governor and to the superior court judges of the state of Washington.

(2) The establishment and supervision of diagnostic facilities and services in connection with the custody, care, and treatment of (~~defective, feeble-minded~~) mentally and physically handicapped, and behavior problem children who may be committed or admitted to any of the institutions, schools, or facilities controlled and operated by the department, or who may be referred for such diagnosis and treatment by any superior court of this state. Such diagnostic services may be established in connection with, or apart from, any other state institution under the supervision and direction of the secretary. Such diagnostic services shall be available to the superior courts of the state for persons referred for such services by their prior to commitment, or admission to, any school, institution, or other facility. Such diagnostic services shall also be available to other departments of the state.

(3) The supervision of all persons committed or admitted to any institution, school, or other facility operated by the department, and the transfer of such persons from any such institution, school, or facility to any other such school, institution, or facility: PROVIDED, That where a person has been committed to a minimum security institution, school, or facility by any of the superior courts of this state, a transfer to a close security institution shall be made only with the consent and approval of such court. This shall not apply to the state school for the deaf or the state school for the blind.



(4) The supervision of parole, discharge, or other release, and the post-institutional placement of all persons committed to Green Hill school and Maple Lane school, or such as may be assigned, paroled, or transferred therefrom to other facilities operated by the department. Green Hill school and Maple Lane school are hereby designated as 'close security' institutions to which shall be given the custody of children with the most serious behavior problems.

Sec. 9. Section 72.05.140, chapter 28, Laws of 1959 as amended by section 180, chapter 141, Laws of 1979 and RCW 72.05.140 are each amended to read as follows:

The department, in order to provide educational facilities and programs for persons admitted or committed to (~~any of the institutions, schools or facilities herein provided~~) the state schools for the deaf and blind, is authorized either to:

(1) Enter into an agreement with the (~~local~~) school district within which the institution is situated (~~or with any other local school district conveniently located in the region~~), or

(2) Provide a comprehensive school program in connection with any institution as if that institution were itself a local school system.

In the event that either option is exercised, all teachers shall meet all certification requirements and the program shall conform to the usual standards defined by law or by regulations of the state board of education or the office of the state superintendent of public instruction and/or other recognized national certification agencies.

Sec. 10. Section 72.20.040, chapter 28, Laws of 1959 as last amended by section 229, chapter 141, Laws of 1979 and RCW 72.20.040 are each amended to read as follows:

The superintendent, subject to the direction and approval of the secretary shall:

(1) Have general supervision and control of the grounds and buildings of the institution, the subordinate officers and employees, and the inmates thereof, and all matters relating to their government and discipline.

(2) Make such rules, regulations and orders, not inconsistent with law or with the rules, regulations or directions of the secretary, as may seem to him proper or necessary for the government of such institution and for the employment, discipline and education of the inmates, except for the program of education provided pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended, which shall be governed by the school district conducting the program.

(3) Exercise such other powers, and perform such other duties as the secretary may prescribe.

Sec. 11. Section 4, chapter 18, Laws of 1967 ex. sess. as amended by section 235, chapter 141, Laws of 1979 and RCW 72.30.040 are each amended to read as follows:

The superintendent shall have the following powers, duties and responsibilities:

(1) Subject to the rules and regulations of the department and the state personnel board, he shall appoint all subordinate officers and employees.

(2) Subject to the rules and regulations of the department, he shall supervise and manage the school, grounds, buildings and equipment, the subordinate officers and employees, and the persons committed, admitted or transferred to such school and shall have custody of such persons until they are released, discharged or transferred as provided by law.

(3) He shall be the custodian of the personal property of all residents of the school subject to the provisions of RCW 72.33.180 as now or hereafter amended.

(4) Subject to the approval of the secretary, he shall be authorized to establish such industrial, vocational, educational or training programs as would be most beneficial to the residents of such school, except for the program of education provided pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended.

(5) Except as otherwise provided in this chapter, he shall administer the institution in accordance with the provisions of chapter 72.33 RCW.

Sec. 12. Section 72.33.040, chapter 28, Laws of 1959 as last amended by section 62, chapter 80, Laws of 1977 ex. sess. and RCW 72.33.040 are each amended to read as follows:

The superintendent of a state school appointed after June 12, 1957 shall be a person of good character, and either a physician licensed to practice in the state of Washington or has attained a minimum of a master's degree from an accredited college or university in psychology, social science, or education, and in addition shall have had suitable experience in an administrative or professional capacity in the residential care, treatment and training of handicapped persons.

The superintendent shall have custody of all residents and control of the medical, educational, therapeutic and dietetic treatment of all persons resident in such state school, except for the program of education provided pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended, which the school district conducting the program shall have control of and joint custody of such residents in connection therewith: PROVIDED, That the superintendent shall cause surgery to be performed on any resident only upon gaining the consent of a parent, guardian, or limited guardian as authorized, except, if after reasonable effort to locate the parents, guardian, or limited guardian as authorized, and the health of such resident is certified by the attending physician to be jeopardized unless such surgery is performed, the required consent shall not be necessary.

The superintendent shall have control of the internal government and economy of the state school and shall appoint and direct all subordinate officers and employees: PROVIDED, That the powers and duties conferred upon the superintendent shall be subject to the rules and regulations of the department and the state personnel board.

The superintendent shall have authority to engage the residents of the state school in beneficial work programs but shall not abuse such therapy by excessive hours or for purposes of discipline or punishment.

Sec. 13. Section 72.33.050, chapter 28, Laws of 1959 and RCW 72.33.050 are each amended to read as follows:

There shall be an educational ((department)) program created and maintained ((within)) for each ((state)) residential school pursuant to sections 2 through 4 of this amendatory act, as now or hereafter amended, and for the state schools for the deaf and blind which shall provide a comprehensive program of academic, vocational, recreational and other educational services best adapted to meet the needs and capabilities of each resident therein whether such resident must always live within the protected community of the school or can be prepared and assisted to live without.

The ((department)) superintendent of public instruction shall assist the state schools in all feasible ways including financial aid so that the educational programs maintained therein shall be comparable to such programs advocated by the ((department)) superintendent of public instruction for children with similar aptitudes in local school districts.

Within its available resources, each state school shall, upon request from a local school district, provide such clinical, counseling and evaluating services as may assist the local district lacking such professional resources in determining the needs of its exceptional children.

**NEW SECTION.** Sec. 14. Sections 1 through 5 of this amendatory act are added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

**NEW SECTION.** Sec. 15. The following acts or parts of acts are each repealed:

- (1) Section 72.16.070, chapter 28, Laws of 1959 and RCW 72.16.070; and
- (2) Section 72.20.080, chapter 28, Laws of 1959, section 231, chapter 141, Laws of 1979 and RCW 72.20.080.

**NEW SECTION.** Sec. 16. This act shall take effect on September 1, 1979.

**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."

On line 1 of the title, after "education;" strike the remainder of the title and insert "amending section 72.01.200, chapter 28, Laws of 1959 and RCW 72.01.200; amending section 72.05.010, chapter 28, Laws of 1959 as amended by section 177, chapter 141, Laws of 1979 and RCW 72.05.010; amending section 72.05.130, chapter 28, Laws of 1959 as amended by section 179, chapter 141, Laws of 1979 and RCW 72.05.130; amending section 72.05.140, chapter 28, Laws of 1959 as amended by section 180, chapter 141, Laws of 1979 and RCW 72.05.140; amending section 72.20.040, chapter 28, Laws of 1959 as last amended by section 229, chapter 141, Laws of 1979 and RCW 72.20.040; amending section 4, chapter 18, Laws of 1967 ex. sess. as amended by section 235, chapter 141, Laws of 1979 and RCW 72.30.040; amending section 72.33.040, chapter 28, Laws of 1959 as last amended by section 62, chapter 80, Laws of 1977 ex. sess. and RCW 72.33.040; amending section 72.33.050, chapter 28, Laws of 1959 and RCW 72.33.050; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; repealing section 72.16.070, chapter 28, Laws of 1959 and RCW 72.16.070; repealing section 72.20.080, chapter 28, Laws of 1959, section 231, chapter 141, Laws of 1979 and RCW 72.20.080; and providing an effective date."

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Galloway, Sommers, Taylor, Tupper, Valle, Van Dyken, Warnke, Whiteside.

Passed to Committee on Rules for second reading.

## SENATE AMENDMENTS TO HOUSE BILL

April 11, 1979

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 367** with the following amendments:

On line 5 of the title after "28A.04.120" and before the period insert "; and amending section 28A.58.101, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 97, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.101"

On page 3, line 19 after the period add a new section 2 as follows:

"Sec. 2. Section 28A.58.101, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 97, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.101 are each amended to read as follows:

Every board of directors, unless otherwise specifically provided by law, shall:

(1) Enforce the rules and regulations prescribed by the superintendent of public instruction and the state board of education for the government of schools, pupils, and certificated employees.

(2) Adopt and make available to each pupil, teacher and parent in the district reasonable written rules and regulations regarding pupil conduct, discipline, and rights, including but not limited to short-term and long-term suspensions. Such rules and regulations shall not be inconsistent with law or the rules and regulations of the superintendent of public instruction or the state board of education and shall include such substantive and procedural due process guarantees as prescribed by the state board of education under RCW 28A.04.132. Commencing with the 1976-77 school year, when such rules and regulations are made available to each pupil, teacher and parent, they shall be accompanied by a detailed description of rights, responsibilities and authority of teachers and principals with respect to the discipline of pupils as prescribed by state

statutory law, superintendent of public instruction and state board of education rules and regulations and rules and regulations of the school district.

For the purposes of this subsection, computation of days included in 'short-term' and 'long-term' suspensions shall be determined on the basis of consecutive school days.

(3) Suspend, expel, or discipline pupils in accordance with RCW 28A.04.132." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Heck, the House concurred in the Senate amendments to Substitute House Bill No. 367.

#### 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 Substitute House Bill No. 367 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 367 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Gruger, Haley, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Bond, Clayton, Craswell, Dawson, Dunlap, Eberle, Fancher, Flanagan, Hastings, Hurley, McDonald, McGinnis, Nelson G. A., Newhouse, Nisbet, Rohrbach, Rosbach, Smith C. P., Sprague, Struthers, Teller, Taylor, Tilly, Zimmerman.

Not voting: Representatives Deccio, Greengo, Grimm.

Substitute House Bill No. 367 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 19, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 80 with the following amendments:

On page 2, line 34 after "less than" insert "sixty percent of"

On page 3, line 1 after "performed" insert ": PROVIDED, That the provisions of this subsection (2) shall expire and be of no further force and effect after January 1, 1984" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

On motion of Mr. Struthers, the House refused to concur in the Senate amendment to page 2, line 34 of Substitute House Bill No. 80, and asked the Senate to recede therefrom.

On motion of Mr. Struthers, the House concurred in the Senate amendment to page 3, line 1.

#### MESSAGE FROM THE SENATE

April 24, 1979

Mr. Speaker:

The Senate insists on its position on the amendment to SUBSTITUTE HOUSE BILL NO. 262 on page 2, line 16, and once again asks the House to concur in the Senate amendment, and said bill, together with the Senate amendment thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Whiteside, the House adhered to its position with regard to the Senate amendment to Substitute House Bill No. 262.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 894, by Committee on Social and Health Services (originally sponsored by Representatives Kreidler, Zimmerman, Valle, Nelson (D), Burns and Lux – by Department of Social and Health Services request):

Regulating sources and uses of radiation.

The bill was read the second time.

On motion of Mr. Isaacson, the following amendment by Representatives Isaacson and Kreidler was adopted:

On page 1, beginning on line 17 strike all of section 1 and renumber the remaining sections consecutively.

Mr. Isaacson moved adoption of the following amendment:

On page 3, line 20 after "commission," insert "United States department of energy"

Representatives Isaacson and Kreidler spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I need some more information on what the intent of this amendment is."

Mr. Isaacson: "The intent, as I've said, is to show that there are two U.S. agencies, the Nuclear Regulatory Commission and the U.S. Department of Energy, that will form as a consequence of ending the Atomic Energy Commission itself. It's nothing more than that, except to show that it is covered and should be covered under the definition of 'person' in this section."

Mr. Douthwaite: "Is the state still able to conduct the investigations of these programs?"

Mr. Isaacson: That is not the intent. Again, we discussed this with Terry Strong of the Department of Social and Health Services, and of course, he is responsible for the conduct of these operations in DSHS."

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Isaacson, when we add this language we're saying, as I understand it, that in addition to the Nuclear Regulatory Commission, the U.S. Department of Energy would not be considered a person to be regulated by the State Department of Social and Health Services in its use of ionizing radiation sources. Is that correct?"

Mr. Isaacson: "I believe you've struck a chord there. As you know, the United States has sovereignty over the states and states should not impose their will on the federal government. It's a matter of constitutional provision."

Mr. Nelson (D): "So, in effect, you're saying that the state of Washington has now no jurisdiction, no authority, over sources of ionizing radiation that are in the hands of the federal government, whether it's the Nuclear Regulatory Commission or the U.S. Department of Energy?"

Mr. Isaacson: "No, I'm not saying that. The Constitution says that the federal government shall maintain sovereignty over the individual states."

Mr. Nelson (D) spoke against adoption of the amendment.

Mr. Isaacson spoke again in favor of the amendment, and Mr. Nelson (D) spoke again in opposition to it.

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Bond.

Mr. Bond: "Are you telling us, Representative Isaacson, that currently this is technically incorrect and would therefore be bad legislation if we do not adopt this amendment?"

Mr. Isaacson: "Representative Bond, that's a very good simile and well-expressed."

Representatives Bond and Kreidler spoke in favor of the amendment, and Mr. Douthwaite again spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Isaacson to page 3, line 20 of Substitute House Bill No. 894, and the amendment was adopted by the following vote: Yeas, 68; nays, 22; not voting, 8.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Becker, Berentson, Bond, Brown, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Garrett, Granlund, Grimm, Haley, Hastings, Heck, Houchen, Isaacson, King, Kreidler, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Rohrbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sprague, Struthers, Teller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Brekke, Burns, Douthwaite, Ehlers, Eng, Erak, Erickson, Galloway, Gruger, Hughes, Hurley, Jovanovich, Knowles, Lux, May, Monohon, Nelson D., Pruitt, Smith R., Sommers, Valle.

Not voting: Representatives Amen, Bender, Blair, Greengo, Keller, Owen, Rosbach, Vrooman.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Kreidler:

On page 4, line 9 after "possessing" strike "a source of ionizing radiation" and insert "~~(a source of ionizing radiation))~~ an ionizing radiation producing device, such as an x-ray machine,"

Representatives Isaacson and Kreidler spoke in favor of the amendment, and Mr. Douthwaite spoke against it.

The amendment was adopted.

Speaker Bagnariol assumed the Chair.

## POINT OF INFORMATION

Speaker Berentson: "Mr. Speaker, can you inform this body as to the number of bills that have passed to date by both bodies?"

Speaker Bagnariol: "As of April 25th, 372 House bills passed the House and 307 Senate bills have passed the Senate. 210 House bills passed both houses, 13 more than the previous report, and 148 Senate bills passed both houses, and that number has not changed since the last report."

Speaker Berentson: "Thank you, Mr. Speaker, I might suggest we inform the Senate of the most recent action regarding passage of these bills."

Speaker Bagnariol: "Perhaps Representatives Polk and King will again inform them."

Speaker Bagnariol called on Mr. O'Brien to preside.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Kreidler:

On page 5, beginning on line 9 after "materials," strike all material down to and including "artificially:" on line 11 and insert "accelerator produced and other naturally occurring radioactive materials which have been removed from their natural environment;"

Representatives Isaacson and Haley spoke in favor of the amendment, and Representatives Nelson (D) and Valle spoke against it.

Mr. Isaacson spoke again in favor of the amendment.

Mr. Kreidler spoke in favor of the amendment, and Mr. Douthwaite spoke against it.

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

The amendment was adopted.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Kreidler:

On page 6, beginning on line 7 after "evaluate" strike all material down to and including "state." on line 8 and insert "the public health hazards associated with ionizing radiation."

Mr. Isaacson spoke in favor of the amendment.

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

Mr. Nelson (D) spoke against the amendment.

## POINT OF ORDER

Mr. Isaacson: "I believe he's impugning the motives of two representatives who have agreed to study the issue and provide the amendments that would make this bill what it is meant to be."

The Speaker (Mr. O'Brien presiding): "I don't believe he's impugning your motives. Legislators do have some latitude in discussing issues and I don't believe, in this instance, your motives have been impugned."

Mr. Nelson (D) continued his remarks in opposition to the amendment, and Mr. Douthwaite also spoke against it.

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Whiteside.

Mr. Whiteside: "Representative Isaacson, is it true that the Department of Social and Health Services has worked with you on these amendments and feels assured that this is not going to limit its ability to deal with these radiations?"

Mr. Isaacson: "Yes."

Representatives Whiteside and Kreidler spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. May.

Mr. May: "I talked to the Department of Labor and Industries about this when the bill was presented to our committee, and they informed me they took care of anything with a high radiation value to it and DSHS took care of small appliances. So now are we asking DSHS to take every phase of radiation?"

Mr. Isaacson: "I can't answer that in its entirety. All I can address is the question of the powers DSHS need in order to provide emergency monitoring in the state of Washington should an emergency arise. This legislation will give them the authority to set up these programs to provide protection to the people of the state."

Mr. May: "But the Department of Labor and Industries has said it wants to retain what it has and it would like an overlapping with DSHS because it is getting along very fine now. Where one leaves off, the other starts, and they'd like to not change this pattern. Would this change that?"

Mr. Isaacson: "That should not affect that. This really gives better emergency preparedness capability and the Department of Labor and Industries would monitor and work locations as they have been doing in the past and that would not change."

Representatives Warnke and Douthwaite spoke against the amendment, and Mr. Isaacson spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Isaacson and Kreidler to page 6, line 7 of Substitute House Bill No. 894, and the amendment was adopted by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Eberle, Fancher, Flanagan, Fuller, Gallagher, Haley, Hastings, Houchen, Hurley, Isaacson, Kreidler, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Lux, May, Monohon, Nelson D., North, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Deccio, Dunlap, Grengo, Maxie.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Kreidler:

On page 6, beginning on line 11 after "respond to" strike all material down to and including "actual" on line 12 and insert "emergencies which will involve"

Representatives Isaacson, Kreidler, Sommers and Oliver spoke in favor of the amendment, and Representatives Nelson (D) and Douthwaite spoke against it.

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

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Isaacson and Kreidler to page 6, line 11 of Substitute House Bill No. 894, and the amendment was adopted by the following vote: Yeas, 62; nays, 35; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Becker, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Grimm, Haley, Hastings, Heck, Houchen, Isaacson, Keller, Kreidler, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Gruger, Hughes, Hurley, Jovanovich, King, Knowles, Lux, Maxie, May, Monohon, Nelson D., North, Pruitt, Scott, Sherman, Smith R., Thompson, Valle, Warnke.

Not voting: Representative Greengo.

On motion of Mr Zimmerman, the following amendment by Representatives Kreidler and Zimmerman was adopted:

On page 8, line 25 after "(4)" strike the balance of the subsection and insert "Radio, television, telephone and microwave transmissions by radio and television stations and telephone common carriers licensed or authorized by the federal communications commission or the Washington utilities and transportation commission."

On motion of Mr. Isaacson, the following amendment to the title was adopted:

On page 1, beginning on line 1 of the title after "radiation;" strike all material down to and including "70.98.010;" on line 3.

Substitute House Bill No. 894 was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 894 was placed on final passage.

Representatives Kreidler, Isaacson and Zimmerman spoke in favor of the bill, and Mr. Douthwaite spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 894, and the bill passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Dunlap, Eberle, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Brekke, Douthwaite, Erak, Lux, Nelson D., Valle.

Not voting: Representatives Craswell, Deccio, Greengo, Keller, Vrooman.

Engrossed Substitute House Bill No. 894, having received the 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. 1109, by Representatives Oliver, Bender, Schmitten, Bond and Dawson:

Appropriating funds for emergency preparedness programs.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1109 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Greengo.

House Bill No. 1109, having received the 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. 1147, by Representatives Walk, Schmitt, Pruitt, Fancher, Hughes, Haley, Grimm, Brown and Adams:

Creating a state-wide grand jury to investigate certain crimes or wrongs.

The bill was read the second time.

On motion of Mr. Newhouse, Substitute House Bill No. 1147 was substituted for House Bill No. 1147, and the substitute bill was placed on the calendar for second reading.

On motion of Mr. Tilly, the following amendment by Representatives Tilly, Deccio, Walk and Ehlers was adopted:

On page 2, following line 8 insert a new subsection as follows:

"(3) All of the information and data collected and processed by the organized crime advisory board and the petition filed with the supreme court shall be confidential and not subject to examination or publication pursuant to chapter 42.17 RCW (Initiative Measure No. 276), as now existing or hereafter amended, except as provided by rules of the supreme court of Washington in the case of the petition."

Substitute House Bill No. 1147 was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1147 was placed on final passage.

Representatives Walk, Haley and Newhouse spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Haley yielded to question by Mr. Walk.

Mr. Walk: "Representative Haley, just to clarify something. In your comments were you meaning to prejudge the individuals currently under trial in San Francisco?"

Mr. Haley: "I certainly was not. I didn't mean to prejudge anybody there. I hope they are all found to be innocent."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1147, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Greengo, Zimmerman.

Engrossed Substitute House Bill No. 1147, having received the 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. 1239, by Representatives King, Haley, Adams, Scott, Nelson (G.A.), Bender, Gruger, Whiteside and Charnley:

Authorizing a six-year levy solely for emergency medical services upon approval by the voters of cities, counties, towns and other taxing districts.

The bill was read the second time.

On motion of Ms. Sommers, Second Substitute House Bill No. 1239 was substituted for House Bill No. 1239, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1239 was read the second time.

Mr. Schmitten moved adoption of the following amendments by Representatives Schmitten, Whiteside, Charnley, King and Zimmerman:

On page 1, line 7 strike "county road district" and insert "emergency medical service district"

On page 2, after line 26 insert a new section as follows:

**"NEW SECTION. Sec. 2.** There is added to chapter 36.32 RCW a new section to read as follows:

A county legislative authority may adopt an ordinance creating an emergency medical service district in all or a portion of the unincorporated area of the county. The ordinance may only be adopted after a public hearing has been held on the creation of such a district and the county legislative authority makes a finding that it is in the public interest to create the district. The members of the county legislative authority shall be the governing body of the emergency medical service district.

An emergency medical service district shall be a quasi-municipal corporation and an independent taxing 'authority' within the meaning of Article VII, section 1, Washington State Constitution. Emergency medical service districts shall also be 'taxing authorities' within the meaning of Article VII, section 2, Washington State Constitution.

An emergency medical service district shall have the authority to provide emergency medical services."

Representatives Schmitten, Sommers and Charnley spoke in favor of the amendments, and they were adopted.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Nelson (G.A.) and Craswell:

On page 1, line 13 strike "(a)" and beginning on line 30 strike all material down to and including "exceeded." on page 2, line 5.

Ms. Sommers spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Sommers, I appreciate this may not be directly involved with this amendment, and yet it is when you talk about the 1 percent limitation. How does this bill with your amendment here, get around the constitutional provision in Article VII, section 2, that says such levy should not be submitted more than twelve months prior to the date the proposed levy is to be made? If you're going to make a six-year levy, obviously five years of those are going to be beyond that twelve-month requirement."

Ms. Sommers: "Representative Newhouse, I believe the article you are reading applies to special levies. This is a regular levy."

Mr. Newhouse: "I would believe not. It must be voted, doesn't it?"

Ms. Sommers: "Yes, but this is a new animal that we've created here and it's within the definition of regular levies that do require a vote."

Mr. Flanagan spoke against the amendment.

The amendment was adopted.

On motion of Ms. Craswell, the following amendment by Representatives Craswell, Nelson (G.A.) and Sommers was adopted:

On page 2, line 25 after "to" strike "a" and insert "the initial"

On motion of Mr. Charnley, the following amendment by Representatives Charnley and Zimmerman was adopted:

On page 2, after line 26 insert a new section as follows:

**"NEW SECTION. Sec. 2.** 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 motion of Mr. Schmitt, the following amendment to the title was adopted:

On page 1, line 1 of the title after "government;" insert "adding a new section to chapter 36.32 RCW;"

Second Substitute House Bill No. 1239 was ordered engrossed.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Newhouse spoke against the motion, and Mr. Nelson (G.A.) spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Second Substitute House Bill No. 1239 on final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 82; nays, 14; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Douthwaite, Ehlers, Erak, Erickson, Fancher, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Sherman, Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Blair, Bond, Clayton, Dawson, Dunlap, Eberle, Eng, Flanagan, Fuller, Hastings, Knowles, Newhouse, Smith C. P., Struthers.

Not voting: Representatives Greengo, Scott.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1239.

Representatives Nelson (G.A.) and Schmitt spoke in favor of the bill, and Mr. Flanagan spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1239, and the bill passed the House by the following vote: Yeas, 83; nays, 13; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Blair, Bond, Clayton, Eng, Flanagan, Hastings, McGinnis, Newhouse, Polk, Smith C. P., Sprague, Struthers.

Not voting: Representatives Eberle, Greengo.

Engrossed Second Substitute House Bill No. 1239, having received the 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 change my vote on Engrossed Second Substitute House Bill No. 1239 from "nay" to "yea."

WALT SPRAGUE, 21st District.

#### MOTION

On motion of Mr. King, the House recessed until 2:00 p.m.

## AFTERNOON

The House was called to order at 2:00 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Granlund, who was excused.

HOUSE JOINT RESOLUTION NO. 22, by Representatives O'Brien, Zimmerman, Garrett, Nelson (G.A.), Sommers, Bauer, Galloway, Teutsch, Heck and Taller:

Providing the means to pay the indebtedness on public development projects.

The resolution was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 21st Day ex. sess., April 10, 1979.)

Ms. Sommers moved adoption of the first committee amendment to page 1, line 12.

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Thompson.

Mr. Thompson: "I understand this is a reference to project boundaries, but are the boundaries a project defined in this act?"

Ms. Sommers: "There is no definition of project boundary in the act."

The committee amendment was adopted, and on motion of Ms. Sommers, the second committee amendment was also adopted.

Mr. Flanagan moved adoption of the following amendment:

On page 1, line 14 after "project." insert "A taxing district shall not pledge funds from any state or local tax source other than the taxes derived from the previously mentioned increase in true and fair value for repayment of public indebtedness incurred for the project."

Mr. Flanagan spoke in favor of the amendment, and Representatives Zimmerman and O'Brien spoke against it.

## POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Patterson.

Mr. Patterson: "If this is enacted would it, in any way, impact the general fund of the state of Washington under the current tax laws as they now exist?"

Mr. O'Brien: "No, because it freezes the revenue now and gives them project areas. They have the increased revenue that would be derived from the increased valuation of the properties that are increased by the redevelopment projects. The tax revenue itself at the present time would not suffer. We know that if this type of amendment is approved by the people, you have another implementation statute that would be adopted, but the intention, at the present time, is not to see the state's revenues suffer at any time, in any way, shape or form."

## POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Patterson.

Mr. Patterson: "Do you see this in the same way that Representative O'Brien does?"

Mr. Flanagan: "No, I do not, because the way this is worded it includes all taxing districts, including the state, which, therefore, means the property taxes collected by the state, and, as you know, that goes for the public schools and that revenue would be frozen right along with the rest of the taxing districts. Any increase coming from that would be diverted to these projects. As you will note, if you read the amendment, there's no area defined in this amendment. It could be a city; it could be a county; it could be two counties or the whole west side of the state of Washington, so when you're impacting this state-collected property tax, it's obviously affecting the state revenue."

Mr. O'Brien: "Well, Representative Patterson, of course, if you didn't have a redevelopment project you wouldn't have any additional income to worry about and so you remain status quo. If you remain status quo, you wouldn't have any revenue. All we're talking about is a given project area and to talk about the whole state of Washington is absolutely ridiculous. It

takes a given city, like Spokane, Tacoma, Everett or Vancouver. It would set up a given project area and then this area would have to be financially sound before bond counsel would ever get involved with issuing bonds. Then you have the state counsel people, the local government officials involved with this, and so it would be tight restricted area that would have to show that increased revenue would be able to fund the projects. Getting back to the original thought here, if you don't have the project to do, you're not going to have the increased revenue anyway. If you do permit the cities to have something like this, the cities will be able to pay off their cost of the improvements. That's all this is about."

Mr. Patterson: "What you're suggesting is that it would have to be some kind of an implementing bill that will be, specifically, to the point. If this were passed by the people, and I'm wondering, is there an implementing bill under consideration at the present time?"

Mr. O'Brien: "At the present time the implementing bill hasn't been put together, but I can assure you that states like Minnesota and Oregon, that have operated on this type of a vehicle as a financial tool for many years, have consulted with us and people involved throughout the state as well. So as far as putting it together, that would be after the people approve this constitutional amendment. I'm sure the Legislature, in its wisdom, will be able to take care of all the things you are talking about."

Representatives Bauer, Charnley, Galloway and Smith (R) spoke against the amendment, and Representatives Addison and Craswell spoke in favor of it.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Addison.

Mr. Addison: "Representative Flanagan, is there anything in your amendment that would preclude the use of federal funds?"

Mr. Flanagan: "No, I specifically restricted this amendment to the state and local general revenue. It would not prevent the use of federal funds."

Representatives Zimmerman and Barnes spoke against the amendment.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. McGinnis.

Mr. McGinnis: "Representative O'Brien, I was reading it here and the bill states, 'that the real property tax levied against any increase in the true and fair value of the property which may be reasonably construed to have arisen from the public development or redevelopment...'. It sounds to me like had this method been used the fact is the City of Spokane, within that taxing district, would have had the future growth of that tax base bonded under the use of this program, plus, of councilmatic bonds were passed, the taxes derived by the city would be used. I'm assuming that you were adding another means of tax collection, in sort of a subtle way. Would that happen, or am I incorrect?"

Mr. O'Brien: "That's the basic premise back of this. If you increase revenue from the increased valuation of the property and weren't able to fund the indebtedness the city incurred for the project, then they could either use councilmatic bonds or general obligation bonds or revenue bonds to help fund it. The Flanagan amendment is going to restrict it. I don't know what project you have in mind, but I know one of your city councilmen from Spokane came over and spoke in favor of this constitutional amendment in order to be able to use it as a vehicle to fund some project in Spokane. That's the primary purpose of this. The increased taxes derived from the community project development district would be used over and above the freeze of the taxes that they do levy and pay now. That increased increment would be used to pay off the bond indebtedness."

Mr. McGinnis spoke in favor of the amendment.

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

Mr. Flanagan spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Flanagan to House Joint Resolution No. 22, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57 not voting, 1.

Voting yea: Representatives Addison, Amen, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, Hughes, Hurley, Isaacson, May, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taylor, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Grengo, Grimm, Gruger, Haley, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representative Granlund.

On motion of Ms. Sommers, the following amendment was adopted:

On page 1, line 10 after "that" insert "all or a portion of"

House Joint Resolution No. 22 was ordered engrossed.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 22 be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed House Joint Resolution on final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 71; Nays, 24; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Grengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eberle, Eng, Fancher, Flanagan, Fuller, Hastings, Mitchell, Newhouse, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P.

Not voting: Representatives Granlund, Tilly, Wilson.

Speaker Bagnariol declared the question before the House to be the final passage of Engrossed Substitute House Joint Resolution No. 22.

Representatives O'Brien, Charnley, Galloway, Zimmerman and Teutsch spoke in favor of the resolution, and Representatives Dunlap, McGinnis, Berentson and Flanagan spoke against it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "Mr. Speaker, how many votes are required to pass this resolution?"

Speaker Bagnariol: "Sixty-six votes."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 22, and the resolution passed the House by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Grengo, Grimm, Gruger, Haley, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Addison, Berentson, Bond, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eberle, Eng, Fancher, Flanagan, Hastings, Houchen, Hughes, Hurley, Isaacson, May, McCormick, McGinnis, Newhouse, Oliver, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Tilly, Wilson.

Not voting: Representative Granlund.

Engrossed House Joint Resolution No. 22, having received the constitutional majority, was declared passed.

## MOTION

On motion of Mr. Bauer, Engrossed House Joint Resolution No. 22 was ordered transmitted immediately to the Senate.

## SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 57,  
 HOUSE BILL NO. 101,  
 HOUSE BILL NO. 330,  
 HOUSE BILL NO. 338,  
 HOUSE BILL NO. 424,  
 SUBSTITUTE HOUSE BILL NO. 459,  
 SUBSTITUTE HOUSE BILL NO. 504,  
 SUBSTITUTE HOUSE BILL NO. 697,  
 SUBSTITUTE SENATE BILL NO. 2058,  
 SUBSTITUTE SENATE BILL NO. 2197,  
 SUBSTITUTE SENATE BILL NO. 2422.

## MOTION

Mr. King moved that the Rules Committee be relieved of HOUSE BILL NO. 1036, and the bill be placed at the top of today's second reading calendar.

Mr. King spoke in favor of the motion, and Speaker Berentson spoke against it.

## POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I don't think Representative Berentson is speaking to the motion by Representative King to relieve the Rules Committee of this bill.

Speaker Berentson continued his remarks in opposition to the motion.

## POINT OF ORDER

Ms. Sommers: "That was the most blatant impugning of motives I've ever heard."

Speaker Bagnariol: "Representative Berentson, you should confine your remarks to the subject of relieving the Rules Committee of House Bill No. 1036, which is a title only bill relating to energy."

Mr. Berentson continued his remarks against the motion.

Ms. McCormick spoke in favor of the motion.

## POINT OF ORDER

Mr. Newhouse: "It would appear that the member is not speaking to the motion before the body. The motion is to relieve the Rules Committee of a title only bill and she is straying far from that motion."

Speaker Bagnariol: "She's answering Representative Berentson's question of what would be hung on the title only or attempted to be hung when the problem is on the floor. She was only speaking to what the amendment would be, so you would realize why you'd want the title only out here."

Ms. McCormick continued her remarks in favor of the motion.

## POINT OF ORDER

Speaker Berentson: "Let me point out again, the motion is to take a title only bill that happens to have an energy title on it. I don't see how you can possibly think that a member can stand and explain what the intent is. Why doesn't your member, or leadership, produce what you intend to do with this? You could have placed it on our desks."

Speaker Bagnariol: "Representative Berentson, the point of order you are making has nothing to do with the resolution."

Speaker Berentson: "The point of order I'm making is that Representative McCormick cannot speak to an issue that doesn't exist. All that's on the floor right now is the motion to relieve the Rules Committee of a title only bill and place it before the body. I think we ought

to just vote that up or down and if you want, later today or tomorrow, to explain to the body what you have in mind, we might very well want to take a look at that."

Speaker Bagnariol: "She is very patiently trying to explain without being a proponent of the proposed amendment to the title only, so you will be aware of what effort would be made to make that title only into an outstanding piece of legislation."

Speaker Berentson: "We have many title only bills floating around here, I realize, but the usual procedure is to have an agreement between both caucuses before we move any title only bill from any committee or the Rules Committee. I would suggest, unless you prefer to make this a strictly partisan issue—and looking back over the last several months, you've joined with us, Speaker Bagnariol—in criticizing the lack of administration on the part of our Governor..."

#### POINT OF ORDER

Mr. Salatino: "I'm not sure if Speaker Berentson is giving a major state of the state here, or speaking to a point of order. I would hope he'd keep his comments directly to what, I gather, we are talking about."

Speaker Bagnariol: "That's how I feel."

Speaker Berentson continued his remarks.

#### POINT OF INQUIRY

Ms. McCormick yielded to question by Mr. Martinis.

Mr. Martinis: "Representative McCormick, with all this debate on points of order and all these kinds..."

#### POINT OF ORDER

Speaker Berentson: "What kind of deal is this?"

Speaker Bagnariol: "He didn't even ask the question yet."

Speaker Berentson: "He's not questioning. I didn't hear him refer to the title only bill that's before us. You know if he wants a point of personal privilege or something like that, he can get up and state what he wants to state to the body, rather than having Representative McCormick state it, but this is an unusual procedure also. We never use this question and answer routine on a measure like this which is no more than a motion to bring a title only out."

Speaker Bagnariol: "The members, Representative Berentson, are making a desperate effort to try to let the other members of the body understand what they would like to do with this piece of legislation. To just pull a title only without knowing what might be attempted to be put on that title only, would not be in fairness to open government, allowing no one to know just exactly what the intent is."

Speaker Berentson: "If I might just state that we all know we have an energy problem. The administration of the Energy Office..."

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, Speaker Berentson got up to raise a point of order on what I was almost ready to say. He was making an assumption, and now he's making a major political speech on the energy issue."

Speaker Berentson: "All I'm suggesting is that the motion is out of order because we don't have anything before us. The language is nonexistent..."

#### POINT OF ORDER

Mr. Salatino: "Again I don't know what Representative Berentson is speaking to. His point of order was in relation to Representative Martinis' attempt to ask a question of Representative McCormick. I wish you would rule on that so Representative McCormick will know whether to answer the question or not."

Speaker Bagnariol: "I do think before you make another point of order, Representative Berentson, you ought to at least listen to Representative Martinis' question and then you and I can, jointly, rule on whether or not his question would be out of order. I've got about fifteen points of order that are unrulod on."

## POINT OF PARLIAMENTARY INQUIRY

Mr. King: "I'm wondering, when determining what the purpose of debate is on a title only, whether or not just a simple subject matter would be an explanation of why the title only was brought from committee?"

Speaker Bagnariol: "When a title only is relieved from the Rules Committee, the Rules Committee is advised of what subject matter is intended to be placed on that title only. That procedure has been attempted here on the floor with the entire body as opposed to just the Rules Committee, but it's not a different procedure than when we have a title only relieved from the Rules Committee by a vote of that committee."

Mr. Martinis: "Representative McCormick, so that the body can understand what this is all about, so that we can find out what the intent is, would you state..."

## POINT OF ORDER

Speaker Berentson: "I thought he was going to ask Representative McCormick a question."

Speaker Bagnariol: "He's attempting to. He keeps getting interrupted before he can get to it."

Mr. Martinis: "Representative McCormick, can we get to the point so that this body can be better informed on what you have before us and what the intent is of pulling this title only and what you expect to hang on it?"

Ms. McCormick: "What I intend to put on the title only is the creation of an energy advisory council to be comprised of five members appointed by the Governor and four legislative members who would serve on the council..."

## POINT OF ORDER

Speaker Berentson: "Representative McCormick is breaking a House rule. She is reading a paper without the consent of the body."

Speaker Bagnariol: "With the consent of the body, she will read the paper."

Speaker Berentson: "We don't think we want to give her that consent."

Speaker Bagnariol: "She doesn't need to read the paper. Continue, Representative McCormick."

Ms. McCormick: "They will serve in an ex officio manner, the four legislative members that shall be appointed to this council. This is not a hoax. This is something I hope we can all get together on and resolve. Also, of the five members appointed by the Governor, there will be one from the public owned utilities, one from the private owned utilities, a member of labor, two from the university and a public member. This council will have the expertise that is so badly needed by the committee to help us resolve some of these problems..."

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, I think all that was called for was what the subject matter was. We heard it was for an energy advisory committee and I think that's all the House needs to hear. Now she's going into debating the issue and talking about all the individual points of this bill."

Speaker Bagnariol: "Please confine your remarks to the explanation of what the bill would do."

Ms. McCormick: "This bill, hopefully, will help us resolve the problems. It's very important to resolve this situation. I hope you will let us have the title only bill so we can amend it, as you see fit and let us get an energy bill out this session."

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. King.

Mr. King: "Representative Martinis, could you explain to the body the duties and responsibilities of the advisory committee and what subject matters they might be able to deal with and so on?"



## POINT OF ORDER

Speaker Berentson: "Representative King is clearly violating the intent of our House rules in the use of a question. Questions are usually asked to establish legislative intent and I think he is abusing that intent at this point. I think all of us have a suspicion as to what you really intend. I'm a little disappointed with this motion, frankly. We had the agreement of the Democratic Speaker just a few days ago on the resolution and..."

## POINT OF ORDER

Mr. King: "Mr. Speaker, he is giving a speech completely unrelated to the point."

Speaker Bagnariol: "Just for clarification, it seems to me we've gone far astray. We have a motion before us to relieve the Rules Committee of House Bill No. 1036, which is a title only. There has been a sincere effort to try to explain what the intent of that motion would be by explaining the subject matter, which I think is very legitimate."

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, sometime ago we had a lot of conversation about the duties of a presiding officer and the duties of a floor leader and making speeches about how justified a certain effort is or how sincere it is, is not what we had in mind as the duty of a presiding officer, but should be more that of a floor leader."

Speaker Bagnariol: "I agree with that, Representative Polk. We've sincerely made no effort to have the presiding officer give a speech."

Mr. Polk: "You agree he's out of order?"

Speaker Bagnariol: "No, I do not."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Warnke: "Mr. Speaker, would you explain to me just exactly what is intended by the motion that's on the floor and what the effect of that would be?"

Speaker Bagnariol: "The motion before us is to bring a title only bill, House Bill No. 1036, from the Rules Committee and place it at the top of the second reading calendar for the purpose of amending that title only bill with a piece of legislation which, in effect, establishes an energy advisory council comprised of..."

## POINT OF ORDER

Speaker Berentson: "I thought Representative Polk explained the Speaker just can't make speeches."

Speaker Bagnariol: "I'm not making a speech. I'm trying to answer the parliamentary inquiry."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

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

Speaker Bagnariol stated the question before the House to be the motion by Representative King that the Rules Committee be relieved of House Bill No. 1036, and the bill be placed on the calendar for second reading.

## ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of House Bill No. 1036, and the motion was lost by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Granlund.

On motion of Mr. Newhouse, House Bill No. 1036 was rereferred to Committee on Energy and Utilities.

### SENATE AMENDMENTS TO HOUSE BILL

April 23, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 291 with the following amendments:

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

"Section 1. Section 82.32.030, chapter 15, Laws of 1961 as amended by section 77, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.030 are each amended to read as follows:

If any person engages in any business or performs any act upon which a tax is imposed by the preceding chapters, he shall, whether taxable or not, under such rules and regulations as the department of revenue shall prescribe, apply for and obtain from the department (~~upon payment of a fee of one dollar;~~) a registration certificate upon making a nonrefundable deposit of twenty-five dollars which shall be credited to the taxpayer's account. Such registration certificate shall be personal and nontransferable and shall be valid as long as the taxpayer continues in business and pays the tax accrued to the state. In case business is transacted at two or more separate places by one taxpayer, a separate registration certificate for each place at which business is transacted with the public shall be required, but, for such additional certificates no (~~fee~~) deposit shall be required. Each certificate shall be numbered and shall show the name, residence, and place and character of business of the taxpayer and such other information as the department of revenue deems necessary and shall be posted in a conspicuous place at the place of business for which it is issued. Where a place of business of the taxpayer is changed, the taxpayer must return to the department the existing certificate, and a new certificate will be issued for the new place of business free of charge. No person shall engage in any business taxable hereunder without being registered in compliance with the provisions of this section, except that the department, by general regulation, may provide for the issuance of certificates of registration to temporary places of business without requiring the (~~payment of any fee~~) deposit.

Sec. 2. Section 82.32.130, chapter 15, Laws of 1961 as last amended by section 81, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.130 are each amended to read as follows:

Notwithstanding any other law, any notice or order required by this title to be mailed to any taxpayer may be served in the manner prescribed by law for personal service of summons and complaint in the commencement of actions in the superior courts of the state, but if the notice or order is mailed, it shall be (~~sent by mail~~;) addressed to the address of the taxpayer as shown by the records of the department of revenue, or, if no such address is shown, to such address as the department is able to ascertain by reasonable effort. Failure of the taxpayer to receive such notice or order whether served or mailed shall not release the taxpayer from any tax or any increases or penalties thereon.

Sec. 3. Section 82.32.340, chapter 15, Laws of 1961 as last amended by section 184, chapter 151, Laws of 1979 and RCW 82.32.340 are each amended to read as follows:

Any tax or penalty which the department of revenue deems to be uncollectible, may be transferred from accounts receivable, subject to approval by the director of financial management, to a suspense account and cease to be accounted an asset (~~(-PROVIDED, That).~~) Any item transferred shall continue to be a debt due the state from the taxpayer and may at any time within twelve years from the filing of a warrant covering such amount with the clerk of the superior court be transferred back to accounts receivable for the purpose of collection (~~(-PROVIDED FURTHER, )~~). The department of revenue may charge off as finally uncollectible any tax or penalty which it deems uncollectible at any time after twelve years from the date (~~(of the filing of a warrant covering such tax and penalty with the clerk of the superior court after)~~) that the last tax return for the delinquent taxpayer was or should have been filed if the department of revenue and the attorney general are satisfied that there are no available and lawful means by which such tax or penalty may thereafter be collected.

After any tax or penalty has been charged off as finally uncollectible under the provisions of this section, the department of revenue may destroy any or all files and records pertaining to the liability of any taxpayer for such tax or penalty.

The department of revenue, subject to the approval of the state records committee, may at the expiration of five years after the close of any taxable year, destroy any or all files and records pertaining to the tax liability of any taxpayer for such taxable year, who has fully paid all taxes, penalties and interest for such taxable year, or any preceding taxable year for which such taxes, penalties and interest have been fully paid. In the event that such files and records are reproduced on film pursuant to RCW 40.20.020 for use in accordance with RCW 40.20.030, the original files and records may be destroyed immediately after reproduction and such reproductions may be destroyed at the expiration of the above five year period, subject to the approval of the state records committee.

Sec. 4. Section 82.32.060, chapter 15, Laws of 1961 as last amended by section 17, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.060 are each amended to read as follows:

If, upon receipt of an application by a taxpayer for a refund or for an audit of his records, or upon an examination of the returns or records of any taxpayer, it is determined by the department that within the (~~two years immediately preceding the receipt by the department of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding~~

the commencement by the department of such examination;)) statutory period for assessment of taxes prescribed by RCW 82.32.050 a tax has been paid in excess of that properly due, the excess amount paid within such period ((of two years)) shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at his option. ((Except as to the utilization by the taxpayer of the credits in computing tax authorized by RCW 82.04.435, application for which credits must be made within two years of payment of the taxes giving rise to such credits, no refund or credit shall be allowed with respect to any payments made to the department more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the department for such statutory assessment period;)) No refund or credit shall be made for taxes paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or subcontracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the department within one year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four years of the date on which the tax was paid: **PROVIDED**, That no interest shall be allowed on such refund.

Any such refunds shall be made by means of vouchers approved by the department and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer, shall be paid in like manner, upon the filing with the department of a certified copy of the order or judgment of the court. Except as to the credits in computing tax authorized by RCW 82.04.435, interest at the rate of three percent per annum shall be allowed by the department and by any court on the amount of any refund or recovery allowed to a taxpayer for taxes, penalties, or interest paid by him after May 1, 1949, and interest at the same rate shall be allowed on any judgment recovered by a taxpayer for taxes, penalties, or interest paid after such date.

**NEW SECTION, Sec. 5.** Notwithstanding any provision of law to the contrary, in the event any county treasurer has not provided tax statements to taxpayers in his county prior to April 1, 1979, such treasurer shall provide such statements as soon thereafter as is practicable, and such taxes shall be due and payable on the thirtieth day following the mailing of such tax statements after which date, and not before, all taxes on real and personal property in such county shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon such unpaid taxes and upon unpaid personal property taxes from the date of delinquency until paid: **PROVIDED**, That when the total amount of tax on any lot, block or tract of real property payable by one person is ten dollars or more and if one-half of such tax be paid on or before the said due date, then the time for payment of the remainder thereof shall be extended and said remainder shall be due and payable on or before the thirty-first day of October following, after which date such remaining one-half shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon said remainder from the date of delinquency until paid: **PROVIDED, FURTHER**, That when the total amount of personal property taxes falling due in any year, payable by one person, is ten dollars or more, and if one-half of such taxes be paid on or before said due date then the time for payment of the remainder thereof shall be extended and said remainder shall be due and payable on or before the thirty-first day of October following, after which date such remaining one-half shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon said remainder from the date of delinquency until paid: **PROVIDED, FURTHER**, That this section shall expire on December 31, 1979. This section 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. 6.** The provisions of chapter 82.32 RCW, insofar as applicable, shall have full force and application with respect to the tax imposed under RCW 82.04.291, as amended and recodified.

Any reference in chapter 6, Laws of 1979 or any other statute to RCW 82.04.291 shall be deemed to apply to RCW 82.04.291 as renumbered and recodified as a section of chapter 84.33 RCW.

This section 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, on line 1 of the title, after "taxation;" insert "amending section 82.32.030, chapter 15, Laws of 1961 as amended by section 77, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.030; amending section 82.32.060, chapter 15, Laws of 1961 as last amended by section 17, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.060; amending section 82.32.130, chapter 15, Laws of 1961 as last amended by section 81, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.130; amending section 82.32.340, chapter 15, Laws of 1961 as last amended by section 184, chapter 151, Laws of 1979 and RCW 82.32.340; creating new sections; and declaring an emergency."

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 Substitute House Bill No. 291.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 291 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 291 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Granlund.

Engrossed Substitute House Bill No. 291 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.

## MOTIONS

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

Mr. Polk moved that the House immediately consider House Resolution No. 79-47.

## POINT OF PERSONAL PRIVILEGE

Mr. King: "We usually adjourn at 3:30 p.m. It is now 3:30 and there are at least one hundred and fifty people here waiting for a Transportation Committee hearing..."

## POINT OF ORDER

Speaker Berentson: "That is not a point of personal privilege. He's abusing that procedure. We have now been very patient for three days, but we have been promised without any question that we would run resolutions on the eighth order of business today. It seems somehow that commitment hasn't been made and those people will have to wait for a period of time; it this is more important, we think, that we resolve this issue than to take the gamble of maybe having two or three more days go by before we get to the energy issue here."

Speaker Bagnariol: "I think Representative King's point of personal privilege was so those who have come to Olympia to testify before the Transportation Committee will understand why they are waiting."

Speaker Berentson: "But, Mr. Speaker, that is not a point of personal privilege."

Speaker Bagnariol: "Representative King has very strong feelings for the citizens and voters of this state and that is personal."

Mr. King: "There is another aspect to the point of personal privilege and that's sometimes called a group privilege. I'd like to explain to this body why it is that we are not moving to adjourn at this time. It is so that we will have an opportunity to hear this resolution. They prefer that it not be delayed until tomorrow morning."

Mr. Polk spoke in favor of the motion.

#### POINT OF PERSONAL PRIVILEGE

Mr. Pruitt: "We're talking about a resolution that has a higher number than one that I presented. The motion was to take up that resolution first..."

#### POINT OF ORDER

Mr. Polk: "Mr. Speaker, my motion was to consider House Floor Resolution No. 79-47. No point of personal privilege is involved in that; it's strictly a motion."

#### SPEAKER BAGNARIOL'S RULING

Speaker Bagnariol: "Your point is well taken, Representative Polk. Representative Pruitt, Representative Polk did move to immediately consider House Resolution No. 79-47 and that is the motion currently before us."

Mr. Polk spoke again in favor of the motion.

#### POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I've been trying to read this resolution they are talking about and I don't see anything in there that addresses what Representative Polk has been referring to. I wish he would speak to the point so we could get out of here."

Speaker Bagnariol: "Your point is well taken."

The motion was carried.

#### RESOLUTION

HOUSE RESOLUTION NO. 79-47, by Representatives Houchen, Teutsch and Chandler:

WHEREAS, The House of Representatives of the State of Washington recognizes the need to develop a comprehensive master plan on energy for this state setting forth a consistent, coordinated plan for the discovery, development, management and efficient use of energy; and

WHEREAS, Many of the current laws and policies of this state and its subdivisions were made upon the assumption the energy would remain plentiful and inexpensive; and

WHEREAS, A comprehensive study of this state's laws and policies is a necessary pre-condition to effective energy planning; and

WHEREAS, There is a critical need to redefine and revamp the duties and powers of our state energy office; and

WHEREAS, This state's energy plan must actively promote the discovery and development of new energy sources as well as increased efficiency in the use of current supplies; and

WHEREAS, There is a need for assistance and advice in creating an energy plan from legislators; representatives of state utilities; private utilities; gas companies; the Energy Office; the Department of Revenue; the Department of Transportation; persons selected by the governor; local government officials; labor, business, agriculture, mining interests; the tourist industry and educators; and

WHEREAS, The planning body must have the assistance of full-time professional staff and a competent director;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington hereby directs the standing Committee on Energy and Utilities to appoint a six-member subcommittee to develop a comprehensive master plan on energy which will place primary emphasis on assisting and encouraging the private sector of our economy to discover, develop, manage and efficiently use energy; and

BE IT FURTHER RESOLVED, That the subcommittee on Energy and Utilities shall begin a systematic study of all state laws, rules and regulations which appear to discourage discovery, development, management, and efficient use of energy; and

BE IT FURTHER RESOLVED, That the subcommittee shall form an advisory board which shall include legislators; representatives of state utilities; private utilities; gas companies; the Energy Office; the Department of Revenue; the Department of Transportation; persons selected by the governor; local government officials; labor, business, agriculture, mining interests; the tourist industry and educators to assist them in creating a fair and workable energy plan; and

BE IT FURTHER RESOLVED, That all of the standing committees of the House shall assist upon request the subcommittee on Energy and Utilities in their efforts of reviewing current statutes and in forming new laws and regulations; and

BE IT FURTHER RESOLVED, That the subcommittee shall examine all existing energy programs being run by the several state agencies with the purpose of consolidating all such programs under one agency; and

BE IT FURTHER RESOLVED, That the comprehensive master plan shall include an analysis of current barriers to energy discovery, development, management, and efficient use; and proposals for changes in tax, regulatory and other laws so as to encourage discovery, development, management, and efficient use of energy; and

BE IT FURTHER RESOLVED, That the comprehensive master plan shall contain a method for a single agency to implement the state master plan; and

BE IT FURTHER RESOLVED, That the proposal for a state energy policy should include but not be limited to the following: coordination of and recommendations concerning the following areas:

(1) Defining terms necessary for effective operational programs such as, but not limited to, solar energy, geothermal energy, biomass fuels, fuels from coal and oil shale, fuel cells and conventional energy systems;

(2) Encouraging the efficient use of energy systems through revised municipal building codes, zoning laws and land use regulations;

(3) Encouraging creation of alternative energy system districts based on potential or use of alternative energy;

(4) Empowering municipalities to use eminent domain for creation and maintenance of suitable uses of alternative energy;

(5) Assuring current and future energy distribution systems; considering emergency fuel distribution programs, facility and transmission line siting regulations, and the transfer of power from one utility to another;

(6) Assuring that public utilities will offer to sell power to, or buy power from qualifying cogenerators or small power producers;

(7) Creating incentives for the conversion of energy-producing facilities from natural gas or petroleum use to use of coal;

(8) Adopting solar, wind, geothermal energy equipment tax credits;

(9) Creating a state sales tax exemption for high efficiency energy systems;

(10) Creating other fiscal incentives for high efficiency energy systems and conservation measures;

- (11) Creating utility conservation program for residential buildings;
- (12) Adopting requirement for each regulatory authority and nonregulated utility to consider applicability of different rates for energy-saving services;
- (13) Providing funds for expanded mass transit and providing incentives for use;
- (14) Creating incentives for car and vanpools;
- (15) Requiring state agencies to adopt procurement practices requiring consideration of energy efficiency and/or life cycle costs;
- (16) Adopting a waste oil recycling program;
- (17) Adopting minimum efficiency standards for newly constructed buildings;
- (18) Adopting energy efficient standards for existing buildings and provide tax incentives to achieve compliance;
- (19) Creating a state alternative energy development corporation to provide fiscal encouragement for alternative energy use;
- (20) Encouraging municipal decision-making in alternative energy use and conservation measures;
- (21) Adopting requirement of energy use for greatest efficiency in all areas of state funding;
- (22) Establishing mechanism to review all laws, ordinances, rules and regulations so as to determine their impact on energy;
- (23) Adopting surcharge for inefficient uses of energy with monies collected to be used for energy research;
- (24) Providing for maximum private enterprise participation in the discovery, development and management of energy; and

BE IT FURTHER RESOLVED, That the subcommittee shall report back to the standing Committee on Energy and Utilities every three months and present a final report to the legislature in January 1980, in the event that a session of the legislature is in January 1980, and in no event shall the final report on the comprehensive energy plan for this state be presented later than January 1981.

#### MOTION

Mr. Martinis moved that the resolution be referred to Committee on Energy and Utilities.

Mr. Haley spoke against the motion.

#### POINT OF ORDER

Mr. Martinis: "The speaker is not addressing the motion that is before us. He is speaking to the merits of the resolution. I'd like to have you restrict his remarks to the merits of the motion that is before us and not to the resolution."

Speaker Bagnariol: "Representative Haley, contain your remarks to the motion, which is to refer the resolution to the Committee on Energy and Utilities. The issue is really not before us at this point."

Mr. Haley continued his remarks against the motion, and Mr. Martinis spoke in favor of it.

Mr. Patterson demanded an electric roll call vote on the motion, and the demand was sustained.

Mr. Pruitt spoke in favor of the motion.

## POINT OF ORDER

Speaker Berentson: "Mr. Pruitt is straying from the motion before us. His resolution is not before us and I don't feel we need an explanation of it."

Speaker Bagnariol: "Contain your remarks to the motion to refer the resolution to committee."

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

Representatives Nelson (D) and King spoke in favor of the motion, and Mr. Polk spoke against it.

## POINT OF PERSONAL PRIVILEGE

Ms. McCormick: "I hope you all noticed, that in the meantime while we've been debating the motion before us, you have had placed on your desks the bill that we would like to put on the title only that we were asking for."

## POINT OF ORDER

Speaker Berentson: "Mr. Speaker, we have a motion before us to send a resolution to the Energy and Utilities Committee, and now we have a point of personal privilege and a speech on an issue we just took care of. I think that's rather unusual."

Speaker Bagnariol: "I only heard her explaining that the paper distributed to your desks was..."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Martinis: "Mr. Speaker, I would like to have you explain to me, and perhaps to the body, under the rules we've been operating on, how long are energy issues still alive?"

Speaker Bagnariol: "They are exempt from the cut-off."

Mr. Martinis: "Mr. Speaker, would that be right to sine die?"

Speaker Bagnariol: "That would be right through sine die."

Mr. Wilson demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion to refer House Resolution No. 79-47 to Committee on Energy and Utilities, and the motion was lost by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taler, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Granlund.

## MOTION

On motion of Mr. Newhouse, the rules were suspended to allow additional sponsors to sign on the resolution.

Representatives Haley, Williams, Isaacson, Bond, Deccio, Tupper, Zimmerman, Smith (C), Oliver, Nisbet, Sprague, Wilson, Sanders, Fuller, Rosbach, Mitchell, Dunlap, Taylor, Dawson and McGinnis signed on the resolution.



## POINT OF ORDER

Mr. Warnke: "Mr. Speaker, Reed's Rule 184 states that whenever a point of order is raised on the conduct or order of business of the house, that the chair shall decide the point of order. This afternoon Speaker Berentson has raised some seven or eight points of order, none of which have been ruled on, and I ask you..."

## POINT OF ORDER

Speaker Berentson: "Mr. Speaker, my point of order is that Representative Warnke has evidently not read the rules. In the appendix to the rules, it points out that whenever a point of order is raised, the House, in effect, will be at ease. It doesn't state that specifically, but we would not proceed until both speakers have agreed. Anytime a point of order is raised that's perfectly legitimate—we've sort of bent that rule, because for some reason we weren't able to get together and establish that point of order—but the end effect is that, if we don't agree, all action ceases on the matter before us."

Mr. Warnke: "That's exactly the point I'm raising. There has been no agreement and no ruling on any points of order that Speaker Berentson raised this afternoon. I'm suggesting, Mr. Speaker, that this body be put at ease and the two speakers go back and rule on every point of order."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

## SPEAKER BAGNARIOL'S RULING

Speaker Bagnariol: "On the points of order raised this afternoon: One-half of them were well taken, and one-half of them were not well taken."

## MOTION

Mr. Amen moved that the House adjourn until 9:30 a.m., Friday, April 27, 1979.

Mr. Amen stated that with the consent of the House, he would withdraw his motion.

Consent of the House was not given, and a division was called.

## ROLL CALL

The Clerk called the roll on the motion for adjournment, and the motion was lost by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Grengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G.A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C., Sprague, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Granlund, Zimmerman.

## MOTION

Ms. Houchen moved adoption of the resolution and spoke in favor of it.

## POINT OF ORDER

Mr. King: "I believe Representative Houchen is reading without the consent of the House."

Speaker Bagnariol: "Representative Houchen, please continue your remarks but refrain from reading the paper."

Ms. Houchen continued her remarks in favor of the resolution.

## POINT OF INQUIRY

Ms. Houchen yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Houchen, I've been reading the resolution, and one of the things you are speaking of doing here is setting up a standing committee that will develop this comprehensive master plan and then you are setting up a subcommittee in the form of an advisory board. You speak of state utilities and private utilities, gas companies, the Energy Office, the Department of Revenue, etc., but nowhere do I see public utilities, which are a major section of energy generators and distributors and sellers in the state. State utilities, I would think, are the operating energy agency, WWPPS, but I'm wondering about all the public utilities, the municipal utilities in the state and the other public bodies that are involved in energy? Did you mean to leave those agencies out of this comprehensive plan?"

Ms. Houchen: "No, I did not. There is another paragraph that says, 'Assuring that public utilities will offer to sell power to, or buy power from...'"

Mr. Nelson (D): "It is true though, would you agree, that public utilities are not included in the advisory board?"

Ms. Houchen: "State utilities are included, Representative Nelson."

Representatives Nelson (D) and Becker spoke against the resolution, and Representatives Haley and Polk spoke in favor of it.

## POINT OF INQUIRY

Mr. Haley yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Haley, Co-chairman of the Energy Committee, one of the sponsors of this resolution, could you tell me, to accomplish this thing by January of 1980, how many full time staffers will it take and how many dollars will it take to accomplish what this resolution has set out to do?"

Mr. Haley: "I couldn't tell you how many dollars. In my own mind I thought maybe four or five, possibly six, staff people to work this thing out. At the present time I would hope that maybe the Senate could participate in it. In fact, I'm sure they could; they've already got many of the answers that are included in it. How many dollars would be needed to pay for four, five or six staffers to work on this? I think you could answer that as well as I."

Mr. Martinis spoke against the resolution, and Speaker Berentson spoke in favor of it.

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

## ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 79-47, and the resolution was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Granlund, Pruitt.

## MOTION

On motion of Mr. Martinis, House Resolution No. 79-47 was referred to Committee on Energy and Utilities.

**MOTION**

On motion of Mr. King, the House adjourned until 10:00 a.m., Friday, April 27, 1979.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## THIRTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 27, 1979.

The House was called to order at 9:30 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Martinis, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rob Herriford and Suzie Klueh. Prayer was offered by The Reverend Charles Loyer of the Westminster Presbyterian Church of Olympia.

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

## REPORT OF STANDING COMMITTEE

April 26, 1979

ENGROSSED SENATE BILL NO. 2473, Prime Sponsor: Senator Lewis, providing for use of moneys derived from sale of state parks' land. 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 43.51.210, chapter 8, Laws of 1965 as last amended by section 1, chapter 246, Laws of 1971 ex. sess. and RCW 43.51.210 are each amended to read as follows:

Whenever the state parks and recreation commission ((funds)) makes a written finding that any land under its control cannot advantageously be used for park purposes, it is authorized to dispose of such land. Such written findings shall include detailed reasons why the land cannot advantageously be used for park purposes. If such lands are school or other grant lands, control thereof shall be relinquished by resolution of the commission to the proper state officials. If such lands were acquired under restrictive conveyances by which the state may hold them only so long as they are used for park purposes, they may be returned to the donor or grantors by the commission. All other such lands may be either sold by the commission to the highest bidder or exchanged for other lands of equal value by the commission, and all conveyance documents shall be executed by the governor. Sealed bids on all sales shall be solicited at least twenty days in advance of the sale date by an advertisement appearing at least in three consecutive issues of a newspaper of general circulation in the county in which the land to be sold is located. If the commission ((feels)) makes a written finding that no bid received adequately reflects the fair market value of the land to be sold, it may reject all bids, and may call for new bids. Such written findings shall include detailed reasons why no bid received by the commission adequately reflects the fair market value of the lands to be sold. All proceeds derived from the sale of such park property shall be paid into the real property acquisition/development accounts in the state general fund. Such an account is hereby created within the general fund for each county within the state. All proceeds derived from the sale of any surplus park property shall be placed within the account of the county where the surplus property is situated. Moneys within these accounts shall be expended for acquisition or development by the commission, in accordance with RCW 43.51.040(4) and (7), of property in the county from which the funds were derived. Moneys within these accounts may also be expended for the administrative costs of disposal of surplus park properties and the administrative costs of acquisition or development. All land considered for exchange shall be evaluated by the commission to determine its adaptability to park usage. The equal value of all lands exchanged shall first be determined by the appraisals to the satisfaction of the commission: PROVIDED, That no sale or exchange of state park lands shall be made without the unanimous consent of the commission and approved by a majority vote of the legislative budget committee. In addition, before disposing of any surplus park property to any person, corporation, firm, organization, or other nongovernmental entity, the commission shall give the right to purchase the property to each governmental entity which has jurisdiction in the county wherein the property is located and which agrees to pay the fair market value for the property. In acquisitions authorized by this section, the power of eminent domain shall not be exercised unless agreed to by the seller and buyer for the purpose of determining price: PROVIDED, That this section shall not authorize the commission to sell any property which is part of Riverside state park.

Sec. 2. Section 4, chapter 10, Laws of 1979 and RCW 43.51.040 are each amended to read as follows:

The commission shall:

(1) Have the care, charge, control, and supervision of all parks and parkways acquired or set aside by the state for park or parkway purposes.

(2) Adopt, promulgate, issue, and enforce rules and regulations pertaining to the use, care, and administration of state parks and parkways, which shall become effective ten days after adoption. The commission shall cause a copy of the rules and regulations to be kept posted in a conspicuous place in every state park to

which they are applicable, but failure to post or keep any rule or regulation posted shall be no defense to any prosecution for the violation thereof.

(3) Permit the use of state parks and parkways by the public under such rules and regulations as shall be prescribed.

(4) Clear, drain, grade, seed, and otherwise improve or beautify parks and parkways, and erect structures, buildings, fireplaces, and comfort stations and build and maintain paths, trails, and roadways through or on parks and parkways.

(5) Grant concessions or leases in state parks and parkways, upon such rentals, fees, or percentage of income or profits and for such terms, in no event longer than forty years, and upon such conditions as shall be approved by the commission: PROVIDED, That leases exceeding a twenty-year term shall require a unanimous vote of the commission: PROVIDED FURTHER, That if, during the term of any concession or lease, it is the opinion of the commission that it would be in the best interest of the state, the commission may, with the consent of the concessionaire or lessee, alter and amend the terms and conditions of such concession or lease: PROVIDED FURTHER, That television station leases shall be subject to the provisions of RCW 43.51.063, only: PROVIDED FURTHER, That the rates of such concessions or leases shall be renegotiated at five-year intervals. No concession shall be granted which will prevent the public from having free access to the scenic attractions of any park or parkway.

(6) Employ such assistance as it deems necessary.

(7) By majority vote of its authorized membership select and purchase or obtain options upon, lease, or otherwise acquire for and in the name of the state such tracts of land, including shore and tide lands, for park and parkway purposes as it deems proper. If the commission cannot acquire any tract at a price it deems reasonable, it may, by majority vote of its authorized membership, obtain title thereto, or any part thereof, by condemnation proceedings conducted by the attorney general as provided for the condemnation of rights of way for state highways. In acquisitions authorized by RCW 43.51.210 as now or hereafter amended, the power of eminent domain shall be limited as provided therein. Option agreements executed under authority of this subdivision shall be valid only if:

(a) The cost of the option agreement does not exceed one dollar; and

(b) Moneys used for the purchase of the option agreement are from (i) funds appropriated therefor, or (ii) funds appropriated for undesignated land acquisitions, or (iii) funds deemed by the commission to be in excess of the amount necessary for the purposes for which they were appropriated; and

(c) The maximum amount payable for the property upon exercise of the option does not exceed the appraised value of the property.

(8) Cooperate with the United States, or any county or city of this state, in any matter pertaining to the acquisition for park and parkway purposes of any area not within the limits of any city, and in the care, control, or supervision of any park or parkway, and enter into contracts in writing to that end. All parks or parkways, to the acquisition or improvement of which the state shall have contributed or in whose care, control, or supervision the state shall participate pursuant to the provisions of this section, shall be governed by the provisions hereof.

**NEW SECTION, Sec. 3.** There is hereby appropriated from the Spokane county real property acquisition/development account, as created in section 1 of this 1979 act, to the parks and recreation commission, for the biennium ending June 30, 1981, the sum of five million dollars, or so much thereof as may have accumulated in that account, to carry out the purposes of this act."

On page 1, line 1 of the title after "parks;" insert "amending section 4, chapter 10, Laws of 1979 and RCW 43.51.040;"

Signed by Representatives Hurley, Executive Chairwoman; Fuller, Co-Chairman; Brown, North, Taylor.

Passed to Committee on Rules for second reading.

## SENATE AMENDMENTS TO HOUSE BILL

April 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 298 with the following amendments:

On page 3, line 30 after "whose" strike "internal"

On page 4, line 19 after "more" strike "persons, including public or private corporations," and insert "individuals, firms, private corporations, associations or partnerships"

On page 4, line 22 after "That" strike "no such station may be utilized for the business of repairing those motor vehicles it has inspected." and insert "no person engaged in the inspection of motor vehicles pursuant to subsection (5) of this section shall perform for compensation repairs on any vehicles."

On page 4, beginning on line 23 after "inspected." strike "The department may not" and insert "No public body may"

On page 4, line 24 after "such" insert "contracted"

On page 6, line 7 after "act." strike the remainder of the section

On page 6, line 21 after "selling" strike "new and/or"

On page 7, line 27 after "ecology" insert a period and strike the remainder of the sentence

On page 8, strike all of section 12 and renumber the remaining sections accordingly

On page 8, line 19 after "10" strike "and sections 12 and 13" and insert ", section 11 (2)(g) and section 12"

On page 8, line 20 after "RCW." insert "Notwithstanding the provisions of chapter 34.04 RCW, any rule implementing and enforcing sections 1 through 10, section 11 (2)(g), and section 12 of this act may not be adopted until it has been submitted to the standing committees on ecology of the house of representatives and senate for review and approval."

On page 8, line 28 after "enforcing" strike "sections 11 and 13" and insert "section 11, except for section 11 (2)(g)."

On page 9, line 4 after "through" strike "15" and insert "14" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Valle, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 298.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 298 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 298 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 55; nays, 36; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Granlund, Gruger, Hurley, Jovanovich, King, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nisbet, O'Brien, Oliver, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Valle, Van Dyken, Warnke, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bauer, Blair, Bond, Craswell, Dawson, Eberle, Flanagan, Garrett, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Mitchell, Nelson G. A., Newhouse, North, Owen, Patterson, Rohrbach, Rosbach, Scott, Smith C. P., Struthers, Taylor, Tupper, Walk, Whiteside, Wilson.

Not voting: Representatives Keller, Knowles, Martinis, Sprague, Tilly, Vrooman, Williams.

Engrossed Substitute House Bill No. 298 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 18, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 352 with the following amendments:

On page 1, line 1 after "relations;" insert "amending section 9, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.093;"

In line 1 of the title after "relations;" insert "amending section 41, chapter 291, Laws of 1977 ex. sess. as amended by section 46, chapter ... (SSB 2768), Laws of 1979 and RCW 13.34.130;"

In line 12 of the title after "26.36.050;" insert "amending section 80, chapter ... (SSB 2768), Laws of 1979 and RCW 74.13.;"

On page 1, line 12 of the title, after "26.36.050;" insert "amending section 17, chapter 172, Laws of 1967 as last amended by section 77, chapter 155, Laws of 1979 and RCW 74.13.031;"

On page 1, line 29 of the title after "26.32.130" and before the period insert "; and declaring an emergency"

On page 5, beginning on line 36 add a new section to read as follows:

"Sec. 6. Section 9, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.093 are each amended to read as follows:

It shall be the duty of the prosecuting attorney ((or the prosecuting attorney's deputy to present the evidence supporting any petition where the facts are contested, except in petitions to approve or disapprove alternative residential placement: PROVIDED, That it shall be the duty of the attorney general or the attorney general's assistant to present the evidence supporting any petition alleging dependency, or any petition seeking the termination of a parent and child relationship, which is filed in a class A or AA county, where the facts are contested: PROVIDED FURTHER, That the responsibility of the prosecuting attorney for proceedings relating to the commission of a juvenile offense shall be as provided in RCW 13.40.070 and 13.40.090) to act in proceedings relating to the commission of a juvenile offense as provided in RCW 13.40.070 and 13.40.090 and in proceedings under RCW 72.23.070. It shall be the duty of the prosecuting

attorney to handle delinquency cases under Title 13.24 RCW and it shall be the duty of the attorney general to handle dependency cases under title 13.24 RCW. It shall be the duty of the attorney general in contested cases brought by the department to present the evidence supporting any petition alleging dependency or seeking the termination of a parent and child relationship or any contested case filed under section 3(2) of this act or approving or disapproving alternative residential placement: PROVIDED, That in class 1 through 9 counties the attorney general may contract with the prosecuting attorney of the county to perform said duties of the attorney general."

Renumber the remaining sections consecutively.

On page 14, after line 19 insert the following additional section:

"Sec. 20. Section 41, chapter 291, Laws of 1977 ex. sess. as amended by section 46, chapter ... (SSB 2768), Laws of 1979 and RCW 13.34.130 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, as now or hereafter amended, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030(2); after consideration of the predisposition report prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services that least interfere with family autonomy, provided that the services are adequate to protect the child.

(b) Order that the child be removed from his or her home and ordered into the custody, control, and care of a relative or the department of social and health services or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Such an order may be made only if:

(i) There is no parent or guardian (~~available to care~~) willing and capable of adequately caring for such child as enumerated in RCW 13.34.030(2)(c); or

(ii) The child is unwilling to reside in the custody of the child's parent, guardian, or legal custodian; or

(iii) The parent, guardian, or legal custodian is not willing to take custody of the child; or

(iv) A manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home.

(2) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties.

(a) The agency plan shall specify what services the parents will be offered in order to enable them to resume custody and what requirements the parents must meet in order to resume custody.

(b) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement.

(c) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(d) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department of social and health services has existing contracts to purchase. It shall report to the court if it is unable to provide such services.

(3) The status of all children found to be dependent shall be reviewed by the court at least every six months at a hearing in which it shall be determined whether court supervision should continue.

(a) A child shall be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section still exists. When a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) What services have been provided to or offered to the parties to facilitate reunion;

(ii) The extent to which the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(iii) Whether the agency is satisfied with the cooperation given to it by the parents;

(iv) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered; and

(v) When return of the child can be expected.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed."

Renumber the remaining sections consecutively.

On page 14, after line 19 insert the following additional section:

"Sec. 21. Section 80, chapter ... (SSB 2768), Laws of 1979 and RCW 74.13. \_\_\_ are each amended to read as follows:

(1) A child taken into custody and taken to a crisis residential center established pursuant to section 78(2) of (~~this 1979 act~~) chapter ... (SSB 2768), Laws of 1979 may, if the center is unable to provide appropriate treatment, supervision, and structure to the child, be taken at department expense to another

crisis residential center or the nearest regional crisis residential center. Placement in both centers shall not exceed seventy-two hours from the point of intake as provided in section 27 of (~~this 1979 act~~) chapter ... (SSB 2768), Laws of 1979.

(2) A child taken into custody and taken to a crisis residential center established by this chapter may be placed physically by the department or the department's designee and, at departmental expense and approval, in a secure detention facility operated by the county in which the center is located for a maximum of twenty-four hours, including Saturdays, Sundays, and holidays, if the person in charge of the crisis residential center finds that the child is severely, emotionally, or behaviorally disturbed to the point that the child is suicidal, seriously assaultive, or seriously destructive towards others and the center is unable to provide appropriate supervision and structure. Any child who takes unauthorized leave from the center, if the person in charge of the center cannot provide supervision and structure adequate to ensure that the child will not again take unauthorized leave, may be taken to a secure detention facility subject to the provisions of this section: PROVIDED, That juveniles placed in such a facility pursuant to this section may not, to the extent possible, come in contact with alleged or convicted juvenile or adult offenders.

(3) Any child placed in secure detention pursuant to this section shall, during the period of confinement, be provided with appropriate treatment by the department or the department's designee, which shall include the services defined in section 79(2) of (~~this 1979 act~~) chapter ... (SSB 2768), Laws of 1979. If the child placed in secure detention is not returned home or if an alternative living arrangement agreeable to the parent and the child is not made within (~~forty-eight~~) twenty-four hours after the child's admission, the child shall be taken at the department's expense to a crisis residential center. Placement in the crisis residential center or centers plus placement in juvenile detention shall not exceed seventy-two hours from the point of intake as provided in section 27 of (~~this 1979 act~~) chapter ... (SSB 2768), Laws of 1979.

(4) Juvenile detention facilities used pursuant to this section shall first be certified by the department to ensure that juveniles placed in the facility pursuant to this section are provided with living conditions suitable to the well-being of the child. Where space is available, juvenile courts, when certified by the department to do so, shall provide secure placement for juveniles pursuant to this section, at department expense.

(5) It is the intent of the legislature that by December 1, 1980, crisis residential centers, supplemented by community mental health programs and mental health professionals, will be able to respond appropriately to children admitted to centers under this chapter and will be able to respond to the needs of such children with appropriate treatment, supervision, and structure."

Remember the following sections consecutively.

On page 14, after line 19 insert the following:

"Sec. 22. Section 17, chapter 172, Laws of 1967 as last amended by section 77, chapter 155, Laws of 1979 and RCW 74.13.031 are each amended to read as follows:

The department shall have the duty to provide child welfare services as defined in RCW 74.13.020, and shall:

(1) Develop, administer, (~~and~~) supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of homeless, runaway, dependent, or neglected children.

(2) Develop a recruiting plan for recruiting an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, sibling groups, handicapped and emotionally disturbed, and annually submit the plan for review to the house and senate committees on social and health services. The plan shall include a section entitled 'Foster Home Turn-Over, Causes and Recommendations.'

(3) Investigate complaints of neglect, abuse, or abandonment of children by parents, legal custodians, or persons serving in loco parentis, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. If the investigation reveals that a crime may have been committed, the department shall notify the appropriate law enforcement agency.

(~~(3)~~) (4) Offer, on a voluntary basis, crisis intervention to families who are in conflict.

(~~Crisis intervention services (a) shall consist of an interview or series of interviews with the child or his or her family, as needed, conducted within a brief period of time by qualified professional persons, and designed to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or the family; and (b) may include, but are not limited to, the provision of or referral to services for suicide prevention, psychiatric or other medical care, or psychological, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family.~~)

Nothing in this section shall prohibit an officer of the child welfare services from referring any child who, as a result of a mental or emotional disorder, or intoxication by alcohol or other drugs, is suicidal, seriously assaultive or seriously destructive towards others, or otherwise similarly evidences an immediate need for emergency medical evaluation and possible care, to a community mental health center pursuant to RCW 72.23.070.

(4) Have authority to accept for temporary residential care in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW a child who has been taken into limited custody pursuant to RCW 13.30.020. PROVIDED, That a juvenile shall in no event remain in temporary residential care for a period longer than seventy-two hours from the time of the juvenile's initial contact with the law enforcement officer except as otherwise provided in this section. Upon accepting the child, the staff of the facility shall notify the child's parents or custodian of his or her whereabouts, physical and emotional condition, and the



circumstances surrounding his or her placement and shall undertake to make arrangements for the child's return home.

In every case crisis intervention services shall be provided as needed and the staff of the temporary facility shall seek to effect the child's return home or alternative living arrangement agreeable to the child and the parent or custodian as soon as practicable:

(a) If, after his or her admission to a temporary residential facility, a child who is absent from home without permission and his or her parent or custodian agrees to the child's return home, the staff of the facility shall arrange transportation for the juvenile, as soon as practicable, to the county of residence of the parent or custodian, at the latter's expense to the extent of his or her ability to pay:

(b) If the child refuses to return home and if no other living arrangements agreeable to the child and the parent or custodian can be made, the staff of the facility shall arrange transportation for the child to a temporary nonsecure residential facility in the county of residence of the parent or custodian, at the expense of the latter to the extent of his or her ability to pay. If there is no such facility in the county of that residence, the nearest such facility to that residence shall be used:

(c) If a child's legal residence is outside the state of Washington and such child refuses to return home, the provisions of RCW 13.24.010 shall apply:

(d) If the parent or custodian refuses to permit the child to return home, and no other living arrangement agreeable to the child and the parent or custodian can be made, staff of the child welfare services section shall notify the juvenile court to appoint legal counsel for the child and shall file a dependency petition in the juvenile court in the jurisdiction of the residence of the parent or custodian:

(e) If a child and his or her parent or guardian agree to an arrangement for alternative residential placement, such placement may continue as long as there is agreement. During any alternative residential placement, there shall be provided to the child and to his or her family such services as may be appropriate to the particular case, to the end that the child may be reunited with the family as soon as practicable:

(f) If such child and his or her parent or custodian cannot agree to an arrangement for alternative residential placement in the first instance, or cannot agree to the continuation of such placement, the child or his or her parent or custodian may file with the juvenile court a petition to approve alternative residential placement pursuant to RCW 13.32.020. The child shall remain in the placement where he or she is located at the time a petition to approve alternative residential placement is filed until a placement decision is made pursuant to RCW 13.32.040:

(g) In no event shall alternative residential placement for a child in conflict with his or her family be arranged in a secure detention facility or in a secure institution except as provided in this subsection and RCW 13.34.140. A child in conflict with his or her parents may be detained in a secure detention facility operated by a county for a maximum of seventy-two hours if:

(i) The staff of the child welfare services section find that the child taken into limited custody has previously been placed in alternative residential care and has run away from such placement and that it is likely that the child will run away from another and different residential placement; or

(ii) The child refuses to return home and refuses to be placed in alternative residential care:

During such detention, efforts shall be continued to the end that the child may be returned home or other living arrangements agreeable to the child and his or her parent, guardian, or custodian are made. If an agreement concerning living arrangements for the child cannot be reached a petition shall be filed within forty-eight hours after initial detention of the child, pursuant to subsection (4)(f) of this section. The hearing on the petition shall be held within seventy-two hours, excluding Sundays and holidays, of the initial detention of the child. If the hearing on the petition is not held within these time limits the child shall be released from detention:

(5) Cooperate with other public and voluntary agencies and organizations in the development and coordination of programs and activities in behalf of children including but not limited to contracting with private and public entities to provide basic education and vocational training and crisis intervention services:

(6) Have authority to accept custody of children from parents, guardians, and/or juvenile courts, to provide child welfare services including placement for adoption, and to provide for the physical care of such children and to make payment of maintenance costs if needed:))

(5) Monitor out-of-home placements, on a timely and routine basis, to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010, and annually submit a report delineating the results to the house and senate committees on social and health services.

(6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, and to provide for the physical care of such children and make payment of maintenance costs if needed.

((6)) (7) Have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

((7)) (8) Have authority to purchase care for children; and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.

((8)) (9) Establish a child welfare and day care advisory committee who shall act as an advisory committee to the state advisory committee and to the secretary in the development of policy on all matters pertaining to child welfare, day care, licensing of child care agencies, and services related thereto.

~~((9)) (10) Notwithstanding any other provision of ((sections 31 through 34 and 78 through 82 of this 1979 act)) RCW 13.... through 13.... (sections 31 through 34, chapter 155, Laws of 1979) and RCW 74.13... through 74.13... (sections 78 through 82, chapter 155, Laws of 1979), or of this section all services to be provided by the department of social and health services under subsections ((3) and)) (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974 (P.L. No. 93-415; 42 U.S.C. 5634 et seq.; and 42 U.S.C. 5701 note as amended by P.L. 94-273, 94-503, and 95-115).\*~~

Renumber the remaining sections consecutively.

On page 15, after line 12 insert the following:

**"NEW SECTION. Sec. 24.** Section 22 of this 1979 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. Newhouse moved that the House do concur in the Senate amendment to page 14, line 19, adding a new section 20.

Mr. Newhouse spoke in favor of the motion, and Representatives Becker and Fuller spoke against it.

Mr. Newhouse spoke again in favor of the motion, and Mr. Smith (R) spoke against it.

The motion was lost.

On motion of Mr. Newhouse, the House concurred in all the remaining Senate amendments to Engrossed Substitute House Bill No. 352, except the first two title amendments.

### SENATE AMENDMENTS TO HOUSE BILL

April 20, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 437 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 2, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.020 are each amended to read as follows:

Only eligible common school dropouts shall be enrolled in a certified educational clinic for reimbursement by the superintendent of public instruction as provided in RCW 28A.97.040. No person shall be considered an eligible common school dropout who (1) has completed high school, (2) who has not reached his or her thirteenth birthday or has passed his ((eighteenth)) or her twentieth birthday, or (3) shows proficiency beyond the high school level in a test approved by the superintendent of public instruction to be given as part of the initial diagnostic procedure, or (4) until ((three)) one month(s) has passed after he or she has dropped out of any common school and the educational clinic has received written verification from a school official of the common school last attended in this state that such person is no longer in attendance at such school, unless such clinic has been requested to admit such person by written communication of the board of directors or ((the superintendent)) its designee, of that common school, or unless such person is unable to attend a particular common school because of disciplinary reasons, including suspension and/or expulsion therefrom. The fact that any person may be subject to chapter 28A.27 RCW shall not affect his or her qualifications as an eligible common school dropout under this chapter.

Sec. 2. Section 4, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.040 are each amended to read as follows:

From funds appropriated for that purpose, the superintendent of public instruction shall pay to a certified clinic on a monthly basis for each student enrolled in compliance with RCW 28A.97.020, fees in accordance with the following conditions:

(1) (a) The fee for the initial diagnostic procedure shall be not more than fifty dollars per student, and hourly fees for each student shall be sixteen dollars if the class size is no greater than one, ten dollars if the class size is at least two and no greater than five, and five dollars if the class size is at least six: PROVIDED, That revisions in such fees proposed by an education clinic shall become effective after thirty days notice unless the superintendent finds such a revision is unreasonable in which case the revision shall not take effect: PROVIDED FURTHER, That an education clinic may, within fifteen days after such a finding by the superintendent, file notification of appeal with the state board of education which shall, no later than its second regularly scheduled meeting following notification of such appeal, either grant or deny the proposed revision: AND PROVIDED FURTHER, That the administration of any general education development test shall not be a part of such initial diagnostic procedure.

(b) Reimbursements shall not be made for students who are absent ((Absences will be paid for, but after three consecutive absences or two unexcused absences in any one week, the student's enrollment will be

terminated and no further fees will be payable: PROVIDED, That students may be re-enrolled at any time).

(c) No clinic shall make any charge to any student, or his parent, guardian or custodian, for whom a fee is being received under the provisions of this section.

(2) Payments shall be made from available funds first to those clinic(s) which have in the judgment of the superintendent demonstrated superior performance based upon consideration of students' educational gains taking into account such students' backgrounds, and upon consideration of cost effectiveness. In considering the cost effectiveness of nonprofit clinics the superintendent shall take into account not only payments made under this section but also factors such as tax exemptions, direct and indirect subsidies or any other cost to taxpayers at any level of government which result from such nonprofit status.

(3) To be eligible for such payment, every such clinic, without prior notice, shall permit a review of its accounting records by personnel of the state auditor during normal business hours.

(4) If total funds for this purpose approach depletion, the superintendent shall notify the clinics of the date after which further funds for reimbursement of the clinics' services will be exhausted.

NEW SECTION, Sec. 3. There is added to chapter 341, Laws of 1977 ex. sess. and to chapter 28A.97 RCW a new section to read as follows:

The legislative budget committee shall prepare a report to the legislature before each regular session, detailing the fiscal impact of the several certified educational clinics receiving reimbursements from the state pursuant to the provisions of this chapter. The legislative budget committee shall require such clinics to furnish such information as it deems necessary to meet the requirements of this section. Included within the information to be reported by the legislative budget committee on each clinic shall be the following:

(1) The dollar amount of reimbursement received by the clinic from the state for each month available of the then current, and past, biennium;

(2) An analysis of the cost per student, the progress they have achieved, and comparisons with other educational and institutional alternatives; and

(3) A statement which identifies the owners of the clinic. In the case of profit or nonprofit corporations the officers, directors, and shareholders of record as of the close of the corporation's fiscal year shall be furnished.

NEW SECTION, Sec. 4. 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 1 of the title after "clinics;" strike the remainder of the title and insert "amending section 2, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.020; amending section 4, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.040; creating new sections; and adding a new section to chapter 341, Laws of 1977 ex. sess. and to chapter 28A.97 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Chandler moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 437.

Mr. Chandler spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Ehlers.

Mr. Ehlers: "On page 1 of the amendment, what is the effect of adding the language 'thirteenth birthday,' when the former language spoke specifically to age 18?"

Mr. Chandler: "Representative Ehlers, this is affecting the concerns of persons not eligible and by adding the phrase, 'thirteenth birthday,' it means that anyone who is not at least thirteen years of age would not be eligible for the program."

Mr. Ehlers: "How does that relate to the former language? Does that broaden the inclusion of more people in the program, or does it tighten it up?"

Mr. Chandler: "I would have to assume it would broaden it, but I can't give you a more definite answer off the top of my head. I wish I had known this question was coming and I could have prepared for it."

Mr. Ehlers: "On page 2, lines 12 through 15, what is the effect of that amendment? I don't understand it."

Mr. Chandler: "RCW 28A.27 is the compulsory attendance section of the law and this simply says that any person may be subject to that; it shall not affect his or her qualifications as an eligible common school dropout under this chapter."

## POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Ehlers.

Mr. Ehlers: "On page 2, lines 12 through 15 of the Senate committee amendment, could you explain to me what, specifically, that means?"

Mr. Taylor: "It has to do with the age of a dropout and the grade level. It makes specific reference to that law and I cannot quote you the wording of the law, Representative Ehlers."

Mr. Newhouse: "Representative Ehlers, I think I can clarify this for you. This is the section of the law that requires compulsory school attendance until they have completed a certain grade or reached a certain age and, in effect, it's saying it doesn't matter whether or not he's within that age group or has completed that grade."

Representatives Taylor and Ehlers spoke against the motion to concur in the Senate amendments, and Representatives Heck, Chandler and Nelson (G.A.) spoke in favor of it.

Mr. Heck spoke again in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 437 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 437 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tallor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Amen, Ehlers, Hughes, Jovanovich, Taylor, Walk, Whiteside, Zimmerman.

Not voting: Representatives Bauer, Becker, Martinis.

Engrossed Substitute House Bill No. 437 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

April 17, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2375 on page 6, line 34, page 7, after line 8, and page 1, line 7 of the title, and does not concur with the amendment to page 1, line 28 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. Charnley, the House receded from its amendment to page 1, line 28 of Substitute Senate Bill No. 2375.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

Speaker Berentson stated the question before the House to be the final passage of Substitute Senate Bill No. 2375 without the House amendment to page 1, line 28.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2375 without the House amendment to page 1, line 28, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Sprague.

Not voting: Representative Martinis.

Substitute Senate Bill No. 2375 without one 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.

### SENATE AMENDMENT TO HOUSE BILL

April 24, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 446 with the following amendment:

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

**\*NEW SECTION.** Sec. 1. There is added to chapter 90.03 RCW a new section to read as follows:

Whenever an application for a permit to make beneficial use of public waters is approved relating to a stream or other water body for which minimum flows or levels have been adopted and are in effect at the time of approval, the permit shall be conditioned to protect the levels or flows. No agency may establish minimum flows and levels or similar water flow or level restrictions for any stream or lake of the state other than the department of ecology whose authority to establish is exclusive, as provided in chapter 90.03 RCW and RCW 90.22.010 and 90.54.040. The provisions of other statutes, including but not limited to RCW 75.20.100 and chapter 43.21C RCW, may not be interpreted in a manner that is inconsistent with this section. In establishing such minimum flows, levels, or similar restrictions, the department shall, during all stages of development by the department of ecology of minimum flow proposals, consult with, and carefully consider the recommendations of the department of fisheries, the state game commission, the state energy office, the department of agriculture, and representatives of the affected Indian tribes. Nothing herein shall preclude the department of fisheries, the game commission, the energy office, or the department of agriculture from presenting its views on minimum flow needs at any public hearing or to any person or agency, and the department of fisheries, the game commission, the energy office, and the department of agriculture are each empowered to participate in proceedings of the federal energy regulatory commission and other agencies to present its views on minimum flow needs. The department of ecology shall file with the speaker of the house of representatives and the president of the senate on the first day of each regular session of the legislature a report as to the implementation of its minimum flow setting program."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Ms. Valle moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 446.

Representatives Valle and Barr spoke in favor of the motion, and it was carried.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 446 as amended by the Senate.

Ms. Valle 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. 446 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R.,

Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Martinis.

Engrossed Substitute House Bill No. 446 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 20, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 249 with the following amendments:

On page 8, line 27 after "agencies" insert "which shall include all classes of health care practitioners"

On page 13, line 24 after "department" insert "as it has been done since the enactment of chapter 70.38 RCW in 1971"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendments to Substitute House Bill No. 249.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson declared the question before the House to be the 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, 75; nays, 20; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Addison, Berentson, Bond, Clayton, Craswell, Dawson, Eberle, Erickson, Fancher, Flanagan, Hastings, Nelson G. A., Oliver, Polk, Rohrbach, Rosbach, Smith C. P., Sprague, Struthers, Zimmerman.

Not voting: Representatives Barnes, Martinis, Valle.

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.

#### STATEMENT FOR THE JOURNAL

Please change my vote from "Yea" to "Nay" on final passage of Substitute House Bill No. 249 as amended by the Senate.

SCOTT BARR, 7th District.

#### SENATE AMENDMENTS TO HOUSE BILL

April 23, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 755 with the following amendments:

On page 8, line 21 after "of" strike "fifty" and insert "five"

On page 8, line 29 after "insurance expiration" strike all of the material down to and including "business" on line 34.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Wilson the House concurred in the Senate amendments to Substitute House Bill No. 755.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 755 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 755 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Valle.

Substitute House Bill No. 755 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 24, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 668 with the following amendments:

On page 1, line 3 of the title after "50.13.060" strike the period and insert "; and adding new sections to chapter 49.44 RCW."

On page 3, after line 17 insert the following:

NEW SECTION. Sec. 2. There is added to chapter 49.44 RCW a new section to read as follows:

(1) A provision in an employment agreement which provides that an employee shall assign or offer to assign any of the employee's rights in an invention to the employer does not apply to an invention for which no equipment, supplies, facilities, or trade secret information of the employer was used and which was developed entirely on the employee's own time, unless (a) the invention relates (i) directly to the business of the employer, or (ii) to the employer's actual or demonstrably anticipated research or development, or (b) the invention results from any work performed by the employee for the employer. Any provision which purports to apply to such an invention is to that extent against the public policy of this state and is to that extent void and unenforceable.

(2) An employer shall not require a provision made void and unenforceable by subsection (1) of this section as a condition of employment or continuing employment.

(3) If an employment agreement entered into after the effective date of this act contains a provision requiring the employee to assign any of the employee's rights in any invention to the employer, the employer must also, at the time the agreement is made, provide a written notification to the employee that the agreement does not apply to an invention for which no equipment, supplies, facility, or trade secret information of the employer was used and which was developed entirely on the employee's own time, unless (a) the invention relates (i) directly to the business of the employer, or (ii) to the employer's actual or demonstrably anticipated research or development, or (b) the invention results from any work performed by the employee for the employer.

NEW SECTION. Sec. 3. There is added to chapter 49.44 RCW a new section to read as follows:

Even though the employee meets the burden of proving the conditions specified in section 2 of this act, the employee shall, at the time of employment or thereafter, disclose all inventions being developed by the employee, for the purpose of determining employer or employee rights. The employer or the employee may disclose such inventions to the department of employment security, and the department shall maintain a record of such disclosures for a minimum period of five years." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed House Bill No. 668.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 668 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 668 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Bond, McGinnis.

Not voting: Representatives Martinis, Valle.

Engrossed House Bill No. 668 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 24, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1281 with the following amendments:

On page 3, line 32 after "Three" strike "nonmotorized winter recreationists" and insert "representatives of the nonsnowmobiling public"

On page 4, strike everything after line 33 down through line 2 on page 5 and insert the following:

"(9) The snowmobile advisory committee of the Washington state parks and recreation commission and its powers and duties shall terminate on June 30, 1983, and shall be subject to all of the processes provided in RCW 43.131.010 through 43.131.110 as now existing or hereafter amended."

On page 7, after line 34 insert the following:

"All moneys collected by the department as snowmobile registration fees or moneys from the motor vehicle fund which the director has determined to be a tax on snowmobile fuel prior to the effective date of this 1979 act which remain undistributed and within the general fund shall be transferred to and become a part of the snowmobile account within the general fund."

On page 13, after line 21 insert a new section as follows:

"NEW SECTION. Sec. 16. There is hereby appropriated from the snowmobile account of the general fund four hundred ninety-five thousand dollars, or so much thereof as may be necessary, for the purposes of RCW 46.10.080 as now or hereafter amended."

Re-number remaining section consecutively.

In the title, page 1, line 29 after ".081;" insert "making an appropriation;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Hurley, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1281.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1281 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1281 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson,



Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Rohrbach, Van Dyken.

Not voting: Representatives Martinis, Valle.

Engrossed Substitute House Bill No. 1281 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 25, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 557 with the following amendments:

After the enacting clause strike the remainder of the bill and insert the following:

**\*NEW SECTION.** Section 1. The legislature recognizes that the transportation of common school students is an integral part of the constitutional mandate to "...make ample provision for the education of all children residing within its borders...". The legislature therefore declares that legislative intent in sections 1 through 15 of this amendatory act is to provide each local school district with sufficient funds to provide eligible students with a basic transportation program, by the 1980-81 school year, as such basic education program is defined in sections 1 through 15 of this amendatory act. Furthermore, the operation and maintenance of each local school district's student transportation program is declared to be the responsibility of the respective board of directors, and each board of directors shall determine such matters as which individual students shall be transported and what routes shall be most efficiently utilized. State moneys allocated to local districts for student transportation shall be spent only for student transportation activities, but need not be spent by the local district in the same manner as calculated and allocated by the state.

In implementing student transportation programs, local districts should utilize to the best of their ability any operational criteria contained in sections 1 through 15 of this amendatory act. While the legislature realizes the importance to an educational program of student transportation activities other than those to and from school, it is not the responsibility of the state to fully reimburse local school districts for such costs: **PROVIDED**, That the legislature may appropriate additional funds for such other activities, or for pilot transportation programs to individual school districts.

**NEW SECTION.** Sec. 2. Except where the context shall clearly indicate otherwise, the following terms shall have the following meanings for the purpose of determining the state calculation of the student transportation allocation pursuant to sections 1 through 15 of this amendatory act: **PROVIDED**, That such definitions should not be construed as mandated operational criteria which local districts must implement in operation of their student transportation programs.

(1) 'Eligible student' means any student, as defined in RCW 28A.41.140, residing more than one mile from his or her appropriate school of attendance. Any handicapped student as defined in chapter 28A.13 RCW and as determined by the district to require special transportation services for health and safety reasons shall be considered an eligible student. Furthermore, students whose appropriate school of attendance is in a district other than their resident district, as determined in subsection (7) of this section, shall be considered an eligible student in the resident district.

(2) 'Basic student transportation' means the transporting of an eligible student from his or her appropriate route stop to his or her appropriate school of attendance at the beginning of that student's school day, as defined in RCW 28A.58.754, and from his or her appropriate school of attendance to his or her appropriate route stop at the end of that school day in a transportation vehicle. Transportation activities beyond the end of the school day as defined in RCW 28A.58.754 for the purposes of activities held after the end of the normal school day shall not be considered basic student transportation.

(3) 'Student transportation allocation' means those funds appropriated by the legislature and allocated by the superintendent to individual districts for use in providing student transportation for basic education as defined in RCW 28A.58.754. Such allocation shall be comprised of (a) the approved basic student transportation allocation, (b) the vehicle acquisition allocation as defined in subsection (6) of this section; and (c) the supplemental student transportation allocation.

(4) 'Basic student transportation allocation' means those funds appropriated by the legislature pursuant to the provisions of sections 1 through 15 of this amendatory act, as now or hereafter amended, to fulfill the obligations of RCW 28A.41.160 for operational costs.

(5) 'Supplemental student transportation allocation' means those funds appropriated by the legislature pursuant to the provisions of sections 1 through 15 of this amendatory act, as now or hereafter amended, for district transportation activities other than basic student transportation. Such other activities shall include but not be limited to extended runs, intradistrict and interdistrict transportation of students for less than the full day's program hour offering as defined in RCW 28A.58.754, health and safety transportation, and extracurricular transportation.

(6) 'Vehicle acquisition allocation' means those funds appropriated by the legislature pursuant to the provisions of sections 1 through 15 of this amendatory act, as now or hereafter amended, to fulfill the obligations of RCW 28A.41.160 for the cost of acquisition of approved transportation equipment.

(7) 'Appropriate school of attendance' means the school attended by a student for the major portion of that student's school day as defined in RCW 28A.58.754. If for reasons enumerated herein the appropriate school of attendance is not the school nearest the student's residence which offers that child's grade level program hour offering, the district shall petition the superintendent for waiver of the appropriate school of attendance. The superintendent shall grant such waiver only if one or more of the following conditions prevails in the appropriate school of attendance: (a) Unsafe physical plant; (b) overcrowding conditions; (c) inability to adequately meet the provisions of chapter 28A.13 RCW; and (d) participation in a school district's transportation program to reduce racial imbalance except as limited by any application of the provisions of chapter 4, Laws of 1979 (Initiative Measure No. 350).

(8) 'Road mile' means any vehicular mile on an approved and maintained county, federal reservation, city, town or state road or street.

(9) 'Superintendent' means the superintendent of public instruction.

(10) 'District' means a local school district.

(11) 'Nonpassenger miles' means road miles necessary for the following purposes when no student is being transported in a vehicle: (a) Inspection of vehicles by the state patrol; (b) mileage incurred as a result of major maintenance repairs; (c) mandated bus driver training; and (d) mileage between a school, bus garage or storage facility and the first student route stop and the mileage between the last student route stop, and the school, bus garage or storage facility.

(12) 'Standard student seat cost' means the cost per mile of transporting eligible students as defined in subsection (1) of this section. The standard student seat cost may be calculated on the basis of a state-wide rate for all districts or may consist of no more than five differential rates, as determined by the superintendent, and shall include but not be limited to, the costs of insurance, district or contracted employee salaries and benefits, maintenance, fuel, and supplies and materials.

**NEW SECTION.** Sec. 3. Each district's annual basic student transportation allocation shall be determined by the superintendent in the following manner:

(1) Each district shall submit to the superintendent by June 1st of each year a report containing the following: (a) The number of eligible students in the district; (b) the location of each school in the district; (c) the route stops, grade level, and appropriate school of attendance for every eligible student anticipated for the following school year; (d) district maps indicating all road miles and/or radius miles traveled by eligible students; and (e) the number of road and/or radius miles necessary to transport all eligible students to and from the appropriate school of attendance as calculated by the local district: **PROVIDED**, That if road miles are to be used as the basis of the allocation process, each district shall utilize the most efficient combination of routes, road miles and nonpassenger miles.

(2) The superintendent shall approve the annual report received from each district on the basis of the most efficient combination of routes, road miles or radius miles, and nonpassenger miles.

(3) The superintendent shall annually calculate the standard student seat cost per mile for each district as defined in section 2(12) of this amendatory act: **PROVIDED**, That prior to June 1st of each year the superintendent shall submit to the office of financial management, the senate ways and means committee, and the house appropriations committee, a report outlining the methodology and rationale used in determining the standard student seat cost per mile to be used by districts the following school year. The superintendent shall then determine the preliminary, estimated basic student transportation allocation for each district based on the following: (a) The number of eligible students, which for purposes of calculating each district allocation, shall be equal to one student seat utilized; (b) the number of road miles and/or radius miles necessary to transport eligible students to and from the appropriate schools of attendance; (c) the standard student seat cost per mile; and (d) the statutory number of days in the school year.

(4) The superintendent shall notify districts of their estimated basic student transportation allocation for the following school year by August 1st of the school year. By October 15th of the following school year every district shall have notified the superintendent of any changes in the data utilized in calculating the preliminary basic student transportation allocation as defined in section 2(4) of this amendatory act. The superintendent shall make necessary corrections and shall notify districts of their final basic student transportation allocation before December 1st of each school year.

**NEW SECTION.** Sec. 4. Each district's annual supplemental student transportation allocation shall be determined in the following manner:

(1) The basic student transportation allocation shall be determined according to the provisions of section 3 of this amendatory act;

(2) In addition to the basic student transportation allocation, the district shall receive up to twenty percent of its basic student transportation allocation for other, supplemental, student transportation activities: **PROVIDED**, That no such moneys shall be allocated by the superintendent for such supplemental transportation from funds otherwise to be allocated to provide basic student transportation. After determining the supplemental student transportation allocation, the superintendent shall follow the procedures outlined in section 3 of this amendatory act in notifying the districts of their annual supplemental student allocation.

**NEW SECTION.** Sec. 5. The superintendent shall determine the vehicle acquisition allocation in the following manner:

(1) By June 1st of each year, the superintendent shall develop preliminary categories of student transportation vehicles to ensure adequate student transportation fleets for districts. The categories shall include, but not be limited to, variables such as vehicle capacity, type of chassis, type of fuel, engine and body type, special equipment and life of vehicle. Such categories shall be developed in conjunction with the local districts and shall be applicable to the following school year. The categories shall be designed to produce minimum long range operating costs, including costs of equipment and all costs incurred in operating it. Each category description shall include the estimated state-determined purchase price, which shall be based on the anticipated market price. By July 15th of each year, the superintendent shall notify districts of the preliminary vehicle categories and state-determined purchase price for the ensuing school year. By October 15th of each year, the superintendent shall finalize the categories and the associated state-determined purchase price and shall notify districts of any changes: PROVIDED, That while it is the responsibility of each district to select each student transportation vehicle to be purchased by the district, each district shall be reimbursed a sum equal only to the amount of the state-determined purchase price and inflation as recognized by the depreciation schedule established in this section as set by the superintendent for the category of vehicle purchased: PROVIDED, That in event the vehicular requirements of the district, for reasons of safety, or in the interests of minimum long term operating costs, are not satisfied by the categories established by the superintendent, the district may petition the superintendent for the inclusion of additional equipment or specifications, setting forth the costs thereof, beyond those contemplated by categories of the superintendent, and if, in the opinion of the superintendent, the additional equipment or specifications are necessary for adequate safety or will reduce long term operating costs, including capital costs, the additional costs of such equipment may be included in the state-determined purchase price: PROVIDED FURTHER, That if after receiving competitive bids on a vehicle the lowest acceptable bid is in excess of the state-determined purchase price, the district may petition the superintendent to increase the state-determined purchase price for that category of vehicle for that district.

(2) The superintendent shall annually develop a depreciation schedule to reimburse districts for the cost of student transportation vehicles purchased during that school year. The schedule shall be written on the basis of the categories of student transportation vehicles, the state-determined purchase price and the anticipated life of the vehicles, and shall include factors recognizing inflation and the cost of depreciation to districts contracting with public or private carriers for student transportation services.

**NEW SECTION.** Sec. 6. (1) Each district may, at its discretion, rent or lease its vehicles in the following instances:

(a) Transporting of personnel, supplies, and/or evacuees by governmental agencies in the event of flood, fire, or other natural emergencies: PROVIDED, That the state director of emergency services or any of his agents so authorized has, at the request of an involved governmental agency, declared that an emergency exists in a designated area insofar as the need for additional transport is concerned.

(b) Transporting of handicapped children or persons sixty years of age or older by nonprofit organizations to and from the site of such activities or programs deemed beneficial to such persons by such organizations.

(c) Furnishing, by contract, the use of school buses of that district to other users who are engaged in conducting an educational or recreational program supported wholly or in part by tax funds or programs for persons sixty years of age or older at times when those buses are not needed by that district and under such terms as will fully reimburse such school district for all costs related or incident thereto.

(d) Using school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extracurricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

(2) If a district decides to rent or lease its vehicles for the purposes of this section, they will be subject to the following conditions:

(a) No such use of vehicles shall be permitted except where other public or private transportation certificated or licensed by the Washington utilities and transportation commission is not reasonably available to the user: PROVIDED, That no user shall be required to accept in lieu of district transportation vehicular service any charter bus service which the user believes might place the health or safety of the passengers in jeopardy.

(b) Such leases of vehicles do not conflict with regular school purposes.

(c) Such leases shall be determined by the district on the basis of criteria established by the district including, but not limited to, minimum costs, driver requirements, and providing an indemnity agreement protecting the district against any type of claim or legal action whatsoever, including all legal costs incidental thereto.

(3) Whenever any school children or elderly persons are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses in an amount not exceeding one thousand dollars per person per injury for the benefit of persons injured while they are on, getting on, or getting off any vehicles enumerated in this subsection without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the persons notwithstanding the provisions of RCW 28A.58.420.

If the transportation of children or elderly persons is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

**NEW SECTION.** Sec. 7. Individual transportation, board and room, and other arrangements may be authorized or provided and, in whole or part, paid for or reimbursed by a school district, when approved by the educational service district superintendent or his or her designee pursuant to rules promulgated by the superintendent of public instruction for that purpose: **PROVIDED**, That the total of payments for board and room and transportation incidental thereto shall not exceed the amount which would otherwise be paid for such individual transportation.

**NEW SECTION.** Sec. 8. Any school district board of directors or any educational service district board may enter into agreements pursuant to chapter 39.34 RCW or chapter 35.58 RCW, as now or hereafter amended, with any city, town, county, metropolitan municipal corporation, and any federal or other state governmental entity, or any combination of the foregoing, for the purpose of providing for the transportation of students and/or members of the public through the use, in whole or part, of the school district's buses, transportation equipment and facilities, and employees: **PROVIDED**, That any agreement entered into for purposes of transportation pursuant to this section shall conform with the provisions of RCW 35.58.250 where applicable and shall provide for the reimbursement and payment to the school district of not less than the district's actual costs and the reasonable value of the use of the district's buses, and transportation equipment and supplies which are incurred and otherwise provided in connection with the transportation of members of the public or other noncommon school purposes: **PROVIDED FURTHER**, That wherever public transportation, or private transportation certified or licensed by the Washington utilities and transportation commission is not reasonably available, the school district or educational service district may transport members of the public so long as they are reimbursed for the cost of such transportation, and such transportation has been approved by any metropolitan municipal corporation performing public transportation pursuant to chapter 35.58 RCW in the area to be served by the district.

Sec. 9. Section 28A.58.550, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 42, Laws of 1970 ex. sess. and RCW 28A.58.550 are each amended to read as follows:

Any school district may execute an executory conditional sales contract with any other municipal corporation, the state or any of its political subdivisions, the government of the United States or any private party for the purchase of any real or personal property, including student transportation vehicles, or property rights, in connection with the exercise of any powers or duties which they now or hereafter are authorized to exercise, if the entire amount of the purchase price specified in such contract does not result in a total indebtedness in excess of the limitation authorized by chapter 39.36 RCW, as now or hereafter amended, to be incurred without the assent of the voters: **PROVIDED**, That if such a proposed contract would result in a total indebtedness in excess of the limitation authorized by chapter 39.36 RCW, as now or hereafter amended, to be incurred without the assent of the voters, a proposition in regard to whether or not such a contract may be executed shall be submitted to the voters for approval or rejection in the same manner that bond issues for capital purposes are submitted to the voters: **PROVIDED FURTHER**, That any school district may jointly with another school district execute contracts authorized by this section.

Sec. 10. Section 1, chapter 210, Laws of 1977 ex. sess. and RCW 28A.58.131 are each amended to read as follows:

The board of directors of any school district may enter into contracts for their respective districts for periods not exceeding five years in duration with public and private persons, organizations, and entities for the following purposes:

- (1) To rent or lease building space, portable buildings, security systems, computers and other equipment; (and)
- (2) To have maintained and repaired security systems, computers and other equipment; and
- (3) To provide student transportation.

The budget of each school district shall identify that portion of each contractual liability incurred pursuant to this section extending beyond the fiscal year by amount, duration, and nature of the contracted service and/or item in accordance with rules and regulations of the superintendent of public instruction adopted pursuant to RCW 28A.65.465 and 28A.21.135, as now or hereafter amended.

The provisions of this section shall not have any effect on the length of contracts for school district employees specified by RCW 28A.58.100 and 28A.67.070, as now or hereafter amended.

Sec. 11. Section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.160 are each amended to read as follows:

Reimbursement for transportation costs shall be in addition to the basic education allocation. Transportation costs shall be reimbursed as follows:

(1) School districts shall be reimbursed up to one hundred percent of the operational costs ((for established bus routes)) for the transportation of students to and from common schools as ((recommended by the educational service district superintendent or his or her designee;)) determined pursuant to the provisions of sections 1 through 4 and 6 through 15 of this amendatory act and as approved by the state superintendent: **PROVIDED**, That commencing with the 1980-81 school year, reimbursement shall be at one hundred percent or as close thereto as reasonably possible; and

(2) Costs of acquisition of approved transportation equipment shall be reimbursed up to one hundred percent of the cost to be reimbursed over the anticipated life of the vehicle, as determined pursuant to the provisions of section 5 of this amendatory act and as approved by the state superintendent: **PROVIDED**, That commencing with the 1980-81 school year, reimbursement shall be at one hundred percent or as close thereto as reasonably possible: **PROVIDED FURTHER**, That reimbursements for the acquisition of

approved transportation equipment received by school districts shall be held within the general fund exclusively for the future purchase of approved transportation equipment and for major transportation equipment repairs consistent with rules and regulations authorized and promulgated under RCW 28A.41.170 and chapter 28A.65 RCW.

Sec. 12. Section 3, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.355 are each amended to read as follows:

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)).~~

**NEW SECTION.** Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW a new section to read as follows:

Educational service district boards may enter into contracts with school districts within their respective educational service district and within contiguous educational service districts for any or all of the services associated with pupil transportation systems, including, but not limited to, operations, purchasing, maintenance and facilities: **PROVIDED**, That educational service districts shall place first priority on consolidation of services for groups of districts.

**NEW SECTION.** Sec. 14. School district boards of directors may enter into contracts with educational service districts relating to any or all of the services associated with pupil transportation systems as authorized in section 13 of this amendatory act.

**NEW SECTION.** Sec. 15. In implementing the local student transportation program, districts should utilize the following operational criteria to the greatest extent possible.

(1) Transportation routes should be established to maximize efficiency, with route stops spaced at reasonable intervals.

(2) Transportation routes should be established so that the total time required to transport an eligible student from his/her route stop to the appropriate school of attendance will not exceed one hour under average traffic and weather conditions.

(3) Districts should utilize public transit systems whenever possible.

(4) In order to reduce the number of student transportation vehicles required by a district, each district should establish differential beginning and ending times for the respective total program hour offerings provided in separate schools within the district.

(5) Districts should coordinate routes with adjoining districts in order to avoid duplication of student transportation programs.

(6) Districts should maintain a minimum number of spare student transportation vehicles necessary for emergency situations and to meet the requirements of vehicle repair and maintenance.

(7) Whenever possible, districts should form cooperatives for such purposes as the maintenance of vehicles.

(8) Each district should adopt written policies concerning discipline and safety aboard student transportation vehicles.

**NEW SECTION.** Sec. 16. Sections 1 through 8, 14 and 15 of this amendatory act are added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW.

**NEW SECTION.** Sec. 17. The following acts or parts thereof are each repealed:

(1) Section 28A.24.055, chapter 223, Laws of 1969 ex. sess., section 3, chapter 153, Laws of 1969 ex. sess., section 3, chapter 24, Laws of 1971, section 1, chapter 45, Laws of 1973 and RCW 28A.24.055;

(2) Section 28A.24.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.060;

(3) Section 28A.24.080, chapter 223, Laws of 1969 ex. sess., section 104, chapter 176, Laws of 1969 ex. sess., section 32, chapter 282, Laws of 1971 ex. sess., section 54, chapter 275, Laws of 1975 1st ex. sess., section 1, chapter 80, Laws of 1977 and RCW 28A.24.080;

(4) Section 28A.24.100, chapter 223, Laws of 1969 ex. sess., section 10, chapter 66, Laws of 1971 ex. sess., section 2, chapter 80, Laws of 1977 and RCW 28A.24.100;

(5) Section 1, chapter 78, Laws of 1971, section 2, chapter 45, Laws of 1973 and RCW 28A.24.110;

(6) Section 2, chapter 78, Laws of 1971 and RCW 28A.24.111;

(7) Section 3, chapter 78, Laws of 1971 and RCW 28A.24.112;

(8) Section 3, chapter 45, Laws of 1973 and RCW 28A.24.120;

(9) Section 1, chapter 24, Laws of 1971 and RCW 28A.24.170;

(10) Section 2, chapter 24, Laws of 1971, section 1, chapter 171, Laws of 1974 ex. sess. and RCW 28A.24.172; and

(11) Section 1, chapter 93, Laws of 1974 ex. sess. and RCW 28A.24.180.

**NEW SECTION.** Sec. 18. The effective date of sections 1 through 17 of this amendatory act is January 1, 1980.

**NEW SECTION.** Sec. 19. 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 1 of the title after "education;" strike the remainder of the title and insert "amending section 28A.58.550, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 42, Laws of 1970 ex.

sess. and RCW 28A.58.550; amending section 1, chapter 210, Laws of 1977 ex. sess. and RCW 28A.58.131; amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.160; amending section 3, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.355; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW; repealing section 28A.24.055, chapter 223, Laws of 1969 ex. sess., section 3, chapter 153, Laws of 1969 ex. sess., section 3, chapter 24, Laws of 1971, section 1, chapter 45, Laws of 1973 and RCW 28A.24.055; repealing section 28A.24.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.060; repealing section 28A.24.080, chapter 223, Laws of 1969 ex. sess., section 104, chapter 176, Laws of 1969 ex. sess., section 32, chapter 282, Laws of 1971 ex. sess., section 54, chapter 275, Laws of 1975 1st ex. sess., section 1, chapter 80, Laws of 1977 and RCW 28A.24.080; repealing section 28A.24.100, chapter 223, Laws of 1969 ex. sess., section 10, chapter 66, Laws of 1971 ex. sess., section 2, chapter 80, Laws of 1977 and RCW 28A.24.100; repealing section 1, chapter 78, Laws of 1971, section 2, chapter 45, Laws of 1973 and RCW 28A.24.110; repealing section 2, chapter 78, Laws of 1971 and RCW 28A.24.111; repealing section 3, chapter 78, Laws of 1971 and RCW 28A.24.112; repealing section 3, chapter 45, Laws of 1973 and RCW 28A.24.120; repealing section 1, chapter 24, Laws of 1971 and RCW 28A.24.170; repealing section 2, chapter 24, Laws of 1971, section 1, chapter 171, Laws of 1974 ex. sess. and RCW 28A.24.172; repealing section 1, chapter 93, Laws of 1974 ex. sess. and RCW 28A.24.180; and making an effective date." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Chandler moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 557.

Representatives Chandler and Heck spoke in favor of the motion, and the motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

April 25, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 706 with the following amendments:

On page 2, line 3 after "decision" and before "shall" insert ", if adverse to the claimant in whole or part,"

On page 2, line 4 after "legislature" and before the period insert ": PROVIDED, That if the claimant accepts any part of his or her claim which is approved for payment by the director, such acceptance shall constitute a waiver and release of the state from any further claims relating to the damage or injury asserted in the claim so accepted. The director shall submit to the Senate Committee on Ways and Means and to the House Committee on Appropriations, at the beginning of each regular session, a comprehensive list of all claims paid pursuant to this subsection during the preceding two years" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Blair, the House concurred in the Senate amendments to Substitute House Bill No. 706.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 706 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 706 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Valle.

Substitute House Bill No. 706 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 25, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 912 with the following amendments:

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

"NEW SECTION. Section 1. The legislature declares that the potential economic and environmental benefits of solar energy use are considered to be in the public interest; therefore, local governments are authorized to encourage and protect access to direct sunlight for solar energy systems. The legislature further declares that solar easements appropriate to assuring continued access to direct sunlight for solar energy systems may be created and may be privately negotiated.

NEW SECTION. Sec. 2. There is added to chapter 35.63 RCW a new section to read as follows:

As used in this chapter, 'solar energy system' means any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in:

- (1) The heating or cooling of a structure or building;
- (2) The heating or pumping of water;
- (3) Industrial, commercial, or agricultural processes; or
- (4) The generation of electricity.

A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of a roof of a building or structure and serving as a window or wall.

Sec. 3. Section 35.63.060, chapter 7, Laws of 1965 and RCW 35.63.060 are each amended to read as follows:

The commission may act as the research and fact finding agency of the municipality. To that end it may make such surveys, analyses, researches and reports as are generally authorized or requested by its council or board, or by the state with the approval of its council or board. The commission, upon such request or authority may also:

(1) Make inquiries, investigations, and surveys concerning the resources of the county, including but not limited to the potential for solar energy development and alternative means to encourage and protect access to direct sunlight for solar energy systems;

(2) Assemble and analyze the data thus obtained and formulate plans for the conservation of such resources and the systematic utilization and development thereof;

(3) Make recommendations from time to time as to the best methods of such conservation, utilization, and development;

(4) Cooperate with other commissions and with other public agencies of the municipality, state and United States in such planning, conservation, and development; and

(5) In particular cooperate with and aid the state within its territorial limits in the preparation of the state master plan provided for in RCW 43.21.190 and in advance planning of public works programs.

Sec. 4. Section 35.63.080, chapter 7, Laws of 1965 and RCW 35.63.080 are each amended to read as follows:

The council or board may provide for the preparation by its commission and the adoption and enforcement of coordinated plans for the physical development of the municipality. For this purpose the council or board, in such measure as is deemed reasonably necessary or requisite in the interest of health, safety, morals and the general welfare, upon recommendation by its commission, by general ordinances of the city or general resolution of the board, may regulate and restrict the location and the use of buildings, structures and land for residence, trade, industrial and other purposes; the height, number of stories, size, construction and design of buildings and other structures; the size of yards, courts and other open spaces on the lot or tract; the density of population; the set-back of buildings along highways, parks or public water frontages; and the subdivision and development of land; and may encourage and protect access to direct sunlight for solar energy systems. A council where such ordinances are in effect, may, on the recommendation of its commission provide for the appointment of a board of adjustment, to make, in appropriate cases and subject to appropriate conditions and safeguards established by ordinance, special exceptions in harmony with the general purposes and intent and in accordance with general or specific rules therein contained.

Sec. 5. Section 35.63.090, chapter 7, Laws of 1965 and RCW 35.63.090 are each amended to read as follows:

All regulations shall be worked out as parts of a comprehensive plan which each commission shall prepare for the physical and other generally advantageous development of the municipality and shall be designed, among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote a coordinated development of the unbuild areas; to encourage the formation of neighborhood or community units; to secure an

appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; to encourage and protect access to direct sunlight for solar energy systems; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.

**NEW SECTION.** Sec. 6. There is added to chapter 35A.63 RCW a new section to read as follows:

As used in this chapter, 'solar energy system' means any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in:

- (1) The heating or cooling of a structure or building;
- (2) The heating or pumping of water;
- (3) Industrial, commercial, or agricultural processes; or
- (4) The generation of electricity.

A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of a roof of a building or structure and serving as a window or wall.

Sec. 7. Section 35A.63.062, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.062 are each amended to read as follows:

The comprehensive plan may include also any or all of the following optional elements:

- (1) A conservation element for the conservation, development, and utilization of natural resources.
- (2) An open space, park, and recreation element.
- (3) A transportation element showing a comprehensive system of surface, air, and water transportation routes and facilities.
- (4) A public-use element showing general locations, designs, and arrangements of public buildings and uses.
- (5) A public utilities element showing general plans for public and franchised services and facilities.
- (6) A redevelopment or renewal element showing plans for the redevelopment or renewal of slum and blighted areas.
- (7) An urban design element for general organization of the physical parts of the urban landscape.
- (8) Other elements dealing with subjects that, in the opinion of the legislative body, relate to the development of the municipality, or are essential or desirable to coordinate public services and programs with such development.

(9) A solar energy element for encouragement and protection of access to direct sunlight for solar energy systems.

Sec. 8. Section 35A.63.100, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.100 are each amended to read as follows:

After approval of the comprehensive plan, as set forth above, the legislative body, in developing the municipality and in regulating the use of land, may implement or give effect to the comprehensive plan or parts thereof by ordinance or other action to such extent as the legislative body deems necessary or appropriate. Such ordinances or other action may provide for:

(1) Adoption of an official map and regulations relating thereto designating locations and requirements for one or more of the following: Streets, parks, public buildings, and other public facilities, and protecting such sites against encroachment by buildings and other physical structures.

(2) Dividing the municipality, or portions thereof, into appropriate zones within which specific standards, requirements, and conditions may be provided for regulating the use of public and private land, buildings, and structures, and the location, height, bulk, number of stories, and size of buildings and structures, size of yards, courts, open spaces, density of population, ratio of land area to the area of buildings and structures, setbacks, area required for off-street parking, protection of access to direct sunlight for solar energy systems, and such other standards, requirements, regulations, and procedures as are appropriately related thereto. The ordinance encompassing the matters of this subsection is hereinafter called the 'zoning ordinance'. No zoning ordinance, or amendment thereto, shall be enacted by the legislative body without at least one public hearing, notice of which shall be given as set forth in RCW 35A.63.070. Such hearing may be held before the planning agency or the board of adjustment or such other body as the legislative body shall designate.

(3) Adoption of design standards, requirements, regulations, and procedures for the subdivision of land into two or more parcels, including, but not limited to, the approval of plats, dedications, acquisitions, improvements, and reservation of sites for public use.

(4) Scheduling public improvements on the basis of recommended priorities over a period of years, subject to periodic review.

(5) Such other matters as may be otherwise authorized by law or as the legislative body deems necessary or appropriate to effectuate the goals and objectives of the comprehensive plan or parts thereof and the purposes of this chapter.

**NEW SECTION.** Sec. 9. There is added to chapter 36.70 RCW a new section to read as follows:

As used in this chapter, 'solar energy system' means any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in:

- (1) The heating or cooling of a structure or building;
- (2) The heating or pumping of water;
- (3) Industrial, commercial, or agricultural processes; or



## (4) The generation of electricity.

A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of a roof of a building or structure and serving as a window or wall.

Sec. 10. Section 36.70.350, chapter 4, Laws of 1963 and RCW 36.70.350 are each amended to read as follows:

A comprehensive plan may include—

(1) a conservation element for the conservation, development and utilization of natural resources, including water and its hydraulic force, forests, water sheds, soils, rivers and other waters, harbors, fisheries, wild life, minerals and other natural resources,

(2) a solar energy element for encouragement and protection of access to direct sunlight for solar energy systems,

(3) a recreation element showing a comprehensive system of areas and public sites for recreation, natural reservations, parks, parkways, beaches, playgrounds and other recreational areas, including their locations and proposed development,

~~((3))~~ (4) a transportation element showing a comprehensive system of transportation, including general locations of rights of way, terminals, viaducts and grade separations. This element of the plan may also include port, harbor, aviation and related facilities,

~~((4))~~ (5) a transit element as a special phase of transportation, showing proposed systems of rail transit lines, including rapid transit in any form, and related facilities,

~~((5))~~ (6) a public services and facilities element showing general plans for sewerage, refuse disposal, drainage and local utilities, and rights of way, easements and facilities for such services,

~~((6))~~ (7) a public buildings element, showing general locations, design and arrangements of civic and community centers, and showing locations of public schools, libraries, police and fire stations and all other public buildings,

~~((7))~~ (8) a housing element, consisting of surveys and reports upon housing conditions and needs as a means of establishing housing standards to be used as a guide in dealings with official controls related to land subdivision, zoning, traffic, and other related matters,

~~((8))~~ (9) a renewal and/or redevelopment element comprising surveys, locations, and reports for the elimination of slums and other blighted areas and for community renewal and/or redevelopment, including housing sites, business and industrial sites, public building sites and for other purposes authorized by law,

~~((9))~~ (10) a plan for financing a capital improvement program,

~~((10))~~ (11) as a part of a comprehensive plan the commission may prepare, receive and approve additional elements and studies dealing with other subjects which, in its judgment, relate to the physical development of the county.

Sec. 11. Section 36.70.560, chapter 4, Laws of 1963 and RCW 36.70.560 are each amended to read as follows:

Official controls may include:

(1) Maps showing the exact boundaries of zones within each of which separate controls over the type and degree of permissible land uses are defined;

(2) Maps for streets showing the exact alignment, gradients, dimensions and other pertinent features, and including specific controls with reference to protecting such accurately defined future rights of way against encroachment by buildings, other physical structures or facilities;

(3) Maps for other public facilities, such as parks, playgrounds, civic centers, etc., showing exact location, size, boundaries and other related features, including appropriate regulations protecting such future sites against encroachment by buildings and other physical structures or facilities;

(4) Specific regulations and controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation of streets and lands for other public purposes requiring future dedication or acquisition and general design of physical improvements, and the encouragement and protection of access to direct sunlight for solar energy systems.

NEW SECTION. Sec. 12. There is added to chapter 64.04 RCW a new section to read as follows:

(1) As used in this chapter:

(a) 'Solar energy system' means any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in:

- (i) The heating or cooling of a structure or building;
- (ii) The heating or pumping of water;
- (iii) Industrial, commercial, or agricultural processes; or
- (iv) The generation of electricity.

A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member or part of a roof of a building or structure and serving as a window or wall; and

(b) 'Solar easement' means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

(2) A solar easement is an interest in real property, and shall be created in writing and shall be subject to the same conveyancing and instrument recording requirements as other easements.

(3) A solar easement shall be appurtenant and run with the land or lands benefited and burdened, unless otherwise provided in the easement.

(4) Any instrument creating a solar easement shall include but not be limited to:

(a) A description of the real property subject to the solar easement and a description of the real property benefiting from the solar easement; and

(b) A description of the extent of the solar easement which is sufficiently certain to allow the owner of the real property subject to the easement to ascertain the extent of the easement. Such description may be made by describing the vertical and horizontal angles, expressed in degrees, at which the solar easement extends over the real property subject to the easement and the points from which those angles are to be measured, or the height over the property above which the solar easement extends, or a prohibited shadow pattern, or any other reasonably certain description.

(5) Any instrument creating a solar easement may include:

(a) The terms or conditions or both under which the solar easement is granted or will be terminated; and

(b) Any provisions for compensation to the owner of property benefiting from the solar easement in the event of interference with the enjoyment of the solar easement, or compensation to the owner of the property subject to the solar easement for maintaining the solar easement.

**NEW SECTION.** Sec. 13. There is added to chapter 64.04 RCW a new section to read as follows:

In any action for interference with a solar easement, if the instrument creating the easement does not specify any appropriate and applicable remedies, the court may choose one or more remedies including but not limited to the following:

(1) Actual damages as measured by increased charges for supplemental energy, the capital cost of the solar energy system, and/or the cost of additional equipment necessary to supply sufficient energy:

(a) From the time the interference began until the actual or expected cessation of the interference; or

(b) If the interference is not expected to cease, in a lump sum which represents the present value of the damages from the time the interference began until the normally expected end of the useful life of the equipment which was interfered with;

(2) Reasonable and necessary attorney's fees as fixed by the court; and

(3) An injunction against the interference.

**NEW SECTION.** Sec. 14. There is added to chapter 64.04 RCW a new section to read as follows:

A solar easement created under this chapter may only be created by written agreement. Nothing in this chapter shall be deemed to create or authorize the creation of an implied easement or a prescriptive easement.

**NEW SECTION.** Sec. 15. 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, on line 1 of the title, after "easements;" strike the remainder of the title and insert "amending section 35.63.060, chapter 7, Laws of 1965 and RCW 35.63.060; amending section 35.63.080, chapter 7, Laws of 1965 and RCW 35.63.080; amending section 35.63.090, chapter 7, Laws of 1965 and RCW 35.63.090; amending section 35A.63.062, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.062; amending section 35A.63.100, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.100; amending section 36.70.350, chapter 4, Laws of 1963 and RCW 36.70.350; amending section 36.70.560, chapter 4, Laws of 1963 and RCW 36.70.560; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding new sections to chapter 64.04 RCW; and creating a new section."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Haley moved that the House do concur in the Senate amendments to Substitute House Bill No. 912.

#### POINT OF INQUIRY

Ms. Sherman yielded to question by Mr. Haley.

Mr. Haley: "Representative Sherman, are these amendments really substantive that have come over from the Senate on this bill? Would you explain what the amendments are?"

Ms. Sherman: "The amendments put permissive language to allow the local planning commission to take into account access to sunlight. The planning commissions have a great many charters under the law, and this is an additional one and it is permissive."

Mr. Haley spoke in favor of the motion to concur.

#### MOTIONS

On motion of Mr. Polk, further consideration of Substitute House Bill No. 912 was deferred.

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

### THIRD READING

SUBSTITUTE SENATE BILL NO. 2097 as amended by the House, by Committee on Transportation (originally sponsored by Senators Conner, Henry and Hayner - by Legislative Transportation Committee request):

Recognizing mopeds as motor vehicles for certain purposes.

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

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2097 as amended by the House, 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, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Wolk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barr, Keller, McDonald, Schmitt, Sprague.

Not voting: Representatives Martinis, Valle.

Substitute Senate Bill No. 2097 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 SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 291.

Speaker Berentson declared the House to be at ease until 1:30 p.m.

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

### MOTION

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

### RESOLUTIONS

HOUSE RESOLUTION NO. 79-49, by Representatives Lux, O'Brien, Eng and Maxie:

WHEREAS, The Franklin High School Debate and Speech Team won two trophies at the Washington State Forensic Tournament held on March 24, 1979, at Yakima, Washington; and

WHEREAS, Paula Maranan, a junior, won first place in Expository speaking and was rated best in the state; and

WHEREAS, William Smith II, a sophomore, won second place in the Oratory division; and

WHEREAS, The week following the Washington State Forensic Tournament, Judy Boerner, a Franklin High School Junior, was the winner of Seattle Knights of the Round Table King County Oratory Contest. Speaking on the topic "The Role of the Humanities in a Shrinking World," Judy won the opportunity to enter The Knights of the Round Table National at Estes Park, Colorado in June; and

WHEREAS, The distinguished performance demonstrating the talent, skill, and self-confidence developed by every member of the Franklin High School Debate and Speech Team was the culmination of a year's effort and dedicated participation in the debate and speech team's activities which were conducted only between or after regular school hours; and

WHEREAS, Sara Kaplan, a teacher at Franklin High School who is the coach for the debate and speech team, has given generously of her time, energy, and knowledge to encourage and inspire her students to strive to achieve their highest potential now and in the future; and

WHEREAS, Both the experience of being part of the debate and speech team and learning invaluable forensic skills and the opportunity to be members of the student body at Franklin High School, the most multi-ethnic, culturally pluralistic high school in the state of Washington, will help these students learn the academic and social skills vital to being good citizens and good leaders in our democracy;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the members of the House of Representatives of the Forty-Sixth Legislature express admiration for all the members of the Franklin High School Debate and Speech Team, gratitude and respect for Sara Kaplan's efforts, congratulations to the debate and speech team and their coach for their praiseworthy achievements, and confidence and pride in the future accomplishments of each member of the Franklin High School Debate and Speech Team; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to Sara Kaplan, all members of the Franklin High School Debate and Speech Team, the Superintendent of Public Instruction, the Superintendent of Seattle Public Schools, the Seattle School Board, and to the President of the Seattle PTSA Council.

Mr. Lux moved adoption of the resolution, and spoke in favor of it.

House Resolution No. 79-49 was adopted.

HOUSE RESOLUTION NO. 79-55, by Representatives Charnley, Bender, Gruger, King, Martinis, Nelson (G.A.) and Sprague.

WHEREAS, Deanna Carr of Edmonds High School has this year thrown the javelin 159 feet, 5 inches, which is four feet farther than the listed Washington State girls' all-time record; and

WHEREAS, Edmonds High School competes in extracurricular activities in the WESCO League, which does not include the javelin in its track and field competition; and

WHEREAS, Current rules provide no means by which Deanna Carr can qualify for the state girls' track and field championships, only because the WESCO Conference does not sanction the javelin; and

WHEREAS, The extracurricular events provided by Washington State schools are paid by tax dollars and, therefore, should be open to all students; and

WHEREAS, The Washington Interscholastic Activities Association and the State Board of Education are responsible for athletic rules and student eligibility; and

WHEREAS, RCW 28.58.125 places with the State Board of Education the responsibility of final determination of student eligibility in such matters;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives strongly suggests to the State Board of Education that they, in coordination with the Washington Interscholastic Activities Association, take whatever steps are necessary to provide a means by which Deanna Carr and any other students in similar predicaments may be allowed a means by which such students can attempt to qualify for state-wide competitions conducted by the Washington Interscholastic Activities Association;

BE IT FURTHER RESOLVED, That copies of this resolution be immediately sent to the State Board of Education, the Washington Interscholastic Activities Association and Deanna Carr.

Mr. Charnley moved adoption of the resolution and spoke in favor of it.

House Resolution No. 79-55 was adopted.

HOUSE RESOLUTION NO. 79-34, by Representatives King and Nelson (G.A.):

WHEREAS, For the past six years Jerry Lavell has coached the Snohomish County Irish Under-14 Girls Soccer Team, aiding in the athletic development of many of the county's young women; and

WHEREAS, These 13-year-olds recently placed first in the Everett Invitational and were also this season's North Snohomish County Champions; and

WHEREAS, The Irish Girls were the first team west of the Mississippi to be invited to participate in the Orange Bowl Junior Classic, last held in Miami, Florida, December 27-29, 1978; and

WHEREAS, The Washington girls placed second in the tournament, winning against teams from Florida and Virginia, and losing only to a team from Bowie, Maryland; and

WHEREAS, These young ladies exhibited great personal discipline by sacrificing many of the traditional festivities of the holiday season in order to ready themselves for the Classic;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington wishes to extend its congratulations and continuing good wishes to Coach Lavell and his assistants, Linda Davis and Martin Moynihan, and the entire Irish Under-14 Girls Soccer Team of North Snohomish County; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerks of the House of Representatives to Coaches Lavell, Davis and Moynihan, and each member of the Irish Under-14 Girls Soccer Team. The members are: Katherine Berg, Ann Marie Cote, Maureen Harrigan, Melanie Hoelzle, Diana Kautz, Lynette Keasey, Kelli Langan, Susan Lavell, Kathy Long, Beth Middendorf, Pam Morrier, Jill Romo, Sara Schneider, Mary Solie, Sherry Summerfield, Kim Thacker, and Sharon Winnie.

Mr. King moved adoption of the resolution and spoke in favor of it.

House Resolution No. 79-34 was adopted.

HOUSE RESOLUTION NO. 79-53, by Representatives Newhouse, King, Polk and Scott:

WHEREAS, It is of paramount importance for the welfare of this state to establish and perpetuate sure and certain relief for injured workers and their families and dependents, regardless of questions of fault; and

WHEREAS, In recent years there has been criticism of various aspects of industrial insurance, including adequacy of benefits, timeliness of payments, claims management and review, budget levels, decision-making structure, appellate procedures, classification system, rehabilitation procedures, premium increases, research priorities, accident prevention, and risk management;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington, in cooperation with a similarly constituted committee of the Senate, conduct a study to review the adequacy of the existing industrial insurance system of this state, to identify deficiencies and recommend improvements, including fiscal impact, for changes in operation, if any; and

BE IT FURTHER RESOLVED, That the House Executive Rules Committee shall assign resources as deemed appropriate to carry out the purposes of this resolution.

Mr. Newhouse moved adoption of the resolution.

Representatives Newhouse and King spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 79-42, by Representatives Heck and Zimmerman:

WHEREAS, Efforts have been made over the past decade by the U.S. Fish and Wildlife Service to obtain private lands near Conboy Lake in Klickitat County for a goose nesting area; and

WHEREAS, Property owners, many the descendents of the pioneers who homesteaded the area, have resisted condemnation of their lands, or other means of acquisition attempted by the federal agency; and

WHEREAS, An appropriation is being sought by the U.S. Fish and Wildlife Service to condemn and further acquire lands for these purposes at Conboy Lake; and

WHEREAS, The property owners of the area should not be threatened by a federal agency in Washington, D.C. with the loss of their property which they desire to retain for their own use; and

WHEREAS, The Congress of the United States should deny the U.S. Fish and Wildlife Service any funds for the condemnation or acquisition of lands at Conboy Lake for goose nesting purposes; and

WHEREAS, Congressman Mike McCormack, of the Fourth Congressional District, has been steadfast in his effort to deny such funds to the U.S. Fish and Wildlife Service;

NOW THEREFORE BE IT RESOLVED, By the House of Representatives of the State of Washington that Congressman McCormack be supported in this effort to defend the property rights of the landowners of the Conboy Lake area, and to deny funds to be used for the purchase of their property, or condemnation, by the U.S. Fish and Wildlife Service;

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Congressman McCormack; to the other members of the Washington delegation in Congress, and to the Secretary of the U.S. Department of the Interior.

Mr. Heck moved adoption of the resolution.

Representatives Heck and Zimmerman spoke in favor of the resolution and it was adopted.

HOUSE RESOLUTION NO. 79-52, by Representatives Polk, O'Brien, Adams, Gallagher, Greengo, Houchen, Lux, McDonald, North and Rohrbach.

WHEREAS, The 36th anniversary of the defeat of the Jewish Resistance in the Warsaw Ghetto is commemorated this week, according to the Hebrew calendar; and

WHEREAS, The destruction of the Warsaw Ghetto symbolizes the event now known as the "Holocaust"; and

WHEREAS, The "Holocaust" saw millions of Jews, other minorities and dissenters systematically slaughtered by the forces of the Third Reich; and

WHEREAS, The "Holocaust" represents the attempted genocide of an entire people whose only "crime" was their mere existence; and

WHEREAS, The "Holocaust" must be remembered for all time by all peoples in order to assure that such a terrible human tragedy will never again occur;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognizes this week of April 23-April 29 as "Holocaust Remembrance Week"; and

BE IT FURTHER RESOLVED, That the House of Representatives encourage all citizens of the State of Washington to remember and to acknowledge the horror and the tragedy of the "Holocaust" so that no person need ever again witness or experience such an event.

Mr. Polk moved adoption of the resolution.

Representatives Polk and O'Brien spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 79-37, by Representatives Dunlap, Addison, Barnes, Craswell, Dawson, Eberle, Erickson, Fancher, Hastings, Houchen, Hughes, McCormick,

McGinnis, Mitchell, Nisbet, Owen, Rohrbach, Rosbach, Sanders, Schmitten, Sprague, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside and Williams.

WHEREAS, There is a growing concern by citizens and taxpayers that the rate of increase in government spending imperils the purchasing power of the individual and the health of the economy; and

WHEREAS, This concern has become one of the most important problems facing the country as measured by numerous public opinion polls; and

WHEREAS, There is a growing public demand that government taxes and spending be subject to greater discipline; and

WHEREAS, The failure to respond to the clear majority will of the American people could cause significant damage to public confidence in our system of government;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the House do respectfully pray that the Congress of the United States recognize the imperative need for a credible response to the public demand for a more efficient restraint on federal taxation and spending, and move to adopt either a constitutional amendment for submission to the states, or a binding internal procedure with effective safeguards against evasion, to achieve the end of responsible fiscal control which will help reduce inflation, protect purchasing power, and preserve the vitality of this nation's economy; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington commend to the attention of the Congress the following provisions and concepts to achieve the desired end: That the growth rate in outlays of the government of the United States be prohibited from exceeding the growth rate of the national economy; that any budgetary surplus be used to reduce the public debt of the United States; that the President and Congress by extraordinary majority may declare an emergency appropriation in excess of the limit for one year; that the position of the budget outlays composed of grants to state and local governments be protected; and that additional burdens imposed on state or local governments by the government of the United States be compensated;

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the Honorable Jimmy Carter, President of the United States; the President of the United States Senate; the Speaker of the United States House of Representatives; and each member of Congress from the State of Washington.

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

HOUSE RESOLUTION NO. 79-51, by Representatives Deccio, Amen, Bagnariol, Berentson, Bender, Douthwaite, Dunlap, Greengo, Hughes, Isaacson, King, Knowles, North, O'Brien, Patterson, Polk, Salatino and Tilly:

WHEREAS, Secretaries employed by the Washington State Legislature play an integral part in the efficient and smooth operation of the legislature; and

WHEREAS, Legislators rely to a great extent on the ability of secretaries to effectively communicate legislators' positions to constituents; and

WHEREAS, The secretaries employed by the Washington State Legislature must assume the responsibility for countless details in their efforts to assist legislators; and

WHEREAS, Legislative secretaries must often work long hours in order to perform the responsibilities assigned to them;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes the important contribution of secretaries employed by the legislature; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize Friday, April 27, 1979, as Secretaries Day and takes this opportunity to honor secretaries employed by the Legislature.

Mr. Deccio moved adoption of the resolution.

Representatives Deccio and North spoke in favor of the resolution.

Mr. Nelson (D) moved adoption of the following amendment to the resolution by Representatives Nelson (D), May, Charnley, Brekke, Burns, Ehlers, Sherman and Walk:

Add a new paragraph to the resolution to read as follows:

"BE IT FURTHER RESOLVED, That the House of Representatives shall review the salaries of legislative secretaries for their consistency with the concept of comparable work.

Mr. Nelson (D) spoke in favor of the amendment to the resolution.

#### MOTION

On motion of Mr. Patterson, further consideration of House Resolution No. 79-51 was deferred and the resolution was ordered placed at the bottom of the calendar of resolutions.

HOUSE RESOLUTION NO. 79-45, by Representatives Pruitt, Becker, Burns, Gruger, Haley, Kreidler, Lux, McCormick, Monohon, Nelson (D), Nisbet, Sherman, Teutsch, Tupper and Williams.

WHEREAS, Serious concerns about the safety of nuclear generating facilities have been raised by the recent accident at the Three Mile Island nuclear plant;

WHEREAS, Seven major nuclear generating facilities are under construction or planned in the State of Washington; and

WHEREAS, The cost of generating electricity from nuclear facilities is increasing, and such electricity is projected to cause a quadrupling of electrical rates in the state by 1990; and

WHEREAS, Effective conservation and the elimination of wasteful uses of energy can reduce the need for major new thermal generating facilities; and

WHEREAS, Renewable and safe energy resources such as solar, wind and geothermal energy can make a substantial contribution toward solving our energy problems;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the development of recommendations for an accelerated program to encourage the use of renewable energy resources, eliminate energy waste, and promote cost-effective energy conservation measures shall be a high priority for study by the House Committee on Energy and Utilities; and

BE IT FURTHER RESOLVED, That the Committee shall seek broad public discussion in the development of such a program in hearings conducted throughout the state, and shall report its findings and recommendations to the next session of the Legislature.

Mr. Pruitt moved adoption of the resolution.

Representatives Pruitt and Nisbet spoke in favor of the resolution.

#### MOTION

Mr. Nisbet moved that House Resolution No. 79-45 be referred to Committee on Energy and Utilities.

Representatives Nisbet and Haley spoke in favor of the motion, and Mr. Pruitt spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to refer House Resolution No. 79-45 to Committee on Energy and Utilities, and the motion was carried by the following vote: Yeas, 56; nays, 40; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Becker, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, Jovanovich, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taler, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, May, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Scott, Sherman, Smith R., Sommers, Vrooman, Walk, Warnke.

Not voting: Representatives Martinis, Valle.



## MOTION

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

## SENATE AMENDMENTS TO HOUSE BILL

April 16, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1308 with the following amendments:

On page 1, line 1 of the title after "lots;" insert "amending section 3, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.030;"

On page 1, line 1 of the title strike "of mobile home lots"

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 3, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.030 are each amended to read as follows:

For purposes of this chapter:

(1) 'Landlord' means the owner of a mobile home park and includes the agents of a landlord;  
 (2) 'Mobile home lot' means a portion of a mobile home park designated as the location of one mobile home and its accessory buildings, and intended for the exclusive use ~~((of))~~ as a primary residence by the occupants of that mobile home;

(3) 'Mobile home park' means any real property which is rented or held out for rent to others for the placement of two or more mobile homes for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy;

(4) 'Tenant' means any person, except a transient, who rents a mobile home lot;

(5) 'Transient' means a person who rents a mobile home lot for a period of less than one month.

Sec. 2. Section 4, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.040 are each amended to read as follows:

This chapter shall regulate and determine legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a mobile home lot and including specified amenities within the mobile home park, whose uses are referred to as a part of the rent structure paid by the tenant. All such rental agreements shall be unenforceable to the extent of any conflict with any provision of this chapter. Chapter 59.12 RCW shall be applicable only in implementation of the provisions of this chapter and not as an alternative remedy to this chapter which shall be exclusive where applicable: **PROVIDED,** That the provision of RCW 59.12.090, 59.12.100, and 59.12.170 shall not apply to any rental agreement included under the provisions of this chapter. RCW 59.18.370 through 59.18.410 shall be applicable to any action of forcible entry or detainer or unlawful detainer arising from a tenancy under the provisions of this chapter. Rentals of mobile homes themselves are governed by the Residential Landlord-Tenant Act, chapter 59.18 RCW.

Sec. 3. Section 5, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.050 are each amended to read as follows:

(1) On and after September 21, 1977, no landlord may offer a mobile home lot for rent without offering to a prospective tenant a written rental agreement for a term of one year or more. No landlord may offer to a tenant or prospective tenant any rental agreement for a term of one year or more for which the monthly rental is greater, or the terms of payment or other material conditions more burdensome to the tenant, than any month-to-month rental agreement also offered to such tenant or prospective tenant. A prospective tenant who desires to occupy a mobile home lot for other than a term of one year or more may have the option to be on a month-to-month basis but must waive, in writing, the right to such one year or more term. Except pursuant to such waiver, no landlord shall allow a mobile home to be moved into a mobile home park in this state until a written rental agreement has been signed by the landlord and the tenant and a copy provided for the tenant: **PROVIDED,** That if the landlord allows the tenant to move a mobile home into a mobile home park without obtaining a written rental agreement for a term of one year or more, or a written waiver of the right to a one-year term or more, the term of the tenancy shall be deemed to be for one year from the date of occupancy of the mobile home lot;

(2) The requirements of subsection (1) of this section shall not apply if:

(a) The mobile home park or part thereof has been acquired or is under imminent threat of condemnation for a public works project, or

(b) An employer-employee relationship exists between a landlord and tenant;

(3) The provisions of this section shall apply to any tenancy in existence prior to September 21, 1977, upon expiration of the term of any oral or written rental agreement governing such tenancy.

Sec. 4. Section 6, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.060 are each amended to read as follows:

(1) Any ~~((rental agreement executed between the landlord and tenant))~~ mobile home lot tenancy regardless of the term, shall be based upon a written rental agreement, signed by the parties, which shall contain:

(a) The terms for the payment of rent, including time and place, and any additional charges to be paid by the tenant. Additional charges that occur less frequently than monthly shall be itemized in a billing to the tenant;

(b) Reasonable rules for guest parking which shall be clearly stated;

(c) The rules and regulations of the park;

(d) The name and address of the person who is the landlord, and if such person does not reside in the state where the mobile home park is located there shall also be designated by name and address a person who resides in the county where the mobile home park is located who is authorized to act as agent for the purposes of service of notices and process. If no designation is made of a person to act as agent, then the person to whom rental payments are to be made shall be considered the agent; ((and))

(e) The terms and conditions under which any deposit or portion thereof may be withheld by the landlord upon termination of the rental agreement if any moneys are paid to the landlord by the tenant as a deposit or as security for performance of the tenant's obligations in a rental agreement;

(f) A listing of those utilities and services which will be provided at the time the rental agreement is executed and will continue to be offered for the term of tenancy and the nature of the fees, if any, to be charged; and

(g) A description of the boundaries of a mobile home lot sufficient to inform the tenant of the exact location of his lot in relation to other tenants' lots.

(2) Any rental agreement executed between the landlord and tenant shall not contain:

(a) Any provision which allows the landlord to charge a fee for guest parking unless a violation of the rules for guest parking occurs: PROVIDED, That a fee may be charged for guest parking which covers an extended period of time as defined in the rental agreement;

(b) Any provision which authorizes the towing or impounding of a vehicle except upon notice to the owner thereof or the tenant whose guest is the owner of said vehicle;

(c) Any provision which allows the landlord to increase the rent or alter the due date for rent payment during the term of the rental agreement: PROVIDED, That a rental agreement may include an escalation clause for a pro rata share of any increase in the mobile home park's real property taxes or utility assessments or charges, over the base taxes or utility assessments or charges of the year in which the rental agreement took effect, if the clause also provides for a pro rata reduction in rent or other charges in the event of a reduction in real property taxes or utility assessments or charges, below the base year;

(d) Any provision by which the tenant agrees to waive or forego rights or remedies under this chapter; ((or))

(e) Any provision allowing the landlord to charge an 'entrance fee' or an 'exit fee'; or

(f) Any provision which allows the landlord to charge a fee for guests: PROVIDED, That a landlord may establish rules charging for guests who remain on the premises for more than fifteen days in any sixty-day period.

Sec. 5. Section 7, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.070 are each amended to read as follows:

A landlord shall not:

(1) Deny any tenant the right to sell such tenant's mobile home within a park or require the removal of the mobile home from the park solely because of the sale thereof: PROVIDED, That:

(a) A rental agreement for a fixed term shall be assignable by the tenant to any person to whom he sells or transfers title to the mobile home, subject to the approval of the landlord after fifteen days' written notice of such intended assignment;

(b) The assignee of the rental agreement shall assume all the duties and obligations of his assignor for the remainder of the term of the rental agreement unless, by mutual agreement, a new rental agreement is entered into with the landlord; and

(c) The landlord shall approve or disapprove of the assignment of a rental agreement on the same basis that the landlord approves or disapproves of any new tenant; ((or))

(2) Restrict the tenant's freedom of choice in purchasing goods or services but may reserve the right to approve or disapprove any exterior structural improvements on a mobile home lot: PROVIDED, That door-to-door solicitation in the mobile home park may be restricted in the rental agreement;

(3) Prohibit meetings by tenants of the mobile home park to discuss mobile home living and affairs, conducted at reasonable times and in an orderly manner on the premises, nor penalize any tenant for participation in such activities;

(4) (a) Evict a tenant, terminate a rental agreement, decline to renew a rental agreement, increase rental or other tenant obligations, decrease services, or modify park rules in retaliation for any of the following actions on the part of a tenant taken in good faith:

(i) Filing a complaint with any state, county, or municipal governmental authority relating to any alleged violation by the landlord of an applicable statute, regulation, or ordinance;

(ii) Requesting the landlord to comply with the provision of this chapter or other applicable statute, regulation, or ordinance of the state, county, or municipality;

(iii) Filing suit against the landlord for any reason;

(iv) Participation or membership in any homeowners association or group;

(b) In determining whether an action by a landlord is retaliatory, the presumptions set forth in RCW 59.18.250 shall apply; or

(5) Charge to any tenant a utility fee in excess of actual utility costs.

Sec. 6. Section 8, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.080 are each amended to read as follows:

((Tenancy during the term of a rental agreement may be terminated by the landlord only)) (1) Except as provided in subsection (2) of this section, the landlord shall not terminate a tenancy, of whatever duration, except for one or more of the following reasons:

((††)) (a) Substantial or repeated violation of the rules of the mobile home park as established by the landlord at the inception of the tenancy or as assumed subsequently with the consent of the tenant or for violation of the tenant's duties as provided in section 9 of this act as now or hereafter amended. The tenant shall be given written notice of a fifteen day period in which to comply or vacate; PROVIDED, That in the case of a violation of a 'material change' in park rules with respect to pets, tenants with minor children living with them, or recreational facilities, the tenant shall be given written notice of a six month period in which to comply or vacate. In the case of periodic rather than continuous violation, said notice shall specify that the same violation repeated shall result in termination;

((††)) (b) Nonpayment of rent or other charges specified in the rental agreement, upon five days written notice to pay rent and/or other charges or to vacate;

((††)) (c) Conviction of the tenant of a crime, commission of which threatens the health, safety, or welfare of the other mobile home park tenants. The tenant shall be given written notice of a fifteen day period in which to vacate;

(d) Failure of the tenant to comply with local ordinances and state laws and regulations relating to mobile homes or mobile home living within a reasonable time after the tenant's receipt of notice of such noncompliance from the appropriate governmental agency;

(e) Change of land use of the mobile home park: PROVIDED, That the landlord shall give the tenants twelve months' notice in advance of the proposed effective date of such change.

(2) A landlord may terminate any tenancy without cause. Such termination shall be effective six months from the date the landlord serves notice of termination upon the tenant or at the end of the current tenancy, whichever is later: PROVIDED, That a landlord may not terminate a tenancy for any reason or basis which is prohibited under RCW 59.20.070(3) or (4), as now or hereafter amended.

Sec. 7. Section 9, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.090 are each amended to read as follows:

(1) Unless otherwise agreed rental agreements shall be for a term of one year. Any rental agreement ((for a term of one year and any rental agreement renewed for a six-month term)) of whatever duration shall be automatically renewed for an additional six-month term or for the term of the original rental agreement, whichever is shorter unless:

(a) ((Otherwise specified in the original written rental agreement)) A different specified term is agreed upon; or

(b) The landlord ((notifies the tenant in writing three months prior to the expiration of the rental agreement that it will not be renewed or will be renewed only with the changes contained in such notice)) serves notice of termination without cause upon the tenant prior to the expiration of the rental agreement: PROVIDED, That under such circumstances, at the expiration of the prior rental agreement the tenant shall be considered a month-to-month tenant upon the same terms as in the prior rental agreement until the tenancy is terminated.

(2) A landlord seeking to increase the rent upon expiration of the term of a rental agreement of any duration shall notify the tenant in writing three months prior to the effective date of any increase in rent: PROVIDED, That if a landlord serves a tenant with notice of a rental increase at the same time or subsequent to serving the tenant with notice of termination without cause, such rental increase shall not become effective until the date the tenant is required to vacate the leased premises pursuant to the notice of termination or three months from the date notice of rental increase is served, whichever is later.

(3) A tenant shall notify the landlord in writing one month prior to the expiration of a rental agreement of an intention not to renew.

((††)) (4)(a) The tenant may terminate the rental agreement upon thirty days written notice whenever a change in the location of the tenant's employment requires a change in his residence, and shall not be liable for rental following such termination unless after due diligence and reasonable effort the landlord is not able to rent the mobile home lot at a fair rental. If the landlord is not able to rent the lot, the tenant shall remain liable for the rental specified in the rental agreement until the lot is rented or the original term ends;

((††)) (b) Any tenant who is a member of the armed forces may terminate a rental agreement with less than thirty days notice if he receives reassignment orders which do not allow greater notice.

NEW SECTION. Sec. 8. It shall be the duty of the landlord to:

(1) Maintain the common premises and prevent the accumulation of stagnant water and to prevent the detrimental effects of moving water when such condition is not the fault of the tenant;

(2) Keep any shared or common premises reasonably clean, sanitary, and safe from defects to reduce the hazards of fire or accident;

(3) Keep all common premises of the mobile home park, not in the possession of tenants, free of weeds or plant growth noxious and detrimental to the health of the tenants and free from potentially injurious or unsightly objects and condition;

(4) Exterminate or make a reasonable effort to exterminate rodents, vermin, or other pests dangerous to the health and safety of the tenant whenever infestation exists on the common premises or whenever infestation occurs in the interior of a mobile home as a result of infestation existing on the common premises;

(5) Maintain and protect all utilities provided to the mobile home in good working condition. Maintenance responsibility shall be determined at that point where the normal mobile home utilities 'hook-ups' connect to those provided by the landlord or utility company;

(6) Respect the privacy of the tenants and shall have no right of entry to a mobile home without the prior written consent of the occupant, except in case of emergency or when the occupant has abandoned the mobile home. Such consent may be revoked in writing by the occupant at any time. The ownership or management shall have a right of entry upon the land upon which a mobile home is situated for maintenance of utilities and protection of the mobile home park at any reasonable time, but not in a manner or at a time which would interfere with the occupant's quiet enjoyment;

(7) Allow tenants freedom of choice in the purchase of goods and services, and not unreasonably restrict access to the mobile home park for such purposes; and

(8) Maintain roads within the mobile home park in good condition.

**NEW SECTION.** Sec. 9. It shall be the duty of the tenant to pay the rental amount at such times and in such amounts as provided for in the rental agreement or as otherwise provided by law and comply with all obligations imposed upon tenants by applicable provisions of all municipal, county, and state codes, statutes, ordinances and regulations, and in addition the tenant shall:

(1) Keep the mobile home lot which he occupies and uses as clean and sanitary as the conditions of the premises permit;

(2) Properly dispose of all rubbish, garbage, and other organic or flammable waste, in a clean and sanitary manner at reasonable and regular intervals, and assume all costs of extermination and fumigation for infestation caused by the tenant on the tenant's leased premises;

(3) Not intentionally or negligently destroy, deface, damage, impair, or remove any facilities, equipment, furniture, furnishings, fixtures or appliances provided by the landlord, or permit any member of his family, invitee, or licensee, or any person acting under his control to do so; and

(4) Not permit a nuisance or common waste.

**NEW SECTION.** Sec. 10. (1) Any notice required by this chapter to be given to a tenant shall be served on behalf of the landlord: (a) By delivering a copy personally to the tenant; or (b) if the tenant is absent from the mobile home, by leaving a copy at the mobile home with some person of suitable age and discretion and by sending a copy through the mail addressed to the tenant's place of residence; or (c) if the tenant is absent from the mobile home and a person of suitable age and discretion cannot be found to leave a copy with, then by affixing a copy of the notice in a conspicuous place on the mobile home and also sending a copy through the mail addressed to the tenant at the tenant's last known address.

(2) Any notice required by this chapter to be given to the landlord shall be served by the tenant in the same manner as provided for in subsection (1) of this section, or by mail to the landlord at such place as shall be expressly provided in the rental agreement.

(3) The landlord shall state in any notice of eviction required by RCW 59.20.080(1) as now or hereafter amended the specific reason for eviction in a clear and concise manner.

**NEW SECTION.** Sec. 11. If any moneys are paid to the landlord by the tenant as a deposit or as security for performance of the tenant's obligations in a rental agreement, such rental agreement shall include the terms and conditions under which the deposit or portion thereof may be withheld by the landlord upon termination of the rental agreement. If all or part of the deposit may be withheld to indemnify the landlord for damages to the mobile home lot for which the tenant is responsible, the rental agreement shall so specify.

**NEW SECTION.** Sec. 12. All moneys paid to the landlord by the tenant as a deposit as security for performance of the tenant's obligations in a rental agreement shall promptly be deposited by the landlord in a trust account, maintained by the landlord for the purpose of holding such security deposits for tenants of the landlord, in a bank, savings and loan association, mutual savings bank, or licensed escrow agent located in Washington. Unless otherwise agreed in writing, the landlord shall be entitled to receipt of interest paid on such trust account deposits. The landlord shall provide the tenant with a written receipt for the deposit and shall provide written notice of the name and address and location of the depository and any subsequent change thereof. If during a tenancy the status of landlord is transferred to another, any sums in the deposit trust account affected by such transfer shall simultaneously be transferred to an equivalent trust account of the successor landlord, and the successor landlord shall promptly notify the tenant of the transfer and of the name, address and location of the new depository. The tenant's claim to any moneys paid under this section shall be prior to that of any creditor of the landlord, including a trustee in bankruptcy or receiver, even if such moneys are commingled.

**NEW SECTION.** Sec. 13. Within fourteen days after the termination of the rental agreement and vacation of the mobile home lot, the landlord shall give a full and specific statement of the basis for retaining any of the deposit together with the payment of any refund due the tenant under the terms and conditions of the rental agreement. No portion of any deposit shall be withheld on account of wear resulting from ordinary use of the mobile home lot.

The statement shall be delivered to the tenant personally or by mail to the last known address. If the landlord fails to give such statement together with any refund due the tenant within the time limits specified above such landlord shall be liable to the tenant for the full amount of the refund due. In any action brought by the tenant to recover the deposit, the prevailing party shall be entitled to the cost of suit or arbitration including a reasonable attorney's fee.

Nothing in this chapter shall preclude the landlord from proceeding against, and the landlord shall have the right to proceed against a tenant to recover sums exceeding the amount of the tenant's damage or security deposit for damage to the property for which the tenant is responsible together with reasonable attorney's fees and costs of suit.

Sec. 14. Section 2, chapter 190, Laws of 1915 as amended by section 1, chapter 138, Laws of 1955 and RCW 19.48.020 are each amended to read as follows:

Every hotel and trailer camp shall keep a record of the arrival and departure of its guests in such a manner that the record will be a permanent one for at least one year from the date of departure; PROVIDED, That this requirement shall not apply with respect to guests of tenants in mobile home parks, as defined in RCW 59.20.030.

NEW SECTION. Sec. 15. Sections 8 through 12 of this 1979 act are each added to chapter 59.20 RCW.

NEW SECTION. Sec. 16. This chapter may be known and cited as the floating home landlord-tenant act.

NEW SECTION. Sec. 17. Every duty under this chapter and every act which must be performed as a condition precedent to the exercise of a right or remedy under this chapter imposes an obligation of good faith in its performance or enforcement.

NEW SECTION. Sec. 18. For the purposes of this chapter:

(1) 'Landlord' means the owner of a floating home moorage business and includes the agents of a landlord;

(2) 'Floating home site' means a portion of a floating home moorage located over water designated or otherwise made available and intended by the owner as the moorage location of a floating structure, and its accessory buildings, constructed on a float or nonnavigable barge, the primary use of which is intended for the nontransient human habitation use of the occupants of the floating home. A navigable waterborne boat, ship, or vessel, regardless of size or propellant power, is not a floating home within the meaning and definition of floating home or accessory building(s) set forth in this chapter;

(3) 'Floating home moorage' means any waterfront or wetland facility for the mooring, anchoring, or other securing of one or more floating homes, and the land and water premises on which the moorage is located, any portion of which is rented or held out for rent to others for the placement of one or more floating homes for the primary purpose of production of rental or moorage fee income to the lessor.

The definition of floating home moorage does not apply to those portions of real properties, waterfront, or wetland facilities used by a landlord for the placement of floating homes for the purpose of service, repair, storage without human habitation, use, or for day-to-day transient human habitation use for periods not to exceed thirty days of continuous duration where the transient day-to-day habitation is related to the purpose of service, repair, storage without human habitation use, or transient use;

(4) 'Tenant' means any person, except a transient, who rents a floating home site;

(5) 'Transient' means any person who rents a floating home site for a period of less than one month.

NEW SECTION. Sec. 19. This chapter regulates and determines legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a floating home site. All such rental agreements shall be unenforceable to the extent of any conflict with any provision of this chapter. Chapter 59.12 RCW is applicable only in implementation of this chapter and not as an alternative remedy to this chapter, which shall be exclusive where applicable: PROVIDED, That RCW 59.12.090, 59.12.100, and 59.12.170 do not apply to any rental agreement included under this chapter. RCW 59.18.370 through 59.18.410 are applicable to any action of forcible entry or detainer or unlawful detainer arising from a tenancy under this chapter; and RCW 90.58.050 applies to floating home moorages and sites. Rentals of floating homes themselves are governed by the Residential Landlord-tenant Act, chapter 59.18 RCW.

NEW SECTION. Sec. 20. (1) On and after September 30, 1979, no landlord may offer a floating home site for rent or moorage fee without offering to the prospective tenant a written rental agreement for a term of not less than one year. A prospective tenant who desires to occupy a floating home site for less than a term of one year or more may have the option to be on a month-to-month oral or written lease basis but must waive, in writing, the right to such one year or more term. Except pursuant to such waiver, no landlord shall allow a floating home to be moved into a floating home moorage in this state until a written rental or moorage fee agreement has been signed by the landlord and the tenant and a copy provided the tenant: PROVIDED, That if the landlord allows the tenant to move his or her floating home into a floating home moorage and a written rental or mortgage fee agreement has not been executed by the parties or the rental agreement or moorage agreement is silent as to the length of the term and no written waiver of the one-year term requirement has been executed, the term will be presumed to be for one year from the date of occupancy of the moorage site.

(2) The requirements of subsection (1) of this section do not apply if:

(a) The respective floating home moorage or respective part thereof has been acquired or is under imminent threat of condemnation for a public works project;

(b) An employer-employee relationship exists between the landlord and tenant; or

(c) The landlord is a lessee or devisee for term of the floating home moorage and, at the time of the offer to rent or for moorage fee to the prospective tenant, the landlord's tenancy or devise will expire in less than the otherwise one-year term, and there exists no option to extend or renew, in which event the offer to rent to the prospective tenant may be on a written month-to-month tenancy conditioned on the tenant being offered a new written rental agreement by the landlord for a term as provided in subsection (1) of this section if the landlord during any such monthly tenancy acquires or is devised a fee or leasehold interest in the floating home moorage; whereby from the date of the acquisition or devise the landlord's fee or leasehold interest would enable a rental or moorage for a term of not less than one year.

(3) This section applies to any floating home site tenancy in existence prior to September 30, 1979, upon expiration of the term of any oral or written rental agreement governing the tenancy.

**NEW SECTION.** Sec. 21. (1) Any rental agreement executed between the landlord and tenant shall contain:

(a) The terms for the payment of rent, including time, place, and person within the county of the floating home moorage to whom the rent or moorage fee shall be delivered, and any additional charges to be paid by the tenant. Additional charges that occur less frequently than monthly shall be itemized when billed to the tenant;

(b) Reasonable rules for applicable land or water guest parking or guest moorage, which shall be clearly stated;

(c) The rules and regulations of the floating home moorage;

(d) The name and address of the person who is the landlord. If the person does not reside in the county where the floating home moorage is located, there shall also be designated by name and address a person who resides in the county where the floating home moorage is located who is authorized to act as agent for the purposes of service of notice and process. If no designation is so made of a person to act as agent, then the person who is named by the landlord to whom rental payments are to be made or delivered within the county of the moorage shall be considered the agent; and

(e) The terms and conditions under which any deposit or portion thereof may be withheld by the landlord upon termination of the rental agreement if any moneys are paid to the landlord by the tenant as a deposit or as security for performance of the tenant's obligations in the rental agreement.

(2) Any rental agreement executed between the landlord and tenant shall not contain:

(a) Any provision which allows the landlord to charge a fee for guest parking or guest boat moorage unless a violation of the rules for guest parking or boat moorage occurs: **PROVIDED**, That a fee may be charged for guest parking or boat moorage which covers an extended period of time of twelve hours or more as defined in the rental agreement;

(b) Any provision which authorizes the towing or impounding of a vehicle or boat except upon notice to the owner thereof or the tenant whose guest is the owner or user of the vehicle or boat. 'Vehicle' includes an automobile, truck, tractor, whether of the wheel or crawler type, and aircraft;

(c) Any provision which allows the landlord to increase the rent or alter the due date for rent payment during the term of the rental agreement: **PROVIDED**, That a rental agreement may include an escalation clause for a pro rata share of any increase in the floating home moorage's real property taxes or utility assessments or charges, over the base taxes or utility assessments or charges of the year in which the rental agreement took effect, if the clause also provides for a pro rata reduction in rent or other charges in the event of a reduction in real property taxes or utility assessments or charges, below the base year;

(d) Any provision by which the tenant agrees to waive or forego rights or remedies under this chapter;

or

(e) Any provision allowing the landlord to charge an 'entrance fee' or an 'exit fee.'

**NEW SECTION.** Sec. 22. A landlord shall not:

(1) Deny any tenant the right to sell the tenant's floating home within a moorage or require the removal of the floating home from the moorage solely because of the sale thereof: **PROVIDED**, That:

(a) A rental agreement for a fixed term shall be assignable by the tenant to any person to whom the tenant sells or transfers title to the floating home, subject to the approval of the landlord after fifteen days' written notice to the landlord of such intended assignment and the landlord's right to require guarantee of the tenant for the balance of rentals or moorage fees to the end of the assigned term;

(b) The assignee of the rental agreement shall assume all the duties and obligations of the assignor for the remainder of the term of the rental agreement unless, by mutual agreement, a new rental agreement is entered into with the landlord; and

(c) The landlord shall approve or disapprove of the assignment of a rental agreement on the same basis that the landlord approves or disapproves of any new tenant; or

(2) Restrict the tenant's freedom of choice in purchasing goods or services but may reserve the right to approve or disapprove any exterior structural improvements to the floating home or to the floating home moorage site: **PROVIDED**, That door-to-door solicitation in the floating home moorage may be restricted in the rental agreement.

**NEW SECTION.** Sec. 23. Tenancy during the term of a rental agreement may be terminated by the landlord only for one or more of the following reasons:

(1) Substantial or repeated violation of the rules of the floating home moorage as established by the landlord at the inception of the tenancy or as assumed subsequently with the consent of the tenant. The tenant shall be given written notice of a fifteen-day period in which to comply or vacate. In the case of periodic rather than continuous violation, the notice shall specify that the same violation repeated shall result in termination;

(2) Nonpayment of rent or other charges specified in the rental agreement, upon five days written notice to pay rent and/or other charges or to vacate;

(3) Conviction of the tenant of a crime, commission of which has threatened or interfered with the health, safety, or welfare of the other floating home moorage tenants. The tenant shall be given written notice of a fifteen-day period following conviction, whether appealed, in which to vacate;

(4) Failure of the tenant, after receiving written notice of objection from the landlord, to abate a nuisance for which tenant or tenant's household members or guests are responsible in or about tenant's moorage site, causing substantial damage to the moorage property, or substantially interfering with the quiet and peaceful possession, safety, and enjoyment of other tenants and their properties.

**NEW SECTION.** Sec. 24. (1) Unless otherwise agreed, rental agreements shall be for a term of not less than one year. Any rental agreement for a term of one year and any rental agreement renewed for a six-month term shall be automatically renewed for one additional six-month term unless:

- (a) Otherwise specified in the original written rental agreement; or
- (b) The landlord notifies the tenant in writing three months prior to the expiration of the rental agreement or of any rental agreement renewed for a six-month term that it will not be renewed or will be renewed only with the changes contained in the notice.

A tenant shall notify the landlord in writing one month prior to the expiration of a rental agreement of an intention not to renew.

(2) Except as in this chapter provided for payment of rent or moorage fee, the tenant may otherwise terminate the rental agreement upon thirty days written notice whenever a change in the location, of not less than twenty miles ground distance each way from the leased site, of the tenant's employment requires a change in the tenant's residence, and shall not be liable for rental following the termination unless after due diligence and reasonable effort the landlord is not able to rent the floating home site at a fair rental or moorage fee. Unless otherwise defined in the rental agreement, fair rental or moorage fee as used in this subsection may not be less than eighty percent nor more than one hundred percent of the rental or moorage fee specified in the terminated agreement. If the landlord is not able to so rent the site, the tenant shall remain liable for the rental specified in the rental agreement until the site is rented or the original term or renewal thereof ends.

(3) Any tenant who is a member of the armed forces may terminate a rental agreement and payment of rent from date of vacating the site with less than thirty days notice if the tenant receives change of duty station orders which do not allow greater notice.

**NEW SECTION.** Sec. 25. Structural or affixed moorage improvements, purchased and installed by a tenant on a floating home site, shall remain the property of the landlord and may not be removed or disposed of by the tenant prior to or at termination of the tenancy unless otherwise agreed to by the landlord: **PROVIDED,** That a tenant shall leave the floating home site in substantially the same or better condition than upon taking possession.

**NEW SECTION.** Sec. 26. In any action arising out of this chapter, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

**NEW SECTION.** Sec. 27. Venue for any action arising under this chapter shall be in the district or superior court of the county in which the floating home site is located.

**NEW SECTION.** Sec. 28. The provisions of this chapter shall not be construed so as to preempt any local ordinance which is not inconsistent with this chapter.

**NEW SECTION.** Sec. 29. Sections 14 through 26 of this act shall constitute a new chapter in Title 59 RCW.

**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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Ehlers moved that the House do concur in the Senate amendments to Substitute House Bill No. 1308.

Representatives Ehlers, May, Eberle, Struthers and Barr spoke in favor of the motion, and Representatives Blair, Sommers, Douthwaite, Greengo and Taller spoke against it.

Mr. Ehlers spoke again in favor of the motion, and Mr. Douthwaite again spoke against it.

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

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Substitute House Bill No. 1308, and the motion was carried by the following vote: Yeas, 57; nays, 36; not voting, 5.

Voting yea: Representatives Addison, Amen, Bagnariol, Barr, Bauer, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Hastings, Houchen, Hughes, Hurley, Isaacson, King, Knowles, Kreidler, May, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Rosbach, Schmitt, Scott, Sherman, Smith C. P., Sprague, Struthers, Taylor, Teutsch, Tupper, Van Dyken, Walk, Warnke, Whiteside, Wilson.

Voting nay: Representatives Adams, Barnes, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Eng, Fuller, Greengo, Gruger, Haley, Heck, Jovanovich, Keller, Lux, Maxie, McDonald, Nelson D., Nisbet, O'Brien, Polk, Pruitt, Rohrbach, Sanders, Smith R., Sommers, Taller, Tilly, Vrooman, Williams, Zimmerman.

Not voting: Representatives Martinis, Salatino, Thompson, Valle, Winsley.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1308 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1308 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 19; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Bender, Berentson, Bond, Brown, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Becker, Blair, Brekke, Burns, Chandler, Douthwaite, Eng, Greengo, Haley, Lux, McDonald, Nelson D., O'Brien, Rohrbach, Schmitt, Sommers, Taller, Tilly.

Not voting: Representatives Martinis, Valle.

Substitute House Bill No. 1308 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 SENATE BILL NO. 2905, by Senators Morrison and Ridder:

Modifying the licensing of electricians.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 34th Day ex. sess., April 23, 1979.)

On motion of Mr. Warnke, the balance of the committee amendments were adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2905 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Valle.

Engrossed Senate Bill No. 2905 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. 2462, by Senators Rasmussen, Clarke and Wojahn (by State Treasurer request):

Extending the authorized types of investments for state funds.

The bill was read the second time.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and the bill was 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 Senate Bill No. 2462, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Oliver.

Not voting: Representatives Martinis, Valle.

Senate Bill No. 2462, having received the 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. 2337, by Committee on Social and Health Services (originally sponsored by Senators Fleming, Jones, North, Morrison, Ridder, Day, McDermott and Hayner - by Select Committee on Nursing Homes request):

Revising laws relating to fraud in connection with medical care claims to the state.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 17th Day ex. sess., April 6, 1979.)

Mr. Whiteside moved that the House adopt the committee amendment.

Ms. Hurley moved adoption of the following amendment by Representatives Hurley, May, Bond and Whiteside to the committee amendment:

On page 8, line 5 of the amendment, strike "twenty-five" and insert "five"

Representatives Hurley and Whiteside spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Haley moved adoption of the following amendment by Representatives Haley and Whiteside to the committee amendment:

On page 10, beginning on line 36 of the amendment, strike "any records, including patient records, that are relevant to such audits and investigations" and insert "only those records or portions thereof, including patient records, for which services were rendered by a health care provider and reimbursed by the department"

Representatives Haley and Whiteside spoke in favor of the amendment, and it was adopted.

On motion of Mr. Haley, the following amendment by Representatives Haley and Whiteside to the committee amendment was adopted:

On page 11, line 29 of the committee amendment, after "obtained" insert ": PROVIDED FURTHER, That the secretary shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation or proceedings."

Mr. Bond moved adoption of the following amendment by Representatives Bond and Erickson to the committee amendment:

On page 11, line 4 after "confidential" insert ": PROVIDED, That the secretary shall secure a signed written consent form for disclosure of medical records information from the public assistance recipient of health care at the time of initial application for said care and that the consent form shall make it clear to the public assistance applicant that failure to sign the form shall not be cause for public assistance application denial"

Representatives Bond and Haley spoke in favor of the amendment to the committee amendment, and Representatives Whiteside, Adams, Brekke and Lux spoke against it.

Mr. Whiteside again spoke in opposition to the amendment to the amendment, and Ms. Erickson spoke in favor of it.

Mr. Bond spoke again in favor of the amendment to the committee amendment, and Mr. Kreidler spoke against it.

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

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Bond and Erickson to the committee amendment, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Addison, Barr, Berentson, Bond, Craswell, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Gallagher, Granlund, Grimm, Haley, Houchen, Isaacson, May, McGinnis, Mitchell, Nelson G. A., North, Oliver, Patterson, Polk, Sanders, Smith R., Sprague, Taller, Taylor, Teutsch, Tupper, Walk, Warnke, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Douthwaite, Ehlers, Eng, Erak, Galloway, Garrett, Greengo, Gruger, Hastings, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., Newhouse, Nisbet, O'Brien, Owen, Pruitt, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Sommers, Struthers, Thompson, Tilly, Van Dyken, Vrooman, Whiteside, Williams.

Not voting: Representatives Martinis, McDonald, Rohrbach, Valle, Wilson.

The committee amendment as amended was adopted.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2337 as amended by the House was placed on final passage.

Mr. Whiteside 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. 2337 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, McCormick, McDonald, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Craswell, Dunlap, Fancher, Houchen, May, McGinnis, Mitchell, Taylor, Tupper.

Not voting: Representatives Martinis, Valle.

Engrossed Substitute Senate Bill No. 2337 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

April 25, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 665 with the following amendments:

On page 2, line 22 after "if" insert ", prior to being pursued by a law enforcement officer,"

On page 2, beginning on line 22 after "roadway" strike all the material down to and including "vehicle" on line 25

On page 2, line 26 after "Sec. 3." strike everything down to and including "license." on page 6, line 6 and insert "Section 1, chapter 1, Laws of 1969 as last amended by section 151, chapter 158, Laws of 1979 and RCW 46.20.308 are each amended to read as follows:

(1) Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his breath or blood for the purpose of determining the alcoholic content of his blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor. Such officer shall inform the person of his right to refuse the test, and of his right to have additional tests administered by any qualified person of his choosing as provided in RCW 46.61.506. The officer shall warn the driver that his privilege to drive will be revoked or denied if he refuses to submit to the test. Unless the person to be tested is unconscious, the chemical test administered shall be of his breath only: PROVIDED, That if an individual is under arrest for the crime of negligent homicide by motor vehicle as provided in RCW 46.61.520, or if an individual is under arrest for

the crime of driving while under the influence of intoxicating liquor or drugs as provided in ((RCW 46.61-506)) section 1 of this 1979 act, which arrest results from an accident in which another person has been injured and there is a reasonable likelihood that such other person may die as a result of injuries sustained in the accident, a breath or blood test may be administered without the consent of the individual so arrested. In such circumstances, the provisions of subsections (2) through (6) of this section shall not apply.

(2) Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection (1) of this section and the test or tests may be administered, subject to the provisions of RCW 46.61.506.

(3) If, following his arrest, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his breath, after being informed that his refusal will result in the revocation or denial of his privilege to drive, no test shall be given. The department of licensing, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor and that the person had refused to submit to the test upon the request of the law enforcement officer after being informed that such refusal would result in the revocation or denial of his privilege to drive, shall revoke his license or permit to drive or any nonresident operating privilege. If the person is a resident without a license or permit to operate a motor vehicle in this state, the department shall deny to the person the issuance of a license or permit for a period of six months after the date of the alleged violation, subject to review as hereinafter provided.

(4) Upon revoking the license or permit to drive or the nonresident operating privilege of any person, or upon determining that the issuance of a license or permit shall be denied to the person, as hereinbefore in this section directed, the department shall immediately notify the person involved in writing by personal service or by registered or certified mail of its decision and the grounds therefor, and of his right to a hearing, specifying the steps he must take to obtain a hearing. The person upon receiving such notice may, in writing and within ten days therefrom request a formal hearing. Upon receipt of such request, the department shall afford him an opportunity for a hearing as provided in RCW 46.20.329 and 46.20.332. The scope of such hearing for the purposes of this section shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, whether the person was placed under arrest and whether he refused to submit to the test upon request of the officer after having been informed that such refusal would result in the revocation or denial of his privilege to drive. The department shall order that the revocation or determination that there should be a denial of issuance either be rescinded or sustained. Any decision by the department revoking a person's driving privilege shall be stayed and shall not take effect while a formal hearing is pending as herein provided or during the pendency of a subsequent appeal to superior court: PROVIDED, That this stay shall be effective only so long as there is no conviction for a moving violation during pendency of the hearing and appeal.

(5) If the revocation or determination that there should be a denial of issuance is sustained after such a hearing, the person whose license, privilege or permit is so affected shall have the right to file a petition in the superior court of the county wherein he resides, or, if a nonresident of this state, where the charge arose, to review the final order of revocation or denial by the department in the manner provided in RCW 46.20.334.

(6) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been revoked, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state ((~~in which he has a license~~)) in which he has a license."

On page 10, line 11 after "services," strike "Two days" and insert "One day"

On page 10, line 12 after "deferred" strike all the material down through "being," on line 15 and insert "unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being."

On page 10, line 14 strike "substantial"

On page 10, line 34 after "deferred" strike all the material down through "being," on line 36 and insert "unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being."

On page 10, line 35 after "pose a" strike "substantial"

On page 12, line 14 strike "after the termination of such person's jail sentence"

On page 12, beginning on line 18 after "days" strike "after the termination of such person's jail sentence" and insert "((after the termination of such person's jail sentence))"

On page 12, line 34 after "31," strike "1979" and insert "1980"

On page 12, line 36 after "the" and before "impact" strike "projected"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Newhouse moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 665.

Mr. Chandler spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Chandler, I'm concerned with the Senate amendment to page 10, line 12 and to page 10, line 34, where they remove the word 'substantial.' What kind of risks are we talking about here?"

Mr. Chandler: "The word 'substantial' was stricken, but I think it was the intention of the Judiciary Committee that put this language in, and certainly the intent of the sponsor of the bill, that there should be a serious list of physical or mental harm being done to the person who faces this one-day in jail. It is not intended to allow a judge to permit a member of the Chamber of Commerce or a bank president not to go to jail just because that's going to be embarrassing to him or her. The intent is that someone who has a very real need not to go to jail because of some risk to their well-being and then, in that case, for the judge to put that in writing and clarify what that reason was."

Mr. Tilly spoke in favor of the motion to concur.

## MOTION

Mr. Knowles moved that further consideration of Engrossed Substitute House Bill No. 665 be deferred until Monday.

Mr. Polk spoke against the motion to defer, and Mr. Knowles spoke for it.

Mr. Polk spoke again in opposition to the motion.

Mr. Smith (R) spoke in favor of the motion, and Mr. Newhouse spoke against it.

## POINT OF ORDER

Mr. Knowles: "I don't think Mr. Newhouse was speaking to the motion. Representative Dunlap and I have cooperated for the past two weeks in trying to be floor managers to these concurrences. I wasn't consulted about this bill running and that violates a sort of working agreement we have had for the past two weeks. Had you come to me, I would have gone to Representative Smith and asked if he were ready for this bill to go. Had he assured me he was not, we would have had no problem. Representative Dunlap and I have done that constantly. I don't think it is unreasonable that we do that now, as we have been doing for the past weeks."

Mr. Dunlap spoke against the motion to defer.

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

## ROLL CALL

The Clerk called the roll on the motion to defer consideration of Engrossed Substitute House Bill No. 665, and the motion was lost by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erickson, Gallagher, Galloway, Granlund, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Vrooman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Erak, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Grimm, Martinis, McDonald, Valle.

The Speaker (Mr. Amen presiding) stated the question before the House to be the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 665.

## MOTION

Mr. Smith moved that the question be divided, and each Senate amendment be considered separately.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Smith, is it your intent that you would challenge only the one major amendment having to do with the driving while under the influence, and would it be possible that we divide out only that one amendment?"

Mr. Smith (R): "Representative Newhouse, I only object to the amendment to page 2, line 26. I understand there are others who object to other amendments."

The motion was carried.

On motion of Mr. Chandler, the House concurred in the two Senate amendments to page 2, line 22.

Mr. Smith (R) moved that the House do not concur in the Senate amendment to page 2, line 26.

Representatives Smith (R) and Knowles spoke in favor of the motion, and Mr. Chandler spoke against it.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Erak.

Mr. Erak: "Representative Knowles, in this section we are now considering, I believe in the mid-60's or so, that it was presented to the people of the state under an initiative movement, and I think it passed by better than a fifty percent majority. Is that correct?"

Mr. Knowles: "I couldn't give you the tally on it, but it did pass the vote of the people."

Mr. Erak spoke against the motion, and Mr. Knowles again spoke in favor of it.

## MOTION

Ms. Sommers moved that the House do concur in the Senate amendment to page 2, line 26.

Representatives Sommers and Becker spoke against the motion to concur, and Mr. Rohrbach spoke in favor of it.

## POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Smith (R).

Mr. Smith (R): "Representative Chandler, on the motion to concur with the Senate amendments to House Bill No. 1308, how did you vote?"

Mr. Chandler: "That's totally irrelevant to this question."

Mr. Smith (R) spoke against the motion to concur.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Page 2, line 26 of Engrossed Substitute House Bill No. 665, and the motion was carried by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bauer, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Erak, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Haley, Hastings, Heck, Houchen, Isaacson, Kreidler, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Granlund, Grimm, Gruger, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Lux, Maxie, May, McCormick, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Vrooman, Walk.

Not voting: Representatives Eberle, Martinis, Owen, Valle.

On motion of Mr. Newhouse, the House concurred in the remaining Senate amendments.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 665 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 665 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Knowles.

Not voting: Representatives Haley, Martinis, Valle.

Engrossed Substitute House Bill No. 665 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. Polk, the House adjourned until 10:00 a.m., Monday, April 30, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

**FORTY-FIRST DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Monday, April 30, 1979.

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Eng and Valle, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lynn Hunter and Mary Hurlbert. Prayer was offered by Father Reinard W. Beaver of the Post Chapel at Fort Lewis.

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

**MESSAGE FROM THE GOVERNOR**

April 27, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on April 27, 1979, Governor Ray approved the following House Bills, entitled:

- HOUSE BILL NO. 229: Relating to public livestock markets;
- SUBSTITUTE HOUSE BILL NO. 254: Relating to public assistance;
- SUBSTITUTE HOUSE BILL NO. 295: Relating to the Washington National Guard;
- HOUSE BILL NO. 351: Relating to agriculture;
- HOUSE BILL NO. 460: Relating to specialized forest products.

Sincerely,  
H. B. Hanna, Legal Counsel.

**MESSAGES FROM THE SENATE**

April 27, 1979

Mr. Speaker:

The President has signed:

- SUBSTITUTE HOUSE BILL NO. 57,
- HOUSE BILL NO. 101,
- SUBSTITUTE HOUSE BILL NO. 291,
- HOUSE BILL NO. 330,
- HOUSE BILL NO. 338,
- HOUSE BILL NO. 424,
- SUBSTITUTE HOUSE BILL NO. 459,
- SUBSTITUTE HOUSE BILL NO. 504,
- SUBSTITUTE HOUSE BILL NO. 697,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 27, 1979

Mr. Speaker

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 872,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 27, 1979

Mr. Speaker:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 2790,
- SUBSTITUTE SENATE BILL NO. 2952,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3087,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

HOUSE BILL NO. 33,  
 SUBSTITUTE HOUSE BILL NO. 79,  
 SUBSTITUTE HOUSE BILL NO. 99,  
 SUBSTITUTE HOUSE BILL NO. 133,  
 SUBSTITUTE HOUSE BILL NO. 535,  
 SUBSTITUTE HOUSE BILL NO. 619,  
 HOUSE BILL NO. 666,  
 HOUSE BILL NO. 781,  
 HOUSE BILL NO. 860,  
 HOUSE BILL NO. 923,  
 HOUSE BILL NO. 933,  
 HOUSE BILL NO. 1175,  
 SUBSTITUTE HOUSE BILL NO. 1347.

### SECOND READING

On motion of Mr. King, HOUSE BILL NO. 491 was made a Special Order of Business for 11:30 a.m. today.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2095, by Committee on Judiciary (originally sponsored by Senators Marsh, Henry and Talley):

Creating additional superior court judge positions.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 10th Day ex. sess., March 30, 1979.)

Mr. Newhouse moved adoption of the committee amendment striking everything after the enacting clause.

The Clerk read the following amendment to the committee amendment by Representatives Smith (R) and Dawson:

On page 2, line 11 of the committee amendment, strike "1981" and insert "1980"

With the consent of the House, Mr. Smith (R) withdrew the amendment.

Mr. Knowles moved adoption of the following amendments to the committee amendment:

On page 3 of the amendment after "Sec. 6." strike all the material down to and including "1980." on page 4

On page 4 of the amendment strike "(2)"

On page 4 of the amendment, line 20 after "1981." strike the remainder of subsection (2).

Representatives Knowles and Smith (R) spoke in favor of the amendments to the committee amendment, and Representatives Newhouse and Taller spoke against them.

Representatives Knowles and Smith (R) spoke again in favor of the amendments, and Mr. Newhouse again opposed them.

### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Dunlap.

Mr. Dunlap: "Representative Newhouse, is the interpretation of this amendment, provided by the last speaker, your understanding of the purpose of the amendment?"

Mr. Newhouse: "No, the reference to constitutionality should not have been in such an explanation. A vote yes for the amendment will allow for the appointment of judges by the Governor."

### ROLL CALL

The Clerk called the roll on adoption of the amendments to the committee amendment by Representative Knowles, and the amendments were not adopted by the following vote: Yeas, 46; nays, 45; not voting, 7.



Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hürley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Toller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Eng, Haley, Hastings, Houchen, Valle, Vrooman, Winsley.

Speaker Bagnariol called on Mr. O'Brien to preside.

Mr. Blair moved adoption of the following amendment to the committee amendment:

On page 4 of the amendment, following line 24 insert a new section to read as follows:

"NEW SECTION, Sec. 7. There is added to chapter 267, Laws of 1971 ex. sess. and to chapter 2.10 RCW a new section to read as follows:

All judges just appointed or elected to the courts covered by chapter 2.08 RCW after June 30, 1979, shall be members of the Washington public employees' retirement system under chapter 41.40 RCW."

#### POINT OF ORDER

Mr. Knowles: "Mr. Speaker, I challenge the order of this amendment on the basis of scope and object."

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

The Speaker (Mr. O'Brien presiding): "It appears the amendment offered by Representative Blair is not germane to the committee amendment. It provides for the election of superior court judges after June 30, 1979, and the House committee amendment pertains to the appointment of additional court judges in certain counties. In accordance with our House Rule 31, it states: 'No proposition or motion on a subject different from that under consideration shall be admitted under color of amendment.' The Speaker will rule the amendment is not germane."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment to Engrossed Substitute Senate Bill No. 2095.

Mr. Newhouse spoke in favor of the amendment, and it was adopted.

On motion of Mr. Newhouse, the committee amendment to the title was adopted.

On motion of Mr. Bauer, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2095 as amended by the House was placed on final passage.

#### POINT OF INQUIRY

Mr. Keller yielded to question by Mr. Owen.

Mr. Owen: "Representative Keller, you were the original sponsor of the Thurston-Mason County section of the bill before they brought all these bills together, and it's my understanding that it is not your intention that the new judge would replace the court commissioners in Thurston or Mason County by putting in this new fifth judge. The judge will not replace the court commissioner, is that right?"

Mr. Keller: "It's my understanding that this is an additional judge to take care of the additional case load and work load in the courts."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2095 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hürley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P.,

Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Eng, Valle.

Engrossed Substitute Senate Bill No. 2095 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.

Speaker Bagnariol resumed the Chair.

ENGROSSED SENATE BILL NO. 2044, by Senators Lewis, Talley and Conner:

Authorizing golfing organizations to conduct golfing calcuttas under the gambling laws.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 22nd Day ex. sess., April 11, 1979.)

Mr. Greengo moved adoption of the committee amendment striking everything after the enacting clause.

Mr. Tilly moved adoption of the following amendments to the committee amendment by Representatives Tilly, Tupper, Pruitt and Kreidler:

On page 4, beginning on line 5 strike "or increasing patronage of a bowling business at an established bowling center"

On page 15, beginning on line 12 strike "or primarily engaged in the operation of a bowling center"

On page 22, beginning on line 31 strike "or primarily engaged in the operation of a bowling center."

Representatives Tilly and Kreidler spoke in favor of the amendments, and Mr. Struthers spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments to the committee amendment by Representatives Tilly, Kreidler and Pruitt, and the amendments were not adopted by the following vote: Yeas, 45; nays, 48; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Brekke, Chandler, Clayton, Craswell, Dawson, Dunlap, Flanagan, Granlund, Greengo, Gruger, Haley, Heck, Hughes, Isaacson, Kreidler, McDonald, Mitchell, Nelson D., Nisbet, North, Oliver, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Smith C. P., Sommers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Addison, Bagnariol, Bauer, Bender, Bond, Brown, Burns, Charney, Deccio, Douthwaite, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Grimm, Hastings, Houchen, Hurley, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McGinnis, Monohon, Nelson G. A., O'Brien, Owen, Rosbach, Scott, Smith R., Sprague, Struthers, Vrooman, Walk, Warnke, Wilson, Winsley.

Not voting: Representatives Eng, Newhouse, Rohrbach, Thompson, Valle.

The Clerk read the following amendment by Representative Tilly:

On page 27, after line 32 of the committee amendment, insert the following:

"NEW SECTION. Sec. 4. (1) The legislature finds and declares:

(a) That compulsive gambling is a serious social problem and there is evidence that availability of gambling increases the risk of becoming a compulsive gambler; and

(b) That Washington, having legalized certain types of gambling, has an obligation to provide a program of treatment for those persons who become addicted to gambling to the extent that it seriously disrupts lives and families.

(2) For purposes of this section, 'compulsive gambler' means a person with a progressive behavior disorder in which the victim has a psychologically uncontrollable preoccupation and urge to gamble.

(3) The Washington state gambling commission shall establish a pilot project for a period of two years for the purpose of treating compulsive gamblers. The commission shall include its conclusions and recommendations in its 1980 annual report to the governor and the legislature."

Remember the sections consecutively

With the consent of the House, Mr. Tilly withdrew the amendment to the committee amendment.

The committee amendment was adopted.

On motion of Mr. Greengo, the committee amendment to the title was adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2044 as amended by the House was placed on final passage.

Mr. Greengo explained the bill.

#### POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Tilly.

Mr. Tilly: "I'm wondering, Representative Greengo, it is a very big bill, and I'm wondering if this bill is large enough—how many camels can get into the tent now?"

Mr. Greengo: "We've already got a camel's head into the tent now, so I don't know how much more will get in."

Mr. Tilly spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. North.

Ms. North: "Representative Greengo, I'm a little concerned about the local government issue of this bill. With the expansion of bingo, golf calcuttas, slot machines, and all these goodies, there's going to be some expansion of monitoring by the local government forces, and I can see this as a dollar amount. How would that be recovered by the local governments?"

Mr. Greengo: "As I understand it, the gambling fees, the money is to be allocated for local law enforcement. I've heard there is a problem. There is nothing the state has done to force a local government to, in fact, spend the money in law enforcement. Therein is your problem. They are getting the money now. They are getting back from the results of the fees and the licenses and taxes, and it's up to the local government to take that money and pump it into their police departments. There seems to be some tendency not to do that. We did not address that problem in this bill."

Ms. North spoke against passage of the bill, and Mr. Struthers spoke in favor of it.

#### POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Chandler.

Mr. Chandler: "Representative Greengo, is it correct that under the terms of Senate Bill No. 2044, a bowling alley cannot only conduct social card games, but also punch boards and pull tabs?"

Mr. Greengo: "That is true. They generally have an associated restaurant and that's generally where the pull tabs and punch boards are. The Liquor Control Board has ruled that if the bowling establishment doesn't directly control and run the associated restaurant, they cannot have the pull tabs and punch boards. There is one or two such establishments in the state simply because they lease out the restaurant, and the Liquor Board has determined that they can't have pull tabs and punch boards. It's really not changing the way it is today. Most bowling alleys today have pull tabs and punch boards."

Representatives Chandler and McDonald spoke against passage of the bill, and Mr. Warnke spoke in favor of it.

Mr. King 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. 2044 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Bender, Berentson, Bond, Brown, Deccio, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Gallagher, Garrett, Grimm, Hastings, Keller, King, Knowles, Martinis, May, McCormick, McGinnis, Monohon, Nelson G. A., Newhouse, Nisbet, O'Brien, Owen, Polk, Rohrbach, Rosbach, Schmitt, Sprague, Struthers, Vrooman, Walk, Warnke, Wilson.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Blair, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Douthwaite, Dunlap, Fuller, Galloway, Granlund, Greengo, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Kreidler, Lux, Maxie, McDonald, Mitchell, Nelson D., North, Oliver, Patterson, Pruitt, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Eng, Valle.

Engrossed Senate Bill No. 2044 as amended by the House, having failed to receive the constitutional majority, was declared lost.

### SPECIAL ORDER OF BUSINESS

The hour of 11:30 a.m. having arrived, Speaker Bagnariol, declared the question before the House to the Special Order of Business, House Bill No. 491 on second reading.

**HOUSE BILL NO. 491**, by Representatives Scott, Whiteside, Salatino, Warnke, Lux, Bender, Brekke, King, Kreidler, Winsley, Mitchell, Douthwaite, Galloway, Erickson, Maxie, McCormick, Sherman, Nelson (D), Valle, Burns, Jovanovich, North, Dawson, Haley, Schmitt, Rosbach, Nisbet, Hastings, Bauer, Brown, Granlund, Charnley, Garrett, Williams, Tupper, Tilly, Barnes, Sprague, Zimmerman, Heck, Martinis, Greengo, Keller, Addison, Taylor, Nelson (G.A.), Fuller, Wilson and Sanders (by Executive request):

Modifying and extending the senior citizens' service act.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended.

Committee on Appropriations recommendation: Majority, do pass as amended by the Committee on Social and Health Services. (For amendment, see Journal, 23rd Day ex. sess., April 12, 1979.)

On motion of Mr. Adams, the committee amendment was adopted.

On motion of Mr. Scott, the following amendments were adopted.

On page 2 strike all of section 4 and insert:

"**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 July 1, 1979."

On page 1, line 5 strike everything after "appropriation;" through line 6 and insert "declaring an emergency and providing an effective date."

House Bill No. 491 was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 491 was placed on final passage.

Representatives Adams, Deccio, Scott, Whiteside, Blair, Maxie and Eberle spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 491, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Eng, Valle.

Engrossed 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.

### NOTICE OF RECONSIDERATION

Mr. Fuller, having served on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Senate Bill No. 2044 as amended by the House failed to pass the House.

### POINT OF ORDER

Mr. Tilly: "Mr. Speaker, I believe under House Rule 68, there has been intervening business."

Speaker Bagnariol: "There has not been intervening business affecting that issue."

ENGROSSED SENATE BILL NO. 2062, by Senators Jones, Fleming, North, Morrison and Conner:

Authorizing municipal performing and visual arts centers.

The bill was read the second time.

Mr. Greengo moved adoption of the following amendment:

On page 5, line 21 after "Sec. 5." insert "Section 13, chapter 236, Laws of 1967 and RCW 67.28.190 are each amended to read as follows:

Any seller, as defined in RCW 82.08.010, who is required to collect any tax under RCW 67.28.180 for any municipality shall pay over such tax to such municipality as provided in RCW 67.28.200 (~~and such tax~~). If the municipality for which the tax is collected has entered into binding obligations as of the effective date of this act, to construct or pay for the construction of public stadium facilities and/or convention center facilities then the taxes which are collected up to the amount equal to the municipalities obligations on the effective date of this act shall be deducted from the amount of tax such seller would otherwise be required to collect and to pay over to the department of revenue under chapter 82.08 RCW."

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I'd like you to rule on whether or not Engrossed Senate Bill No. 2062 is eligible for action by the House in view of the cut-off which says that measures which have no fiscal impact should not be considered following such and such date. I might point out that proponents of the bill say this bill has no fiscal impact. It strictly allows a broad authority for use of money already in their account."

Speaker Bagnariol declared the House to be ease until 1:30 p.m.

Speaker Bagnariol called the House to order.

#### SPEAKER BAGNARIOL'S RULING

Speaker Bagnariol: "Engrossed Senate Bill No. 2062 is still eligible for consideration by this body upon our cut-off."

Speaker Bagnariol declared the question before the House to be the amendment by Representative Greengo.

Representatives Greengo and Flanagan spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Greengo, the first sentence of the amendment says that if a municipality has levied a tax they do receive it. The second part then refers to the deduction against the state money and that is only to those that have contracts as of the effective date of the act, so that anybody who enters into a contractual obligation or bond against them after the effective date of the act would not have to do that. Could you clarify what your intent is and if you think this language does satisfy that?"

Mr. Greengo: "Well, Representative Sommers, I think you have stated the wording of the amendment correctly. In other words, if a municipality or county has made an obligation against this hotel/motel tax—let's say a bond issue or some other obligation they have incurred—they would continue to be allowed that deduction of that tax; however, if in the future, after the effective date of this act, they authorize any sort of facility the tax would simply not be deductible. For instance, if it were two percent you would have to pay the four and a half percent states sales tax plus the two percent hotel/motel tax. It would be a total of six and a half percent. The public would be very well aware that you were adding a new tax rather than coming along and slipping this money out of the state general fund. All I'm saying is that if people want to build things like bridges, or art facilities, or stadiums or anything else, that's fine, let them go ahead and do it, but let them tax themselves to do it and not come in without essentially anyone's knowledge and make an appropriation out of the general fund."

Mr. Flanagan again spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Greengo to Engrossed Senate Bill No. 2062, and the amendment was adopted by the following vote: Yeas, 67; nays, 23; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Blair, Bond, Brekke, Burns, Charnley, Craswell, Dawson, Douthwaite, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, Oliver, Patterson, Pruitt, Rohrbach, Rosbach, Scott, Sherman, Smith C. P., Sommers, Struthers, Taller, Taylor, Thompson, Tupper, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson.

Voting nay: Representatives Becker, Berentson, Brown, Chandler, Clayton, Dunlap, Eberle, Eng, Gallagher, Hurley, Keller, May, McDonald, Nelson G. A., O'Brien, Polk, Sanders, Schmitt, Sprague, Tilly, Valle, Van Dyken, Zimmerman.

Not voting: Representatives Deccio, Isaacson, Maxie, Owen, Salatino, Smith R., Teutsch, Winsley.

The Clerk read the following amendment by Representative Flanagan:

On page 5, after line 36 insert:

\*NEW SECTION. Sec. 6. There is added to chapter 67.28 RCW a new section to read as follows:

After the effective date of this 1979 act, taxes shall not be levied under RCW 67.28.180 unless the project for which the tax revenue shall be used has been approved by the legislature: PROVIDED, That taxes sufficient to repay bonds issued prior to the effective date of this 1979 act may be levied without such approval."

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

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Dunlap, Thompson and Tilly:

Beginning on page 5, line 33 after "chapter," strike all the material down to and including "hereunder," on page 6, line 1

Representatives Sommers and Newhouse spoke in favor of the amendment, and Representatives Fuller and Becker spoke against it.

#### POINT OF PERSONAL PRIVILEGE

Ms. Sommers: "I'm very reluctant to say that I feel my motives have been impugned by the last speaker and I want to say that I do support the general thrust of the bill for all counties and cities and that is the help and construction of art centers, convention facilities and so forth, but I do oppose the use of the money for operating purposes or for public purposes for all counties, including King County."

Representatives Flanagan and Dunlap spoke in favor of the amendment, and Mr. Barr spoke against it.

#### MOTION FOR RECONSIDERATION

Mr. Bond, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Greengo to page 5, line 21 was adopted.

Representatives Bond, Polk and Van Dyken spoke in favor of the motion, and Representatives Greengo and Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the Greengo amendment to page 5, line 21, and the motion was carried by the following vote: Yeas, 58; nays, 34; not voting, 6.

Voting yea: Representatives Addison, Bagnariol, Bauer, Becker, Berentson, Bond, Brown, Chandler, Craswell, Deccio, Dunlap, Eberle, Ehlers, Eng, Erickson, Fuller, Gallagher, Garrett, Grimm, Hastings, Heck, Houchen, Hughes, Hurley, Keller, King, Kreidler, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Polk, Salatino, Sanders, Schmitt, Smith R., Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bender, Brekke, Burns, Charnley, Clayton, Dawson, Douthwaite, Erak, Fancher, Flanagan, Galloway, Granlund, Greengo, Gruger, Haley, Isaacson, Jovanovich, Knowles, Lux, Maxie, Monohon, Nelson D., Oliver, Pruitt, Rohrbach, Rosbach, Scott, Sherman, Smith C. P., Sommers.

Not voting: Representatives Blair, Newhouse, Taller, Thompson, Whiteside, Wilson.

Speaker Bagnariol stated the question before the House to be reconsideration of the Greengo amendment to page 5, line 21.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Greengo to page 5, line 21 of Engrossed Senate Bill No. 2062, and the amendment was not adopted by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bender, Blair, Brekke, Burns, Charnley, Clayton, Dawson, Douthwaite, Erak, Fancher, Flanagan, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Isaacson, Jovanovich, Knowles, Lux, Monohon, Nelson D., North, Oliver, Pruitt, Rohrbach, Sherman, Smith C. P., Sommers, Thompson, Tupper, Valle, Walk, Warnke.

Voting nay: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Berentson, Bond, Brown, Chandler, Craswell, Deccio, Dunlap, Eberle, Ehlers, Eng, Erickson, Fuller, Gallagher, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Keller, King, Kreidler, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, O'Brien, Owen, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Van Dyken, Vrooman, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Maxie, Newhouse.

Mr. Flanagan moved adoption of the following amendment:

On page 5, after line 36 insert:

"NEW SECTION. Sec. 6. There is added to chapter 67.28 RCW a new section to read as follows:

After the effective date of this 1979 act, taxes shall not be levied under RCW 67.28.180 unless the project for which the tax revenue shall be used has been approved by the legislature: PROVIDED, That taxes sufficient to repay bonds issued prior to the effective date of this 1979 act may be levied without such approval."

Representatives Flanagan and Greengo spoke in favor of the amendment, and Mr. Charnley spoke against it.

#### MOTION FOR RECONSIDERATION

Ms. Becker, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representatives Sommers, Dunlap, Thompson and Tilly to page 5, line 33 passed.

Ms. Becker spoke in favor of the motion.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Sommers, this whole law was authorized back in 1971 that allowed several of our major communities to construct facilities. Is there anything in the law that terminates this collection of this tax? In other words, once the bonded obligation was paid off, does that automatically end the collection of the tax as far as the local jurisdiction is concerned?"

Ms. Sommers: "No, Representative Patterson, it does not. The wording is very loose and vague. It can continue to be collected, or I should say, deducted against the general fund."

Mr. Patterson: "Then in responding to your answer, if we were to extend the opportunity to use these moneys for the promotional materials to attract tourists and so on, then would we, in effect, under the present law be authorizing forever roughly a two percent deduction from the state general fund for that purpose?"

Ms. Sommers: "With regard to the tax on hotels/motels, yes. When you offer an expenditure to government for free, so to speak, they tend to go on forever."

Representatives Patterson, Sommers and Fuller spoke against the motion, and Representatives Barr, McGinnis and Zimmerman spoke in favor of it.

The motion was lost.

Speaker Bagnariol stated the question before the House to be the amendment by Representative Flanagan to page 5, line 36.

Mr. Flanagan spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Flanagan to Engrossed Senate Bill No. 2062, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Bond, Clayton, Dunlap, Eng, Fancher, Flanagan, Gallagher, Garrett, Greengo, Gruger, Hastings, Hughes, Hurley, Jovanovich, King, Kreidler, Martinis, May, McCormick, Nelson G. A., Newhouse, Patterson, Rohrbach, Scott, Smith C. P., Sommers, Sprague, Thompson, Valle, Van Dyken, Warnke.

Voting nay: Representatives Addison, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Douthwaite, Eberle, Ehlers, Erak, Erickson, Fuller, Galloway,

Granlund, Grimm, Halcy, Heck, Houchen, Isaacson, Keller, Knowles, Lux, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitten, Sherman, Smith R., Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dawson, Maxie, McGinnis, Owen, Williams.

On motion of Ms. Sommers, the following amendment was adopted:

On page 6, line 4 after "law" insert "; PROVIDED, That no taxes which are levied and collected pursuant to chapter 67.28 RCW may be expended on operation of such facilities after December 31, 1982"

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2062 as amended by the House was placed on final passage.

Mr. Charnley spoke in favor of passage of the bill, and Mr. Barr spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2062 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Clayton, Deccio, Fancher, Flanagan, Hastings, Newhouse, Patterson, Rohrbach, Rosbach, Smith C. P., Tilly, Whiteside.

Not voting: Representative Dawson.

Engrossed Senate Bill No. 2062 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. King, the House adjourned until 9:30 a.m., Tuesday, May 1, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk



**FORTY-SECOND DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, May 1, 1979.

The House was called to order at 9:30 a.m. by Speaker Berentson. 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 Laurie Weeks and Tracey Pace. Prayer was offered by Father Herbert Pins 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.

**MESSAGES FROM THE GOVERNOR**

April 27, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to notice that on April 27, 1979, Governor Ray approved the following House Bill, entitled:

**SUBSTITUTE HOUSE BILL NO. 291: Relating to revenue and taxation.**

Sincerely,  
H. B. Hanna, Legal Counsel.

April 30, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on April 30, 1979, Governor Ray approved the following House Bills, entitled:

**HOUSE BILL NO. 4: Relating to adoption;**

**HOUSE BILL NO. 41: Relating to fire protection;**

**SUBSTITUTE HOUSE BILL NO. 144: Relating to state correctional institutions and institutions for the mentally ill;**

**SUBSTITUTE HOUSE BILL NO. 398: Relating to higher education;**

**HOUSE BILL NO. 415: Relating to local improvement assessments;**

**HOUSE BILL NO. 419: Relating to the sale of intoxicating liquors on the grounds of the University of Washington;**

**SUBSTITUTE HOUSE BILL NO. 438: Relating to domestic violence;**

**HOUSE BILL NO. 450: Relating to registered nurses;**

**SUBSTITUTE HOUSE BILL NO. 481: Relating to the sale of property and to loans and extensions of credit and preparation of documents in connection therewith;**

**SUBSTITUTE HOUSE BILL NO. 500: Relating to retirement systems.**

Sincerely,  
H. B. Hanna, Legal Counsel.

**MESSAGES FROM THE SENATE**

April 28, 1979

Mr. Speaker:

The Senate has receded from its amendment to **SUBSTITUTE HOUSE BILL NO. 194**, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 28, 1979

Mr. Speaker:

The Senate has receded from its amendment to SUBSTITUTE HOUSE BILL NO. 262 on page 2, line 16, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 30, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1032,  
SUBSTITUTE HOUSE BILL NO. 1034,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 2192 as amended by the House.

Bill Gleason, Assistant Secretary.

April 28, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2317, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 30, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2337, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 28, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 2375, as amended by the House.

Sidney R. Snyder, Secretary.

April 30, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2905, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 30, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2192,  
SUBSTITUTE SENATE BILL NO. 2317,  
SUBSTITUTE SENATE BILL NO. 2375,  
SENATE BILL NO. 2462,  
SUBSTITUTE SENATE BILL NO. 2532,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 30, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2721,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2721, by Committee on State Government (originally sponsored by Senator Rasmussen):

Creating the state general obligation bond retirement fund.

To Committee on Appropriations

ENGROSSED SUBSTITUTE SENATE BILL NO. 2790, by Committee on Parks and Recreation (originally sponsored by Senator von Reichbauer):

Providing a property tax exemption for property held for park purposes by nonprofit organizations.

To Committee on Revenue

ENGROSSED SUBSTITUTE SENATE BILL NO. 3087, by Committee on Energy and Utilities (originally sponsored by Senators Bottiger, North and Talley):

Facilitating the use of wood, or wood derived fuels or natural gas for home heating.

To Committee on Energy and Utilities

REPORTS OF STANDING COMMITTEES

April 26, 1979

HOUSE BILL NO. 740, Prime Sponsor: Representative Whiteside, authorizing a bond issue for facilities for the handicapped. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Becker, Douthwaite, Ehlers, Grimm, Heck, Hughes, Keller, Maxie, Nisbet, Polk, Taller, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

April 26, 1979

HOUSE BILL NO. 1064, Prime Sponsor: Representative North, relating to appropriations. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Becker, Douthwaite, Ehlers, Grimm, Heck, Hughes, Maxie, Nisbet, Polk, Taller, Valle, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

April 26, 1979

ENGROSSED SENATE BILL NO. 2176, Prime Sponsor: Senator Donohue, revising the law relating to state debts. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Becker, Douthwaite, Ehlers, Heck, Hughes, Maxie, Nisbet, Polk, Taller, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

April 26, 1979

ENGROSSED SENATE BILL NO. 2378, Prime Sponsor: Senator Wojahn, authorizing the payment of certain pension benefits to spouses and ex-spouses. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Becker, Douthwaite, Ehlers, Grimm, Heck, Hughes, Keller, Maxie, Nisbet, Polk, Taller, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

April 26, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 3008, Prime Sponsor: Senator Walgren, increasing the salaries of elected officials. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Becker, Douthwaite, Ehlers, Grimm, Heck, Keller, Maxie, Polk, Taller, Valle, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

April 27, 1979

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 120, Prime Sponsor: Senator Bottiger, authorizing government utilities to loan money for energy conservation purposes. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 10 after "provisions of" strike "sections 5 or" and insert "((sections 5 or)) section"

Signed by Representatives Haley, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Grimm, Isaacson, Monohon, Nelson (D), Nisbet, Scott, Sherman, Tupper, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Sprague, Wilson.

Passed to Committee on Rules for second reading.

### SENATE AMENDMENTS TO HOUSE BILL

April 27, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 236 with the following amendments:

Strike everything after the enacting clause and insert the following:

**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, reappropriated, and authorized to be disbursed for salaries, wages, capital projects, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION.** Sec. 2. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation ..... \$ 17,303,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the house ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

**NEW SECTION.** Sec. 3. FOR THE SENATE

General Fund Appropriation ..... \$ 14,300,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the senate ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

**NEW SECTION.** Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation ..... \$ 1,247,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$70,000 shall be expended for the specific purpose of conducting a management survey, program review, and/or a performance audit, as defined in RCW 44.28.085 and 44.28.086, of the Washington public power supply system and any other joint operating agencies established pursuant to chapter 43.52 RCW.

**NEW SECTION.** Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation ..... \$ 1,295,000

**NEW SECTION.** Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation ..... \$ 301,000

**NEW SECTION.** Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation ..... \$ 3,626,000

**NEW SECTION.** Sec. 8. FOR THE SUPREME COURT

General Fund Appropriation ..... \$ 5,306,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,568,000 shall be expended for indigent appeal cases.

**NEW SECTION. Sec. 9. FOR THE LAW LIBRARY**

General Fund Appropriation ..... \$ 1,386,000

The appropriation contained in this section shall be subject to the following condition or limitation: All nonstate agency users of the WestLaw system shall be charged a service fee sufficient to cover the costs of their usage.

**NEW SECTION. Sec. 10. FOR THE COURT OF APPEALS**

General Fund Appropriation ..... \$ 6,130,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$328,000 shall be expended for costs associated with a long-term lease for the division I court.

**NEW SECTION. Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation ..... \$ 10,313,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$106,000 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (2) \$5,635,000 shall be for superior court judges.
- (3) Not more than \$100,000 shall be expended for criminal cost bills, including prior claims.
- (4) The administrator for the courts together with the county and city users of the judicial information system shall prepare a report delineating a feasible plan to convert funding of the judicial information system to a user fee schedule. Such report shall be presented to the senate ways and means committee and the house appropriations committee by January 1, 1981.

**NEW SECTION. Sec. 12. FOR THE JUDICIAL COUNCIL**

General Fund Appropriation ..... \$ 225,000

**NEW SECTION. Sec. 13. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation ..... \$ 2,704,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$2,392,000 shall be used for executive operations.
- (2) Not more than \$20,000 shall be used for investigations and emergency purposes.
- (3) Not more than \$184,000 shall be used for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.
- (4) Not more than \$108,000 shall be used for mansion maintenance.

**NEW SECTION. Sec. 14. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State .....	\$	484,040,000
General Fund Appropriation—Federal .....	\$	24,895,000
Special Compensation Revolving Fund Appropriation .....	\$	63,561,000
Total Appropriation .....	\$	572,496,000

The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

- (1) \$1,800,000 shall be for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency of which not more than \$700,000 may be allotted by the governor for surveys and installations.
- (2) Not more than \$118,511,000 of general fund moneys (including \$22,672,000 in federal funds) shall be expended to effect salary increases for state classified employees, state employees exempt from the classified service, and for higher education classified employees. Not more than \$76,673,000 of this amount (including \$14,668,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an average of 9% salary increases. Not more than \$41,838,000 of this amount (including \$8,004,000 in federal funds) shall be expended to effect, beginning July 1, 1980, an average of 9% salary increases: PROVIDED, That a portion of these funds may be expended to effect implementation of the salary ranges (catch-up) adopted by the state personnel board and the higher education personnel board for state classified employees and higher education classified employees from the 1978 salary survey and to effect comparable increases for state employees exempt from the classified service.
- (3) Not more than \$42,563,000 of general fund moneys shall be expended to effect salary increases for faculty and administrative exempt employees of the four-year colleges and universities. Not more than \$27,537,000 of this amount shall be expended to effect, beginning July 1, 1979, an average of 9% salary increases. Not more than \$15,026,000 of this amount shall be expended to effect, beginning July 1, 1980, an average of 9% salary increases. Notwithstanding any other provision of this subsection (3), a portion of each institution's other budgeted funds may be expended to fund additional actual increments or their equivalents in an amount not more than 1 and 1/2% of their respective average salary levels for each year of the biennium and no institution may grant from any fund source whatsoever any salary increase greater than that provided in this act for faculty and exempt employees.

(4) Not more than \$26,967,000 of general fund moneys shall be expended to effect salary increases for faculty and administrative exempt employees of the community college system, the council for postsecondary education and the higher education personnel board. Not more than \$17,448,000 of this amount shall be expended to effect, beginning July 1, 1979, an average of 9% salary increases. Not more than \$9,519,000 of this amount shall be expended to effect, beginning July 1, 1980, an average of 9% salary increases. Notwithstanding any other provision of this subsection (4), a portion of each community college district's other budgeted funds may be expended to fund additional actual increments or their equivalents in an amount not more than 1 and 1/2% of their respective average salary levels for each year of the biennium and no community college district may grant from any fund source any salary increase greater than that provided in this act for faculty and exempt employees.

(5) Not more than \$245,000 of general fund moneys shall be expended to effect salary increases for commissioned members of the Washington state patrol. Not more than \$159,000 of this amount shall be expended to effect, beginning July 1, 1979, an average of 9% salary increases. Not more than \$86,000 of this amount shall be expended to effect, beginning July 1, 1980, an average of 9% salary increases: PROVIDED, That a portion of these funds may be expended to effect implementation of the salary survey commissioned in chapter 339, Laws of 1977 ex. sess.

(6) Not more than \$15,401,000 of general fund moneys (including \$2,223,000 in federal funds) shall be expended to effect increases in the state's maximum contribution for employee insurance benefits. Not more than \$11,000,000 of this amount (including \$1,588,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$85.00 per month per eligible employee. Not more than \$4,401,000 of this amount (including \$635,000 in federal funds) shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$85.00 per month to \$95.00 per month per eligible employee.

(7) Not more than \$58,502,000 of special compensation revolving fund moneys shall be expended to provide salary increases for state classified employees, state employees exempt from the classified service, higher education classified employees, higher education faculty, higher education administrative exempt employees, and commissioned members of the Washington state patrol. Not more than \$37,850,000 of this amount shall be expended to effect, beginning July 1, 1979, an average of 9% salary increases. Not more than \$20,652,000 of this amount shall be expended to effect, beginning July 1, 1980, an average of 9% salary increases.

(8) Not more than \$5,059,000 of special compensation revolving fund moneys shall be expended to effect increases in the state's maximum contributions for employee insurance benefits. Not more than \$3,614,000 of this amount shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$85.00 per month per eligible employee. Not more than \$1,445,000 of this amount shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$85.00 per month to \$95.00 per month per eligible employee.

(9) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is hereby directed to transfer sufficient income from each special fund to the special compensation revolving fund hereby created in accordance with schedules provided by the office of financial management.

(10) Not more than \$192,115,000 of general fund moneys shall be expended to effect an average of 7% salary increases for state-funded certificated and classified employees in the common school system for the 1979-80 school year and to effect an average of 7% salary increases for state-funded certificated and classified employees in the common school system for the 1980-81 school year: PROVIDED, That the distribution of these funds to individual school districts shall be in accordance with the procedures outlined in section 210 of this act: PROVIDED FURTHER, That not more than \$692,000 of this amount shall be expended to effect an average of 7% salary increases for state-supported employees of educational service districts in the 1979-80 school year and to effect an average of 7% salary increases for these employees in the 1980-81 school year. Notwithstanding any other provision of this subsection (10), local districts whose base salaries during the 1979-80 school year and 1980-81 school year are less than the state-wide average base salary for certificated staff as determined in section 210 of this act may use (a) special levy funds and/or (b) ending cash balances from the prior school year, to provide additional salary increases to state-funded certificated and classified employees, the total therefrom not to exceed one and one-half percent of the prior school year's actual average district salary.

(11) Not more than \$111,333,000 of general fund moneys shall be expended to fund a contribution for employee insurance benefits for state-funded employees of the common school system of \$85 per month per eligible employee in the 1979-80 school year and a contribution of \$95 per month per eligible employee in the 1980-81 school year: PROVIDED, That not more than \$374,000 of this amount shall be expended to fund a contribution for employee insurance benefits for state-funded employees of educational service districts of \$85 per month per eligible employee in the 1979-80 school year and a contribution of \$95 per month per eligible employee in the 1980-81 school year.

(12) The state employees' insurance board's authority and practice of expending funds in the state employees' insurance revolving fund generated by dividends and refunds to provide increased benefits or to allow reduced employee contributions is recognized, and the average contribution per employee in subsections (6) and (8) of this section shall not be construed as a restriction on such expenditures. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of

this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

**NEW SECTION, Sec. 15. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation ..... \$ 204,000

**NEW SECTION, Sec. 16. FOR THE SECRETARY OF STATE**

General Fund Appropriation ..... \$ 3,705,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$1,080,000 shall be used solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$624,000 shall be used solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$20,000 shall be expended to establish working capital for the publication revolving fund.

(4) Not more than \$157,000 shall be expended for precinct census mapping.

(5) \$5,000 shall be expended for a pictorial directory of registered lobbyists in the state of Washington.

**NEW SECTION, Sec. 17. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation ..... \$ 147,000

**NEW SECTION, Sec. 18. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 121,000

**NEW SECTION, Sec. 19. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 124,000

**NEW SECTION, Sec. 20. FOR THE STATE TREASURER**

General Fund Appropriation ..... \$ 10,000

Motor Vehicle Fund—State Appropriation ..... \$ 31,000

State Treasurer's Service Fund Appropriation ..... \$ 3,807,000

Total Appropriation ..... \$ 3,848,000

The appropriations contained in this section shall be subject to the following condition or limitation: The general fund appropriation shall be distributed as provided in RCW 84.38.120 to the appropriate county and city finance officers for senior citizen and disabled property tax and special assessment deferrals authorized by chapter 84.38 RCW.

**NEW SECTION, Sec. 21. FOR THE STATE AUDITOR**

General Fund Appropriation—State ..... \$ 6,041,000

General Fund Appropriation—Federal ..... \$ 300,000

Motor Vehicle Fund Appropriation ..... \$ 232,000

Total Appropriation ..... \$ 6,573,000

The appropriations contained in this section shall be subject to the following condition or limitation: The state auditor shall continue supplemental security income state supplementation audits according to a priority schedule established by the department of social and health services and the office of financial management.

**NEW SECTION, Sec. 22. FOR THE ATTORNEY GENERAL**

General Fund Appropriation ..... \$ 3,355,000

Legal Services Revolving Fund Appropriation ..... \$ 15,034,000

Total Appropriation ..... \$ 18,389,000

**NEW SECTION, Sec. 23. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State ..... \$ 11,687,000

General Fund Appropriation—Federal ..... \$ 24,081,000

Total Appropriation ..... \$ 35,768,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,174,000 of this appropriation shall be expended to develop a common payroll/personnel system for higher education: PROVIDED, That the four-year institutions and the community college system: (a) Establish a common core of data elements; and (b) adopt procedures to maintain commonality of the system that are acceptable to the office of financial management, the house appropriations committee, and the senate ways and means committee: PROVIDED FURTHER, That the establishment of the common core of data elements does not preclude the introduction of additional data elements at individual institutions: PROVIDED FURTHER, That a central site will process all payroll calculations and the necessary edits to ensure the commonality of data elements including personnel data, position data, and payroll data.

(2) Not more than \$75,000 shall be used for payment of assessments against state-owned land.

(3) Not more than \$1,000,000 shall be used exclusively for state budget and accounting systems development above the recurring level of system development activities funded in the base budget.

(4) Not more than \$525,000 shall be used for payment of supplies and services furnished in previous biennia.

(5) \$26,000 shall be expended to acquire 1980 bureau of the census Washington state data.

(6) \$4,000 shall be expended to acquire 1979 and 1980 bureau of the census maps and transparencies of municipal boundaries.

(7) The office shall study and report to the next regular session of the legislature on the work orientation program.

(8) Of the law and justice federal funds included for distribution to state agencies, there shall be made available to the attorney general's office for the crime watch program \$370,000.

(9) The office of financial management shall institute procedures to abolish positions identified by the department of personnel through the retirement/vacancy program, and shall cause to be reverted the salaries and fringe benefits associated with the abolishment of such positions.

(10) Not more than \$875,000 of the general fund—state appropriation shall be expended to begin implementation of the reorganization of data processing management in Washington state. Such reorganization shall be based upon findings in the report of the study of overall organization and management of data processing resources in the state of Washington to be completed prior to July 1, 1979: PROVIDED, That said funds shall be released for use in any reorganization only upon acceptance by the governor and the legislative evaluation and accountability program (LEAP) committee of an implementation plan jointly prepared and submitted by the office of financial management and the LEAP committee: PROVIDED FURTHER, That upon acceptance of such implementation plan those appropriations for data processing services and equipment and related purposes then a part of the appropriations of other agencies affected by the reorganization shall be reallocated by the office of financial management in accordance with the provisions of the implementation plan and after hearings on such matters as provided for in the administrative procedure act: PROVIDED FURTHER, That nothing in this subsection shall be construed to permit release of all or any part of these funds unless said action shall conform to the implementation plan acceptance as provided in this subsection.

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

General Fund Appropriation .....	\$	263,000
Department of Personnel Service Fund Appropriation .....	\$	7,136,000
State Employees' Insurance Fund Appropriation .....	\$	1,229,000
Total Appropriation .....	\$	8,628,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) \$225,000 of the General Fund Appropriation shall be used to provide working capital for the personnel payroll system costs incurred through the department of personnel service fund.

(2) Not more than \$211,000 of the personnel service fund and 8 FTE's shall be expended for continuation of the cooperative staff utilization review program.

(3) Not more than \$166,000 of the personnel service fund and 8 FTE's shall be utilized for a pilot project directed toward the provision of personnel services for small agencies, boards, and commissions.

(4) Not more than \$38,000 from the general fund shall be expended for a study by the state employees' insurance board to evaluate the effects of including common school employees within the jurisdiction of the board. The report shall be submitted to the governor and the legislature by October 1, 1980.

**NEW SECTION. Sec. 25. FOR THE STATE CAPITOL COMMITTEE**

General Fund—Capital Building Construction Account Appropriation .....	\$	20,000
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**NEW SECTION. Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	1,023,000
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**NEW SECTION. Sec. 27. FOR THE DEFERRED COMPENSATION COMMITTEE**

General Fund Appropriation .....	\$	35,000
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**NEW SECTION. Sec. 28. FOR THE STATE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation .....	\$	991,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$200,000 shall be expended exclusively for the purpose of a computerized investment management and accounting system.

**NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$	29,298,000
State Timber Reserve Account Appropriation .....	\$	2,343,000
Motor Vehicle Fund Appropriation .....	\$	93,000
Total Appropriation .....	\$	31,734,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) Not more than \$400,000 of the appropriation from the state timber reserve account shall be expended exclusively to reimburse counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land: PROVIDED, That the assessor of each timbered county has provided the department of revenue with a complete listing of designated and classified land acreage and assessed value by taxing district by December 31, 1979, to qualify for reimbursement for listing of the values of forest land under RCW 84.33.117, as now or hereafter amended. Such information shall be made available to the legislature.



(2) The department shall maintain current services including advisory appraisals as required by RCW 84.41.060.

**NEW SECTION. Sec. 30. FOR THE TAX APPEALS BOARD**

General Fund Appropriation ..... \$ 718,000

**NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation ..... \$ 9,526,000  
 Motor Transport Account Appropriation ..... \$ 3,653,000  
 General Administration Facilities and Services Revolving Fund Appropriation ..... \$ 10,996,000  
 Total Appropriation ..... \$ 24,175,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$871,000 of the General Fund Appropriation shall only be used for replacement of motor transport division vehicles.

(2) \$1,734,000 of the General Fund Appropriation shall only be expended for the banking program and \$700,000 for the savings and loan program, and that revenues generated from fees and charges in these programs must equal or exceed expenditures.

(3) The department shall discontinue transferring agency-owned vehicles to the motor transport division until a cost benefit analysis has been prepared and approved by the senate ways and means committee and the house appropriations committee. Such analysis shall be completed by October 1, 1980, and shall identify those agency-owned vehicles that should be transferred to the motor transport division effective July 1, 1981, and a proposed method of funding the motor transport account for their depreciated value.

(4) The department of agriculture shall transfer \$8,225 from its local fund accounts to the motor transport account and the state treasurer shall transfer to the motor transport account \$4,100 from the fertilizer, agricultural, mineral and lime fund, \$4,100 from the commercial feed fund, \$34,160 from the grain and hay inspection fund, \$4,100 from the community college capital projects account, \$4,100 from the highway safety fund, and \$4,100 from the higher education personnel board service fund. These transfers shall be in accordance with schedules provided by the office of financial management.

(5) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft, whether piloted by a state employee or by an employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(6) The department of general administration, through the department of purchasing, shall analyze and review the establishment, maintenance, and operation of its central stores in relationship to inflationary trends, economies of scale, effectiveness in meeting agency needs, and financial and accounting control and report its findings and recommendation to the legislature by September 1980.

**NEW SECTION. Sec. 32. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation ..... \$ 1,000

**NEW SECTION. Sec. 33. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation ..... \$ 6,023,000

**NEW SECTION. Sec. 34. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution ..... \$ 4,025,000  
 General Fund Appropriation for snowmobile registration fee distribution ..... \$ 59,000  
 General Fund Appropriation for public utility district excise tax distribution ..... \$ 16,243,000  
 General Fund Appropriation for prosecuting attorneys' salaries ..... \$ 1,172,000  
 General Fund Appropriation for motor vehicle excise tax distribution ..... \$ 44,138,000  
 General Fund Appropriation for local mass transit assistance ..... \$ 66,602,000  
 General Fund Appropriation for camper and travel trailer excise tax distribution ..... \$ 2,053,000  
 General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution ..... \$ 399,000  
 Liquor Excise Tax Fund Appropriation for liquor excise tax distribution ..... \$ 19,159,000  
 Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution ..... \$ 180,969,000  
 Liquor Board Revolving Fund Appropriation for liquor profits distribution ..... \$ 49,000,000  
 State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties ..... \$ 23,540,000  
 State Timber Reserve Account Appropriation for distribution to 'Timber' counties ..... \$ 29,620,000  
 Total Appropriation ..... \$ 436,979,000

**NEW SECTION. Sec. 35. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION**

Forest Reserve Fund Appropriation for forest reserve fund distribution ..... \$ 64,498,000  
 General Fund Appropriation for federal flood control funds distribution ..... \$ 26,000  
 General Fund Appropriation for federal grazing fees distribution ..... \$ 50,000

Total Appropriation .....	\$	64,574,000
<b>NEW SECTION. Sec. 36. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST</b>		
Fisheries Bond Redemption Fund 1977 Appropriation .....	\$	1,004,000
Salmon Enhancement Bond Redemption Fund 1977 Appropriation .....	\$	3,940,000
Higher Education Refunding Bond Retirement Fund 1977 Appropriation .....	\$	8,782,000
Fire Service Training Center Bond Retirement Fund 1977 Appropriation .....	\$	76,000
Highway Bond Retirement Fund Appropriation .....	\$	66,952,000
State Building Construction Bond Redemption Fund Appropriation .....	\$	4,226,000
State Higher Education Bond Redemption Fund 1977 Appropriation .....	\$	2,504,000
Public School Building Bond Redemption Fund 1959 Appropriation .....	\$	4,800,000
Emergency Water Projects Bond Retirement Fund 1977 Appropriation .....	\$	2,568,000
Public School Building Bond Redemption Fund 1961 Appropriation .....	\$	7,455,000
General Administration Building Bond Redemption Fund Appropriation .....	\$	671,000
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation .....	\$	631,000
Outdoor Recreational Bond Redemption Fund Appropriation .....	\$	2,335,000
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,456,000
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	5,890,000
Outdoor Recreational Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,712,000
Social and Health Services Bond Redemption Fund 1979 Appropriation .....	\$	2,673,000
Higher Education Bond Redemption Fund 1979 Appropriation .....	\$	1,054,000
Fisheries Bond Redemption Fund 1976 Appropriation .....	\$	767,000
Indian Cultural Center Bond Redemption Fund 1976 Appropriation .....	\$	76,000
State Building Bond Redemption Fund 1967 Appropriation .....	\$	654,000
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation .....	\$	9,510,000
Common School Building Bond Redemption Fund 1976 Appropriation .....	\$	6,879,000
Outdoor Recreational Bond Redemption Fund 1967 Appropriation .....	\$	6,255,000
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,871,000
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	9,840,000
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,453,000
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	12,558,000
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	8,902,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropria- tion .....	\$	3,737,000
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	6,002,000
Community College Capital Improvement Bond Redemption Fund 1972 Appropria- tion .....	\$	7,498,000
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,842,000
Office—Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	276,000
University of Washington Hospital Bond Retirement Fund 1975 Appropriation .....	\$	1,156,000
Washington State University Bond Redemption Fund 1977 Appropriation .....	\$	511,000
Higher Education Bond Redemption Fund 1975—76 Appropriation .....	\$	2,168,000
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,914,000
State Building Bond Retirement Fund 1975 Appropriation .....	\$	693,000
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,396,000
Social and Health Services Bond Redemption Fund 1975—76 Appropriation .....	\$	6,800,000
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	387,000
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,641,000
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,227,000
Pacific Northwest Festival Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Jail Renovation Bond Retirement Fund Appropriation .....	\$	1,680,000
Common School Building Bond Retirement Fund 1979 Appropriation .....	\$	382,000
General Obligation Bond Retirement Fund Appropriation .....	\$	288,000
Total Appropriation .....	\$	249,856,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the state general obligation bond retirement fund is created by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess., any appropriation to a bond retirement or redemption fund affected by the provisions of such act shall be deemed to be appropriated to the state general obligation bond retirement fund.

**NEW SECTION. Sec. 37. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$	805,000
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**NEW SECTION. Sec. 38. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS**

General Fund Appropriation .....	\$	409,353,000
Motor Vehicle Fund Appropriation .....	\$	27,000
Retirement System Expense Fund Appropriation .....	\$	4,694,000
Teachers' Retirement Fund Appropriation .....	\$	1,889,000
Total Appropriation .....	\$	415,963,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,694,000 shall be expended from the retirement system expense fund for the administration of the law enforcement officers' and fire fighters' retirement system and the public employees' retirement system.

(2) Not more than \$6,000 from the general fund shall be expended for the administration of the judges' retirement system and the judicial retirement system.

(3) Not more than \$27,000 from the motor vehicle fund shall be expended for administration of the state patrol retirement system.

(4) Not more than \$1,889,000 shall be expended from the teachers' retirement fund for the administration of the teachers' retirement system.

(5) Not more than \$243,600,000 from the general fund (\$67,500,000 of which shall be from general revenue sharing funds received during the 1979-81 biennium) shall be expended for contributions to the teachers' retirement system.

(6) Not more than \$493,000 from the general fund shall be expended for contributions to the judicial retirement system.

(7) Not more than \$554,000 from the general fund shall be expended for contributions to the judges' retirement system.

(8) Not more than \$164,700,000 from the general fund shall be expended for contributions to the law enforcement officers' and fire fighters' retirement system.

NEW SECTION. Sec. 39. FOR THE MUNICIPAL RESEARCH COUNCIL

General Fund Appropriation .....	\$	880,000
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NEW SECTION. Sec. 40. UNIFORM LEGISLATION COMMISSION

General Fund Appropriation .....	\$	21,000
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NEW SECTION. Sec. 41. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation .....	\$	517,000
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NEW SECTION. Sec. 42. FOR THE ATHLETIC COMMISSION

General Fund Appropriation .....	\$	56,000
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NEW SECTION. Sec. 43. FOR THE CEMETERY BOARD

General Fund—Cemetery Account Appropriation .....	\$	68,000
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NEW SECTION. Sec. 44. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation .....	\$	1,752,000
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The appropriation contained in this section shall be subject to the following condition or limitation: If there are more than five hundred sixty-seven racing days during the 1979-81 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

NEW SECTION. Sec. 45. FOR THE LIQUOR CONTROL BOARD

Liquor Board Revolving Fund Appropriation .....	\$	58,425,000
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NEW SECTION. Sec. 46. FOR THE PHARMACY BOARD

General Fund Appropriation .....	\$	828,000
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NEW SECTION. Sec. 47. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—State .....	\$	11,939,000
Public Service Revolving Fund Appropriation—Federal .....	\$	338,000
Grade Crossing Protective Fund Appropriation .....	\$	1,457,000
Total Appropriation .....	\$	13,734,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$865,000 from the grade crossing protective fund shall be used solely for obligations incurred in prior biennia.

(2) \$68,000 from the public service revolving fund—state shall be expended for railroad inspectors contingent upon receipt of federal matching funds.

NEW SECTION. Sec. 48. FOR THE BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund Appropriation .....	\$	102,000
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NEW SECTION. Sec. 49. FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State .....	\$	651,000
General Fund Appropriation—Federal .....	\$	2,048,000
Total Appropriation .....	\$	2,699,000

NEW SECTION. Sec. 50. FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State .....	\$	5,485,000
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General Fund Appropriation—Federal .....	\$	605,000
Total Appropriation .....	\$	6,090,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) No general fund moneys shall be expended for administration, operation or maintenance of the Washington state guard.

(2) Not more than \$206,000 of the general fund appropriation shall be expended solely for national guard educational assistance grants contingent upon chapter ... (2nd SSB 2212 or ESHB 295), Laws of 1979 1st ex. sess. becoming law.

**NEW SECTION. Sec. 51. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation .....	\$	1,174,000
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**NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

State Funding Sources .....	\$	1,240,163,000
Federal Funding Sources .....	\$	853,635,000
Other Funding Sources .....	\$	13,433,000
Total of all Funding Sources .....	\$	2,107,231,000
Total FTE Staff Years .....		28,645

The appropriations contained in sections 53 through 65 of this act shall be subject to the following conditions and limitations:

(1) The department shall not initiate any new services beyond those authorized by appropriation in this act without approval of the office of financial management. The senate ways and means committee and the house appropriations committee of the legislature shall be advised of any approvals.

(2) Funds appropriated to programs in sections 53 through 65 of this act shall be initially allotted reflecting the fiscal assumptions and legislative intent of this act. Analysis of the programmatic impacts and justification of approved amendments to this plan will be conveyed by the office of financial management to the senate ways and means committee and the house appropriations committee of the legislature.

(3) The department of social and health services will cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

**NEW SECTION. Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

General Fund Appropriation .....	\$	114,904,000
Total FTE Staff Years .....		4,299

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,702,000 from the general fund shall be expended for community services.

(2) Not more than \$1,716,000 from the general fund and 76.0 FTE's shall be expended for intensive parole.

(3) Not more than \$15,679,000 from the general fund and 731 FTE's shall be expended for probation and parole.

(4) Not more than \$7,002,000 from the general fund and 152 FTE's shall be expended for work/training release.

(5) Not more than \$82,563,000 from the general fund and 3,259 FTE's shall be expended for institutional staffing including custody officer training and 100.0% post coverage.

(6) \$920,000 from the general fund shall be expended to contract with a nonprofit corporation to provide a diversionary program for convicted felons with prior conviction records and prior incarcerations. No felon may participate in the program if: (a) he or she has a prior conviction for any violent or inherently dangerous felony, or (b) the crime for which he or she is being diverted into the program is a violent or inherently dangerous felony. For the purposes of this section, 'violent or inherently dangerous felony' means rape in the first or second degree, robbery in the first or second degree, kidnapping in the first or second degree, assault in the first or second degree, or arson in the first degree. Prior to entering into the contract, the secretary of the department of social and health services must have assurance of the cooperation of the superior court bench of the county in which the program will be implemented. The program shall include the following:

(a) A contractual agreement between such nonprofit corporation and the felon with approval of the sentencing judge. Such agreement will describe work performance and restitution expectations, and judicial conditions and review;

(b) A fully controlled residential component;

(c) Supervision by a probation officer of the department of social and health services;

(d) Coordination of all activities by a case manager employed by such nonprofit corporation;

(e) Job development and placement services which will guarantee each participant regular employment;

(f) Specialized alcohol, drug, and counseling services; and

(g) Participation of community and corporate entities which will provide \$1,212,000 in direct and in-kind support.

(7) Not more than \$25,000 from the general fund will be expended for a program evaluation by an independent third party of the diversionary program set forth in subsection (6) of this section. Such evaluation will commence with the initiation of the contract and shall include the following:

- (a) Evaluation of the intake procedures, including initial screening, final screening, the contract between the nonprofit organization and the convicted felon, and the participant selection process;
  - (b) Evaluation of the program elements;
  - (c) Evaluation of the program impact on recidivism using the measures of rearrest, type of rearrest offense, reconviction, revocation and recommitment;
  - (d) Evaluation of the control group;
  - (e) Data collection and analysis; and
  - (f) A cost benefit analysis.
- (8) In the event chapter ... (Substitute House Bill No. 144), Laws of 1979 1st ex. sess. fails to pass, \$100,000 will be reverted to the general fund.

**NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	54,065,000
General Fund Appropriation—Federal .....	\$	747,000
Total Appropriation .....	\$	54,812,000
Total FTE Staff Years .....		1,966

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) \$1,000,000 from the general fund and 50 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing within the institutions and to allow residence units not currently being utilized to be opened and staffed. Staffing patterns within the residence units will provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(2) Not more than \$30,000 shall be expended for resource development and coordination and educational program development and coordination.

(3) \$800,000 and 26 FTE staff years shall be expended for a mental health unit at Maple Lane School, except that such unit will be fully implemented and operational by September 30, 1979, except that if such unit is not implemented and operational by September 30, 1979, the operational responsibility will be transferred to the mental health division of the department of social and health services.

(4) No funds shall be expended for the lease-back of any institutional facility.

**NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	98,466,000
General Fund Appropriation—Federal .....	\$	17,277,000
General Fund Appropriation—Local .....	\$	2,119,000
Total Appropriation .....	\$	117,862,000
Total FTE Staff Years .....		3,110

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$31,845,000 of which \$11,396,000 shall be from federal funds shall be expended to maintain and enhance the present level of community mental health services, except that, of this amount, \$187,000 from state funds shall be expended to continue the 'grandfathered' level of support through the 1979-81 biennium at which time this level of support shall be terminated.

(2) \$5,500,000 from state funds shall be expended for the purpose of providing staffing grant-in-aid to the nonprofit community mental health centers and to nonprofit mental health providers: PROVIDED, That no more than a total of \$200,000 may be assigned to nonprofit mental health providers.

(3) \$500,000 from state funds shall be expended to implement a program for the violent, disturbed child.

(4) \$262,000 from state funds shall be expended to maintain institutional legal services.

(5) \$302,000 from state funds shall be expended for a demonstration project providing case management, residential, and support services to chronic seriously mentally ill adults who have continual histories of admission and readmission to eastern state hospital.

(6) \$400,000 from state funds shall be expended for a demonstration project in four counties to provide full case management services.

(7) \$984,000, of which \$142,000 shall be from federal funds, and 60 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing with the state hospitals.

(8) Not more than \$250,000 shall be expended for a demonstration project to reduce the number of hospitalizations of children assessed by mental health professionals as needing hospital care, provided that the project will involve intensive in-home family crisis and education services conducted by highly-trained individuals and shall include an evaluation component to compare the outcomes with those of similar children who are hospitalized. The department shall submit this evaluation to the legislature by January 5, 1981.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

General Fund Appropriation—State .....	\$	97,311,000
General Fund Appropriation—Federal .....	\$	63,102,000
Total Appropriation .....	\$	160,413,000
Total FTE Staff Years .....		6,921

The appropriations contained in this section are subject to the following conditions and limitations:

- (1) \$2,100,000 (of which \$840,000 shall be federal funds) and 100 FTE will be expended to staff and operate three state residential treatment centers (SRTC).
- (2) \$1,296,000 (of which \$859,000 shall be from federal funds) will be expended for home aide services, assuming five hundred two cases per month in fiscal year 1980 and five hundred forty-two cases per month in fiscal year 1981.
- (3) Not more than \$682,000 (of which \$46,000 shall be from federal funds) shall be expended to increase the personal needs allowance of clients in group homes and institutions to \$32.50 per month.
- (4) \$78,000 from state funds shall be expended for the provision of legal services for institutionalized persons: PROVIDED, That no moneys may be expended on deinstitutionalization lawsuits.
- (5) \$2,793,000 from state funds shall be expended solely for the purpose of providing vendor rate increases.
- (6) \$120,000 shall be used to provide protection and advocacy services for the handicapped.
- (7) Extended sheltered employment will be provided in the vocational rehabilitation program and none of the appropriations contained in this section shall be expended for such services.
- (8) Not more than \$344,000 shall be allocated for a pilot project for disturbed youth to develop a treatment program for certain youth with multiple problems that do not fit within the specific eligibility criteria of the various service programs of the department of social and health services. The department shall provide the appropriate legislative committees an evaluation and monitoring report semiannually regarding the effectiveness of this pilot project, and shall provide to the forty-seventh legislature, no later than January 5, 1981, an evaluation report containing recommendations for future programming.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State .....	\$ 126,830,000
General Fund Appropriation—Federal .....	\$ 126,152,000
Total Appropriation .....	\$ 252,982,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) The funds appropriated in this section shall revert immediately to the general fund if ESSB 2335 fails to be enacted.
- (2) For fiscal year 1980, the wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.
- (3) The wages for all employees, other than those specified in subsection (2) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.
- (4) For fiscal year 1980, food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.
- (5) Patient personal needs allowance limitation will be extended to \$32.50 per month.
- (6) \$500,000 shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.
- (7) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.
- (8) \$1,800,000 (of which \$900,000 shall be from federal funds) shall be used for reimbursement of costs incurred from the training of nurses' assistants.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State .....	\$ 122,273,000
General Fund Appropriation—Federal .....	\$ 121,595,000
Total Appropriation .....	\$ 243,868,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) The wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.
- (2) The wages for all employees, other than those specified in subsection (1) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.

(3) Food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.

(4) Reimbursement for administration and operations will include all items not specified in subsections (1), (2), (3), (5), and (6) of this section and shall not exceed the eighty-fifth percentile of all reporting facilities, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations.

(5) Property reimbursement shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. Rental costs of leased facilities shall be reimbursed to the extent they do not exceed the upper limit of the multiple regression formula for comparable owner-operated facilities.

(6) The return of net invested equity for each facility will be determined by utilizing Medicare rules and regulations.

(7) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(8) \$500,000 shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(9) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(10) \$1,800,000 (of which \$900,000 shall be from federal funds) shall be used for reimbursement of costs incurred from the training of nurses' assistants.

(11) The funds contained in this section shall revert immediately to the general fund if ESSB 2335 is enacted.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM**

General Fund Appropriation—State.....	\$	313,372,000
General Fund Appropriation—Federal.....	\$	205,952,000
Total Appropriation .....	\$	519,324,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) \$32,067,000 (of which \$10,072,000 shall be from federal funds) shall be expended for the purposes of providing a 10.0% per year increase to all assistance grants.

(2) \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

(3) \$5,036,000 (of which \$448,000 shall be from federal funds) shall be expended solely for vendor rate increases of 7.0% per year.

(4) \$6,646,000 from state funds shall be expended for noncontinuing general assistance, except that after the recipient has been determined eligible for such assistance for the third time, the recipient's grant will be equivalent to two times the food only standard plus twenty dollars.

(5) \$760,000 from state general funds shall be expended to provide forty-eight hours of shelter care for victims of domestic violence.

(6) \$360,000 from state general funds shall be expended to provide a variable one-time allowance for persons without resources who are discharged from a skilled nursing facility.

(7) \$900,000 of state funds and \$600,000 of federal funds shall be expended to place Kitsap county residents into Area I grant standards eligibility and pay such grants accordingly.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM**

General Fund Appropriation—State.....	\$	78,361,000
General Fund Appropriation—Federal.....	\$	65,479,000
General Fund Appropriation—Local .....	\$	100,000
Total Appropriation .....	\$	143,940,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) \$7,404,000 (of which \$2,219,000 shall be from federal funds) shall be expended solely for vendor rate inflationary increases.

(2) \$29,774,000, of which \$23,218,000 shall be from federal funds, shall be expended for the provision of adult chore service payments: PROVIDED, That:

(a) A single application and assessment of need shall be utilized in determining eligibility for and allowable amounts of all chore services. All financially eligible applicants shall have their need for said services fairly and equitably evaluated by a competent, trained person, skilled in the assessment of the conditions and needs of elderly and disabled persons. Applicants shall receive notice of the results of the assessment and informed of their right to a fair hearing as provided in RCW 74.08.070 and 74.08.080.

(b) The provision of chore services shall be coordinated to the extent practical through one agency of the department to avoid fragmentation of service delivery.

(c) All chore services shall be provided to the extent necessary to assure adequate standards of health and hygiene; to maintain a decent, clean, and safe household; and to meet independent living requirements for eligible persons as determined by the department.

(d) The department shall assure that persons eligible for chore services receive such services promptly after eligibility is determined and on a regularly scheduled basis thereafter.

(e) Chore services shall be provided on an emergency basis when regularly scheduled services have been unexpectedly interrupted.

(f) The scope, amount, and duration of services authorized shall not be changed without good cause and prior notice which informs recipients of their right to a fair hearing.

(g) The department shall assist in the recruiting, training, and supervision of workers to the extent necessary to assure that clients receive chore services reasonably qualified to perform the required tasks.

(h) The department, in carrying out its program, shall assure that payment to providers and workers performing chore services is made on a prompt and regular basis, and that all workers employed under this program are paid at least the federally established minimum wage: PROVIDED FURTHER, That recipients of the chore services shall be afforded the following rights and protections:

(i) No recipient shall be discriminated against for reasons of race, sex, age, marital status, language background or fluency, religion, or any mental, physical, or sensory handicap;

(ii) All recipients' rights of privacy and confidentiality shall be respected in the provision of chore services;

(iii) All recipients have the right to receive quality care provided with dignity and consideration from trained chore service workers who are able to communicate with the recipient; and

(iv) All recipients, or their legal guardians, shall have the right to take an active role in the planning and management of such services, including a reasonable choice of providers.

(3) \$15,006,000, of which \$10,444,000 shall be from federal funds, shall be expended for the provision of child day care payments.

(4) \$161,000 from state funds shall be provided to the department of personnel alcoholism program for state employees stationed in eastern Washington, except that this program shall be initiated in eastern Washington by January 1, 1980; otherwise the funds shall revert to the general fund.

(5) \$866,000, of which \$434,000 shall be from federal funds, shall be expended to provide enhancement of the foster care program, including the establishment of a foster parent's property damage or loss fund, an increase in the clothing allowance, and a children's needs assessment.

(6) Reimbursement to private child caring agencies responsible for foster care placement shall be increased from \$33 per month per child to \$50 per month per child.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State	\$	201,114,000
General Fund Appropriation—Federal	\$	148,435,000
Total Appropriation	\$	349,549,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$23,743,000 (of which \$9,628,000 shall be from federal funds) shall be expended solely for inflationary increases for hospitals.

(2) \$23,236,000 (of which \$10,307,000 shall be from federal funds) shall be expended solely for inflationary increases for medical vendors other than hospitals.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State	\$	20,556,000
General Fund Appropriation—Federal	\$	49,745,000
General Fund Appropriation—Local	\$	400,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)—Reappropriation	\$	10,814,000
Total Appropriation	\$	81,515,000
Total FTE Staff Years		838

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,266,000 from state funds shall be used solely for supplemental funding to kidney centers.

(2) \$400,000 from state funds will be used solely to continue the contract for the purchase of cancer research.

(3) Not less than \$674,000 (of which \$506,000 shall be from federal funds) and 42 FTE staff years shall be spent for administration of the early periodic screening, testing, diagnosis, and treatment program (EPSDT).

(a) Local offices are to provide outreach for the EPSDT program.

(b) The department shall develop a screening/billing form to be used by EPSDT providers as a requirement for payment.

(c) The department shall develop a reporting system which will enable follow-up to the EPSDT diagnosis and treatment process.



(d) 2 FTE's shall be used by the department for the coordination and management of the EPSDT program.

**NEW SECTION. Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State.....	\$	7,196,000
General Fund Appropriation—Federal.....	\$	35,741,000
Total Appropriation.....	\$	42,937,000
Total FTE Staff Years.....		658

The appropriation contained in this section shall be subject to the following condition or limitation: \$2,871,000 of which \$2,153,000 shall be federal funds shall be expended for the extended sheltered employment program.

**NEW SECTION. Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State.....	\$	54,425,000
General Fund Appropriation—Federal.....	\$	34,837,000
Total Appropriation.....	\$	89,262,000
Total FTE Staff Years.....		3,061

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) Not more than \$14,704,000 of which \$6,718,000 shall be federal funds, and 740 FTE's shall be expended for support enforcement.

(2) Not more than \$2,835,000 of which \$917,000 shall be federal funds, and 104 FTE's shall be expended for fair hearings.

(3) Not more than \$17,678,000 of which \$4,408,000 shall be federal funds, and 526 FTE's shall be expended for information systems.

(4) \$115,000 of which \$23,000 shall be federal funds shall be expended to increase the personal needs allowance to \$32.50 per month.

**NEW SECTION. Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State.....	\$	73,563,000
General Fund Appropriation—Federal.....	\$	106,168,000
Total Appropriation.....	\$	179,731,000
Total FTE Staff Years.....		7,792

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) Fifty-two FTE's shall be utilized in the delinquency prevention and crisis intervention intake services.

(2) Not more than 258 FTE staff years and \$7,852,000 (of which \$7,736,000 shall be from federal funds) shall be utilized in the disability insurance benefits section.

(3) Not more than 306 FTE staff years and \$13,844,000 (of which \$8,901,000 shall be from federal funds) shall be utilized in the medical assistance administration program.

(4) The department of social and health services shall obtain competitive bids from the private sector for the purpose of the administration of the dental program with medical assistance.

**NEW SECTION. Sec. 66. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund Appropriation—State.....	\$	21,357,000
General Fund Appropriation—Federal.....	\$	15,343,000
Total Appropriation.....	\$	36,700,000

The appropriations contained in this section shall be subject to the following condition or limitation: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balance of the 1977-1979 allotments for such purpose.

**NEW SECTION. Sec. 67. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State.....	\$	13,386,000
General Fund Appropriation—Local.....	\$	1,593,000
Total Appropriation.....	\$	14,979,000

**NEW SECTION. Sec. 68. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State.....	\$	4,930,000
General Fund Appropriation—Federal.....	\$	10,024,000
Total Appropriation.....	\$	14,954,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) \$7,035,000 from federal funds and 18.0 FTE staff years shall be expended exclusively to provide support to local agencies' weatherization programs.

(2) \$200,000 from the general fund—state appropriation shall be expended and distributed to border towns within seven air miles of the Canadian border. These moneys shall be disbursed to these communities on the basis of border traffic and historical public impacts of law enforcement problems caused by the border

on local budgets. No moneys in this subsection may be used by the planning and community affairs agency for its own purposes in administering these funds.

(3) Not more than \$970,000 of the general fund appropriation shall be allocated to Yakima county to conduct a pilot project the purposes of which shall be to coordinate resolution of existing jurisdictional conflicts relative to providing of law enforcement services to the Yakima Indian Reservation among federal, state, local, and tribal authorities and to develop a model plan of action for use by other localities in resolving similar jurisdictional conflicts which hinder delivery of law enforcement services to an Indian reservation community: PROVIDED, That this appropriation shall be contingent upon the receipt by Yakima county of a like amount of federal funds earmarked for the same purpose.

(4) \$110,000 from the general fund—state appropriation shall be utilized for a grant to the city of Port Angeles to design, construct, and equip a marine laboratory and support facility. Such funds are contingent upon the prior receipt of \$40,000 in private, local, or federal funds.

(5) Up to \$250,000 of the appropriation shall be used exclusively for the provision of the assistance of a special prosecutor on the investigation of indictments linking local government officials to criminal operations: PROVIDED, That the total assistance provided pursuant to this section and section 11, chapter 15, Laws of 1979 shall not exceed \$300,000. To the extent possible, this appropriation shall be used to match available federal and local funds for this purpose.

(6) Not more than \$83,000 from the general fund—state appropriation shall be provided as a grant to the city of Dayton to complete the restoration of the historic depot museum and grounds.

(7) Not more than \$380,000 from the state general fund shall be expended exclusively to provide a fifty percent state match for federal funds in the community services program. In the event the federal government requires a lesser state matching rate, an appropriate amount of state general funds shall be placed in allotment reserve for the remainder of the biennium.

(8) \$140,000 of the state general fund appropriation shall be expended exclusively for the continuation of programs of the Washington association of sheriffs and police chiefs.

**NEW SECTION. Sec. 69. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State .....	\$	2,967,000
General Fund Appropriation—Federal .....	\$	340,000
Total Appropriation .....	\$	3,307,000

**NEW SECTION. Sec. 70. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund Appropriation .....	\$	82,000
Accident Fund Appropriation .....	\$	1,456,000
Medical Aid Fund Appropriation .....	\$	1,455,000
Total Appropriation .....	\$	2,993,000

**NEW SECTION. Sec. 71. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation .....	\$	3,783,000
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**NEW SECTION. Sec. 72. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State .....	\$	7,778,000
General Fund Appropriation—Federal .....	\$	110,000
General Fund—Crime Victims' Compensation Account Appropriation .....	\$	10,000
Accident Fund Appropriation—State .....	\$	28,000,000
Accident Fund Appropriation—Federal .....	\$	358,000
Electrical License Fund .....	\$	5,888,000
Medical Aid Fund Appropriation .....	\$	24,371,000
Plumbing Certificate Fund .....	\$	199,000
Pressure Systems Safety Fund .....	\$	499,000
Total Appropriation .....	\$	67,213,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) General fund expenditures for the Building and Construction Program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the Building and Construction Program.

(2) 30 FTE staff years may be expended for electrical licensing and regulation activity.

**NEW SECTION. Sec. 73. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation .....	\$	1,984,000
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**NEW SECTION. Sec. 74. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State .....	\$	326,000
General Fund Appropriation—Federal .....	\$	528,000
General Fund—Hospital Commission Account Appropriation .....	\$	557,000
Total Appropriation .....	\$	1,411,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the federally funded prospective reimbursement project is extended beyond September 30, 1980, state general funds shall be placed in reserve to the extent that state funds can be replaced by federal funds.

**NEW SECTION. Sec. 75. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State .....	\$	3,083,000
General Fund Appropriation—Federal .....	\$	173,441,000
General Fund Appropriation—Local .....	\$	684,000
Administrative Contingency Fund Appropriation—Federal .....	\$	428,000
Unemployment Compensation Administration Fund Appropriation .....	\$	81,180,000
Total Appropriation .....	\$	258,816,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$133,000 of the general fund appropriation shall be expended for support of the Washington occupational information system.
- (2) Not more than \$68,000 shall be expended for the operation and maintenance of the Buena migrant housing camp.

**NEW SECTION, Sec. 76. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State .....	\$	2,463,000
General Fund Appropriation—Federal .....	\$	5,090,000
Total Appropriation .....	\$	7,553,000

**NEW SECTION, Sec. 77. FOR THE JAIL COMMISSION**

General Fund Appropriation .....	\$	360,000
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**NEW SECTION, Sec. 78. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State .....	\$	1,021,000
General Fund Appropriation—Federal .....	\$	5,140,000
Total Appropriation .....	\$	6,161,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$1,167,000 of the general fund—federal appropriation shall be expended exclusively by schools, hospitals, units of local governments, and public care institutions for energy conservation programs pursuant to the provisions of the National Energy Conservation Policy Act.

**NEW SECTION, Sec. 79. FOR THE OCEANOGRAPHIC COMMISSION**

General Fund Appropriation .....	\$	384,000
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**NEW SECTION, Sec. 80. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State .....	\$	5,000
General Fund Appropriation—Federal .....	\$	26,000
Total Appropriation .....	\$	31,000

**NEW SECTION, Sec. 81. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State .....	\$	18,212,000
General Fund Appropriation—Federal .....	\$	8,907,000
General Fund—Special Grass Seed Burning Research Account Appropriation .....	\$	15,000
General Fund—Reclamation Revolving Account Appropriation .....	\$	874,000
General Fund—Litter Control Account Appropriation .....	\$	3,344,000
Stream Gaging Basic Data Fund Appropriation .....	\$	197,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26) .....	\$	100,918,000
General Fund—Water Pollution Control Facilities Account Appropriation .....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	14,146,000
General Fund—Emergency Water Project Revolving Account Appropriation (These funds will be a reappropriation of projects approved in the 1977-79 operating budget) .....	\$	200,000
Total Appropriation .....	\$	146,863,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,142,000 in state funds from this appropriation shall be expended by the department of ecology for matching purposes for activated air pollution control authorities, and if such authorities do not expend an equal amount to match these funds during the 1979-81 biennium, such unmatched unexpended state funds shall be available to the department.
- (2) Up to \$1,464,000 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) \$235,000 of the general fund appropriation—state shall be expended within the field operations program for the Washington state conservation commission for ongoing commission staff functions, including those responsibilities related to the implementation phase of section 208, P.L. 92-500, the federal clean water act.
- (4) On or before October 1, 1979, the department of ecology shall file with the ways and means committee of the senate and the appropriations committee of the house of representatives a master compilation by project type of those projects proposed for funding during the 1979-81 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 such committees at six month intervals during the 1979-81 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering such projects. If the department proposes to change or modify any project list on the master compilation, it shall give the senate ways and means committee and the house appropriations committee 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 such committees as soon as practicable of emergent federal action which has any effect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(5) 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.

(6) 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 provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) Not more than \$500,000 of the state general fund appropriations shall be expended for an auto emissions inspection program, contingent upon the passage of House Bill No. 298.

**NEW SECTION. Sec. 82. FOR THE POLLUTION CONTROL HEARINGS BOARD**

General Fund Appropriation .....	\$	542,000
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**NEW SECTION. Sec. 83. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund Appropriation—State .....	\$	505,000
General Fund Appropriation—Private/Local .....	\$	863,000
Total Appropriation .....	\$	1,368,000

**NEW SECTION. Sec. 84. FOR THE SHORELINES HEARING BOARD**

General Fund Appropriation .....	\$	41,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$19,000 is to be used exclusively for court reporting costs.

**NEW SECTION. Sec. 85. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State .....	\$	24,449,000
General Fund Appropriation—Federal .....	\$	100,000
General Fund Appropriation—Private/Local .....	\$	258,000
General Fund—Trust Land Purchase Account Appropriation .....	\$	2,522,000
General Fund—Winter Recreation Parking Account Appropriation .....	\$	64,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	70,000
Motor Vehicle Fund Appropriation .....	\$	800,000
Total Appropriation .....	\$	28,263,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) No currently operating state park will be closed due to budgetary constraints.

(2) 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 senate ways and means committee and house appropriations committee.

(3) \$155,000 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.

(4) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase the state-owned Heart Lake property located in section 36, township 35 north, range 1 east W.M. located in Skagit county if such amount is equal to or more than the fair market value of the property.

(5) Not more than \$15,000 shall be expended for the purpose of making a grant to the port of Skagit county for the operation of the historical railway from Sedro Woolley to Concrete. Any portion of the grant not spent ending June 30, 1981, shall be returned to the general fund of the state of Washington. Any net profit, up to the amount expended in the grant to the port of Skagit county for the operation of the historical railway, but not to exceed \$15,000, earned by the railway ending June 30, 1981, shall be reimbursed to the general fund of the state of Washington.

(6) Not more than \$228,000 shall be expended for an experimental campsite reservation system for Washington residents.

(7) Not more than \$80,000 shall be expended for operation of the Goldendale observatory.

**NEW SECTION. Sec. 86. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund Appropriation—State .....	\$	100,000
General Fund Appropriation—Federal .....	\$	2,340,000

General Fund—State and Local Improvements Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. ....	\$ 432,000
Total Appropriation .....	\$ 2,872,000

**NEW SECTION. Sec. 87. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation .....	\$ 27,997,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,094,000 is to be expended for administration.

**NEW SECTION. Sec. 88. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$ 3,642,000
General Fund Appropriation—Federal .....	\$ 213,000
Motor Vehicle Fund Appropriation .....	\$ 380,000
Total Appropriation .....	\$ 4,235,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$120,000 of the general fund—state appropriation is intended exclusively for minority business development.

**NEW SECTION. Sec. 89. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State .....	\$ 35,288,000
General Fund Appropriation—Federal .....	\$ 4,154,000
General Fund Appropriation—Private/Local .....	\$ 1,241,000
General Fund—Lewis River Hatchery Account Appropriation .....	\$ 28,000
Vessel, Gear, License, and Permit Reduction Fund Appropriation .....	\$ 756,000
Total Appropriation .....	\$ 41,467,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$348,000 of the general fund—state appropriation may be used for renovation of the Olympia office.
- (2) The appropriations contained in this section shall include \$300,000 directed to a volunteer cooperative salmon enhancement program. No compensation shall be given by the department to volunteer participants in the program: PROVIDED, That fertilized salmon eggs and other necessary materials shall be furnished at no cost.

**NEW SECTION. Sec. 90. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation—State .....	\$ 29,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$ 101,000
Game Fund Appropriation—State .....	\$ 26,151,000
Game Fund Appropriation—Federal .....	\$ 6,483,000
Game Fund Appropriation—Private/Local .....	\$ 686,000
Game Special Wildlife Account Appropriation .....	\$ 163,000
Total Appropriation .....	\$ 33,613,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$42,000 of the state game fund—state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.
- (2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.
- (3) The department shall make no contractual agreements or receive any donation of real property or an interest therein which commits the department 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 senate ways and means committee and house appropriations committee.

**NEW SECTION. Sec. 91. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State .....	\$ 21,652,000
General Fund Appropriation—Federal .....	\$ 452,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$ 2,583,000
General Fund—Forest Development Account Appropriation .....	\$ 10,016,000
General Fund—State Timber Reserve Account Appropriation .....	\$ 2,338,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation .....	\$ 1,000,000
General Fund—Resource Management Cost Account Appropriation .....	\$ 36,994,000
General Fund—Outdoor Recreation Account Appropriation .....	\$ 1,201,000
Total Appropriation .....	\$ 76,236,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,842,000 of the general fund—state appropriation shall be expended exclusively for emergency forest fire suppression. Such funds shall also be available for interfund loans with the landowners forest fire suppression account.

(2) The recreation program shall be split into two elements for accounting and allotment purposes: Maintenance and capital enhancement.

(3) \$250,000 of the general fund—state appropriation shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*), knapweed (*centaurea L.*), and bindweed (*convolvulus*). The department shall provide a one-third state share for problem areas to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares, and not to exceed \$30,000 for cooperative studies for control, demonstration plots, application rates, and timing, with the department of forestry and range management at Washington State University.

(4) \$1,443,000 of the general fund—state appropriation, \$89,000 of the forest development account appropriation, and \$1,215,000 of the resource management cost account appropriation shall be expended within the forest rehabilitation program for the operation of Clearwater, Larch Mountain, Indian Ridge, and Skagit county honor camps. However, \$264,000 of the general fund—state appropriation, \$15,000 of the forest development account appropriation, \$219,000 of the resource management cost account appropriation and 9 FTE staff years shall not be expended until the Skagit county honor camp is fully constructed and operating in conjunction with the department of social and health services.

(5) Up to \$2,000,000 of the forest development account appropriation shall be used as available in place of the resource management cost account appropriation with the replaced resource management cost account reverting to reserve not to be expended for any purpose.

(6) Not more than \$1,700 shall be expended for costs associated with the state board of geographic names.

(7) The department shall submit a report to the legislature detailing the findings of the mineral resource inventory no later than January 1, 1981.

(8) The department shall not use any funds appropriated by this section to purchase the services of independent fee appraisers for the purpose of reappraising the value of leased lands located within harbor areas which are devoted principally to water-dependent recreational use, except where necessary in the defense of a legal proceeding brought against the department.

**NEW SECTION. Sec. 92. FOR THE FOREST PRACTICES APPEALS BOARD**

General Fund Appropriation . . . . .	\$	68,000
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**NEW SECTION. Sec. 93. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State . . . . .	\$	7,989,000
General Fund Appropriation—Federal . . . . .	\$	498,000
General Fund—Feed and Fertilizer Account Appropriation . . . . .	\$	22,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation . . . . .	\$	324,000
Commercial Feed Fund Appropriation—State . . . . .	\$	314,000
Commercial Feed Fund Appropriation—Federal . . . . .	\$	24,000
Seed Fund Appropriation . . . . .	\$	763,000
Nursery Inspection Fund Appropriation . . . . .	\$	266,000
Grain and Hay Inspection Fund Appropriation . . . . .	\$	7,352,000
Total Appropriation . . . . .	\$	17,552,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$180,000 of the general fund appropriation—state shall be expended by the department for its one-third share for the special tansy ragwort control program in conjunction with those county noxious weed control boards which have placed tansy ragwort on their noxious weed list. 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 landowners 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 the conservation. \$30,000 of the \$180,000 shall be expended in cooperation with Washington State University for research into seed physiology and morphology as related to herbicide effects and the effects of mineral supplementation on pyrrolizidine alkaloid toxicity of tansy ragwort (*Senecio-Jacobaea*).

(2) \$10,000 of the general fund appropriation—state shall be expended for the continued implementation of the starling control program.

(3) Not more than \$460,000 of the general fund appropriation—state shall be expended to provide for brucellosis vaccinations, by veterinarians in private practice, to beef and dairy cattle in order to suppress the disease. Not more than \$40,000 of the general fund appropriation—state shall be expended for administration of this program. The department of agriculture shall make known the program and shall encourage beef and dairy cattle operations to participate. The department shall supply necessary vaccine and other materials certifying vaccination. The department shall adopt rules, including a schedule of costs, which shall not allow separate reimbursement to veterinarians of 'trip' fees or mileage expense nor injection paraphernalia. Maximum reimbursement shall be \$2 per vaccination.

**NEW SECTION. Sec. 94. FOR THE STATE PATROL**

General Fund Appropriation . . . . .	\$	9,994,000
Motor Vehicle Fund Appropriation . . . . .	\$	69,897,000
Total Appropriation . . . . .	\$	79,891,000

**NEW SECTION, Sec. 95. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION**  
 Highway Safety Fund Appropriation ..... \$ 8,000

**NEW SECTION, Sec. 96. FOR THE TRAFFIC SAFETY COMMISSION**  
 Highway Safety Fund Appropriation—State ..... \$ 169,000  
 Highway Safety Fund Appropriation—Federal ..... \$ 7,980,000  
 Total Appropriation ..... \$ 8,149,000

**NEW SECTION, Sec. 97. FOR THE DEPARTMENT OF LICENSING**  
 General Fund Appropriation ..... \$ 7,132,000  
 General Fund—Architects' License Account Appropriation ..... \$ 149,000  
 General Fund—Commercial Automobile Driver Training School Account  
 Appropriation ..... \$ 4,000  
 General Fund—Opticians' Account Appropriation ..... \$ 28,000  
 General Fund—Optometry Account Appropriation ..... \$ 74,000  
 General Fund—Professional Engineers' Account Appropriation ..... \$ 418,000  
 General Fund—Real Estate Commission Account Appropriation ..... \$ 2,312,000  
 General Fund—Sanitarians' Licensing Account Appropriation ..... \$ 16,000  
 General Fund—Board of Psychological Examiners Account Appropriation ..... \$ 36,000  
 Game Fund Appropriation ..... \$ 85,000  
 Highway Safety Fund Appropriation ..... \$ 24,508,000  
 Motor Vehicle Fund Appropriation ..... \$ 21,058,000  
 Motor Vehicle Fund—Vehicle Title Guarantee Account Appropriation ..... \$ 12,000  
 Total Appropriation ..... \$ 55,832,000

The appropriations contained in this section shall be subject to the following condition or limitation:  
 Not more than \$698,000 shall be expended for the business licensing center.

**NEW SECTION, Sec. 98. FOR THE COUNTY ROAD ADMINISTRATION BOARD**  
 Motor Vehicle Fund Appropriation ..... \$ 190,000

**NEW SECTION, Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
 (INCLUDING THE STATE BOARD FOR EDUCATION)**  
 General Fund Appropriation—State ..... \$ 11,906,000  
 General Fund Appropriation—Federal ..... \$ 6,288,000  
 General Fund—Traffic Safety Education Account Appropriation ..... \$ 378,000  
 Total Appropriation ..... \$ 18,572,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) Not more than \$378,000 shall be expended for the state office administration of the traffic safety education program.

(2) Not more than \$30,000 shall be expended to collect enrollment data from all private elementary and secondary schools commencing with the 1979-80 school year.

(3) The superintendent shall contract for services relating to proprietary educational clinics as an alternative education program for high school dropouts for not more than \$1,300,000 from funds appropriated by this section.

(4) No district may grant from any fund source whatsoever any percentage salary increase greater than those provided or authorized in subsections (10) and (11) of section 14 of this act.

(5) The superintendent of public instruction shall provide a report to the house appropriations and senate ways and means committees of the legislature no later than December 1, 1980, which details each local district's expenditure of moneys appropriated for the 1979-80 school year in subsection (1)(g) and (h) of section 100 of this act by object of expenditure by fund source.

(6) Local school districts may use funds appropriated pursuant to section 100 of this act for the support of instructional and public broadcasting.

(7) Not more than \$600,000 from the appropriation contained in section 100 of this act shall be used exclusively to match federal funds allocated to the state under the provisions of section 140 of Public Law 94-482 for the purpose of providing special vocational programs for the disadvantaged.

(8) Not less than \$72,000 of state funds shall be expended to implement the provisions of chapter 28A.85 RCW.

**NEW SECTION, Sec. 100. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
 BASIC EDUCATION ALLOCATION FOR FISCAL YEARS 1980 AND 1981**  
 General Fund Appropriation ..... \$ 1,783,063,000

The appropriation contained in this section shall be subject to the following conditions and limitations:  
 (1) The allocation of moneys for a basic education allocation per annual average full time equivalent student for the 1979-80 school year and 1980-81 school year in each school district shall be determined by the superintendent of public instruction as follows: PROVIDED, That such basic education allocation so determined shall be converted and distributed on an annual average full time equivalent student basis:

(a) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual twenty full time equivalent kindergarten, elementary, and secondary

students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts enrolling not more than one hundred average annual full time equivalent students and for small school plants within any school district, which such small plants have been judged to be remote and necessary by the state board of education as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students.

(d) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts operating high schools with total district enrollment of not more than three hundred average annual full time equivalent students as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-sixth average annual full time equivalent students.

(e) Compensation for the 1979-80 school year shall be calculated as herein provided for certificated staff units generated in subsections (1) (a) through (d) of this section using each district's 1978-79 average base salary level determined from the common education and experience table developed in accordance with actual local district practice times each district's 1979-80 education and experience factor from that table improved by 7.43%. Compensation shall be calculated for the 1980-81 school year as herein provided for certificated staff units generated in subsections (1) (a) through (d) of this section using each district's 1978-79 average base salary level determined from the common education and experience table developed in accordance with actual local district practice times each district's 1980-81 education and experience factor from that table improved by 7.78%.

(f) Respecting classified employees: A numerical allocation of one classified staff unit for each three certificated staff units as computed for the purposes of subsections (1) (a), (c), and (d) of this section for each school district shall be established. For the purposes of subsection (1)(b) of this section, a numerical allocation of one classified staff unit for each sixty secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction shall be established for each school district. Compensation including benefits for the 1979-80 school year shall be calculated as herein provided for classified staff units generated in this subsection by multiplying those units times each district's 1978-79 average classified salary improved by 19.31%. Compensation including benefits for the 1980-81 school year shall be calculated as herein provided for classified staff units generated in this subsection by multiplying those units times each district's 1978-79 average classified salary improved by 19.66%.

(g) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1979-80 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (1) (a), (c), and (d) of this section, multiplied by \$3,910 for each such certificated staff unit and shall utilize the number of certificated staff units computed for the purposes of subsection (1)(b) of this section, multiplied by \$6,893 for each such certificated staff unit.

(h) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1980-81 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (1) (a), (c), and (d) of this section, multiplied by \$4,184 for each such certificated unit and shall utilize the number of certificated staff units computed for the purposes of subsection (1)(b) of this section multiplied by \$7,375 for each such certificated staff unit.

(2) Respecting districts experiencing enrollment declines: For districts which experience an enrollment decline in the 1979-80 school year from the 1978-79 base enrollment level and in the 1980-81 school year from the 1979-80 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1979-80 and 1980-81 school years to such districts on the basis of current school year enrollment plus one-half the amount of the enrollment decline from the prior school year level. The superintendent of public instruction in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from the previous school year.

(3) The superintendent of public instruction shall distribute not more than \$13,369,000 of the funds appropriated by this section, outside of the basic education allocation to school districts and educational service districts as follows:



- (a) For school district emergencies, not more than \$500,000.
- (b) For 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 RCW 52.36.020; not more than \$280,000 for the 1979-80 school year and not more than \$280,000 for the 1980-81 school year.
- (c) For nonhigh school districts, not more than \$300,000 to offset documented need due to the provisions of chapter 84.52 RCW.
- (d) For substitute teachers, to be distributed to districts on the basis of the number of state-supported employees who are classroom teachers; for fiscal year 1980, an amount not to exceed \$5,447,000 and for fiscal year 1981, an amount not to exceed \$6,562,000: PROVIDED, That such distribution shall be for not more than five days per classroom teacher and shall be reimbursable at a rate of forty dollars per day.
- (4) This appropriation, and all conditions and limitations to the appropriation, are subject to the following: Each school district which receives fall 1979 or calendar year 1980 maintenance and operation excess tax levy collections, or both, shall reduce the levy and collection of any maintenance and operation excess tax levy now or hereafter authorized for collection in 1980 as a condition to the receipt of one hundred percent of the district's state-funded portion of the district's basic education allocation for the 1979-80 school year, as follows:
  - (a) If a district receives maintenance and operation levy collections in the fall of 1979, an amount of funds from such collections equal to eight percent of the district's 1979-80 basic education allocation pursuant to RCW 28A.41.130 multiplied by such district's fall tax collection percentage rate as determined by the superintendent of public instruction or the amount of the district's fall 1979 collections, whichever amount is less, shall be held in an unencumbered status for expenditure for maintenance and operation relief in a subsequent school year: PROVIDED, That the amount of any 1980 maintenance and operation excess levy now or hereafter authorized and collectible in calendar year 1980 in accordance with RCW 84.52.053 and 84.52.0531 for collection in calendar year 1980 shall be reduced by the amount of eight percent of such district's 1979-80 basic education allocation or the amount authorized, whichever is less.
  - (b) The superintendent of public instruction shall withhold from each district's state funded basic education allocation entitlement for 1979-80 an amount equal to the amount the district's calendar year 1980 maintenance and operation excess tax levy is to be reduced pursuant to this subsection (4) minus the amount in which the district actually reduced the levy and collection of any such taxes.

**NEW SECTION. Sec. 101. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR PUPIL TRANSPORTATION**

General Fund Appropriation .....	\$ 145,847,000
The appropriation contained in this section shall be subject to the following conditions and limitations:	
(1) The superintendent shall not distribute more than \$70,237,000 to local school districts for pupil transportation during the 1979-80 school year.	
(2) Not more than \$534,000 shall be expended for regional transportation coordinators.	
(3) Not more than \$77,000 shall be expended for driver training.	
(4) \$261,000 shall be transferred to the department of transportation for allocation to existing mass transit municipalities to conduct feasibility studies to determine the advantages, if any, of consolidating or integrating all or any part of the K-12 pupil transportation system within the boundaries of the municipality: PROVIDED, That not less than \$30,000 shall be allocated to the Grays Harbor transportation authority to be used as a pilot study.	
(5) Not more than \$105,000 shall be expended for the continued planning, development and evaluation of the regional transportation model by educational service district no. 121; and not more than \$60,000 shall be expended for administrative and organizational services by educational service district no. 121 in the implementation of the regional transportation model: PROVIDED, That the superintendent of public instruction shall explicitly approve such contracts: PROVIDED FURTHER, That regular reports shall be made to the legislative budget committee: PROVIDED FURTHER, That no funds for the implementation of the regional transportation model shall be expended without the recommendation of the legislative budget committee.	

**NEW SECTION. Sec. 102. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation .....	\$ 34,706,000
<b>NEW SECTION. Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION— FOR SCHOOL FOOD SERVICE PROGRAMS</b>	
General Fund Appropriation—State .....	\$ 5,232,000
General Fund Appropriation—Federal .....	\$ 60,893,000
Total Appropriation .....	\$ 66,125,000

<b>NEW SECTION. Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION— FOR HANDICAPPED EXCESS COSTS</b>	
General Fund Appropriation—State .....	\$ 124,545,000
General Fund Appropriation—Federal .....	\$ 26,521,000
Total Appropriation .....	\$ 151,066,000

The appropriations contained in this section shall be subject to the following condition or limitation: The superintendent of public instruction shall implement for the 1980-81 school year a new full cost allocation model to fulfill the provisions of P.L. 94-142.

**NEW SECTION. Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation . . . . . \$ 13,614,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$392,000 shall be expended for traffic safety education coordinators.

**NEW SECTION. Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation . . . . . \$ 8,994,000

**NEW SECTION. Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE SPECIAL NEEDS PROGRAM**

General Fund Appropriation—State . . . . . \$ 26,300,000

General Fund Appropriation—Federal . . . . . \$ 6,000,000

Total Appropriation . . . . . \$ 32,300,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,500,000 shall be expended for pupils whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning when taught only in English, but shall not include pupils who are equally or almost equally competent in English.

(2) Not more than \$12,000,000 of state general funds shall be expended for the implementation of Substitute House Bill No. 663.

(3) Not more than \$7,300,000 shall be expended to implement the provisions of RCW 28A.41.270 through 28A.41.290: PROVIDED, That not more than \$750,000 from this appropriation may be used for Project Excel community involvement pilot projects in selected school districts.

(4) Not more than \$2,500,000 shall be expended on programs for gifted students, of which the superintendent shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

**NEW SECTION. Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State . . . . . \$ 13,330,000

General Fund Appropriation—Federal . . . . . \$ 3,316,000

Total Appropriation . . . . . \$ 16,646,000

**NEW SECTION. Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation . . . . . \$ 1,501,000

**NEW SECTION. Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER**

General Fund Appropriation . . . . . \$ 300,000

**NEW SECTION. Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR COMPREHENSIVE PLANNING AND DEVELOPMENT**

General Fund Appropriation . . . . . \$ 144,000

**NEW SECTION. Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal . . . . . \$ 97,443,000

Elementary and Secondary  
Education Act of 1965 . . . . . \$ 93,338,000

Education of Indian Children . . . . . \$ 1,625,000

Adult Basic Education . . . . . \$ 2,480,000

**NEW SECTION. Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENVIRONMENTAL EDUCATION PROGRAM**

General Fund Appropriation . . . . . \$ 576,000

The appropriation contained in this section shall be subject to the following condition or limitation: The revenue from fees received in conjunction with this program shall be retained by educational service district No. 113 for the exclusive support of the Cispus Environmental Education Center.

**NEW SECTION. Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal . . . . . \$ 24,221,000

**NEW SECTION. Sec. 115. COMMUNITY COLLEGE EDUCATION**

The appropriations contained in sections 117 through 121 of this act shall be subject to the following conditions and limitations:

(1) The formula funding levels for each year of the biennium are:

(a) Instruction program:

- (i) 72% of formula entitlement for faculty staffing;
- (ii) 51.5% of formula entitlement for support staff and operations;

(b) Library program:

- (i) 50% of formula entitlement for staffing;
  - (ii) 60% of formula entitlement for resources; and
  - (iii) 100% of formula entitlement for binding;
- (c) Student services program 55.8% of formula entitlements; and

(d) Plant operation and maintenance program:

- (i) 100% of formula entitlement for fixed costs; and
- (ii) 60% of formula entitlement for variable costs.

(2) The state board for community college education is authorized to transfer up to 5% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs, upon review and approval by the office of financial management.

(3) The community college system shall cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

(4) The state board for community college education is authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.

(5) The community college system may provide student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 116. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation . . . . . \$ 2,428,000

**NEW SECTION. Sec. 117. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 195,084,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$7,764,000 shall be expended for the purchase and repair of instructional equipment.
- (2) \$2,148,000 shall be expended for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, and Lower Columbia. 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.

**NEW SECTION. Sec. 118. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 15,962,000

**NEW SECTION. Sec. 119. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 31,284,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$105,000 shall be expended by the state board for community college education for the community college system minority affairs office.

**NEW SECTION. Sec. 120. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 45,792,000

**NEW SECTION. Sec. 121. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 29,159,000

Community College Capital Projects Account Appropriation . . . . . \$ 9,800,000

Total Appropriation . . . . . \$ 38,959,000

**NEW SECTION. Sec. 122. HIGHER EDUCATION**

The appropriations contained in sections 123 through 154 of this act shall be subject to the following conditions and limitations:

- (1) The formula funding levels, unless otherwise provided for, for each year of the biennium are:
  - (a) 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 regional universities and The Evergreen State College; and
    - (iii) 75% of formula entitlement for faculty support;
  - (b) Libraries program—60% of formula entitlement for resources;

(c) Student services program—75% of formula entitlement: PROVIDED, That the formula shall not apply to The Evergreen State College;

(d) Plant operations and maintenance program:

(i) 60% of formula entitlement for variable costs; and

(ii) 100% of formula entitlement for fixed costs.

(2) The four-year institutions of higher education are authorized to transfer up to 5% of the amount appropriated for any specific program or programs upon review and approval by the office of financial management.

(3) No funds shall be used for the inauguration or operation of any new degree program until such program has been reviewed and favorably recommended by the council for postsecondary education.

(4) The four-year institutions of higher education shall cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

(5) The boards of regents of all institutions of higher education are authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.

(6) The four-year institutions may provide graduate assistance, teaching assistance, and student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 123. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	187,965,000
Accident Fund Appropriation .....	\$	839,000
Medical Aid Fund Appropriation .....	\$	839,000
Total Appropriation .....	\$	189,643,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$2,724,000 shall be expended for instructional equipment replacement.

(2) \$532,000 shall be expended for the joint center for graduate study—Richland.

(3) \$1,500,000 shall be expended for family medicine education and residency programs provided for by chapter 70.112 RCW.

(4) \$320,000 shall be expended to meet federal title nine regulations for women's athletics.

**NEW SECTION. Sec. 124. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	19,050,000
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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 65% of such formula entitlement for binding and is at 89% of such formula entitlement for staffing for the 1979-81 biennium.

**NEW SECTION. Sec. 125. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	12,324,000
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**NEW SECTION. Sec. 126. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation .....	\$	18,645,000
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**NEW SECTION. Sec. 127. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	23,533,000
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**NEW SECTION. Sec. 128. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	14,653,000
University of Washington Building Account Appropriation .....	\$	18,000,000
Total Appropriation .....	\$	32,653,000

**NEW SECTION. Sec. 129. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	114,502,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$2,186,000 shall be expended for instructional equipment replacement.

(2) \$422,000 shall be expended for the Joint Center for Graduate Study—Richland.

(3) \$724,000 shall be expended for the support of Washington State University's participation in the WAMI program.

(4) \$30,000 shall be expended for Christmas tree research.

(5) \$300,000 shall be expended to meet federal title nine regulations for women's athletics.

(6) The Southwest Washington Research Station shall, at a minimum, provide the same types and levels of service provided during the 1977-79 biennium.

(7) \$25,000 shall be expended to research the protection and growing of grapes and wine production. Such funds shall not be expended until an additional \$25,000 is secured from private funding sources.

(8) \$120,000 shall be expended to research health-related problems, including chronic pharyngitis, of racing and performing horses. Such funds shall not be expended until an additional \$40,000 is secured from private funding sources.

**NEW SECTION, Sec. 130. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 9,344,000

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 27.5% of such formula entitlement for binding and is at 72% of such formula entitlement for staffing for the 1979-81 biennium.

**NEW SECTION, Sec. 131. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 7,626,000

**NEW SECTION, Sec. 132. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 14,461,000

**NEW SECTION, Sec. 133. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 19,099,000

Washington State University Building Account Appropriation ..... \$ 3,500,000

Total Appropriation ..... \$ 22,599,000

**NEW SECTION, Sec. 134. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 28,732,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,120,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 135. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 2,715,000

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 87% of such formula entitlement for binding and is at 61% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION, Sec. 136. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 2,949,000

**NEW SECTION, Sec. 137. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 5,198,000

**NEW SECTION, Sec. 138. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 8,358,000

Eastern Washington University Capital Projects Account Appropriation ..... \$ 700,000

Total Appropriation ..... \$ 9,058,000

**NEW SECTION, Sec. 139. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 24,620,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,060,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 140. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 3,398,000

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 95% of such formula entitlement for binding and is at 60% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION, Sec. 141. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 2,907,000

**NEW SECTION, Sec. 142. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 5,555,000

**NEW SECTION, Sec. 143. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 6,964,000

**NEW SECTION, Sec. 144. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 9,282,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$421,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 145. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 2,385,000

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 10% of such formula entitlement for bindings and is at 64% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION, Sec. 146. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 1,360,000

**NEW SECTION, Sec. 147. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 3,367,000

**NEW SECTION, Sec. 148. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 4,535,000

**NEW SECTION, Sec. 149. FOR THE EVERGREEN STATE COLLEGE—FOR A MASTER'S DEGREE PROGRAM**

General Fund Appropriation . . . . . \$ 296,000

The appropriation contained in this section shall be subject to the following condition or limitation: The appropriation is contingent upon chapter ... (Substitute Senate Bill No. 2610), Laws of 1979 becoming law.

**NEW SECTION, Sec. 150. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 33,617,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$653,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 151. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 4,221,000

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 35% of such formula entitlement for binding and is at 75% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION, Sec. 152. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 4,141,000

**NEW SECTION, Sec. 153. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 6,727,000

**NEW SECTION, Sec. 154. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	5,553,000
Western Washington University Capital Projects Account Appropriation .....	\$	1,400,000
Total Appropriation .....	\$	6,953,000

**NEW SECTION. Sec. 155. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation .....	\$	53,000
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**NEW SECTION. Sec. 156. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State .....	\$	13,836,000
General Fund Appropriation—Federal .....	\$	3,515,000
Total Appropriation .....	\$	17,351,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The council shall make the largest possible distribution of financial aid funds to the state work study program consistent with student employment opportunities.

(2) \$350,000 of the general fund appropriation shall be expended solely to implement a displaced homemakers program.

(3) The council shall develop a faculty salary schedule or schedules accommodating the full time regular faculty members of the public universities and The Evergreen State College, taking into consideration periodic longevity increments and traditional faculty rank differences. The proposal shall be submitted to the house and senate higher education committees and the house appropriation and senate ways and means committees for review and consideration by June 1, 1980.

(4) The council shall review the compensation policy for students and graduate assistant employees at the state's higher education institutions. The council shall develop recommendations for uniform compensation policy at the respective institutions and shall report back to the senate ways and means and house appropriations committees no later than November 1, 1980.

(5) From such funds as are included for policy analysis, the council shall prepare a manual explaining, documenting, and defining current formula procedures in the institutions of higher education for the instruction, libraries, student services, and plant operation and maintenance programs.

**NEW SECTION. Sec. 157. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State .....	\$	3,243,000
General Fund Appropriation—Federal .....	\$	21,416,000
Total Appropriation .....	\$	24,659,000

The appropriations contained in this section shall be subject to the following condition or limitation: No state funds shall be expended by the advisory council for vocational education.

**NEW SECTION. Sec. 158. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation .....	\$	1,151,000
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**NEW SECTION. Sec. 159. FOR THE STATE LIBRARY**

General Fund Appropriation—State .....	\$	6,343,000
General Fund Appropriation—Federal .....	\$	2,057,000
General Fund Appropriation—Private/Local .....	\$	876,000
Washington Library Network Computer System Revolving Fund Appropriation—Private/Local .....	\$	7,460,000
Total Appropriation .....	\$	16,736,000

**NEW SECTION. Sec. 160. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State .....	\$	1,218,000
General Fund Appropriation—Federal .....	\$	907,000
General Fund—Indian Cultural Center Construction Account Appropriation—State .....	\$	1,000,000
Total Appropriation .....	\$	3,125,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$10,000 shall be expended for a portrait of former governor Daniel J. Evans.

(2) The Indian Cultural Center Construction Account Appropriation contained in this section shall be expended exclusively for a grant to the city of Seattle for the development of a regional Indian cultural, educational, tourist, and economic development facility by the United Indians of All Tribes Foundation designated as the 'People's Lodge.'

(3) If \$2,700,000 or more in additional federal and/or private funding is not secured within five years of the effective date of this 1979 act and applied towards the completion of the 'People's Lodge,' ownership of the property and/or facility developed with this appropriation shall be transferred to the state.

**NEW SECTION. Sec. 161. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	531,000
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General Fund Appropriation .....	\$	495,000
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**NEW SECTION. Sec. 163. FOR THE STATE CAPITAL HISTORICAL ASSOCIATION**

General Fund Appropriation .....	\$	436,000
General Fund—State Capital Historical Association Museum Account Appropriation .....	\$	49,000
Total Appropriation .....	\$	485,000

**NEW SECTION, Sec. 164. FOR THE STATE TREASURER—TRANSFERS**

General Fund Appropriation: For transfer to the Reserve for Accrued Revenue Account pursuant to chapter 70, Laws of 1975-'76 2nd ex. sess. ....	\$	45,978,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$1,800,000 in excess of the cash requirements in the trust land purchase account, as determined by the office of financial management .....	\$	1,800,000
General Fund Appropriation: For transfer to the Salmon Enhancement Con- struction Account to allow for the completion of approved projects .....	\$	600,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$22,000,000 pursuant to chapter 50, Laws of 1969 .....	\$	22,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Transportation and the Washington State Patrol during the period July 1, 1979, through June 30, 1981 .....	\$	3,000,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1981, an amount up to \$6,000,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1982, for credit to the fiscal year in which earned .....	\$	6,000,000

**NEW SECTION, Sec. 165. FOR BELATED CLAIMS**

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, 1981, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Electrical License Account .....	\$	1,209.30
General Fund—State Timber Reserve Account .....	\$	44,448.93
General Fund—Optometry Account .....	\$	391.55
General Fund—Public Facilities Construction Loan and Grant Revolving Account .....	\$	1,148.00
General Fund—Real Estate Commission Account .....	\$	1,640.73
General Fund—Reclamation Revolving Account .....	\$	10,602.30
General Fund—Sanitations Licensing Account .....	\$	560.35
General Fund—Landowners' Forest Fire Suppression Account .....	\$	18,173.52
General Fund—Motor Transport Account .....	\$	1,494.41
General Fund—Aeronautics Account .....	\$	72,609.00
General Fund—Resource Management Cost Account .....	\$	12,500.53
General Fund—Litter Control Account .....	\$	1,207.35
General Fund—Traffic Safety Education Account .....	\$	483.77
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities .....	\$	28.15
General Fund—Outdoor Recreation Account .....	\$	5,381.57
General Fund—State Building Authority Construction Account .....	\$	1,475.00
General Fund—Vehicle Title Guarantee Account .....	\$	3,300.00
Fertilizer, Agriculture, Mineral and Lime Fund .....	\$	74.00
Seed Fund .....	\$	16.00
Seattle Armory Fund .....	\$	1,372.84
State Game Fund .....	\$	22,762.36
Grain and Hay Inspection Fund .....	\$	54.00
Highway Safety Fund .....	\$	1,490.51
Motor Vehicle Fund .....	\$	31,683.91
Public Service Revolving Fund .....	\$	4,009.25
Unemployment Compensation Administration Fund .....	\$	41,775.63
Clark—McNary Fund .....	\$	25,338.83
State Treasurer's Service Fund .....	\$	1,070.59
State Coastal Protection Fund .....	\$	262.98
General Administration Facilities and Services Revolving Fund .....	\$	9,946.27
Liquor Revolving Fund .....	\$	2,282.93
Accident Fund .....	\$	6,999.73
Medical Aid Fund .....	\$	2,497.78
Retirement System Expense Fund .....	\$	1,641.30
Teachers' Retirement Fund .....	\$	413.42



The Retirement System Fund .....	\$	587.21
Total Appropriation .....	\$	330,934.00

NEW SECTION. Sec. 166. 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 July 1, 1979, to June 30, 1981.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

(1) HAROLD GIVENS, CARL KASZYCKI, Judgment against the state in Residents for a Planned Peninsula et al. vs. DSHS .....	\$	15,770.00
(2) ARCHITECTURAL WOODS, INC., Judgment against the state in Architectural Woods vs. the State: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Architectural Woods, Inc. or by its directors prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims, except that the state may become liable for interest payment accruing from October 27, 1977, if, and only if, it is so ordered by the Supreme Court of Washington.' .....	\$	36,615.23
(3) DAVID PARKER AND DENTON P. ANDREWS, Payment of writ of mandate for costs assessed against the state in State vs. David C. Parker .....	\$	616.23
(4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT CORP., Judgment against the state in Evergreen Plaza Investors vs. Washington State Higher Education Assistance Authority, et al., for breach of contract .....	\$	7,937.70
(5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart .....	\$	24.74
(6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Seeze vs. Thomas Marion Wright .....	\$	92.00
(7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka .....	\$	200.00
(8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge .....	\$	774.70
(9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account .....	\$	204,120.00
(10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman .....	\$	522.94
(11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges .....	\$	33,940.00
(12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	211.27
(13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	90.39
(14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU.' .....	\$	44,771.68
(15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment.' .....	\$	20,000.00

(16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch .....	\$	110.00
(17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board .....	\$	107.00
(18) BURRELL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: 'By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department .....	\$	13,000.00
(19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit .....	\$	1,100,000.00
(20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	167.84
(21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	421.77
(22) MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund .....	\$	1,488.99
(23) MRS. DEL CARY SMITH, Payment in full of deceased husband's retirement contributions, such payment to come from the Judges' Retirement Systems Fund .....	\$	15,836.36
(24) WILLIAM VAN KLAVEREN, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	550.72
(25) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief. ....	\$	10,290.00
(26) VIRGIL PRICE, Payment for watch stolen during holdup of state liquor store: PROVIDED, That payment shall come from the Liquor Revolving Fund—State .....	\$	150.00
(27) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief .....	\$	1,182.00
(28) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment entered on December 28, 1978: PROVIDED, That not more than \$4,100,000 shall be from state funds .....	\$	8,200,000.00

**NEW SECTION. Sec. 167. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

(1) Acquire land and construct modular building to provide temporary space during campus remodeling, and for longer range industrial-type use.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	7,000,000
	Project Costs Through 6/30/79	Estimated Total Costs	Estimated Completion Date
	—0—	7,000,000	7/80

(2) Complete remodeling and renovation of Old Capitol Building and provide for increased costs due to delays.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct—State	3,558,000	713,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,271,000	9/82

(3) Complete remodeling and renovation of Insurance Building—Phase II.

GF, State Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	-0-	1,000,000	1/82

(4) Provide for increased costs due to delays in remodeling and renovation of Insurance Building.

GF, Cap Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,388,000	1/82

(5) Complete air conditioning of west campus buildings.

GF, Cap Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	-0-	1,087,000	6/81

(6) Complete capital campus safety circulation and master plan implementation and provide for cost increases: PROVIDED, That the department of general administration shall insure in the demolition of the courthouse that the artwork in the front of the building (the eagles) is not destroyed or damaged and such items shall be made available to the city of Tenino.

GF, Cap Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
43,000	-0-	852,000	6/81

(7) Install hardware to monitor energy consumption in state offices.

GF, Cap Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
655,000	-0-	955,000	6/81

(8) Replace power house equipment.

GF, Cap Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
		-0-	126,000

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	126,000	6/81

(9) Miscellaneous repairs and renovations on the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		300,000	885,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
157,150	-0-	1,342,150	6/81

(10) Various mechanical and electrical repairs on the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	951,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	951,000	6/81

(11) Major electrical—rewire old buildings, rebalance and install new panels, and revise campus loop system.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		-0-	2,722,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,722,000	6/81

(12) Elevator and escalator repairs and modifications.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	506,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	506,000	7/82

(13) Correct garage and plaza leaks—Phase I.

		Reappropriation	Appropriation
GF, Cap Purch & Dev Acct—State		-0-	590,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	220,000	810,000	6/85

(14) Clean and seal exterior of Legislative Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	357,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	357,000	6/80

(15) Complete construction of Office Building No. 2.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		35,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
171,700	-0-	207,000	6/80

(16) Rehabilitate Capitol Lake by dredging lake bottom, disposing of sediment, and constructing settling basin and waterway improvements.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		65,000	-0-
General Fund—ORA (Int. 215)		56,000	-0-
General Fund—ORA (LWCF)		55,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,845,300	-0-	2,022,000	6/80

(17) Install central chiller plant, air conditioning, and remodel legislative facilities.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		12,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
41,000	-0-	53,000	6/80

(18) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		60,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
140,000	-0-	200,000	6/80

(19) To provide minor building alterations or renovations for section 504 handicapped access compliance to existing facilities on or surrounding the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000	6/81

(20) For design and construction of a general office building.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		-0-	1,800,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	27,200,000	29,000,000	6/81

(21) To construct visitor parking facilities and an information center on the west capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	266,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	266,000	6/81

(22) Develop recreational site at Capitol Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	30,000
General Fund—ORA (LWCF)		-0-	30,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	60,000	6/81

(23) Legislative chambers art work.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	6/81

NEW SECTION. Sec. 168. FOR THE MILITARY DEPARTMENT

(1) Construct and equip a 600-man army at Camp Murray.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		225,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	-0-	525,000	7/79

(2) Acquire land for 400-man army in Vancouver.

		Reappropriation	Appropriation
General Fund—State		50,000	-0-
GF, State Bldg Constr Acct—State		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	563,000	6/81

(3) Provide preconstruction funds to plan for federally funded or partial federally funded projects state-wide.

		Reappropriation	Appropriation
General Fund—State		10,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
29,000	20,000	59,000	6/85

(4) Acquire land for 200-man army in Walla Walla.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	138,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	622,000	770,000	9/83

(5) Replace furnace fire units at various armories.

		Reappropriation	Appropriation
General Fund—State		—0—	59,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	59,000	6/81

(6) Schematic planning for future projects.

		Reappropriation	Appropriation
General Fund—State		—0—	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	30,000	70,000	6/85

(7) Provide for minor construction and site improvement projects.

		Reappropriation	Appropriation
General Fund—State		56,000	70,000
GF, State Bldg Constr Acct—State		36,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,330	85,000	248,230	6/85

(8) Heating system and minor repairs for Tacoma armory.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	200,000	1/80

**NEW SECTION, Sec. 169. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE AND SUPPORT SERVICES PROGRAM (HEADQUARTERS)**

(1) To construct and equip community social and health services facilities (Referendum 29).

		Reappropriation	Appropriation
GF, LIRA, DSHS Fac		4,200,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,800,000	—0—	25,000,000	7/81

(2) To repair and improve utilities and facilities—Omnibus.

Reappropriation	Appropriation
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DSHS Constr Acct			300,000	2,458,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
1,900,000	-0-	4,658,000	6/81	

(3) To provide contingency expenses on department of social and health services construction projects.

		Reappropriation	Appropriation
DSHS Constr Acct		5,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
497,000	-0-	502,000	9/79

(4) To provide for preplanning funds on future construction projects.

		Reappropriation	Appropriation
DSHS Constr Acct		103,000	750,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
80,000	-0-	933,000	6/81

(5) To provide for demonstration design and testing for solar heating and energy conservation in department of social and health services construction.

		Reappropriation	Appropriation
DSHS Constr Acct		130,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
586,000	-0-	716,000	1/80

(6) To provide for renovation at the Northern State facility to permit use for mental health programs.

		Reappropriation	Appropriation
DSHS Constr Acct		1,000,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
500,000	-0-	1,500,000	9/79

(7) To provide new water supply facilities for Medical Lake institutions.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	520,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	520,000	4/80

(8) To provide funding for department of social and health services compliance with section 504 relating to handicapped access to facilities.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	562,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion



Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	562,000	6/81

**NEW SECTION. Sec. 170. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM**

(1) To construct and equip one 100-bed honor camp.

		Reappropriation	Appropriation
DSHS Constr Acct		3,260,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	-0-	3,300,000	7/80

(2) To renovate and repair roofs, Washington Corrections Center.

		Reappropriation	Appropriation
DSHS Constr Acct		255,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
521,000	-0-	776,000	10/79

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		1,993,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,993,000	1/81

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		145,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	145,000	6/80

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	5,924,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
101,000	6,966,000	12,991,000	6/84

(6) To construct and equip two 120-bed medium security units, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

Reappropriation	Appropriation
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DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	25,000	-0-	6,917,000	9/81

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	53,000	1,690,000	7,118,000	6/83

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	19,000	-0-	1,412,000	3/81

(9) To construct and equip maximum security facility, Washington State Reformatory.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	2,058,000	-0-	12,054,000	7/81

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

General Fund—State DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	128,000	-0-	900,000	1/81

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct CEP & RI Acct	Project Costs Through	Estimated Costs 7/1/81 and	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
			-0-	1,304,000
			350,000	-0-

6/30/79	Thereafter		
27,000	-0-	1,681,000	9/81

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,524,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,524,000	2/82

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	402,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	402,000	3/81

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	386,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	386,000	8/80

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	248,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	248,000	4/81

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—Federal		-0-	414,000
DSHS Constr Acct		-0-	305,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	719,000	11/80

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	458,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	458,000	8/80

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	617,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	617,000	11/80

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

		Reappropriation	Appropriation
DSHS Constr Acct		300,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
76,000	-0-	376,000	7/79

(20) To renovate and open work training release facility, Geiger Field.

		Reappropriation	Appropriation
DSHS Constr Acct		600,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	620,000	1/80

**NEW SECTION. Sec. 171. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

(1) To expand and upgrade water system, Mission Creek Youth Camp; except that, if construction has not begun by 7/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		44,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000	-0-	45,000	6/80

(2) To construct, and/or purchase and equip a group home in Eastern Washington; except that, if construction has not begun by 10/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	423,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	988,600	9/81

(3) To replace security windows, Maple Lane School; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
		-0-	231,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	231,000	9/80

(4) To construct and equip academic/vocational building, Naselle Youth Camp; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
		-0-	1,851,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,851,000	5/81

(5) To construct and equip multiservice building, Maple Lane School; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
		-0-	2,640,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,640,000	1/82

(6) To renovate and replace steam plant, Maple Lane School; except that, if construction has not begun by 1/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
		24,000	2,965,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
16,000	-0-	3,005,000	6/81

(7) To renovate and repair roofs, Maple Lane School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
		-0-	321,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	321,000	9/80

(8) To renovate and repair roofs, Green Hill School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
		-0-	502,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	502,000	9/80

(9) To provide fire and safety improvements, Maple Lane School; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	318,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	318,000	10/80

(10) For remodeling of dormitories, Mission Creek Youth Camp; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		13,000	-0-
DSHS Constr Acct		-0-	293,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	308,000	6/80

**NEW SECTION. Sec. 172. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM**

(1) To provide matching funds to construct and equip a mental health wing at Children's Orthopedic Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		177,000	-0-
General Fund—Federal		289,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,723,000	-0-	2,189,000	4/80

(2) To improve security of the mentally ill offenders facility at Eastern State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	-0-	100,000	9/79

(3) Construct covered fuel storage and conveyor system, Western State Hospital; except that, if construction has not begun by 8/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		350,000	230,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,000	-0-	584,000	4/80

(4) To renovate for accreditation, Western State Hospital.

Reappropriation	Appropriation
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DSHS Constr Acct			1,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs		Estimated Completion Date
300,000	-0-	1,500,000		1/80

(5) Design, construct, and equip 225-bed modular facility for nonoffender populations, Western State Hospital; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		372,000	21,293,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
328,000	-0-	21,993,000	6/82

(6) Design, construct, and equip 130-bed modular facility for nonoffender populations, Eastern State Hospital; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		100,000	12,035,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	-0-	12,335,000	7/82

(7) Renovate per accreditation requirements, Eastern State Hospital; except that, if construction has not begun by 4/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	487,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	487,000	6/81

(8) Preliminary design and working drawings to construct elevated water tower, Western State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	-0-	50,000	9/79

(9) Repair roofs, Western State Hospital; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,031,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,031,000	12/80

**NEW SECTION.** Sec. 173. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM

(1) To provide fire and safety improvements and secondary source of power, School for the Deaf; except that, if construction has not begun by 9/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—State		38,000	—0—
DSHS Constr Acct		—0—	381,000
CEP & RI Acct		41,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,000	—0—	472,000	3/80

(2) To upgrade utilities and complete Phase I, Rainier School.

		Reappropriation	Appropriation
DSHS Constr Acct		1,400,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,791,000	—0—	3,191,000	6/81

(3) To renovate kitchen, primary area, and administration building, School for the Blind.

		Reappropriation	Appropriation
General Fund—State		1,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
319,000	—0—	320,000	4/80

(4) Working drawings and construction of three state residential training centers (SRTC) in the counties of Spokane, Grant, and Benton/Franklin.

		Reappropriation	Appropriation
DSHS Constr Acct		3,794,000	2,396,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
306,000	—0—	6,496,000	2/81

(5) To renovate and repair facilities and utility system, School for the Blind.

		Reappropriation	Appropriation
DSHS Constr Acct		219,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
163,000	—0—	383,000	4/80

(6) Supplemental funding to complete construction and provide equipment for Phase I, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		500,000	1,412,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
4,240,000	-0-	6,152,000	4/80

(7) To design and construct Phase II, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	9,421,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	9,421,000	3/82

(8) To design and construct Phase II, Rainier School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	10,344,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,832,000	6/82

(9) Roof repair for Cerebral Palsy Center, Rainier School; except that, if construction has not begun by 7/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	379,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	379,000	2/80

(10) Repair and upgrade utilities, Phase III, Fircrest School.

		Reappropriation	Appropriation
DSHS Constr Acct		1,075,000	2,415,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	-0-	3,890,000	1/82

(11) Renovation of Primary and Administration buildings, Phase II, School for the Blind; except that, if construction has not begun by 10/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	619,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	619,000	4/80

(12) Renovate heating and ventilation system, Interlake School; except that, if construction has not begun by 1/1/81, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	527,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	527,000	8/81

(13) Purchase land, complete preliminary design and construct one cottage, Frances Haddon Morgan Children's Center; except that, if preliminary drawings have not begun by 10/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,167,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	5,389,000	6,556,000	6/83

(14) Design and construction funds for Yakima Valley School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,546,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,193,000	3,626,000	8/82

(15) To replace roofs at Rainier School; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	564,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	564,000	9/80

(16) New water service, School for the Blind; except that, if construction has not begun by 8/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	139,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	139,000	11/79

(17) Renovate laundry, Fircrest School; except that, if construction has not begun by 10/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	422,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	422,000	4/81

(18) Enclose courtyards, Fircrest School; except that, if construction has not begun by 11/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		10,000	136,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	146,000	4/80

(19) To provide site development of a community recreation and horticulture training center for the handicapped, to be located at the former NIKE-Ajax site in South King County.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	1/81

**NEW SECTION, Sec. 174. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) To provide fire safety and health improvements at the Veterans' Home and Soldiers' Home including construction of a 78-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home.

		Reappropriation	Appropriation
General Fund—Federal		1,674,000	-0-
CEP & RI Acct		30,000	-0-
DSHS Constr Acct		853,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,065,000	-0-	7,622,000	9/79

(2) To replace boilers, Soldiers' Home.

		Reappropriation	Appropriation
CEP & RI Acct		119,000	758,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	-0-	927,000	7/82

(3) To repair and improve utilities and facilities—Omnibus.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	705,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	705,000	6/81

(4) To install underground sprinkler system, Soldiers' Home.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	222,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	222,000	6/80

(5) To construct and equip laundry facility, Veterans' Home.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	1,094,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	1,094,000	9/81

(6) To construct activities therapy facility, Veterans' Home.

Reappropriation	Appropriation
-0-	347,000

CEP & RI Acct

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	347,000	9/80

NEW SECTION. Sec. 175. FOR THE JAIL COMMISSION

Reappropriation	Appropriation
-0-	106,000,000

GF, LJICA

NEW SECTION. Sec. 176. FOR THE DEPARTMENT OF ECOLOGY

(1) To drill four test-observation wells in the 1979-81 fiscal period and additional wells as required in ensuing bienniums.

Reappropriation	Appropriation
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Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
781,000	1,060,000	2,241,000	6/81

General Fund—Emergency Water Project Revolving Fund—~~State~~

400,000

(2) Construct sanitary facilities at various state parks and department of social and health services institutions to include sewage and sink waste disposal and sewage treatment facilities.

Reappropriation	Appropriation
-----------------	---------------

General Fund—State and Local Improvement  
Revolving Account—Waste Disposal Facilities:  
Appropriated pursuant to chapter 127, Laws of  
1972 ex. sess. (Ref. 26)

2,928,000

181,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,806,000	-0-	4,915,000	6/81

(3) Construct water supply facilities at various state parks to ensure adequate supplies of water which meet water quality standards.

Reappropriation	Appropriation
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General Fund—State and Local Improvement  
Revolving Account—Water Supply Facilities:  
Appropriated pursuant to chapter 128, Laws of  
1972 ex. sess. (Ref. 27)

490,000

-0-

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
247,000	-0-	737,000	6/81

NEW SECTION. Sec. 177. FOR THE STATE PARKS AND RECREATION COMMISSION

(1) Modernization and improvements of various state parks—State-wide.

Reappropriation	Appropriation
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General Fund—State and Local Improvement  
 Revolving Account—Public Recreation Facilities:  
 Appropriated pursuant to section 4(3), chapter  
 129, Laws of 1972 ex. sess. (Ref. 28)

		2,290,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,664,000	—0—	5,954,000	6/81

(2) Acquisition and development of recreation sites—State-wide: PROVIDED, That the commission place first priority on the completion of development of recreation sites.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		876,000	—0—
General Fund—ORA (Ref. 28)		1,671,000	—0—
General Fund—ORA (Int. 215)		12,000	—0—
General Fund—ORA (Ref. 18)		84,000	—0—
General Fund—ORA (ATV)		48,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,512,000	—0—	4,203,000	6/81

(3) Funds required to pay unanticipated expenditures such as emergency repairs of existing facilities, contract cost overruns, and acquisition of inholdings, easements, etc.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)		—0—	300,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	300,000	6/81

(4) Acquire approximately 122 acres of land at Dash Point south of Dash Point State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	118,000
General Fund—ORA (LWCF)		187,000	117,000
General Fund—ORA (Ref. 18)		188,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	610,000	1/80

(5) Complete acquisition of approximately 161 acres of wetlands in Mercer Slough.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	407,000
General Fund—ORA (LWCF)		—0—	407,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
452,000	—0—	1,266,000	12/80

(6) To install insulation for residences located in various parks throughout the system.

	Reappropriation	Appropriation
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General Fund—State and Local Improvement  
Revolving Account—Public Recreation Facilities:  
Appropriated pursuant to section 4(3), chapter  
129, Laws of 1972 ex. sess. (Ref. 28)

		Estimated	Estimated	Estimated
Project	Costs	Costs	Total	Completion
Through	Through	7/1/81 and	Costs	Date
6/30/79	6/30/79	Thereafter		
-0-	-0-		150,000	6/81

(7) Acquire approximately 330 acres and three miles of river bank at Green River Gorge.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			-0-	516,000
General Fund—ORA (LWCF)			-0-	516,000
Project	Estimated	Estimated		Estimated
Costs	Costs	Total		Completion
Through	7/1/81 and	Costs		Date
6/30/79	Thereafter			
3,200,000	768,000	5,000,000		6/85

(8) Acquire approximately 80 acres and 1,500 feet of lakefront at Pearrygin Lake.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			-0-	187,000
General Fund—ORA (LWCF)			-0-	187,000
Project	Estimated	Estimated		Estimated
Costs	Costs	Total		Completion
Through	7/1/81 and	Costs		Date
6/30/79	Thereafter			
150,000	1,000,000	1,524,000		6/85

(9) Acquire inholdings at Conconully State Park.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			-0-	8,000
General Fund—ORA (LWCF)			-0-	8,000
Project	Estimated	Estimated		Estimated
Costs	Costs	Total		Completion
Through	7/1/81 and	Costs		Date
6/30/79	Thereafter			
-0-	-0-	16,000		7/80

(10) Renovate and expand day use facility for ocean beach access at Copalis and Joe Creek.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			-0-	187,000
General Fund—ORA (LWCF)			-0-	186,000
Project	Estimated	Estimated		Estimated
Costs	Costs	Total		Completion
Through	7/1/81 and	Costs		Date
6/30/79	Thereafter			
-0-	-0-	373,000		11/80

(11) Develop 50-unit campground, roadway, and parking facilities at Green River Gorge.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			-0-	524,000
General Fund—ORA (LWCF)			-0-	476,000
Project	Estimated	Estimated		Estimated
Costs	Costs	Total		Completion
Through	7/1/81 and	Costs		Date
6/30/79	Thereafter			
-0-	21,000	1,021,000		4/81

(12) Construct parking area for overflow periods at Battle Ground Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	21,000
General Fund—ORA (LWCF)		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	41,000	6/81

(13) Develop 50-unit camping area with associated facilities at Manchester.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	208,000
General Fund—ORA (LWCF)		-0-	207,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	415,000	6/80

(14) Construct two additional boat launch ramps at Fort Canby State Park.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	44,000
General Fund—ORA (LWCF)		-0-	44,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	88,000	5/81

(15) Develop campground facilities at Spencer Spit.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	319,000
General Fund—ORA (LWCF)		-0-	319,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	638,000	11/80

(16) Acquire land and trail easements for trailhead facilities at Squak Mountain.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	39,000
General Fund—ORA (LWCF)		-0-	39,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	7/80

(17) Acquire the Bradley site in central Puget Sound.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	600,000
General Fund—ORA (LWCF)		-0-	600,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,200,000	6/81

(18) To design, construct, and equip a Lewis and Clark interpretive center at Chief Timothy park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	160,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	160,000	6/81

(19) Acquire the Goldendale observatory site.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	100,000	6/81

(20) Renovate the day use area at Camp Wooten State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	55,000
General Fund—ORA (LWCF)		—0—	54,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	109,000	6/81

(21) Acquire frontage at or near the abandoned townsite of Frankfort on the Columbia River.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	150,000
General Fund—ORA (LWCF)		—0—	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	700,000	1,000,000	1/81

(22) Acquire additional property for Scenic Beach State Park in Kitsap county.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	175,000
General Fund—ORA (LWCF)		—0—	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	350,000	6/81

(23) Acquire the Matelich site in central Puget Sound.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	150,000
General Fund—ORA (LWCF)		—0—	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	300,000	6/81

(24) Acquire approximately five acres of the property known as Kubota Gardens.



		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	125,000
General Fund—ORA (LWCF)		-0-	125,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	6/81

(25) Acquire portions of river bank on the Green River.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	375,000
General Fund—ORA (LWCF)		-0-	375,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	750,000	6/81

(26) Construct day-use facilities at Clallam Bay spit.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	90,000
General Fund—ORA (LWCF)		-0-	89,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	179,000	6/81

(27) Acquire recreational property at Beards Hollow.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	400,000
General Fund—ORA (LWCF)		-0-	400,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	800,000	6/81

(28) Acquire additional property for Penrose Point State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	350,000	6/81

(29) Acquire approximately 700 feet of waterfront and 65 acres of uplands at Haley Property.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	300,000	900,000	6/81

**NEW SECTION. Sec. 178. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

(1) \$5,000,000 for the planning, design, construction, furnishing and landscaping of a multi-theatre international performing arts facility designated as the 'Pacific Northwest festival facility' located in south King county in the vicinity of Federal Way. The appropriation contained in this section shall not be expended until the state is in receipt of \$15,000,000 from the federal government and/or other sources. Should federal legislation dictate that the facility be owned by the federal government, the state moneys shall be granted to such federal administering agency which is representing the federal government.

		Reappropriation	Appropriation
GF, Pacific Northwest Festival Facility Constr Acct		-0-	5,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	6/81

(2) To provide matching grants for the planning, design, construction, furnishing, and landscaping of two regionally based performing arts facilities, to be known as the 'Washington center for the performing arts' facility located in Thurston county within the area of the city of Olympia, and 'the Pantages theatre' facility located in Pierce county within the area of the city of Tacoma.

		Reappropriation	Appropriation
GF, Cultural Facilities Constr Acct		-0-	3,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,000,000	6/81

**NEW SECTION. Sec. 179. FOR THE DEPARTMENT OF FISHERIES**

(1) Renovate and make improvements to meet safety, health, and environmental regulations.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		455,000	2,440,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,726,000	725,000	8,346,000	6/81

(2) Provide necessary replacement and alterations to facilities at various hatchery locations state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		1,271,000	1,635,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,131,000	250,000	4,287,000	6/81

(3) Improve operation and production efficiency of existing facilities state-wide.

		Reappropriation	Appropriation
General Fund—Federal		-0-	575,000
GF, Fish Cap Proj Acct		743,000	941,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
625,000	958,000	3,842,000	6/81

(4) Complete various enhancements projects, state-wide.

		Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct		24,060,000	3,541,000
General Fund—Federal		1,024,000	650,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,125,000	-0-	34,400,000	9/81

(5) Complete various recreation projects funded through the interagency committee for outdoor recreation.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		573,000	-0-
General Fund—ORA (LWCF)		1,136,000	-0-
General Fund—ORA (Int. 215)		160,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
933,000	-0-	2,802,000	6/81

(6) Complete capital facility improvements to support the shellfish research and production program state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		103,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
155,000	-0-	258,000	6/80

(7) Construct four additional saltwater rearing pens for research and enhancement of juvenile lingcod and mussel cultures.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		-0-	71,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	71,000	6/80

(8) Construct artificial reef structures in ten locations in Puget Sound and Hood Canal for use by recreational fishermen.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	205,000
General Fund—ORA (LWCF)		-0-	205,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	410,000	6/81

(9) Construct wooden walkways on top of breakwater structures at Westhaven Cove Marina in Westport to improve safety and ease of access for recreational fishermen.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	62,000
General Fund—ORA (LWCF)		-0-	62,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	124,000	5/81

(10) Construct access walkway and fishing pier atop and extending from the breakwater at the Port of Peninsula Boat Basin at Nahcotta.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	61,000
General Fund—ORA (LWCF)		-0-	60,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	121,000	5/81

(11) Construct access walkway and stairs to east end of Hood Canal bridge, including sanitary facilities, parking, and artificial reef for recreational fishing.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	190,000
General Fund—ORA (LWCF)		-0-	190,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	380,000	12/80

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek. Upon completion of construction, the department of fisheries shall contract with the state parks and recreation commission for operation of the facility with no user fee charged for use by the general public.

		Reappropriation	Appropriation
General Fund—ORA (Int.215)		-0-	323,000
General Fund—ORA (LWCF)		-0-	322,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	645,000	3/80

(13) Develop parking area for 100 cars for use with Edmonds fishing pier.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	14,000
General Fund—ORA (LWCF)		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	3/80

(14) Complete construction of Seattle and Tacoma fishing piers.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	245,000
General Fund—ORA (LWCF)		-0-	245,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	490,000	9/80

(1) Critical resource acquisition, acquire lands for wildlife habitat, wildlife recreation, and public hunting state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		6,000	-0-
General Fund—ORA (Ref. 28)		64,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,000	-0-	153,000	6/80

(2) Critical resource development, develop lands to provide recreational opportunities for the public state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		56,000	-0-
General Fund—ORA (Ref. 28)		90,000	-0-
General Fund—ORA (Int. 215)		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
54,000	-0-	240,000	12/79

(3) Freshwater shorelands development, development of facilities to provide public access to inland waters state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		3,000	-0-
General Fund—ORA (Ref. 28)		55,000	-0-
General Fund—ORA (Int. 215)		63,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
89,000	-0-	210,000	12/79

(4) Naches Hatchery, water supply development for raceways and hatcheries.

		Reappropriation	Appropriation
Game Fund—State		107,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
30,000	-0-	137,000	10/79

(5) To construct pollution abatement facilities at the Beaver Creek Hatchery.

		Reappropriation	Appropriation
Game Fund—Federal		561,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	581,000	10/79

(6) To construct an equipment and storage shop at Wells Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Local		14,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
18,000	-0-	32,000	12/79

(7) To construct a seed storage facility at McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Federal		1,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	3,000	12/79

(8) To construct habitat area and wildlife recreation area boundary fencing state-wide.

		Reappropriation	Appropriation
Game Fund—State		29,000	-0-
Game Fund—Federal		110,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
48,000	-0-	187,000	11/79

(9) To construct shop and storage area for equipment at the McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—State		2,000	-0-
Game Fund—Federal		7,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	-0-	18,000	12/79

(10) Remodel existing storage area at Olympia warehouse to provide additional office space and parking.

		Reappropriation	Appropriation
Game Fund—State		100,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	-0-	109,000	10/79

(11) Sell Auburn Game Farm and distribute existing facilities to Whidbey Island, South Tacoma, and Lewis County Game Farms.

		Reappropriation	Appropriation
Game Fund—State		235,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	235,000	6/81

(12) Relocate Auburn shop activities to Olympia after sale of Auburn Game Farm.

		Reappropriation	Appropriation
Game Fund—State		200,000	-0-
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	200,000	6/81

(13) Provide for repair or replacement under emergency conditions.

		Reappropriation	Appropriation
Game Fund—State		-0-	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	200,000	300,000	6/81

(14) Replace 29 sets of outdoor toilets located on game department access areas state-wide.

		Reappropriation	Appropriation
Game Fund—State		-0-	163,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	198,000	361,000	6/81

(15) Provide sedimentation basins at five hatcheries that will collect solid waste from used water for pollution control.

		Reappropriation	Appropriation
Game Fund—State		-0-	218,000
Game Fund—Federal		-0-	22,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	240,000	7/80

(16) Construct an 8-foot high chain link fence to protect rainbow broodstock from vandalism and theft at Tokul Creek Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	11,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	11,000	12/79

(17) Purchase fishing sites and easements to mitigate the fishery loss related to Wells Dam construction.

		Reappropriation	Appropriation
Game Special Wildlife Account		-0-	69,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	69,000	6/81

(18) Design and construct a three bedroom residence with garage, utilities, and roadway plus holding pen for 750 birds at Wells W.R.A.

		Reappropriation	Appropriation
Game Special Wildlife Account		-0-	108,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	108,000	9/80

(19) Repair pipeline from Lake Whatcom that supplies hatchery with production water.

		Reappropriation	Appropriation
Game Fund—State		-0-	36,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	36,000	9/80

(20) Provide for maintenance and construction of boundary, drift and habitat area fencing and property surveys.

		Reappropriation	Appropriation
Game Fund—Federal		-0-	146,000
Game Fund—State		-0-	49,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	481,000	676,000	7/81

(21) Replace 80 wood troughs and supports at Lake Whatcom Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	38,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	38,000	3/80

(22) Repair or replace fish screens at lake outlets preventing out migration of planted trout.

		Reappropriation	Appropriation
Game Fund—Federal		-0-	53,000
Game Fund—State		-0-	18,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	71,000	6/81

(23) Replace old holding pens, brooder runs, and woven wire fencing to prevent game bird escapement.

		Reappropriation	Appropriation
Game Fund—State		-0-	195,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	526,000	721,000	4/81

(24) Replace three wood wall dirt bottom raceways with three 10-foot by 100-foot concrete raceways at South Tacoma Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	67,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
-0-	-0-	67,000	3/81

(25) Repair leaks in hatchery pond and raceways at Arlington Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	49,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	49,000	5/81

(26) Replace roofing at Skamania Hatchery.

		Reappropriation	Appropriation
Game Fund—Federal		-0-	18,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	18,000	6/81

(27) Provide preplanning and design funds for future biennia capital projects.

		Reappropriation	Appropriation
Game Fund—State		-0-	50,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	100,000	150,000	6/81

(28) Construct small parking area and related user facilities at Scatter Creek WRA.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	11,000
General Fund—ORA (LWCF)		-0-	11,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	22,000	9/79

(29) Construct parking area, launch ramp, and related user facilities at Lake Ki in Snohomish county.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	36,000
General Fund—ORA (LWCF)		-0-	36,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	72,000	7/80

(30) Redevelop and construct boat launching facilities at Potholes Reservoir, Campbell Lake, Fazon Lake, Burke Lake, Badger Lake, Loon Lake, Humptulips River, and Chambers Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	15,000
General Fund—ORA (Int. 215)		-0-	214,000
General Fund—ORA (LWCF)		-0-	229,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
39,000	-0-	497,000	6/81

(31) Construct parking area and related user facilities at Tokuk Creek.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	12,000
General Fund—ORA (LWCF)		-0-	12,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	24,000	11/80

(32) Construct an 'A' Frame warming hut designed to provide essential facilities for snowmobilers during cold or emergency conditions.

		Reappropriation	Appropriation
General Fund—State		-0-	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	9/80

(33) Construct .34 acre parking area surface with ballast at Wooten WRA.

		Reappropriation	Appropriation
General Fund—State		-0-	14,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	14,000	7/80

(34) Construct a one-half acre parking area and install timber bridge for snowmobilers at Sherman Creek WRA.

		Reappropriation	Appropriation
General Fund—State		-0-	19,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	19,000	7/80

(35) Acquire Delfeld property as an addition to Chiliwist WRA.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	159,000
General Fund—ORA (LWCF)		-0-	159,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	318,000	6/81

**NEW SECTION. Sec. 181. FOR THE DEPARTMENT OF NATURAL RESOURCES**

(1) Construct 15,000 square feet of lath house at the Bellingham Nursery to provide holding area for seedlings.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		30,000	-0-
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	30,000	10/79

(2) Webster Nursery—Land reclamation.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	50,000	10/79

(3) Upgrade domestic water systems at various locations.

		Reappropriation	Appropriation
General Fund—State		-0-	65,000
General Fund—CEP & RI Acct		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	9/80

(4) Provide for emergency exit at Olympic Area Headquarters.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	6,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	6,000	11/79

(5) Acquire and improve surplus federal installation on Budd Inlet for seaweed research laboratory.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	228,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	228,000	2/80

(6) Provides funding for implementation of Senate Bill No. 2200 (chapter 109, Laws of 1977 ex. sess.) to establish land bank.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	1,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,000,000	3,000,000	6/81

(7) Construct and improve roads and bridges into state-owned timberlands, state-wide.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	426,000
GF, Res Mgmt Cost Acct		2,240,000	1,040,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
1,559,000	4,000,000	9,265,000	6/81

(8) Convert arid lands into productive lands for crop growing through development or irrigation systems.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		3,770,000	1,940,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,497,000	4,000,000	12,207,000	6/81

(9) Acquire access for management of timber and agricultural lands.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	175,000
GF, Res Mgmt Cost Acct		-0-	691,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
900,000	1,300,000	3,066,000	6/81

(10) Provides shops for maintenance and repair of equipment used in the honor camp program in Skagit county.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	536,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	536,000	6/80

(11) Replace old lookout structures at rate of one per biennium.

		Reappropriation	Appropriation
General Fund—State		-0-	15,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	34,000	59,000	6/81

(12) Rebuild gas house and expand parking at Chehalis Compound.

		Reappropriation	Appropriation
General Fund—State		-0-	17,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	17,000	6/81

(13) Provide air exchange and cooling system to reduce heat buildup at Southwest Area Headquarters.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	7,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	6/80

(14) Construct roads and bridges to state lands in Cavanaugh Block.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	475,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	475,000	6/81

(15) Construct dry storage facility at Larch Mountain warehouse.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	47,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	47,000	6/80

(16) Prepare sites for commercial leases, state-wide.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		1,570,000	2,449,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
196,000	3,000,000	7,215,000	6/81

(17) Provide facilities to house three-man fire crews at Beaver and Sekiu.

		Reappropriation	Appropriation
General Fund—State		-0-	46,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	46,000	5/80

(18) Construct and improve campsites, roads, trails, and other recreation projects, including off-road vehicles and snowmobile facilities.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		733,000	-0-
General Fund—ORA (Ref. 18)		19,000	-0-
General Fund—ORA (Int. 215)		187,000	-0-
General Fund—ORA (LWCF)		412,000	-0-
General Fund—State		-0-	31,000
General Fund—ORV Acct—State		-0-	1,994,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,448,000	4,900,000	9,724,000	6/81

(19) Drill well to provide water for Ahtanum Camp.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	6,000
General Fund—ORA (LWCF)		-0-	6,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	12,000	10/79
(20) Drill two wells and install powerline at Black Rock Irrigation Project.			
		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000	6/81
(21) Rebuild old Mule Spur road to provide access for reforestation.			
		Reappropriation	Appropriation
GF, For Dev Acct		-0-	75,000
GF, Res Mgmt Cost Acct		-0-	225,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	6/81
(22) Improve road to Elbe Hills for timber sales activities.			
		Reappropriation	Appropriation
GF, For Dev Acct		-0-	405,000
GF, Res Mgmt Cost Acct		-0-	135,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	540,000	6/81
(23) Purchase materials for use in camp road maintenance programs.			
		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	45,000	65,000	6/80
(24) Provide housing for radio equipment at Little Summit presently in old military surplus trailer.			
		Reappropriation	Appropriation
General Fund—State		-0-	3,000
GF, Res Mgmt Cost Acct		-0-	4,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	3/81
(25) Reconstruct gas house and enlarge parking area at Northwest Area Headquarters Compound.			
		Reappropriation	Appropriation
General Fund—State		-0-	16,000
GF, Res Mgmt Cost Acct		-0-	17,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	33,000	12/79

(26) Construct building on Orcas Island to store fire control supplies.

		Reappropriation	Appropriation
General Fund—State		-0-	16,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,000	10/80

(27) Construct cyclone fencing at two area headquarter sites.

		Reappropriation	Appropriation
General Fund—State		-0-	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	3/80

(28) Construct a block masonry cold storage building to store seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	70,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	70,000	9/80

(29) Construct wells and powerline to irrigate 600 acres at Smith Irrigation Project.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	275,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	275,000	6/81

(30) Construct a block masonry cold storage facility as storage for six million seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(31) Construct three corrugated fiberglass growing houses to protect grafted trees at seed orchard.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	97,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	97,000	2/80

(32) Improve access to large blocks of state land at Marckworth for timber removal.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	171,000
GF, Res Mgmt Cost Acct		-0-	73,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	244,000	6/81

(33) Remove dangerous abandoned structures from state tidelands.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	150,000	6/81

**NEW SECTION, Sec. 182. FOR THE UNIVERSITY OF WASHINGTON**

(1) To provide for the completion of the expansion and renovation of existing teaching hospital.

		Reappropriation	Appropriation
St Bldg Auth Constr Acct		180,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,413,000	-0-	12,593,000	5/79

(2) A continuation of the renovation of mechanical and electrical systems; renovation and remodeling of departmental space; elevator extension and access improvement for handicapped for Department of Chemistry and School of Pharmacy at Bagley Hall.

		Reappropriation	Appropriation
UW Bldg Acct		4,350,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	-0-	4,500,000	5/80

(3) A continuation of building systems renovation and replacement including mechanical and electrical systems, remodeling of spaces for more intensive use, and repairs to correct code deficiencies at Health Science Building.

		Reappropriation	Appropriation
UW Bldg Acct		2,800,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,800,000	3/80

(4) To construct additional locker rooms, service areas, and multipurpose gymnasium to provide comparable athletic facilities for men and women at Edmundson Pavilion.

		Reappropriation	Appropriation
UW Bldg Acct		395,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,967,000	-0-	2,362,000	7/79



(5) To construct a new building providing offices, classrooms, speech and hearing clinics, media center, library, and laboratories for School of Social Work and Department of Speech & Hearing Sciences.

		Reappropriation	Appropriation
UW Bldg Acct		5,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,450,000	-0-	6,650,000	6/80

(6) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities.

		Reappropriation	Appropriation
UW Bldg Acct		1,450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,189,000	-0-	6,139,000	6/81

(7) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	1,538,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,538,000	6/81

(8) To provide for improvements for high priority academic needs, improved energy utilization, remodeling and refurbishing of classrooms, repairs to sports facilities, and continuing real estate contract payments.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	2,692,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	12,748,000	14,438,000	6/81

(9) To plan and construct utility projects including power plant modifications, utility extensions to new buildings, electrical distribution system improvements, supervisory control system extension and upper campus sewer separation.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	2,248,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	6,733,000	8,981,000	6/81

(10) To design laboratory facilities at Big Beef Creek.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	8/83

(11) To design a new facility to house the center for extension and continuing education.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	236,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	236,000	6/83

(12) To replace obsolete and outmoded scientific, instruction and support equipment.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	5,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	6/81

(13) To remodel certain areas for the Department of Speech and Hearing Sciences when the School of Social Work vacates the building at Eagleson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	537,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	537,000	1/81

(14) To renovate and remodel interior spaces to accommodate new program requirements of School of Nutritional Sciences and Textiles, correct code deficiencies, and install an elevator to make the building accessible to the handicapped at Raitt Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,024,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,024,000	9/82

(15) To construct and equip laboratory and service facilities for instruction in biology, botany, zoology, and genetics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	10,978,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
566,000	-0-	11,544,000	9/81

(16) To provide new ventilation and air handling systems, water piping, code deficiency correction, and general upgrading at Health Sciences Building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,806,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,806,000	12/80

(17) To remodel the existing clinic to make it more usable as a practice clinic, provide professional practice instruction and better services to dental patients at Dental Clinic.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	437,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	437,000	4/80

(18) To replace heating system, improve ventilation, change partitions, install elevator and bring existing staff personnel office building up to code after it is vacated by the Speech and Hearing Sciences Clinics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	646,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	646,000	3/81

(19) Design funds to upgrade heating, ventilation, plumbing, and electrical systems; to make code corrections; and to remodel a portion of the gym for more intensive use of space for new program emphasis at Hutchinson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	153,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,401,000	2,554,000	12/81

(20) Funds to repair or replace building systems, make safety and code corrections, replace window frames and door hardware at Health Science Building, wings E and F.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	360,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,398,000	3,758,000	6/83

(21) To construct addition to existing structure to relieve overcrowding of existing staff in Physical Plant and Facilities Planning and Construction.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	434,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	434,000	9/81

(22) To construct addition to existing structure to adequately house existing staff in Purchasing, General Accounting, and Grant and Contract Accounting.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,003,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	1,003,000	9/81

(23) To construct a new mechanical room underground to serve Health Sciences Building wings E, F, and G and add some adjacent space for office use.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,580,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,580,000	6/80

(24) To restore Johnson Hall Annex to sound condition meeting current code requirements.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	5/81

NEW SECTION. Sec. 183. FOR WASHINGTON STATE UNIVERSITY

(1) To construct and equip modifications to existing utility production and distribution systems.

		Reappropriation	Appropriation
WSU Bldg Acct		2,830,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,115,000	-0-	4,945,000	6/81

(2) To construct and equip the Computer Sciences and Mathematics Building.

		Reappropriation	Appropriation
WSU Constr Acct		431,000	-0-
St H Ed Constr Acct		1,320,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,235,000	-0-	9,986,000	12/79

(3) To construct and equip the Intercollegiate Center for Nursing Education.

		Reappropriation	Appropriation
St H Ed Constr Acct		1,084,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,648,000	-0-	5,679,000	6/80

(4) To construct and equip classroom, laboratory, and office building for veterinary sciences.

		Reappropriation	Appropriation
St H Ed Constr Acct		193,000	-0-
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
13,836,000	-0-	14,029,000	10/79

(5) To provide minor alterations or renovations to buildings and utilities in order to make safety improvements, increase building efficiency, or extend the useful life of facilities.

		Reappropriation	Appropriation
WSU Bldg Acct		904,000	5,041,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,339,000	10,285,000	20,573,000	6/85

(6) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	2,965,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,965,000	6/81

(7) To design, remodel, equip, and construct an addition to Wegner Hall: PROVIDED, That \$2,881,000 shall be from federal funding sources.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	5,847,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
388,000	-0-	9,116,000	7/81

(8) To design, remodel, and equip Morrill Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,952,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	1,971,000	1/82

(9) To design, construct, and equip an animal holding facility.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	2,018,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,018,000	8/82

(10) To design, construct, and equip a receiving and delivery building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	653,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
21,000	-0-	674,000	6/80

NEW SECTION, Sec. 184. FOR EASTERN WASHINGTON UNIVERSITY

(1) To construct and equip new physical education field house.

		Reappropriation	Appropriation
St H Ed Constr Acct		365,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,092,000	-0-	2,457,000	12/79

(2) To perform minor capital improvements to comply with current fire and safety codes, and provide for handicap access.

		Reappropriation	Appropriation
EWU Cap Proj Acct		178,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
278,000	-0-	456,000	6/80

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	441,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	441,000	6/81

(4) To perform minor capital improvements to correct facility deficiencies and improve utilization.

		Reappropriation	Appropriation
EWU Cap Proj Acct		360,000	2,472,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
429,000	-0-	3,925,000	6/81

(5) To construct and equip utility loop system and implement facility energy conservation improvements.

		Reappropriation	Appropriation
EWU Cap Proj Acct		163,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	165,000	6/80

(6) To design, remodel, renovate, and equip Martin Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,100,000	4/82

(7) To design, construct, and equip an aquatics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,765,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
72,000	-0-	1,837,000	2/81

**NEW SECTION. Sec. 185. FOR CENTRAL WASHINGTON UNIVERSITY**

(1) Alterations to facilities that will effect efficiencies in operations, extend useful life, and make needed safety correction.

		Reappropriation	Appropriation
CWU Cap Proj Acct		160,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
216,000	-0-	286,000	1/80

(2) To effect repairs and alterations to utility system for improved efficiencies, implementation of safety codes, and extension of lifetime.

		Reappropriation	Appropriation
CWU Cap Proj Acct		230,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
160,000	-0-	390,000	6/81

(3) Renovation and remodeling of vacated library building to house communications, mass media, computer sciences, special pathology, executive offices, and audio-visual services in Bouillon Hall.

		Reappropriation	Appropriation
St H Ed Constr Acct		450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,665,000	-0-	2,115,000	3/80

(4) Installation of central ventilation system to supply and exhaust air to Randall Hall.

		Reappropriation	Appropriation
CWU Cap Proj Acct		70,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	-0-	84,000	11/79

(5) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	532,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	532,000	6/81

(6) Construction of new greenhouse adjacent to Dean Science Building.

Reappropriation	Appropriation
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H Ed Constr Acct			-0-	481,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
3,000	-0-	485,000	8/80	

(7) Conformance to safety health standards.

CWU Cap Proj Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
19,000	-0-	119,000	100,000	-0-

(8) Modifications for the handicapped.

CWU Cap Proj Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
42,000	-0-	162,000	120,000	-0-

(9) Minor renovations and additions for better facility utilization and meet changes in program needs.

CWU Cap Proj Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
60,000	-0-	100,000	40,000	-0-

(10) Planning funds to restore and remodel Barge Hall.

CWU Cap Proj Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
8,000	-0-	18,000	10,000	-0-

(11) Complete design of McConnell Hall for renovation and remodeling to add a multiform theater and associated components and to remodel Wildcat Shop for computer services.

H Ed Constr Acct			Reappropriation	Appropriation
St H Ed Constr Acct				
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
261,000	-0-	3,780,000	-0-	3,499,000
			40,000	-0-

(12) Minor capital improvements and land acquisition to upgrade university buildings, facilities, and grounds.

CWU Cap Proj Acct			Reappropriation	Appropriation
Project	Estimated	Estimated		
			-0-	2,217,000



Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	325,000	2,542,000	6/81

(13) To improve, extend, and modify underground utilities and services.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	1,026,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,026,000	6/81

(14) To provide funding which will enable the university to share costs with the city of Ellensburg in fire pumper truck purchase.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	40,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	40,000	12/79

**NEW SECTION. Sec. 186. FOR THE EVERGREEN STATE COLLEGE**

(1) To construct and equip a Communications Laboratory.

		Reappropriation	Appropriation
St H Ed Constr Acct		150,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,305,000	-0-	8,455,000	6/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	136,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	136,000	6/81

(3) To provide emergency repairs and renovations for the library building.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	111,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	111,000	7/80

(4) To further develop outdoor recreation fields.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	328,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	328,000	11/80

NEW SECTION. Sec. 187. FOR WESTERN WASHINGTON UNIVERSITY

(1) Old Main renovation, including structural, mechanical, and electrical upgrading.

		Reappropriation	Appropriation
WWU Cap Proj Acct		103,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,401,000	-0-	3,504,000	6/81

(2) To construct and equip space for technology in applied art and provided equipment for home economics.

		Reappropriation	Appropriation
St H Ed Constr Acct		25,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,462,000	-0-	1,487,000	12/79

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	327,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	327,000	6/81

(4) Construct and equip south campus fields and complete deferred improvements to south campus streets, walks, lighting, and landscaping.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	2,300,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
107,000	-0-	2,407,000	5/81

(5) Improvements to academic buildings to provide for changing program requirements, improve instruction, space efficiency, and protect original investment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	214,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
131,000	700,000	1,145,000	6/81

(6) Complete design to improve access to service facilities on south campus physical plant site including hazardous materials storage for nonacademic needs.

		Reappropriation	Appropriation
St H Ed Constr Acct		21,000	-0-
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
102,000	-0-	123,000	12/79

(7) Planning and construction funds for College of Business and Economics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	4,500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,500,000	6/81

(8) Minor improvements to grounds to reduce operating costs, reduce danger from injury, increase safety, and protect original investment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		35,000	217,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	300,000	592,000	6/81

(9) Make improvements to utility systems to reduce operating costs and increase efficiency.

		Reappropriation	Appropriation
WWU Cap Proj Acct		104,000	193,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,190,000	-0-	2,577,000	6/81

(10) Fire and physical safety improvements.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
231,000	40,000	557,000	6/81

(11) Art acquisition fund.

		Reappropriation	Appropriation
St Bldg Auth Constr Acct		17,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,037,000	-0-	4,504,000	6/81

(12) To purchase property in accordance with WWU Board of Trustees campus land use plan.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	30,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	250,000	280,000	6/81

(13) To provide several cost-effective improvements to conserve energy consumption.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	81,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	81,000	6/81

(14) Improvements to academic facilities to protect property and equipment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	72,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	30,000	102,000	6/81

(15) Construct fire station for use by city of Bellingham to provide more adequate fire and ambulance equipment and personnel availability to Western Washington University.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	490,000
WWU Cap Proj Acct		-0-	318,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	808,000	6/81

NEW SECTION. Sec. 188. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

The appropriations contained in this section adhere to the major projects priority list established by the state board and assume that the 1981-83 biennium priority listing will have the 8th priority through the 33rd priority projects of the 1979-81 biennium as the 1st through the 26th priority projects of the 1981-83 biennium. The budget also assumes Big Bend Community College will construct a \$2,500,000 physical education facility of which \$2,100,000 shall be from local funds and \$400,000 shall be from the sale proceeds of the South Campus to the Moses Lake School District.

(1) Reappropriations of projects approved and funded in previous biennia.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		735,000	-0-
Com Col Cap Proj Acct		510,000	-0-
Com Col Cap Constr Acct		4,045,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,665,000	-0-	23,955,000	2/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance to be allocated to each district by the state board.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	4,329,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,329,000	6/81

(3) Repair and reconstruct roofs on six community college campuses.

	Reappropriation	Appropriation
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Com Col Cap Constr Acct			-0-	2,083,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	2,083,000	1/81	

(4) To complete the design, construction, and equipping of three code-compliance projects at Clark College.

			Reappropriation	Appropriation
Com Col Cap Constr Acct			-0-	2,209,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
124,000	-0-	2,333,000	6/81	

(5) To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board.

			Reappropriation	Appropriation
Com Col Cap Constr Acct			-0-	1,949,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	1,949,000	6/81	

(6) To provide for unforeseen emergency capital repairs, to be administered by the state board.

			Reappropriation	Appropriation
Com Col Cap Constr Acct			-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	500,000	6/81	

(7) To provide for unforeseen emergency roof repairs, to be administered by the state board.

			Reappropriation	Appropriation
Com Col Cap Constr Acct			-0-	800,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	800,000	6/81	

(8) To perform community college master planning, to be administered by the state board.

			Reappropriation	Appropriation
Com Col Cap Impvmt Acct			-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	200,000	6/81	

(9) To perform fire and ventilation improvements on three campuses.

			Reappropriation	Appropriation
Com Col Cap Impvmt Acct			-0-	538,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion	

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	538,000	8/80

(10) To perform minor capital improvement repairs and renovations on nine campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,196,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,305,000	2/81

(11) The state board for community college education shall execute an agreement with the municipality of Bremerton within which is located the campus of community college district three for the transfer of municipally owned property within the campus to the state pursuant to state laws governing vacation of city rights of way and for the transfer of state owned property to the municipality: PROVIDED, That such an agreement shall result in a net increase in acreage of the campus and that the property transferred from the state to the municipality is used exclusively for the purpose of traffic flow and access to, through, and around the campus. Once the agreement has been executed, the appropriation provided in this subsection shall be granted by the board to the municipality.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	375,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	375,000	6/81

(12) To perform four minor utility and mechanical systems improvements at three campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	10/79

(13) To replace, repair, restore, install, and construct heating, ventilation, and air conditioning systems at five campuses.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	2,005,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,005,000	2/81

(14) To perform three feasibility studies for two colleges.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	104,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	104,000	4/80

(15) Design, remodel, equip, and construct an addition to the Science and Vocational Instruction facilities at Shoreline Community College.

Reappropriation	Appropriation
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Com Col Cap Constr Acct		-0-	2,043,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,043,000	5/81

(16) Design, construct, and equip a vocational instruction building for industrial electronics at Peninsula College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(17) Design, construct, and equip an addition to vocational facilities at Olympia Technical Community College.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	652,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	652,000	12/80

(18) To design a gymnasium at North Seattle.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	267,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,448,000	3,715,000	12/81

(19) To design, construct, raze, remodel, and renovate vocational facilities at the Duwamish branch of the South Seattle Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,070,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,070,000	5/81

(20) To acquire and develop land, design, remodel, and construct facilities for maintenance and vocational instruction at Centralia College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,528,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,528,000	8/81

(21) To purchase a building and land, renovate existing facilities, and design and construct a vocational building at Lower Columbia Community College.

	Reappropriation	Appropriation
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Com Col Cap Constr Acct		—0—	4,265,000
Com Col Cap Impvmt Acct		—0—	10,000
Com Col Cap Proj Acct		—0—	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	1,867,000	6,198,000	11/82

**NEW SECTION. Sec. 189. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION**

To provide for planning, construction, remodeling, and demolition of public school facilities: PROVIDED, That of this appropriation not more than \$8,000,000 shall be to provide minor building alterations or renovations for section 504 handicapped access compliance: PROVIDED, That notwithstanding any provision contained in chapter 28A.47 RCW and/or RCW 28A.47.800 through 28A.47.811, inclusive, as now or hereafter amended, or any regulation of the state board of education or the state superintendent of public instruction adopted after January 1, 1979, all school districts which passed a bond issue or special levy for capital construction or capital purposes, including a vocational-technical institute, on or before April 5, 1979, shall remain eligible for state matching funds on the same basis as provided under statutes and/or state board of education regulations in effect on or before January 1, 1979, and each such district application shall receive the same priority it would have received under state law and/or state board of education rules and regulations in effect at the time any such bond issue or special levy was approved by the voters: PROVIDED FURTHER, That this condition shall apply only to bond issues or capital levies for capital purposes approved by the voters prior to April 5, 1979, and shall not be construed as preventing future modifications of space standards for districts which pass a bond issue or special levy for capital construction or capital purposes after April 5, 1979.

Com Sch Constr Fund		Reappropriation	Appropriation
		76,123,000	318,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,875,000	292,000,000	769,998,000	6/81

**NEW SECTION. Sec. 190. FOR THE STATE PATROL**

(1) Construct and equip facility for district command and detachment personnel, communications, dispatching, and VIN Inspection in Vancouver.

MV Fund—State		Reappropriation	Appropriation
		150,000	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
657,000	—0—	864,000	8/79

(2) Construct and equip facility at Training Academy in Shelton for conducting gymnasium training, physical fitness, and off-duty recreation.

MV Fund—State		Reappropriation	Appropriation
		—0—	230,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	230,000	11/80

(3) Construct and equip weigh station facility on I-82 near the Washington-Oregon border at Plymouth to ensure truck compliance with existing laws and regulations.

MV Fund—State		Reappropriation	Appropriation
		—0—	320,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion



Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	320,000	12/80

(4) Construct VIN Inspection building at Kennewick to inspect out-of-state vehicles prior to licensing.

MV Fund—State		Reappropriation	Appropriation
		-0-	102,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	102,000	7/80

(5) Provide minor alterations and modifications to increase efficiency and useful life to existing facilities.

MV Fund—State		Reappropriation	Appropriation
		-0-	165,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	165,000	7/80

(6) Design funds for mobile radio relay sites at Octopus, Neilton Point/Salmon River Ridge, Republic, Pateros, and Okanogan.

MV Fund—State		Reappropriation	Appropriation
		-0-	3,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	1,134,000	1,137,000	6/83

(7) Design funds to construct mobile radio relay sites at Gardiner, Pullman, and Blue Mountain.

MV Fund—State		Reappropriation	Appropriation
		-0-	2,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	813,000	814,000	6/85

(8) Install chain link security fencing at Skamania, Stacker Butte, Roosevelt, Clyde, Lind, Chehalis, Kalama, Bellevue, and Gold Mountain.

MV Fund—State		Reappropriation	Appropriation
		-0-	27,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	10/79

(9) Relocate weigh station facility on SR 20 west of Mt. Vernon.

MV Fund—State		Reappropriation	Appropriation
		-0-	82,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79

Thereafter

-0-

-0-

82,000

12/80

**NEW SECTION, Sec. 191. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

In accordance with RCW 43.17.200, all state agencies or departments shall expend, as a nondeductible item, out of any moneys appropriated for the original construction of any state building, an amount of one-half of one percent of the appropriation for the acquisition of works of art which may be an integral part of the structure, attached to the structure, detached within or outside of the structure, or can be exhibited by the agency in other public facilities. In case the amount shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the agency. For the purpose of this section, 'building' does not include highway construction sheds, warehouses, or other buildings of a temporary nature.

**NEW SECTION, Sec. 192.** The director of general administration shall transfer to the department of social and health services the facility known as Northern State Hospital, along with all attached real estate under the jurisdiction of the department of general administration.

**NEW SECTION, Sec. 193.** 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 facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1979.

**NEW SECTION, Sec. 194.** The word 'agency' used herein 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 means 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 does 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 financial management, with the approval of the governor, may:

(1) Allot all or 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 financial 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 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 appropriations or to incur a deficiency and any obligations 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; and

(4) Allot funds from appropriations in this act in advance of July 1, 1979, for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1, 1979: **PROVIDED**, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1979.

**NEW SECTION, Sec. 196.** In the event that receipts are less than those appropriated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 195 of this act. Receipts for purposes of this section 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. 197.** State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

**NEW SECTION, Sec. 198.** Any programs which are supported in whole or in part by federal funds shall not receive any additional state funds for the programs in the event that federal funds are reduced or eliminated for the program.

**NEW SECTION, Sec. 199.** Unless otherwise provided for by this act with respect to any specific agency, program, or revenue source, any receipts from federal or other sources, or from gifts or grants, in excess of estimates for the budget expenditures as approved by the legislature and which are not otherwise

available for general governmental purposes, may be received and allotted by the governor in accordance with RCW 43.79.260 through 43.79.282.

**NEW SECTION.** Sec. 200. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of financial management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

**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 financial management shall 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, 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 39.34.130 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 financial 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. The chairmen of the senate committee on ways and means and the house appropriations committee shall review monthly reports of state agency expenditures prepared by the legislative evaluation and accountability program and shall advise their respective committee members of substantial deviations from an agency's allotment expenditure plan. The chairmen may request from an agency, or the office of financial management, such information as may be necessary to determine the reasons for such deviations.

**NEW SECTION.** Sec. 206. The office of financial management shall place in reserve status 3% of the general fund—state appropriations contained in this act. Such moneys shall remain in reserve status and may not be authorized for expenditure through the allotment process in any fiscal quarter unless the governor determines that projected economic conditions warrant additional expenditures: PROVIDED, That for institutions of higher education the requirements of this section are in addition to any enrollment reserve requirements set forth in section 207 of this act.

The provisions of this section shall not apply to sections 34, 38, or 100 of this act.

**NEW SECTION.** Sec. 207. In accordance with the provisions of this section, the office of financial management shall use the allotment process during the 1979-81 biennium to control the funding of the formula portion of the instruction services program of all the institutions of higher education. 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 four-year institutions of higher education while full time equivalent student enrollment will be the controlling factor for the community college system. For the purpose of this section, the 'contract level' is defined as the level upon which the budget is based, and the 'base level' is defined as the level corresponding to the prior year's actual enrollment level. Controls shall be applied to each four-year institution separately and to the community college system as a total entity. 'Growth funding' is defined as that portion of the state general fund appropriation by which the contract level exceeds the base level. Growth funds may be allotted or placed in reserve at the option of the institution or system. Unearned growth funds will be reverted to the state general fund prior to the end of the fiscal year in which such growth fails to materialize. If The Evergreen State College's enrollments for the first year of the biennium exceed the contract level, additional funding will be considered. Olympia Technical Community College shall not become comprehensive and shall offer only courses essential to vocational education. No expenditures shall be allowed for the rental of off-campus facilities by community college district number twelve for housing students which would reduce regularly scheduled on-campus class enrollments.

Reversions are not required when an institution's faculty formula entitlement as generated by actual enrollment, or in the case of the community colleges the actual annual average full time equivalent student enrollment, is within a set range of the contracted level. The allowable tolerances are as follows: University of Washington, Washington State University, and the community colleges as a system, 1 percent; Central Washington University, Eastern Washington University, and Western Washington University, 2 percent; and The Evergreen State College, 3 percent.

Contract enrollments for the second year of the biennium will be renegotiated if the first year's actual enrollment falls below the base level of the first year of the biennium.

**NEW SECTION.** Sec. 208. Leases with purchase options are prohibited without prior legislative approval.

**NEW SECTION.** Sec. 209. It is the expressed intention of the legislature that agency operational activity shall be regularly monitored by the office of financial management, under its statutory authority relating to the allotment control function, in order to limit fluctuations in the respective fiscal year spending

patterns which tend to inflate the expenditures in the second fiscal year of the biennium. Particular control emphasis shall be placed on those instances in which the full time equivalent staff years authorization is deliberately delayed in order to increase the agency's full time equivalent staff years as substantiation for the second fiscal year of the ensuing biennial request. Unanticipated receipts, which are authorized by the governor and expended by any state agency, shall be allotted, monitored, and controlled.

**NEW SECTION.** Sec. 210. In order to determine distribution of the funds appropriated in section 14(10) and (11) of this act, the office of financial management shall employ the following procedures:

(1) Determine the actual average salaries in the 1978-79 year for the following groups of employees in each district:

(a) Central and unit FTE administrators in the basic education program (00), the secondary vocational program (30), and in the general support program (97).

(b) Other FTE certificated staff in the basic education program (00), the secondary vocational program (30) and in the general support program (97).

(2) Place each district's 1978-79 staff, referenced in subsection (1) (a) and (b) of this section, on the education and experience table developed in accordance with actual local district practice.

(a) Determine a composite district education and experience factor for central and unit administrators as defined in subsection (1)(a) of this section.

(b) Determine a composite education and experience factor for other basic education certificated staff as defined in subsection (1)(b) of this section.

(3) Calculate each district's average base salaries as follows:

(a) Subsection (1)(a) amount divided by subsection (2)(a) amount;

(b) Subsection (1)(b) amount divided by subsection (2)(b) amount.

(4) Calculate state-wide average base salaries as follows:

(a) Sum of all districts (subsection (3)(a) amount times subsection (1)(a) FTE staff) divided by the sum of all districts (subsection (1)(a) FTE's).

(b) The sum of all districts (subsection (3)(b) amount times subsection (1)(b) FTE staff) divided by the sum of all districts (subsection (1)(b) FTE's).

(5) Calculate percentage salary increases for each district as follows:

(a) If subsection (3)(a) amount is greater than subsection (4)(a) amount, percent increase equals 6%.

(b) If subsection (3)(a) amount is less than or equals subsection (4)(a) amount, percent increase equals amount necessary to drive a system-wide 7% increase.

(c) If subsection (3)(b) amount is greater than subsection (4)(b) amount, percent increase equals 6%.

(d) If subsection (3)(b) amount is less than or equals subsection (4)(b) amount, percent increase equals amount necessary to drive a system-wide 7% increase.

(6) Apply percentage salary increase for each district as follows:

(a) Aggregate total 1978-79 basic education FTE certificated staff and state-funded certificated staff in categorical programs.

(b) Divide 1978-79 basic education FTE central and unit administrators by subsection (6)(a) amount.

(c) Subtract amount determined in subsection (6)(b) from 1.00.

(d) Multiply amount determined in subsection (5) (a) or (b) by amount determined in subsection (6)(b).

(e) Multiply amount determined in subsection (5) (c) or (d) by amount determined in subsection (6)(c).

(f) Add amounts determined in subsection (6) (d) and (e).

(g) Apply subsection (6)(f) amount to 1979-80 actual salaries (prior to applying increases) for all 1979-80 basic education FTE entitlement staff including classified employees and to the 1979-80 unimproved actual salaries for all 1979-80 state-supported FTE staff including classified employees in the following programs: Vocational-technical institutes, state institutions, pupil transportation, handicapped excess cost, and special needs.

(7) Apply incremental fringe benefits to the salary increase amounts determined in subsection (6)(g) as follows:

(a) For the 1979-80 certificated staff — certificated staff salary amount in subsection (6)(g) times 0.0613.

(b) For the 1979-80 classified staff — classified staff salary amount in subsection (6)(g) times 0.1313.

(8) Determine 1980-81 salary increase percentages for each district as follows:

(a) Improve 1979-80 actual salaries (prior to applying increases) by amounts indicated in subsection (6)(g).

(b) Place 1979-80 staff on the education and experience table referenced in subsection (2).

(c) Calculate average base salaries as indicated in subsection (3).

(d) Calculate state-wide average base salaries as indicated in subsection (4).

(e) Perform conditional tests as indicated in subsection (5).

(f) Apply percentage increases as indicated in subsection (6) with the following changes:

(i) Substitute 1979-80 for 1978-79 in subsection (6) (a) and (b).

(ii) Substitute 1980-81 for 1979-80 in subsection (6)(g).

(g) Apply incremental fringe benefit factors to the 1980-81 salary increase amounts as follows:

(i) For 1980-81 certificated staff, 0.0648.

(ii) For 1980-81 classified staff, 0.1348.

**NEW SECTION.** Sec. 211. In order to ensure adherence with the provisions of subsections (3), (4), and (10) of section 14 of this act, the director of the office of financial management shall review salary

increases granted by each four-year institution of higher education, each community college district, and each local school district. If the director's review indicates that salary increases granted by a four-year institution of higher education, a community college district, or a local school district exceeds the provisions of subsection (3), (4), or (10) of section 14 of this act, the director shall withhold an amount of state funds otherwise distributable to that educational unit equal to the amount by which the salary increase exceeded the above-referenced provisions.

**NEW SECTION.** Sec. 212. The superintendent of public instruction and the director of the state board for community college education, in conjunction with the director of the office of financial management, shall develop rules and regulations directing placement of local educational units' employees with nonstandard teaching certificates on the state-wide education and experience schedules.

**NEW SECTION.** Sec. 213. Any rate increases proposed for the legal services revolving fund or the general administration facilities and services revolving fund, or any change in the method of calculating changes from those funds, shall be subject to approval by the director of the office of financial management prior to implementation.

**NEW SECTION.** Sec. 214. To obtain maximum interagency use of aircraft, the aeronautics division in the department of transportation, in accordance with chapter 39.34 RCW, is hereby authorized to lease, purchase, or otherwise acquire suitable aircraft which shall be utilized for the purposes of the department of transportation and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: **PROVIDED**, That the department of transportation 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 department of transportation and without prior approval of the director of the office of financial management.

**NEW SECTION.** Sec. 215. 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. 216. State agencies shall not receive or make a contractual agreement to receive any donation of real property or an interest therein which commits the agency to assume on a current basis or request at a future time appropriated funds for operating, development, or acquisition costs without prior approval of the legislative budget committee or the senate ways and means committee and house appropriations committee if the legislature is in session.

**NEW SECTION.** Sec. 217. Any capital improvements or capital project involving construction or major expansion of a state office facility, to include district headquarters, detachment offices, and off-campus faculty offices shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION.** Sec. 218. As used in this act the following phrases shall have the following meanings:

- (1) 'GF, Cap Bldg Constr Acct' means General Fund—Capital Building Construction Account;
- (2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
- (3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
- (4) 'General Fund—ORA (HJR 52)' means General Fund—Outdoor Recreation Account, House Joint Resolution 52;
- (5) 'General Fund—ORA (LWCF)' means General Fund—Outdoor Recreation Account, Federal Land and Water Conservation Fund;
- (6) 'General Fund—ORA (Int. 215)' means General Fund—Outdoor Recreation Account, Initiative 215;
- (7) 'General Fund—ORA (Ref. 28)' means General Fund—Outdoor Recreation Account, Referendum 28;
- (8) 'General Fund—ORA (Ref. 18)' means General Fund—Outdoor Recreation Account, Referendum 18;
- (9) 'General Fund—ORA (ATV)' means General Fund—Outdoor Recreation Account, All Terrain Vehicle Fund;
- (10) 'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;
- (11) 'GF, For Dev Acct' means General Fund—Forest Development Account;
- (12) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
- (13) 'GF, LJICA' means General Fund—Local Jail Improvement and Construction Account;
- (14) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;
- (15) 'DSHS Constr Acct' means State Social and Health Services Construction Account;
- (16) 'CEP & RI Acct' means Charitable, Educational, Penal, and Reformatory Institutions Account;
- (17) 'MV Fund—State' means Motor Vehicle Fund—State;
- (18) 'WSU Bldg Acct' means Washington State University Building Account;

- (19) 'St H Ed Constr Acct' means State Higher Education Construction Account;  
 (20) 'H Ed Constr Acct' means Higher Education Construction Account;  
 (21) 'Off/Lab Constr Acct' means Office/Laboratory Construction Account;  
 (22) 'Com Sch Constr Fund' means Common School Construction Fund;  
 (23) 'EWU Cap Proj Acct' means Eastern Washington University Capital Projects Account;  
 (24) 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;  
 (25) 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;  
 (26) 'Com Col Cap Proj Acct' means Community College Capital Projects Account;  
 (27) 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;  
 (28) 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account;  
 (29) 'UW Bldg Acct' means University of Washington Building Account;  
 (30) 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;  
 (31) 'WVU Cap Proj Acct' means Western Washington University Capital Projects Account;  
 (32) 'WSU Constr Acct' means Washington State University Construction Account;  
 (33) 'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development

Account;

(34) 'GF, Pacific Northwest Festival Facility Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account; and

(35) 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. 219. Expenditure of moneys appropriated by section 167 of this act shall be made in consultation with the prior approval of the state capitol committee in accordance with the provisions of chapter 79.24 RCW. In addition, the department of general administration shall consult with and obtain the approval of the joint legislative committee on capitol facilities prior to expenditure of moneys appropriated by this section on projects involving capitol buildings occupied wholly or in part by the legislature.

**NEW SECTION.** Sec. 220. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 221. Reappropriations shall be limited to the unexpended balances remaining June 30, 1979, in the current appropriation for each project.

**NEW SECTION.** Sec. 222. The governor, through the director of the office of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

Nothing in this section shall prevent the governor, through the director of the office of financial management, from authorizing the transfer of appropriation authority for capital projects for the parks and recreation commission, department of fisheries, department of game, department of natural resources, and the interagency committee for outdoor recreation which utilize the following funds: General Fund—ORA (Ref. 28), General Fund—ORA (Ref. 18), General Fund—ORA (Int. 215), and General Fund—ORA (LWCF). The governor, through the director of the office of financial management, may authorize similar transfers which utilize General Fund—ORA (HJR 52) funds, but only with the prior approval of the senate ways and means committee and the house appropriations committee if the legislature is in session, or the legislative budget committee if the legislature is not in session. Such transfers shall only be made to maximize the use of the funds within the limits of the appropriations.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 223. The depreciation schedule developed by the department of personnel used in rent assessments of state employees living in state-owned housing shall be based on the actual housing cost to the state including any maintenance and interest costs depreciated over thirty years. Utility charges shall be at cost.

**NEW SECTION.** Sec. 224. 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. 225. 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 July 1, 1979."

On page 1, line 1 of the title, after "budget;" strike the remainder of the title and insert "making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; designating effective dates for certain appropriations; providing an effective date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Polk moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and ask the Senate for a conference thereon.

Representatives Polk, Blair and Bagnariol spoke in favor of the motion.

Mr. King demanded an electric roll call vote on the motion, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 236 and ask the Senate for a conference thereon, and the motion was carried by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Owen.

MESSAGE FROM THE GOVERNOR

April 30, 1979

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 state government."

This bill would establish two new legislative review committees, and provide the necessary procedures to review any rule promulgated by a state agency. The purpose of this review would be: (1) to determine if agency rules and/or amendments to rules are within the intent of the statute which the rule implements; or (2) to determine if agency rules have been adopted in accordance with all applicable provisions of the law. If the review committees determine that there has been a violation, their objections are filed with the Washington State Code Reviser who must publish the committee's notice of objection in the Washington State Register and the Washington Administrative Code.

The authority to promulgate administrative rules comes from the legislature. There is no question that the legislature, as a body, can review administrative rules that have been previously used and thereby determine whether to draft new laws to restrict or more specifically define the overall rulemaking authority. However, a Separation of Powers problem arises when the legislature reviews each individual rule as the executive agency promulgates it.

Substitute House Bill No. 29 violates the Separation of Powers Doctrine in two ways. It interferes with the ability of the executive branch to perform its constitutional function, and it duplicates the role of the judiciary.

It is the constitutional duty of the executive branch to implement the law, i.e., to apply the legislature's general laws to specific situations as they occur. This is day to day management which the executive branch performs within the authority granted to it. The executive branch needs stable authority to be effective and cannot function if each management decision must be continually defended against the legislature's after the fact determinations.

There is also a real question of the necessity for a formal legislative review of all administrative rules. Indeed, few specific examples have been cited in defense of the proposed legislation. Also, there are a variety of problems that can arise when 147 members of the legislature and two separate houses attempt to ascertain and interpret a concept of what constitutes legislative intent.

In addition, Substitute House Bill No. 29 infringes on the authority granted to the judiciary. Whether the executive branch is acting within its authority is a question that the state's Constitution gives to the judiciary department to decide, not the legislature. Yet this bill would

give that function to a legislative review committee by allowing them to determine, in retrospect, what their legislative intent was and consequently what the authority granted was.

Since this bill would be interfering with effective executive services to the public and duplicating the job of the judiciary, both of which do not serve the best interest of this state's taxpayers, I cannot support it. Particularly, when there are currently adequate safeguards available to ensure proper administrative rulemaking that do not violate the Constitution's Separation of Powers.

If there is a problem with administrative rulemaking, the legislature can alleviate it by more clearly setting forth its intent in statute or other formal methods. In this way, the executive department can look to and rely on recorded tangible evidence for guidance. This allows the executive department to function within explicit authority and provides the judiciary adequate evidence to review the executive's authority. This is the relationship set out in the state Constitution and it should not be weakened. In addition, the legislature has available to it a variety of informal mechanisms that can operate effectively to mitigate against administrative departures from intent.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 29.

Respectfully submitted,  
DIXY LEE RAY, Governor.

#### MOTION

Mr. Ehlers moved that the House pass Substitute House Bill No. 29 notwithstanding the Governor's veto.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

Representatives Ehlers and Taller spoke in favor of the motion to pass Substitute House Bill No. 29 notwithstanding the veto of the Governor.

On motion of Mr. King, the remarks of Representatives Ehlers and Taller were ordered placed in the Journal.

Mr. Ehlers: "Substitute House Bill No. 29 passed this legislature unanimously in the House and in the Senate. It's a measure that all of us on this floor, I think, are concerned with—the concept of Separation of Powers. It would certainly seem so in the Governor's veto message. The importance of this bill and this vote is not a matter of personality; that's not the issue. The issue is whether or not the legislature is going to be a full partner in the system of government that we have. We dealt with the sunset bill two years ago (which was legislative oversight). This is also legislative oversight. It is not legislative interference. We have a responsibility in this legislature to make sure that the laws we pass are executed—carried out in the way we have passed that legislation. In the discussion with the Governor prior to her veto, we stressed the importance of this bill as it relates to the process. By that attempt, I think all of us in this House at least, assured her that we did not wish to get involved in the rights of the executive.

"A similar bill passed the Senate, sponsored by Senators Odegaard, Walgren, Wilson, Donohue, Rasmussen, Day and others. It is a much tougher concept. One that a good number of us suggested the Governor would probably veto because it did interfere. This bill does not.

"I want to take just a couple of minutes to tell you about and react to the Governor's message. She indicated that it violates the Separation of Powers Doctrine in two ways. One, it interferes with the executive branch to carry out the laws; and two, infringes upon and duplicates the powers of the judiciary to interpret the laws. The best way to respond to the Governor's veto message is to remind you precisely what that bill does and does not do. It is clear that the bill does not interfere with the executive agency rule-making authority, nor does it usurp the law of the judiciary. We drafted this bill very carefully to make the new legislative review mechanism totally consistent with the current administrative rule-making procedures under the current RCW's. Nothing in this bill gives the legislature or its review committee the powers to impede, suspend or annul an agency rule. In fact, we are aware of every constitutional question regarding the Separation of Powers and the full review of processes which have been raised in other states. The legislature, this body and the Senate, has rejected the power to suspend such a rule. We leave that up to the legislature as a whole, to the committee process, and to the passing of such legislation.



"The only sanction contained in the legislation is publication of a notice of objection in the Washington Register. It is up to an agency to change its rules to conform with the recommendations of the two review committees, acting jointly. That's the only time. Such notice will not interfere with 'the ability of the executive branch to perform its constitutional function.' In fact, the systematic legislative excluding of agency rules, proposed by this bill, may have the opposite effect of clarifying legislative intent for agencies and helping them to carry out the difficult tasks they have.

"One other item, and that's the judicial. There's nothing in this bill that duplicates or infringes upon the functions of the judiciary. Nothing in this bill authorizes the legislative branch to determine the rights or obligations of any controversy. The bill provides no method for requiring anyone to do anything, nor from prohibiting anyone from doing anything pursuant to an agency rule. In short, the review process in no way affects the legal impact of the agency rules. In fact, the bill contains an express declaration of intent to avoid encroachment on the judicial branch. Section 9 of the bills says, '...in no way can this act serve to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.'

"It was pointed out in the executive veto message that there was no indication that this bill was necessary; that there was not violations by any agency of the rulemaking authority. I sent out a letter to a number of different groups about specific examples. I have pages of them—pages of lawsuits—where the agency was overruled because they were outside the legislative intent. DSHS—I have examples by the Association of Washington Cities, I have examples by the Association of Washington Counties, the Association of Washington Business. I have examples from numerous legislators. The preponderance of evidence is such that this bill is necessary, and I believe, in summary, that if we are going to continue to establish ourselves as a partner in the system of government, this issue is far more important than any personalities involved. I urge support of the veto override."

Mr. Taller: "I also rise to support the motion to override the Governor's veto. I think, as Representative Ehlers has stated, that this is a very critical item and it has been approached on a bi-partisan basis. All through the deliberations people on both sides of the aisle had attempted to work together to come up with a reasonable approach. We had informal conferences with the Senate on this and again it was bi-partisan. I think we have to approach an override of a veto very carefully. In effect what we are saying is that the legislative body disagrees with the Governor and believes the Governor has made a serious mistake. That's what an override is. It's a message saying that we insist on our position. I think it's critical on this bill because what we're talking about is legislative oversight—bi-partisan oversight by a select committee of both houses. This currently is not occurring and I believe that's one reason why we don't have more examples of problems that the public identifies with rules. The public really sees the rules and has to live with them. We pass the laws then we have the bureaucrats write interpretations of those rules. I believe right now there are many things occurring we can't identify that are causing problems that we in the legislature are being blamed for. Basically, what we're seeing are the bureaucrats interpreting our laws and not the way we really intended.

"Many times on this floor, when a bill comes up, people will say this is necessary because it will really change the law the way we operate it. I disagree with that because what we're saying is that somebody has gone against our will as stated in the law without coming back to us to change it. In addition, the argument was brought up that the standing committees could do this. I don't think that's possible. When you look at the fact that we'd have to have joint meetings of standing committees and we can't even get a conference committee on the budget of these two houses, how are we going to get all of the standing committees of the legislature to meet and address the problems? I think we have to look at it in that regard.

"What we're doing is trying to establish the legislature as an equal partner in the balance of powers as I believe the framers of the Constitution intended. That we are to set policy, the executive is supposed to be the chief administrative function and in this state we have many executive departments when we have independent elected officials, so it isn't the Governor that we're talking about or looking at, and then with the judiciary doing their interpretation. No way do I feel that this bill infringes upon areas of equal power in this state, but this bill does put us back into the position of legislative oversight. It's a very responsible position; not a very hard-nosed approach, like saying that we're going to suspend things, because I have serious questions on that from a constitutional point of view. I would urge your support of this motion to override the Governor's veto on Substitute House Bill No. 29."

## POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Taller, isn't it true that under existing law if an agency exceeds its administrative authority granted to them under the statutes and makes a rule that exceeds that authority, the agency can be taken to court and that would be the remedy?"

Mr. Taller: "I believe that's true, Representative Flanagan, but I think that's a pretty expensive remedy for the public to have to take, to force them to court. We hope this bill would circumvent that and make it easier to identify the problems."

Mr. Flanagan spoke against the motion, and Mr. Polk spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 29 notwithstanding the veto of the Governor, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Galloway, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Clayton, Flanagan, Gallagher, Garrett, Hurley, Martinis, Newhouse, O'Brien, Winsley.

Substitute House Bill No. 29 notwithstanding the veto of the Governor, having received the two-thirds 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. Taller, Substitute House Bill No. 29 was ordered transmitted immediately to the Senate.

Speaker Berentson called on Mr. Amen to preside.

## SENATE AMENDMENTS TO HOUSE BILL

April 24, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 622 with the following amendments:

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

\*Section 1. Section 7, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.58.2721 are each amended 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 July 1, 1975 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 July 1, 1975 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). The preceding sentence notwithstanding, not more than ten percent of the motor vehicle excise taxes levied and collected pursuant to RCW 35.58.273 (and) may be pledged for the payment or security of the principal of and interest on any bonds issued for

authorized public transportation purposes after July 1, 1975 but before the effective date of sections 1 through 3 of this 1979 act, and no motor vehicle excise taxes may be pledged for bonds issued on or after the effective date of sections 1 through 3 of this 1979 act.

Sec. 2. Section 8, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.273 are each amended to read as follows:

On or after July 1, 1971, any municipality is authorized to levy and collect a special excise tax not exceeding one percent on the fair market value of every motor vehicle owned by a resident of such municipality for the privilege of using such motor vehicle provided that in no event shall the tax be less than one dollar and, subject to (~~the provisions of subsection (2) of~~) RCW 82.44.150(5) and (6), the amount of such tax shall be credited against the amount of the excise tax levied by the state under RCW 82.44.020: PROVIDED, That before utilization of any excise tax moneys collected under authorization of this section for acquisition of right of way or construction of a mass transit facility on a separate right of way the municipality shall adopt rules affording the public an opportunity for 'corridor public hearings' and 'design public hearings' as herein defined, which rule shall provide in detail the procedures necessary for public participation in the following instances: (a) prior to adoption of location and design plans having a substantial social, economic or environmental effect upon the locality upon which they are to be constructed or (b) on such mass rapid transit systems operating on a separate right of way whenever a substantial change is proposed relating to location or design in the adopted plan. In adopting rules the municipality shall adhere to the provisions of the Administrative Procedure Act.

A 'corridor public hearing' is a public hearing that: (a) is held before the municipality is committed to a specific mass transit route proposal, and before a route location is established; (b) is held to afford an opportunity for participation by those interested in the determination of the need for, and the location of, the mass rapid transit system; (c) provides a public forum that affords a full opportunity for presenting views on the mass rapid transit system route location, and the social, economic and environmental effects on that location and alternate locations: PROVIDED, That such hearing shall not be deemed to be necessary before adoption of an overall mass rapid transit system plan by a vote of the electorate of the municipality.

A 'design public hearing' is a public hearing that: (a) is held after the location is established but before the design is adopted; and (b) is held to afford an opportunity for participation by those interested in the determination of major design features of the mass rapid transit system; and (c) provides a public forum to afford a full opportunity for presenting views on the mass rapid transit system design, and the social, economic, environmental effects of that design and alternate designs.

Sec. 3. Section 14, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.279 are each amended to read as follows:

All taxes levied and collected under RCW 35.58.273 shall be credited to a special fund in the treasury of the municipality imposing such tax. Such taxes shall be levied and used solely for the purpose of paying all or any part of the cost of acquiring, constructing, equipping or operating a publicly owned mass transportation system, or contracting for the services thereof, or to pay or secure the payment of all or part of the principal of or interest on any general obligation bonds or revenue bonds issued for public transportation capital purposes and until withdrawn for use, the moneys accumulated in such fund or funds may be invested by the treasurer of such municipality in the manner authorized by the legislative body of the municipality.

If any of the revenue from any such special excise tax shall have been pledged by any municipality 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 from the municipality the authority to levy and collect the tax. (~~Upon the effective date of this 1969 act~~) After August 11, 1969, any municipality is authorized to pledge that the tax authorized by RCW 35.58.273 shall be levied, collected and applied as provided (~~in this 1969 act~~) by law to pay or secure the payment of any bonds issued by such municipality after such (~~effective~~) date but before the effective date of sections 1 through 3 of this 1979 act for authorized public transportation purposes.

Sec. 4. 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 are each amended to read as follows:

(1) The director of (~~motor vehicles~~) licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of (~~motor vehicles~~) licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.030 and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.030 and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of (~~pro-gram planning and fiscal~~) financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of ((motor-vehicles)) licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund. A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by chapter 26, Laws of 1963 extraordinary session in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the board.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) ((The amount required to remit to a municipality the proceeds of the tax authorized under RCW 35.58.273 shall be remitted to the municipality levying such tax. The amount required to be remitted by the state treasurer to the treasurer of any municipality levying such tax shall not exceed in any one calendar year the amount of locally generated tax revenues other than the excise tax imposed under RCW 35.58.273; which shall have been budgeted by such municipality to be collected in such year for any public transportation purposes including but not limited to operating costs, capital costs and debt service on general obligation or revenue bonds issued for such purposes.

This section shall expire on June 30, 1981.)) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION. Sec. 5. Sections 1 through 3 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.

NEW SECTION. Sec. 6. Section 4 of this act shall take effect on January 1, 1980.

On page 1, on line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending section 7, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.58.271; amending section 8, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.273; amending section 14, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.279; 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; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wilson the House concurred in the Senate amendments to Engrossed House Bill No. 622.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 622 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 622 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Flanagan, Newhouse, Patterson.

Engrossed House Bill No. 622 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 BILL NO. 2224, by Senators Conner, Gaspard, Rasmussen, Talley, Quigg, Walgren, Van Hollebeke, Moore, Peterson, Odegaard, Goltz, Wilson, Bausch, Vognil, Benitz, Wojahn and Talmadge:

Establishing a schedule of early retirement pensions for volunteer firemen.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Senate Bill No. 2224 was placed on final passage.

Representatives Blair and Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2224, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Senate Bill No. 2224, having received the 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 SENATE BILL NO. 3033, by Committee on Agriculture (originally sponsored by Senators Gaspard, Benitz and Hansen):

Changing the laws concerning irrigation districts.

The bill was read the second time.

Committee on Agriculture recommendation: Do pass as amended. (For amendment, see Journal, 21st Day ex. sess., April 10, 1979.)

Ms. Fancher moved adoption of the committee amendment.

MOTION

On motion of Mr. Polk, further consideration of Engrossed Second Substitute Senate Bill No. 3033 was deferred until 1:30 p.m. today.

SENATE AMENDMENTS TO HOUSE BILL

April 25, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 138 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 156, Laws of 1965 as amended by section 115, chapter 158, Laws of 1979 and RCW 46.01.040 are each amended to read as follows:

The department of licensing is vested with all powers, functions, and duties with respect to and including the following:

- (1) the motor vehicle fuel excise tax as provided in chapter 82.36 RCW;
- (2) the ~~((use))~~ motor vehicle fuel tax, importer use tax, special fuel tax, and aircraft fuel tax as provided in chapters ~~((82.40))~~ 82.36, 82.37, 82.38, and 82.42 RCW;
- (3) the motor vehicle excise tax as provided in chapter 82.44 RCW;
- (4) the house trailer excise tax as provided in chapter 82.50 RCW;
- (5) all general powers and duties relating to motor vehicles as provided in chapter 46.08 RCW;
- (6) certificates of ownership and registration as provided in chapters 46.12 and 46.16 RCW;
- (7) the registration and licensing of motor vehicles as provided in chapters 46.12 and 46.16 RCW;
- (8) dealers' licenses as provided in chapter 46.70 RCW;
- (9) the licensing of motor vehicle transporters as provided in chapter 46.76 RCW;
- (10) the licensing of motor vehicle wreckers as provided in chapter 46.80 RCW;
- (11) the administration of the laws relating to the highway user tax structure as provided in chapter ~~((46.84))~~ 46.85 RCW;
- (12) the licensing of passenger vehicles for hire as provided in chapter 46.72 RCW;
- (13) operators' licenses as provided in chapter 46.20 RCW;
- (14) commercial driver training schools as provided in chapter 46.82 RCW;
- (15) financial responsibility as provided in chapter 46.29 RCW;
- (16) accident reporting as provided in chapter 46.52 RCW;
- (17) disposition of revenues as provided in chapter 46.68 RCW; and
- (18) the administration of all other laws relating to motor vehicles vested in the director of licenses on June 30, 1965.

Sec. 1. Section 1, chapter 25, Laws of 1974 ex. sess. as amended by section 14, chapter 158, Laws of 1979 and RCW 18.18.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section:

(1) 'Practice of hairdressing' or 'hairdressing' means the arranging, dressing, curling, waving, permanent waving, cleansing, bleaching or coloring of the hair, fitting and dressing of wigs and hair pieces on or off the head other than incidental to retail sales, or doing similar work thereon by use of the hands or any method of mechanical application or appliances or the practice of haircutting;

(2) 'Hairdresser' means any person, firm or corporation who engages in the practice of hairdressing;

(3) 'Practice of cosmetology' or 'cosmetology' means the massaging, cleansing, stimulating, manipulating, exercising or beautifying of the scalp, face, arms, bust or upper part of the body, or doing similar work thereon with the hands or with any mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptic tonics, lotions, creams, similar preparations or compounds, and manicuring the nails or removing superfluous hair or the practice of haircutting;

(4) 'Cosmetologist' means any person, firm or corporation who engages in the practice of cosmetology;

(5) 'Practice of manicuring' means the manicuring of nails of the hands and feet, also the administration of facials, by the use of hands and appliances;

(6) 'Manicurist' means any person who engages in the practice of manicuring;

(7) 'Manicurist manager operator' means a person having practiced as a manicurist under a manager operator for six months;

(8) A 'student' is any person of the age of seventeen or over who has graduated from an accredited high school, or has an equivalent education as determined by the director whose determination shall be conclusive, who attends a duly licensed cosmetology school, and who does not receive any wage or commission: PROVIDED, That this subdivision shall not apply to any person attending as a student prior to June 11, 1959;

~~((8))~~ (9) An 'operator' is a person of the age of eighteen years or over, who has been licensed to practice hairdressing and cosmetology under the direct supervision and direction of a manager operator;

~~((9))~~ (10) A 'manager operator' is any person having practiced as an operator under the supervision of a manager operator for at least one year;

~~((10))~~ (11) A 'shop' is any building or structure, or any part thereof, other than a school, wherein the practice of hairdressing and cosmetology is conducted;

((+3)) (12) A 'manicurist shop' is any building or structure, or any part thereof, other than a school, where only the practice of manicuring is conducted;

(13) A 'school' is an institution of learning devoted exclusively to the instruction and training of students in the practice of hairdressing and cosmetology;

((+2)) (14) An 'instructor operator' is a person who gives instruction in the practice of hairdressing and cosmetology in a school and who has the qualifications of a manager operator and who has passed an instructor examination: PROVIDED, That the provisions of this subdivision shall not apply to any person acting as an instructor operator on March 16, 1951. An instructor operator shall not perform in a cosmetology school, cosmetology services for members of the public except for instructional purposes;

((+3)) (15) 'Director' means the director of licensing;

((+4)) (16) 'Committee' means the cosmetology examining committee;

((+5)) (17) 'Board' means the hearing board.

Sec. 2. Section 5, chapter 180, Laws of 1951 as last amended by section 13, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.18.090 are each amended to read as follows:

Each application for student enrollment, manicurist, manicurist manager operator, operator, instructor operator, manager operator, shop, manicurist shop, or school shall be accompanied by a fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended. Any applicant who fails to pass the examination may take the next succeeding examination with payment of an additional fee determined by the director as provided in RCW 43.24.085.

Sec. 3. Section 7, chapter 180, Laws of 1951 as last amended by section 2, chapter 310, Laws of 1977 ex. sess. and RCW 18.18.140 are each amended to read as follows:

Operator, manicurist, instructor operator, manager operator, manicurist manager operator, shop, manicurist shop, or school licenses may be renewed from year to year upon the payment on or before the first day of each July following their issuance, of a renewal fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

Any manicurist, operator, manager operator, manicurist manager operator, or instructor operator whose license has lapsed may have the same renewed upon payment of all fees which the applicant would have been required to pay to keep such license in effect, and an additional fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended for each lapsed year: PROVIDED, That any person whose license has lapsed for more than three years shall be reexamined, as in the case of any applicant for an original license.

Sec. 4. Section 11, chapter 52, Laws of 1957 as last amended by section 1, chapter 310, Laws of 1977 ex. sess. and RCW 18.18.260 are each amended to read as follows:

No person shall engage in the practice of hairdressing or cosmetology in any place other than a licensed hairdressing or cosmetology shop or school, except in case of the practice of manicuring in a manicurist shop or in case of his or her own family or in case of a customer whose physical condition prevents his or her presence at a shop or school.

No person shall use for residential purposes any room that is used wholly or in part as a hairdressing or cosmetology school or shop or manicurist shop, except that these restrictions shall not apply to toilet facilities which may be used jointly for residential and business purposes.

Every hairdressing or cosmetology or manicurist shop shall maintain an outside entrance separate from the entrances to rooms used for sleeping or residential purposes.

From and after July 1, 1959 every hairdressing or cosmetology or manicurist shop shall provide and maintain for the use of the customers adequate toilet facilities located within the shop or adjacent thereto.

No hairdressing or cosmetology shop shall be operated unless it is under the direct supervision of a licensed manager operator.

No manicurist shop shall be operated unless it is under the direct supervision of a licensed manicurist manager operator.

No person other than a licensed manicurist or a licensed operator in demonstrating or instructing in the use of any cosmetics or supplies of any kind, shall engage in any of the acts enumerated in RCW 18.18.010.

No student shall engage in the practice of hairdressing or cosmetology except in a licensed school under the direct supervision of a licensed instructor operator.

NEW SECTION. Sec. 5. There is added to chapter 18.18 RCW a new section to read as follows:

It shall be unlawful for any person, firm, or corporation to operate a manicurist shop without a manicurist shop license. Application for a license shall be made on forms furnished by the director and shall contain the information that the director may reasonably require. Upon receipt of the application and fee required by this chapter, the director shall issue a location license if the shop meets the other requirements of this chapter.

Sec. 6. Section 1, chapter 53, Laws of 1959 as amended by section 1, chapter 50, Laws of 1965 ex. sess. and RCW 18.25.015 are each amended to read as follows:

There is hereby created a state board of chiropractic examiners consisting of three practicing chiropractors to conduct examinations and perform duties as provided in this chapter.

Members of the board shall be appointed by the governor ((from a list of five or more names submitted by the Washington Chiropractors Association, Inc. and/or the Chiropractic Society of Washington)). At the time of their appointment, and during their tenure of office, the members of the board must be actual residents of Washington, licensed to practice chiropractic in this state, and must be citizens of the United States.

In order that the term of one member shall expire ((each year)) in succession, first members appointed shall serve one for a term of ((three)) five years, one for a term of ((two)) four years, and one for a term of ((one)) three years, thereafter appointments shall be for a term of three years. Vacancies shall be filled by the governor as in the case of original appointment, such appointee to hold office for the remainder of the unexpired term."

On page 1, on line 1 of the title, after "licensing;" insert "amending section 4, chapter 156, Laws of 1965 as amended by section 115, chapter 158, Laws of 1979 and RCW 46.01.040; amending section 1, chapter 25, Laws of 1974 ex. sess. as amended by section 14, chapter 158, Laws of 1979 and RCW 18.18.010; amending section 5, chapter 180, Laws of 1951 as last amended by section 13, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.18.090; amending section 7, chapter 180, Laws of 1951 as last amended by section 2, chapter 310, Laws of 1977 ex. sess. and RCW 18.18.140; amending section 11, chapter 52, Laws of 1957 as last amended by section 1, chapter 310, Laws of 1977 ex. sess. and RCW 18.18.260; amending section 1, chapter 53, Laws of 1959 as amended by section 1, chapter 50, Laws of 1965 ex. sess. and RCW 18.25.015; and adding a new section to chapter 18.18 RCW."

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 House Bill No. 138.

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, I question the scope and object of the Senate amendment. It does not pertain to the original content of the bill. The amendment has two completely different subject matters."

The Speaker (Mr. Amen presiding) declared the House to be at ease until 1:30 p.m.  
Speaker Berentson called the House to order.

#### SPEAKER BERENTSON'S RULING

Speaker Berentson: "The Speaker is going to rule that under Rule 30 this point of order is well taken. House Bill No. 138 is rereferred to the Committee on Transportation."

#### MESSAGE FROM THE SENATE

April 30, 1979

Mr. Speaker:

The Senate insists on its position on its amendments to ENGROSSED HOUSE BILL NO. 335, and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Grimm, the House concurred in the Senate amendments to Engrossed House Bill No. 335.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 335 as amended by the Senate.

#### POINT OF INQUIRY

Mr. Nelson (G.A.) yielded to question by Mr. King.

Mr. King: "As this bill now reads, the concern of the House is the inclusion of the Snohomish School District in the Edmonds Community College District. Is that correct?"

Mr. Nelson (G.A.): "Yes, that is correct. Historically, the Snohomish School District has related to Everett Community College. In addition, the criteria established by the State Board for Community College Education would put Snohomish with Everett."

Mr. King: "Can the State Board for Community College Education change the boundary lines in this bill?"

Mr. Nelson (G.A.): "Yes. The State Board cannot establish districts, but it can change the boundary lines within existing districts. However, without some direction from the legislature, the State Board would probably be reluctant to revise lines so recently set by the legislature."



Mr. King: "I believe that the present boundaries are unsatisfactory and that the State Board should revise the boundaries by assigning the Snohomish School District to Community College District 5. Do you agree?"

Mr. Nelson (G.A.): "I fully concur. Under the existing conditions, the best solution is for the State Board to revise the lines as you have suggested."

Mr. King: "Do you concur with me that the best available solution is to ask the State Board to draw the boundaries and to do so as quickly as possible so that the Governor can appoint the trustees in advance of July 1?"

Mr. Nelson (G.A.): "Under the present conditions, I do concur that your suggestion is the best one available to us."

Mr. King: "I have one additional question. Since this is the first time the legislature has changed community college boundaries since 1967, what is the role of the state in the distribution of the assets of the present district?"

Mr. Nelson (G.A.): "House Bill No. 335 provides a central role for the State Board. I expect the State Board to be a party to the process at every step of the way. An independent third party is needed, and it is our intent that the State Board be that independent third party."

Mr. Martinis spoke in favor of passage of the bill, and Mr. Scott spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 335 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Douthwaite, Granlund, Heck, Hurley, Lux, Mitchell, Scott, Teutsch.

Engrossed House Bill No. 335 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 SECOND SUBSTITUTE SENATE BILL NO. 3033:

The House resumed consideration of the bill on second reading.

Speaker Berentson stated the question before the House to be the committee amendment.

On motion of Mr. Kreidler, the following amendments by Representatives Kreidler and Fancher to the committee amendment were adopted:

On page 29, strike all of line 37 down through line 1 on page 30 and insert the following:

"As used in this chapter, in accordance with RCW 87.03.440, the term 'county treasurer' or 'treasurer of the county' or other reference to that office means the treasurer of the district, if the district has designated its own treasurer, unless the context clearly requires otherwise."

On page 30, strike all of line 5 down through line 8 and insert the following:

"As used in this chapter, in accordance with RCW 87.03.440, the term 'county treasurer' or 'treasurer of the county' or other reference to that office means the treasurer of the district, if the district has designated its own treasurer, unless the context clearly requires otherwise."

Representatives Kreidler and Struthers spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 3033 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3033 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Eng, Lux, Sommers.

Not voting: Representative Gallagher.

Engrossed Second Substitute Senate Bill No. 3033 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 AMENDMENT TO HOUSE BILL

April 27, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 227 with the following amendment:

Strike everything after the enacting clause and insert the following:

Section 1. Section 4, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.0531 are each amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be as follows:

(1) ~~((For excess levies in 1977 for collection in 1978:~~

~~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 1978 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:~~

~~((2)) For excess levies in 1977 for collection in 1979; for excess levies in 1978 for collection in 1979 ((and thereafter)); for excess levies in 1978 for collection in 1980; and for excess levies in 1979 for collection in 1980, the sum of:~~

~~(a) That amount equal to ten percent of each school district's prior year basic education allocation converted to one hundred percent of formula; plus~~

~~(b) That amount equal to each school district's prior year basic education allocation converted to one hundred percent of formula minus each school district's basic education allocation for such school year.~~

~~(2) For excess levies in 1979 for collection in 1981, for excess levies in 1980 for collection in 1981 and thereafter, the sum of:~~

~~(a) That amount equal to ten percent of each school district's prior year basic education allocation converted to one hundred percent of formula; plus~~

~~(b) That amount equal to each school district's prior year basic education allocation converted to one hundred percent of formula minus each school district's basic education allocation for such school year; plus~~

~~(c) That amount equal to ten percent of each school district's prior year state allocation, exclusive of federal funds, for the following programs:~~

~~(i) Pupil transportation;~~

~~(ii) Handicapped education costs;~~

~~(iii) Gifted; and~~

~~(iv) Compensatory education, including but not limited to remediation assistance, bilingual education, and urban, rural, racial disadvantaged programs.~~

(3) Excess levies authorized under this ((1977 amendatory act)) section or under RCW 84.52.052 shall not be used directly or indirectly to increase the average ((compensation)) salary or fringe benefits for certificated or classified personnel in any school district: PROVIDED, That ((those school districts which receive state funds budgeted for a four percent increase in average compensation for certificated or classified personnel respectively shall be allowed to increase such certificated or classified compensation by an amount equal to the percentage increase in the prior year's United States Consumer Price Index minus the state funded four percent, or by an additional two percent, whichever is less. PROVIDED FURTHER, That any school district whose average compensation for certificated or classified personnel respectively is below state-wide average compensation level for certificated or classified personnel during the preceding school year, may collect and expend property taxes authorized by this 1977 amendatory act, or under RCW 84.52.052, for the purpose of increasing such district average compensation for certificated or classified personnel up to but not to exceed the state-wide average compensation for certificated or classified personnel for the preceding

school year)) any school district may expend excess levy funds to provide increases in salary and fringe benefits for classified or certificated personnel whose salary and fringe benefits are provided wholly from local school district excess levies in a percentage not to exceed the respective average percentage increases in the salary and fringe benefit levels for classified and certificated employees of the district funded with state appropriated funds: PROVIDED FURTHER, That those contracts which have been negotiated prior to July 1, 1977 by those school districts for such school year shall not be abrogated by this ((1977 amandatory act)) section. 'Fringe benefits' for purposes of this subsection shall include:

(a) Employer retirement contributions, if applicable;

(b) Health and insurance payments including life, accident, disability, unemployment compensation, and workmen's compensation; and

(c) Employer social security contributions.

(4) Any school district whose average base compensation for certificated or classified personnel respectively is below state-wide average base compensation level for certificated or classified personnel during the preceding school year, may collect and expend property taxes authorized by this section, or under RCW 84.52.052, for the purpose of increasing such district's average compensation for certificated or classified personnel as allowed in the latest applicable state operating budget. 'Compensation', for purposes of this subsection, shall mean salary plus fringe benefits for classified and certificated personnel of a school district as allowed in the latest applicable state operating budget.

((4\*)) (5) For the purpose of ((the)) this section, the basic education allocation shall be determined pursuant to RCW 28A.41.130, 28A.41.140, and 28A.41.145, as now or hereafter amended: PROVIDED, That when determining the basic education allocation under subsections (1) and (2) of this section, effective September 1, 1979, nonresident full time equivalent pupils who are participating in a program provided for in chapter 28A.44 RCW or in any other program pursuant to an interdistrict agreement shall be included in the enrollment of the resident district and excluded from the enrollment of the serving district.

(('Compensation' for the purposes of this 1977 amandatory act shall mean one hundred and seven percent of each school district's respective average salary for certificated personnel, and one hundred and fourteen percent of each school district's respective average salary for classified personnel:))

Certificated personnel shall include those persons employed by a school district in a teaching, instructional, administrative or supervisory capacity and who hold positions as certificated personnel as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent. Classified personnel shall include those persons employed by a school district other than certificated personnel as defined in this section in a capacity for which certification is not required.

(6) For the purpose of subsections (1) and (2) of this section, the superintendent of public instruction may grant local school districts authority to exceed the levy limitations imposed by said subsections: PROVIDED, That said limitations can only be exceeded by an amount that will insure local school districts the ability to raise a total excess levy dollar amount per annual average full time equivalent student which when combined with the basic education allocation is equal to but does not exceed one hundred and four percent for levies to be collected in 1979, and one hundred and six percent for levies to be collected in 1980 and thereafter of the previous school year's comparable dollars per annual average full time equivalent student: PROVIDED FURTHER, That for levies to be collected in 1980 and thereafter any school district receiving authority to exceed the levy limitation and whose enrollment is declining at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, may, in addition to the increase above, further increase its levy by an amount equal to fifty percent of the enrollment decline multiplied by the previous school year's comparable dollars per annual full time equivalent student. The provisions of this subsection (6) shall only apply to excess levies for collection prior to calendar year 1983.

(7) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this ((1977 amandatory act)) section.

NEW SECTION. Sec. 2. If any provision of this amandatory 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. 3. This amandatory 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 September 1, 1979.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 227.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 227 as amended by the Senate.

## POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Chandler.

Mr. Chandler: "I'm a little concerned about the Senate amendatory language on the level of the grandfather clause beginning on page 6, line 37. As I recall, this is similar to the language in Substitute House Bill No. 227 which we changed by floor amendment to avoid any confusion on the time frame to be used for calculation of the grandfather levy amount. Presently, the grandfather provision is calculated to guarantee a stated percentage, here 106 percent, of one school year over the previous school years' revenue per FTE student. Do you see any ambiguity here that could change this?"

Mr. Heck: "There have been some concerns expressed that this language could call for the grandfather amount to be calculated for a tax collection year as a percentage of the previous school year. You are correct concerning the change in this particular wording that was done as a floor amendment to Substitute House Bill No. 227, the purpose of which was to clarify the intent of the legislature that the grandfather calculation continue to be on a school year to school year basis. We have discussed this with the Attorney General's office, and feel confident that this wording, although not ideal, will not result in any change in the time frame used presently to calculate the grandfather levy amount."

Mr. Chandler: "Do you know why the Senate changed this wording back from Engrossed Substitute House Bill No. 227?"

Mr. Heck: "It is my understanding that some of this amendment was drafted from the substitute bill rather than the engrossed substitute bill which contained the change to this section. I believe their intent is to continue the present grandfather calculation, with a new percentage level of 106 percent."

Mr. Heck 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. 227 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Craswell.

Not voting: Representative Eng.

Engrossed Substitute House Bill No. 227 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 FOR RECONSIDERATION

Mr. Fuller, having given notice on the previous day, moved that the House reconsider the vote by which Engrossed Senate Bill No. 2044 as amended by the House failed to pass the House.

Representatives Fuller, King and Struthers spoke in favor of the motion, and Representatives McDonald, Pruitt and Van Dyken spoke against it.

## POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I think I heard you say that card rooms can be established in bowling alleys under present law?"

Mr. Struthers: "Yes, if a bowling alley has a food and drink establishment on the premise now, it would be the food and drink facility that would apply to the card room license."

Mr. Douthwaite: "The intent of the language reads, 'If the establishment is primarily engaged in the operation of a bowling center...' Primarily if the intent is entirely bowling, they could, under this law, have a card room, too?"

Mr. Struthers: "That is correct."

Mr. Douthwaite spoke against the motion to reconsider, and Mr. Struthers spoke again in favor of it.

Mr. Fuller spoke in favor of the motion, and Mr. Chandler spoke against it.

Speaker Bagnariol demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Senate Bill No. 2044 as amended by the House was not passed by the House, and the motion was carried by the following vote: Yeas, 51; nays, 46; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barr, Bauer, Bender, Berentson, Bond, Brown, Deccio, Dunlap, Eberle, Ehlers, Erak, Fancher, Flanagan, Fuller, Gallagher, Garrett, Granlund, Grimm, Hastings, Hurley, Keller, King, Knowles, Martinis, May, McCormick, McGinnis, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Sprague, Struthers, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Becker, Blair, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Douthwaite, Eng, Erickson, Galloway, Greengo, Gruger, Haley, Heck, Houchen, Hughes, Jovanovich, Kreidler, Lux, Maxie, McDonald, Mitchell, Nelson D., Oliver, Pruitt, Salatino, Scott, Sherman, Smith C. P., Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Williams, Zimmerman.

Not voting: Representative Isaacson.

Speaker Berentson stated the question before the House to be the final passage of Engrossed Senate Bill No. 2044 as amended by the House.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Fuller: "How many votes does it take to pass this bill?"

Speaker Berentson: "Fifty-nine votes."

#### MOTION

On motion of Mr. Polk, further consideration of Engrossed Senate Bill No. 2044 as amended by the House was deferred and the bill was ordered placed on tomorrow's third reading calendar.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Wednesday, May 2, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FORTY-THIRD DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 2, 1979.

The House was called to order at 10:00 a.m. by Speaker Bagnariol. 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 Marcy Lomax and Jennie Block. Prayer was offered by Father Herbert Pins 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 1, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 33,  
 SUBSTITUTE HOUSE BILL NO. 79,  
 SUBSTITUTE HOUSE BILL NO. 99,  
 SUBSTITUTE HOUSE BILL NO. 133,  
 SUBSTITUTE HOUSE BILL NO. 535,  
 SUBSTITUTE HOUSE BILL NO. 619,  
 HOUSE BILL NO. 666,  
 HOUSE BILL NO. 781,  
 HOUSE BILL NO. 860,  
 HOUSE BILL NO. 923,  
 HOUSE BILL NO. 933,  
 HOUSE BILL NO. 1175,  
 SUBSTITUTE HOUSE BILL NO. 1347,  
 SUBSTITUTE SENATE BILL NO. 2337,  
 SENATE BILL NO. 2905,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### REPORTS OF STANDING COMMITTEES

April 30, 1979

**SUBSTITUTE SENATE BILL NO. 2071**, Prime Sponsor: Senator Henry, increasing motor vehicle dealer and manufacturer fees and eliminating restrictions on dealer plates. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Charnley, Clayton, Dawson, Gallagher, Garrett, Isaacson, McCormick, Patterson, Sherman, Smith (C), Struthers, Walk.

Passed to Committee on Rules for second reading.

May 1, 1979

**ENGROSSED SENATE BILL NO. 2584**, Prime Sponsor: Senator Henry, authorizing a security force for operating agencies. Reported by Committee on Local Government.

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

On page 1, line 12 strike "operating agency,"

On page 1, line 17 after "Washington" insert "including operating agencies"

On page 2, line 22 strike "subsection" and insert "1979 act"

On page 2, line 30 strike "1" and insert "2"

On page 3, line 7 after "An" insert "operating agency, by board resolution, may adopt and enforce on lands owned or occupied by such operating agency existing public ordinances and regulations governing pedestrian and vehicular traffic established by local and state legislative authorities. In addition, an"

On page 3, line 8 after "of" insert "special"

On page 3, line 19 strike "shall adopt" and insert "may adopt, reject"

Signed by Representatives Zimmerman, Co-Chairman; Brown, Rohrbach, Rosbach, Schmitt, Teutsch, Van Dyken, Whiteside.

MINORITY recommendation: Do not pass. Signed by Representatives Brekke, Garrett.  
Passed to Committee on Rules for second reading.

April 30, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2976, Prime Sponsor: Senator Bottiger, permitting local governments to use public funds to promote conservation of energy. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, strike all material on lines 16 through 26 and insert:

"(2) Providing a list of contractors who sell and install such materials and equipment within or in close proximity to the service area of the city or town, each of which contractors shall have requested to be included and shall have the ability to provide the products in a workmanlike manner and to utilize such materials in accordance with the prevailing national standards.

(3) Arranging to have approved conservation materials and equipment installed by a private contractor whose bid is acceptable to the owner of the residential structure and verifying such installation; and

(4) Arranging or providing financing for the purchase and installation of approved conservation materials and equipment. Such materials and equipment shall be purchased from a private contractor and shall be installed by a private contractor or the owner."

On page 3, strike all material on lines 13 through 23 and insert:

"(2) Providing a list of contractors who sell and install such materials and equipment within or in close proximity to the service area of the district, each of which contractors shall have requested to be included and shall have the ability to provide the products in a workmanlike manner and to utilize such materials in accordance with the prevailing national standards.

(3) Arranging to have approved conservation materials and equipment installed by a private contractor whose bid is acceptable to the owner of the residential structure and verifying such installation; and

(4) Arranging or providing financing for the purchase and installation of approved conservation materials and equipment. Such materials and equipment shall be purchased from a private contractor and shall be installed by a private contractor or the owner."

Signed by Representatives Haley, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Grimm, Isaacson, Martinis, Monohon, Nelson (D), Nisbet, Scott, Tupper, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Wilson.  
Passed to Committee on Rules for second reading.

April 30, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2979, Prime Sponsor: Senator Bottiger, revising laws relating to energy facility siting permits. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 18 after "certification" insert "and/or permits issued by the council pursuant to chapter 90.48 RCW or 80.50.040(14)RCW"

On page 2, line 31 after "permits" strike "pursuant to" and insert "in compliance with applicable provisions of the federally approved state implementation plan adopted in accordance with"

On page 2, line 33 after "enlargement" insert "or operation"

On page 2, line 36 after "chapter" insert "AND PROVIDED FURTHER, That all such permits be conditioned upon compliance with all provisions of the federally approved state implementation plan which apply to energy facilities covered within the provisions of this chapter."

On page 3, line 36 after "any" strike "air pollution" and insert "emission"

On page 4, line 1 after "Act" insert "and the state implementation plan"

Signed by Representatives Haley, Co-Chairman; McCormick, Co-Chairwoman; Bond, Charnley, Grimm, Isaacson, Martinis, Monohon, Nisbet, Scott, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

April 30, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 3034, Prime Sponsor: Senator Benitz, giving the department of transportation authority to construct a third bridge across the Columbia in the Tri-cities area. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 4, before "Such" in line 14 insert "If, prior to the issuance of such bonds, it becomes necessary to redeem outstanding notes, additional bond anticipation notes may be issued to redeem such outstanding notes and to pay interest thereon."

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Charnley, Clayton, Dawson, Eberle, Gallagher, Garrett, Isaacson, McCormick, Patterson, Sherman, Smith (C), Sprague, Struthers, Tilly, Walk.

Passed to Committee on Rules for second reading.

May 1, 1979

**SUBSTITUTE SENATE BILL NO. 3094**, Prime Sponsor: Senator Bottiger, modifying laws relating to sewerage, water and drainage systems. Reported by Committee on Local Government.

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

On page 1, beginning on line 11 after "1967" strike all material down to and including "ex. sess." on line 12 and insert "as last amended by section 6, chapter 30, Laws of 1979 ex. sess."

On page 3, beginning on line 8 strike "any water distribution district,"

On page 4, line 23 after "counties" insert "with members selected in the same manner provided for above"

On page 1, beginning on line 2 of the title after "1967" strike all the material down to and including "ex. sess." on line 3 and insert: "as last amended by section 6, chapter 30, Laws of 1979 ex. sess."

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brekke, Garrett, Rosbach, Schmitten, Teutsch, Whiteside.

Passed to Committee on Rules for second reading.

#### SENATE AMENDMENTS TO HOUSE BILL

The House resumed consideration of **SUBSTITUTE HOUSE BILL NO. 912**. (For Message and amendments, see Journal, 38th Day ex. sess., April 27, 1979.)

#### MOTION

On motion of Mr. Haley, the House concurred in the Senate amendments to Substitute House Bill No. 912.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 912 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 912 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, King, Knowles, Kreidler, Lux, Martinis, May, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Eberle, Hastings, Jovanovich, McDonald, Nisbet, Polk, Struthers.

Not voting: Representatives Keller, Maxie, McCormick, Thompson.

Substitute House Bill No. 912 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 27, 1979

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 871** with the following amendments:

On page 1, line 14 after "expenses," strike "for obligations incurred and not paid as of July 1, 1979,"

On page 1, line 18 after "for the" strike "biennium" and insert "period"

On page 2, line 7 after "if" insert "either"

On page 2, line 7 after "1032" insert "or Senate Bill No. 2782"

On page 2, line 22 after "if" insert "either"

On page 2, line 22 after "1032" insert "or Senate Bill No. 2782"

On page 7, line 16 strike "2108" and insert "2952"



On page 7, line 18 after "shall" strike "be" and insert "not exceed" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to Substitute House Bill No. 871.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 871 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 871 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Brown, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, May, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Brekke, Burns, Craswell, Douthwaite, Eng, Garrett, Lux, Nelson D., Nisbet, North, Sherman, Sommers.

Not voting: Representatives Maxie, McCormick, Thompson.

Substitute House Bill No. 871 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

April 28, 1979

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to page 2, line 34 of SUBSTITUTE HOUSE BILL NO. 80, and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Struthers, the House concurred in the Senate amendments to Substitute House Bill No. 80.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 80 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 80 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, May, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Haley, Maxie, McCormick, Polk, Thompson.

Substitute House Bill No. 80 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 Bagnariol called on Mr. O'Brien to preside.

SENATE AMENDMENTS TO HOUSE BILL

April 30, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 196 with the following amendments:

In line 1 of the title after "Relating to" strike the remainder of the title and insert "motor vehicles; amending section 46.04.530, chapter 12, Laws of 1961 and RCW 46.04.530; amending section 46.44.037, chapter 12, Laws of 1961 as last amended by section 9, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.037; amending section 19, chapter 106, Laws of 1963 as last amended by section 4, chapter 51, Laws of 1971 and RCW 46.85.190; and adding a new section to chapter 46.04 RCW."

Strike everything after the enacting clause and insert the following:

"Section 1. Section 46.04.530, chapter 12, Laws of 1961 and RCW 46.04.530 are each amended to read as follows:

'Semitrailer' includes every vehicle without motive power designed to be drawn by a vehicle, motor vehicle, or truck tractor and so constructed that an appreciable part of its weight and that of its load rests upon and is carried by such other vehicle, motor vehicle, or truck tractor.

NEW SECTION. Sec. 1. There is added to chapter 46.04 RCW a new section to read as follows:

'Tandem axle' means any two or more consecutive axles whose centers are more than forty-two inches but not more than eighty-four inches apart, and are individually attached to and/or articulated from a common attachment to the vehicle, including a connecting mechanism designed to equalize the load between axles.

Sec. 2. Section 46.44.037, chapter 12, Laws of 1961 as last amended by section 9, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.44.037 are each amended to read as follows:

Notwithstanding the provisions of RCW 46.44.036 and subject to such rules and regulations governing their operation as may be adopted by the state highway commission operation of the following combinations shall be lawful:

(1) A combination consisting of a truck tractor, a semitrailer, and another semitrailer or a full trailer. In this connection a converter gear used to convert a semitrailer into a full trailer shall be considered to be a part of the full trailer and not a separate vehicle. A converter gear being pulled without load and not used to convert a semitrailer into a full trailer may be substituted in lieu of a full trailer or a semitrailer in any lawful combination;

(2) A combination consisting of three trucks or truck tractors used in driveaway service where two of the vehicles are towed by the third in double saddle mount position.

Sec. 3. Section 19, chapter 106, Laws of 1963 as last amended by section 4, chapter 51, Laws of 1971 and RCW 46.85.190 are each amended to read as follows:

Any owner whose application for proportional registration has been accepted shall preserve the records on which the application is based for a period of four years following the year or period upon which said application is based. Upon request of the department, the owner shall make such records available to the department, at its designated office for audit as to accuracy of computations and payments and assessment of deficiencies or allowances for credit. If the department determines that the applicant should have registered more vehicles in this state under the provisions of this chapter the department may deny him the right of any further benefits by reason of any reciprocal agreement or declaration until the fees, interest, and penalties for such additional vehicle or vehicles which should have been registered, have been paid. The fees, interest, and penalties determined to be due and owing under the provisions of this paragraph shall be a lien upon all the property of the applicant, and such lien shall attach at the time the audit report has been mailed to such applicant by the department, and shall have the effect of an execution duly levied on such property and shall so remain until said additional fees, interest, and penalties so determined, are paid, or a sufficient amount of such property sold for the payment thereof. The department may make arrangements with agencies of other jurisdictions administering motor vehicle registration laws for joint audits of any such owner. No assessment for deficiency or claim for credit may be made for any period for which records are no longer required. Any sums found to be due and owing upon audit shall bear interest of ~~((six))~~ one percent per month from the date when they should have been paid until the date of actual payment. If the audit discloses a deliberate and wilful intent to evade the requirements of payment under RCW 46.85.110 and 46.85.120, a penalty of ten percent shall also be assessed.

If the audit discloses that an overpayment to the state in excess of twenty-five dollars has been made, the department shall certify such overpayment to the state treasurer who shall issue a warrant for such overpayment to the vehicle operator.

All carriers registered under the provisions of this chapter shall maintain detailed mileage records on an individual vehicle basis. Such operating records shall be prepared for each trip and shall include dates, origin and destination points, total miles traveled, miles traveled in each state, vehicle equipment number, driver's full name, and all other information pertinent to the particular trip."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wilson, the House concurred in the Senate amendments to House Bill No. 196.

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. 196 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 196 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Warnke.

Not voting: Representatives Maxie, Polk, Salatino, Thompson.

House Bill No. 196 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 30, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 311 with the following amendments:

On page 1, line 1 of the title after "Relating to" strike the remainder of the title and insert "bail forfeitures and monetary penalties for motor vehicle offenses; amending section 3, chapter 212, Laws of 1977 ex. sess. and RCW 43.101.210; and providing an effective date."

On page 6, strike everything after the enacting clause and insert:

"Section 1. Section 3, chapter 212, Laws of 1977 ex. sess. and RCW 43.101.210 are each amended to read as follows:

(1) Costs of criminal justice training shall be borne in part by those who necessitate the establishment and maintenance of the criminal justice system.

(2) In each instance of bail forfeiture or monetary penalty paid in lieu of a court appearance attendant to any violation of a law of this state or an ordinance of a city or county except an ordinance relating to vehicles unlawfully left or parked, an assessment which shall be in addition to such bail forfeited or penalty paid shall be collected and forwarded within thirty days of receipt of such assessment by the clerk of the court, or the county treasurer, to the state treasurer to be deposited in an account within the state general fund to be known as the criminal justice training account, hereby created, funds from which shall be appropriated by law to the Washington state criminal justice training commission as established by chapter 43.101 RCW. The amount of the assessment shall be as follows:

(a) When forfeiture or penalty is ten dollars to nineteen dollars and ninety-nine cents, three dollars;

(b) When forfeiture or penalty is twenty dollars to thirty-nine dollars and ninety-nine cents, five dollars;

(c) When forfeiture or penalty is forty dollars to fifty-nine dollars and ninety-nine cents, seven dollars;

(d) When forfeiture or penalty is sixty dollars to ninety-nine dollars and ninety-nine cents, twelve dollars; and

(e) When forfeiture or penalty is one hundred dollars or more, fifteen dollars.

(3) When any deposit of bail is made for a violation to which this section applies, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed in subsection (2) of this section.

(4) When bail is forfeited or a penalty paid, the assessment prescribed in this section shall be forwarded to the state treasurer pursuant to this section. If bail is returned, the assessment made thereon shall also be returned.

NEW SECTION. Sec. 2. This 1979 act shall take effect on July 1, 1980." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Substitute House Bill No. 311.

## 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 Substitute House Bill No. 311 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 311 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Kreidler, Polk.

Substitute House Bill No. 311 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

April 28, 1979

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 352 on page 14, line 19, and on page 1, line 1 of the title, and has passed the bill with the remaining Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 352 with certain Senate amendments.

Mr. Newhouse explained the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 352 without the Senate amendments to page 14, line 19 and page 1, line 1, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Amen, Martinis, Polk, Zimmerman.

Engrossed Substitute House Bill No. 352 with certain Senate 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.

## SECOND READING

HOUSE BILL NO. 312, by Representative Nelson (G.A.):

Revising the laws regulating engineers and land surveyors.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 312 was substituted for House Bill No. 312, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 312 was read the second time.

Mr. Greengo moved adoption of the following amendment by Representatives Greengo and Nelson (G.A.):

On page 11, beginning on line 17 strike all language through line 10, page 19 and insert a new section as follows:

"Sec. 7. Section 7, chapter 283, Laws of 1947 and RCW 18.43.040 are each amended to read as follows:

The following will be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer (~~(, engineer-in-training,)~~) or land surveyor, (~~(respectively, to wit))~~) or for certification as an engineer-in-training or a land surveyor-in-training:

~~((As a professional engineer: A specific record of eight years or more of experience in engineering work of a character satisfactory to the board and indicating that the applicant is competent to practice engineering, and successfully passing a written or oral examination, or both, in engineering as prescribed by the board:~~

~~Graduation in an approved engineering curriculum of four years or more from a school or college approved by the board as of satisfactory standing shall be considered equivalent to four years of such required experience. The satisfactory completion of each year of such an approved engineering course without graduation shall be considered as equivalent to a year of such required experience. Graduation in a curriculum other than engineering from a school or college approved by the board shall be considered as equivalent to two years of such required experience. PROVIDED, That no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications. The board may, at its discretion, give credit as experience not in excess of one year, for satisfactory postgraduate study in engineering.~~

~~As an engineer-in-training: The board shall permit an applicant for registration as a professional engineer, upon his request, to take the prescribed examination in two stages. The first stage of the examination may be taken upon submission of his application for certification as an engineer-in-training and payment of the application fee herein prescribed, at any time after the applicant has completed four years of the required engineering experience as defined above. The first stage of the examination shall test the applicant's knowledge of appropriate fundamentals of engineering subjects, including mathematics and the basic sciences.~~

~~At any time after the completion of the required eight years of engineering experience as defined above, the applicant may take the second stage of the examination, upon submission of application for registration and payment of the application fee herein prescribed. This stage of the examination shall test the applicant's ability, upon the basis of his greater experience, to apply his knowledge and experience in the field of his specific training and qualifications.~~

~~As a land surveyor: A specific record of six years or more of experience in land surveying work of a character satisfactory to the board and indicating that the applicant is competent to practice land surveying, and successfully passing a written or oral examination, or both, in surveying as prescribed by the board.~~

~~Graduation from a school or college approved by the board as of satisfactory standing, including the completion of an approved course in surveying, shall be considered equivalent to four years of such required experience.~~

~~No person shall be eligible for registration as a professional engineer, engineer-in-training, or land surveyor, who is not of good character and reputation.~~

~~Engineering teaching, of a character satisfactory to the board, shall be considered as experience not in excess of two years for professional engineering and one year for land surveying.~~

~~The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be practice of engineering.))~~

(1) Engineering. To be eligible for admission to examination for professional engineer or engineer-in-training, an applicant must be of good character and reputation and submit the names of five references with his application for registration as a professional engineer, three of whom shall be professional engineers with personal knowledge of the applicant's engineering experience, or in the case of an application for certification as an engineer-in-training, by three character references.

One of the following alternatives shall be considered minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer, or for certification as an engineer-in-training, respectively.

(a) As a professional engineer.

(i) Registration by comity or endorsement. A person currently licensed and holding a certificate to practice engineering, issued by a proper authority of a state, territory, or possession of the United States, the District of Columbia, or any foreign country, based on requirements that do not conflict with this chapter and that were of a standard not lower than that specified in the applicable registration act in effect in this state at the time the certificate was issued, may, upon application, be registered without further examination: PROVIDED, That the said state, territory, possession, district, or foreign country gives like consideration on a reciprocal basis to those persons who have been registered by examination in this state.

A person holding a certificate of qualification issued by the committee on national engineering certification of the national council of engineering examiners, whose qualifications meet the requirements of this chapter, may upon application be registered without further examination.

(ii) Engineering—Graduation—Experience—Examination. A graduate of a professional school of engineering, approved by the board, of three or more years duration beyond the baccalaureate level including at least one or more years of supervised internship, and with a specific record of an additional one year or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering, shall be admitted to an eight-hour written examination in the fundamentals of engineering and an eight-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be registered to practice engineering in this state, if otherwise qualified.

(iii) Engineering—Graduation—Experience—Examination. A graduate of an engineering curriculum of four years or more approved by the board as being of satisfactory standing, and with a specific record of an additional four years or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering, shall be admitted to an eight-hour written examination in the fundamentals of engineering, and an eight-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be registered to practice engineering in this state, if otherwise qualified. The board may at its discretion give credit as engineering experience for a period not in excess of one year for satisfactory post graduate study or the board may give credit not in excess of two years for engineering teaching in a college or university offering an approved engineering curriculum of four years or more, provided related research or product development has been an integral part of the teaching activity.

(iv) Engineering-related graduation—Experience—Examination. A graduate of an engineering or related science curriculum of four years or more, other than the curricula approved by the board as being of satisfactory standing, and with a specific record of six years or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering, may be admitted to an eight-hour written examination in the fundamentals of engineering and an eight-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be registered to practice engineering in this state, provided he is otherwise qualified.

(v) Experience—Examination. A person with a specific record of eight years or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant may be competent to practice engineering may be admitted to an eight-hour written examination in the fundamentals of engineering and an eight-hour written examination in the principles and practices of engineering. The satisfactory completion of each year in an approved engineering curriculum without graduation from a school or college approved by the board as being of satisfactory standing shall be considered as equivalent to a year of such required experience: PROVIDED, That no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications. Upon passing such examinations, the applicant shall be registered to practice engineering in this state, provided he is otherwise qualified.

(b) As an engineer-in-training.

(i) Graduation and examination. A graduate of an engineering curriculum of four years or more, approved by the board as being of satisfactory standing, shall be admitted to an eight-hour written examination in the fundamentals of engineering. Upon passing such examination, the applicant shall be certified and enrolled as an engineer-in-training if otherwise qualified.

(ii) Graduation—Experience—Examination. A graduate of an engineering or related science curriculum of four years or more, other than the curricula approved by the board as being of satisfactory standing, and with a specific record of two or more years of progressive experience on engineering projects of a grade and character satisfactory to the board, shall be admitted to an eight-hour written examination in the fundamentals of engineering. Upon passing such examination, the applicant shall be certified and enrolled as an engineer-in-training, if otherwise qualified.

(iii) Experience—Examination. A person with a specific record of four years or more of progressive experience on engineering projects of a grade and character satisfactory to the board shall be admitted to an eight-hour written examination in the fundamentals of engineering. The satisfactory completion of each year in an approved engineering curriculum without graduation from a school or college approved by the board as being of satisfactory standing shall be considered as equivalent to a year of such required experience. Upon passing such examination, the applicant shall be certified and enrolled as an engineer-in-training, if otherwise qualified.

(2) Land surveying. To be eligible for admission to examination for land surveyor or land surveyor-in-training, an applicant must be of good character and reputation and shall submit the names of five references with his application for registration as a land surveyor, three of which references shall be registered land surveyors having personal knowledge of the applicant's land surveying experience; or in the case of an application for certification as a land surveyor-in-training, shall submit the names of three references, one of whom shall be a registered land surveyor having personal knowledge of the applicant's land surveying experience.

The evaluation of a land surveyor applicant's qualifications involves a consideration of the applicant's education, technical, and land surveying experience, exhibits of land surveying projects of which the applicant has been in charge, recommendations by reference, and a review of these qualifications. An interview

may be held at the board's discretion. Education credit for institute courses, correspondence courses, etc., shall be determined by the board.

(a) An applicant is qualified for registration as a land surveyor if the requirements of one of the following subsections are met, as a minimum:

(i) Graduation—Experience—Examination. An individual having a bachelor of science degree in an approved curriculum and presenting evidence satisfactory to the board that, in addition thereto, the applicant has had combined office and field experience in land surveying with a minimum of two years of experience in charge of land surveying projects under the supervision of a registered land surveyor, shall be admitted to a written examination designed to show that the applicant is competent to practice land surveying. Upon passing such examination the applicant shall be registered to practice land surveying in this state, provided he is otherwise qualified.

(ii) Formal education—Experience—Examination. An individual having two years of formal education in an approved curriculum above secondary school level with at least ninety quarter credit hours passed, or equivalent semester hours, or the equivalent approved by the board, and presenting evidence satisfactory to the board that, in addition thereto, the applicant has had at least four years of combined office and field experience in land surveying with a minimum of two years of experience in charge of land surveying projects under the supervision of a registered land surveyor, shall be admitted to a written examination designed to show that the applicant is competent to practice land surveying. Upon passing such examination the applicant shall be registered to practice land surveying in this state, if otherwise qualified.

(iii) Registration by comity or endorsement. An individual holding a certificate of registration to engage in the practice of land surveying issued on comparable qualifications from a state, territory, or possession of the United States and experience satisfactory to the board, will be given comity consideration. However, the individual shall be required to pass a written examination of not less than four hours duration, which shall include questions on laws, procedures, and practices pertaining to land surveying in this state.

(b) An applicant is qualified for certification as a land surveyor-in-training if the requirements of one of the following subsections are met, as a minimum:

(i) Graduation and examination. An individual having a bachelor of science degree in an approved land surveying curriculum shall be admitted to a written examination in the fundamentals of land surveying. Upon passing such examination, the applicant shall be certified and enrolled as a land surveyor-in-training if otherwise qualified.

(ii) Formal education—Experience—Examination. An individual having a bachelor of science degree in an approved curriculum, and presenting evidence satisfactory to the board that in addition thereto, that such applicant has had at least two years of combined office and field experience in land surveying under the supervision of a land surveyor, shall be admitted to a written examination in the fundamentals of land surveying. Upon passing such examination the applicant shall be certified and enrolled as a land surveyor-in-training, if otherwise qualified.

(iii) Formal education—Experience—Examination. An individual having at least two years of formal education in an approved curriculum above secondary school level with at least ninety quarter credit hours passed, or equivalent semester hours or the equivalent approved by the board, and presenting evidence satisfactory to the board that in addition thereto, that such applicant has had at least two years of combined office and field experience in land surveying under the supervision of a land surveyor, shall be admitted to a written examination in the fundamentals of land surveying. Upon passing such examination the applicant shall be certified and enrolled as a land surveyor-in-training, if otherwise qualified.

Any ((person)) individual having the necessary qualifications prescribed in this chapter to entitle him to registration shall be eligible for such registration although he may not be practicing his profession at the time of making his application.

Any individual who has been an actual resident of this state for a period of five years prior to January 1, 1979, and who establishes to the satisfaction of the board and by affidavits of three professional engineers registered under this chapter, that the individual was engaged in the practice of engineering in the fields of telecommunications, data processing, and radio for fifteen years prior to the effective date of this 1979 act, shall be eligible for registration without examination provided the person makes application for registration and pays the registration fee within one year after the effective date of this 1979 act."

Mr. Eberle moved adoption of the following amendment by Representatives Eberle and Rohrbach to the Greengo/Nelson amendment:

On page 19, beginning on line 9 of the amendment, strike "To be eligible" and insert "Any individual is eligible for registration as a professional engineer or"

Representatives Eberle and Rohrbach spoke in favor of the amendment to the amendment, and Representatives Greengo and Douthwaite spoke against it.

Mr. Eberle spoke again in favor of the amendment to the amendment, and Mr. Barnes spoke against it.

Mr. Eberle spoke again in favor of the amendment to the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Eberle and Rohrbach to the Greengo/Nelson amendment to Substitute House Bill No. 312, and the amendment was not adopted by the following vote: Yeas, 17; nays, 79; not voting, 2.

Voting yea: Representatives Addison, Bond, Craswell, Dawson, Dunlap, Eberle, Hastings, Houchen, Jovanovich, Mitchell, Nelson D., Polk, Rohrbach, Scott, Sherman, Struthers, Van Dyken.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Smith C. P., Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Blair, Deccio.

The Clerk read the following amendment by Representatives Eberle and Rohrbach to the Greengo/Nelson amendment:

On page 19, beginning on line 12 of the amendment after "engineer-in-training" strike all material down through and including "references" on line 24.

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

Mr. McDonald moved adoption of the following amendment to the Greengo/Nelson amendment:

On page 28 of the amendment, beginning on line 38 strike all language through line 18 on page 29.

Mr. McDonald spoke in favor of the amendment, and Mr. Greengo spoke against it.

Mr. McDonald spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Barnes.

Mr. Barnes: "Representative McDonald, if your amendment passes, there are certain engineering branches that are not spoken to in Washington State law. Two examples are geophysical engineers and geological engineers, two specialties of which we have some working in the state, or at least we could have, in the area of nuclear plant siting. How would this bill affect those two and other branches with or without your amendment?"

Mr. McDonald: "Your analysis is correct. With or without my amendment to the amendment, it would not affect those two areas. I guess the standard answer is that they are taken care of in some of the other branches, for instance, in civil engineering or structural engineering. Those licenses and those categories would cover them in a general sense. I think you have a good argument that those probably should be the subject of a separate bill which would allow some of those other areas in, but with my amendment or not, it doesn't affect them."

Mr. Douthwaite spoke in favor of the amendment to the amendment, and Mr. Warnke spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to the Greengo/Nelson amendment to Substitute House Bill No. 312, and the amendment to the amendment was adopted by the following vote: Yeas, 61; nays, 32; not voting, 5.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bender, Berentson, Bond, Brekke, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Garrett, Gruger, Haley, Hastings, Houchen, Isaacson, Keller, King, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Valle, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bauer, Becker, Blair, Brown, Ehlers, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Greengo, Grimm, Heck, Hurley, Jovanovich, Knowles, Kreidler, Lux, May, Newhouse, North, O'Brien, Owen, Salatino, Sherman, Smith R., Teutsch, Vrooman, Walk, Warnke.

Not voting: Representatives Clayton, Craswell, Granlund, Hughes, Thompson.

Mr. Eberle moved adoption of the following amendment to the Greengo/Nelson amendment:



On page 21, line 23 of the amendment after "issued." insert "Certificates relative to 'professional engineering' and 'land surveying' issued pursuant to this chapter shall expire five years from the date of issuance."

Representatives Eberle and Rohrbach spoke in favor of the amendment to the amendment, and Mr. Greengo spoke against it.

Mr. Eberle spoke again in favor of the amendment to the amendment.

The amendment was not adopted.

Mr. Eberle moved adoption of the following amendment to the amendment:

On page 23, after line 18 insert the following:

"(vi) Experience-Liability Affidavit. A person with a specific record of eight years or more of progressive experience on engineering projects and who files a duly sworn affidavit with the board verifying that the individual accepts all legal and professional liability for engineering services performed pursuant to this chapter, and whose application is accompanied by verifiable evidence of professional liability insurance and/or bonding in an amount determined by the board to be reasonable and proper in relation to the type of engineering the applicant intends to practice, shall be registered without further examination: PROVIDED, That the applicant has the right to judicial review in superior court if the applicant believes the amount of liability insurance or bonding required by the board is not reasonable and proper."

Mr. Eberle spoke in favor of the amendment to the amendment, and Mr. Greengo spoke against it.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Greengo and Nelson (G.A.) as amended.

Representatives Greengo and Owen spoke in favor of the amended amendment, and it was adopted.

Mr. Eberle moved adoption of the following amendment by Representatives Eberle and Rohrbach:

On page 3, line 21 strike "'Engineer','"

Representatives Eberle and Rohrbach spoke in favor of the amendment, and Mr. Nelson (G.A.) spoke against it.

The amendment was not adopted.

Mr. Eberle moved adoption of the following amendment:

On page 4, line 3 strike "qualified or authorized" and insert "registered"

Mr. Eberle spoke in favor of the amendment.

The amendment was not adopted.

On motion of Mr. May, the following amendment was adopted:

On page 8, line 36 after "engineers" insert "of whom one will be a registered professional engineer employed by public agencies"

On motion of Mr. Ehlers the following amendment by Representatives Ehlers and Taller was adopted:

On page 10, lines 3 and 4 strike "twenty-five" and insert "((~~twenty-five~~) fifty)"

Substitute House Bill No. 312 was ordered engrossed.

Mr. King moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Eberle spoke against the motion, and Mr. Greengo spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Bill No. 312 to third reading, and the motion received the required two-thirds majority by the following vote: Yeas, 75; nays, 22; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., O'Brien, Oliver, Patterson, Polk, Pruitt, Rosbach,

Sanders, Schmitt, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barnes, Bond, Dawson, Deccio, Eberle, Flanagan, Garrett, Hastings, Hurley, Lux, Monohon, Newhouse, Nisbet, North, Owen, Rohrbach, Salatino, Scott, Van Dyken, Warnke, Williams.

Not voting: Representative Hughes.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 312.

Representatives Nelson (G.A.) and Greengo spoke in favor of passage of the bill, and Representatives Eberle and Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 312, and the bill passed the House by the following vote: Yeas, 82; nays, 16; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nisbet, O'Brien, Oliver, Patterson, Polk, Pruitt, Rosbach, Sanders, Schmitt, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Blair, Eberle, Erak, Garrett, Houchen, Hurley, Monohon, Newhouse, North, Owen, Rohrbach, Salatino, Scott, Van Dyken, Warnke.

Engrossed Substitute House Bill No. 312, having received the 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. 676, by Representatives Oliver and Erickson:

Modifying the obligation of the state to assume a share of election costs.

The bill was read the second time.

Ms. Erickson moved adoption of the following amendment:

On page 1, after line 19 insert the following:

**\*NEW SECTION.** Sec. 2. There is added to chapter 42.12 RCW a new section to read as follows:

If a vacancy occurs in any partisan elective office in the executive or legislative branches of state government or in any partisan county elective office before the last day of the regular filing period prior to the primary for the next general election following the occurrence of the vacancy, a successor shall be elected to that office at that general election. If such a vacancy occurs on or after the last day of the regular filing period prior to the primary for that general election, the election of the successor shall occur at the next succeeding general election. The elected successor shall hold office for the remainder of the unexpired term. This section shall not require an election to fill a vacancy which occurs on or after the first day to file for the subsequent full term for the office.

This section does not apply to any vacancy occurring in a charter county which has charter provisions inconsistent with this section.

**NEW SECTION.** Sec. 3. There is added to chapter 29.18 RCW a new section to read as follows:

Filings for a partisan elective office shall be opened for a period of three normal business days whenever, on or after the first day of the regular filing period and before the last day of such period, a vacancy occurs in that office, leaving an unexpired term to be filled by an election for which filings are not being held or have not been held.

Any such special three-day filing period shall be fixed by the election officer with whom declarations of candidacy for that office are filed. The election officer shall give notice of the special three-day filing period by notifying the press, radio, and television in the county or counties involved and by such other means as may be required by law.

Candidacies validly filed within the special three-day filing period shall appear on the primary ballot as if filed during the regular filing period.

Sec. 4. Section 2, page 28, Laws of 1866 as amended by section 3063, Code of 1881 and RCW 42.12-.010 are each amended to read as follows:

Every elective office shall become vacant on the happening of ~~((either))~~ any of the following events ~~((before the expiration of the term of such officer. First;))~~:

(1) The death of the incumbent; ~~((second;))~~

(2) His or her resignation. A vacancy caused by resignation shall be deemed to occur upon the effective date of the resignation, as specified by the person resigning; ~~((third;))~~

(3) His or her removal; ~~((fourth;))~~

(4) His or her ceasing to be ((an inhabitant)) a legally qualified elector of the district, county, city, town ((or village for)), or other municipal or quasi municipal corporation from which he or she shall have been elected or appointed((, or within which the duties of his office are to be discharged)); ((fifth;))

(5) His or her conviction of ((an infamous crime)) a felony, or of any offense involving a violation of his or her official oath; ((sixth;))

(6) His or her refusal or neglect to take his or her oath of office, or to give or renew his or her official bond, or to deposit such oath or bond within the time prescribed by law; ((seventh;))

(7) The decision of a competent tribunal declaring void his or her election or appointment; ((eighth;))  
or

(8) Whenever a judgment shall be obtained against ((such officer)) that incumbent for breach of the condition of his or her official bond.

**NEW SECTION.** Sec. 5. There is added to chapter 29.18 RCW a new section to read as follows:

Where a vacancy occurs in any partisan county elective office, other than a member of the county legislative authority, the county legislative authority may appoint an employee that was serving as a deputy or assistant in such office at the time the vacancy occurred as an acting official to perform all necessary duties to continue normal office operations. The acting official will serve until a successor is either elected or appointed as required by law. This section does not apply to any vacancy occurring in a charter county which has charter provisions inconsistent with this section.

Sec. 6. Section 6, page 30, Laws of 1866 as amended by section 3066, Code of 1881 and RCW 42.12-.030 are each amended to read as follows:

Whenever any officer resigns his office before the expiration of his term, or the office becomes vacant from any other cause, and at a subsequent special election such vacancy is filled, the person so elected to fill such vacancy shall ((not hold the office any longer than the original incumbent who resigned would have been entitled to hold the office)) hold office for the remainder of the unexpired term.

**NEW SECTION.** Sec. 7. 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, 1979.

**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."

Representatives Erickson and Nelson (D) spoke in favor of the amendment, and Representatives Newhouse and Oliver spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson to House Bill No. 676, and the amendment was not adopted by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 676 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 676, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Thompson.

House Bill No. 676, having received the 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. 1207**, by Representatives Gruger, Houchen, Galloway and Brekke:

Establishing a demonstration project to assess the feasibility of day care centers for certain children in danger of being abused or neglected.

The bill was read the second time.

Mr. King moved that the rules be suspended, the second reading considered the third, and House Bill No. 1207 be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place House Bill No. 1207 on third reading, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 57; nays, 38; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Haley, Hastings, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Zimmerman.

Not voting: Representatives Berentson, Greengo, Polk.

#### MOTIONS

On motion of Mr. King, ENGROSSED SENATE BILL NO. 2333 was made a Special Order of Business for 1:30 p.m. today.

On motion of Mr. King, the House recessed until 1:29 p.m.

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#### AFTERNOON SESSION

The House was called to order at 1:29 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present.

#### MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Thursday, May 3, 1979.

**JOHN BAGNARIOL**, Speaker  
**DUANE BERENTSON**, Speaker

**DEAN R. FOSTER**, Chief Clerk  
**VITO T. CHIECHI**, Chief Clerk

FORTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 3, 1979.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Amen 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 Sheila Valentine and Karl Johnson. Prayer was offered by Father Herbert Pins of St. Michaels Catholic 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

May 2, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 2, 1979, Governor Ray approved the following House Bills, entitled:

- SUBSTITUTE HOUSE BILL NO. 156: Relating to the fiscal impact of legislation;
- HOUSE BILL NO. 164: Relating to motor vehicles;
- SUBSTITUTE HOUSE BILL NO. 219: Relating to basic sciences;
- SUBSTITUTE HOUSE BILL NO. 247: Relating to agricultural products;
- SUBSTITUTE HOUSE BILL NO. 280: Relating to registration of contractors;
- HOUSE BILL NO. 308: Relating to unclaimed property;
- SUBSTITUTE HOUSE BILL NO. 502: Relating to the immunization of children;
- SUBSTITUTE HOUSE BILL NO. 624: Relating to controlled substances;
- HOUSE BILL NO. 645: Relating to education;
- HOUSE BILL NO. 750: Relating to trails;
- SUBSTITUTE HOUSE BILL NO. 751: Relating to classification and priority programming for highway development;
- HOUSE BILL NO. 913: Relating to aquaculture;
- HOUSE BILL NO. 954: Relating to annexation;
- HOUSE BILL NO. 989: Relating to the powers and duties of the utilities and transportation commission.

Sincerely,  
H. B. Hanna, Legal Counsel.

May 2, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

While I have signed SUBSTITUTE HOUSE BILL NO. 144, an act relating to state correctional institutions and state reimbursement for certain criminal justice costs, I wish to raise a point of concern. This bill must not serve as precedent for shifting additional community costs to the state level.

The original and subsequent state investment and the continuing payroll of our institutions have traditionally served to offset the occasional and infrequent costs to local government caused by residents of our institutions. I also feel we must strive to keep the fiscal responsibility with the governmental level that is actually providing the public service.

As a final comment, I urge you to explore other methods to provide any necessary fiscal relief to local governments. Specific contracts, for example, may be a more manageable and exacting approach.

I look forward to working with you on this situation.

Respectfully submitted,  
DIXY LEE RAY, Governor.

May 2, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have signed HOUSE BILL NO. 645. This bill permits local school districts to use their facilities and resources to enrich the recreational, cultural, and educational atmosphere in their community. This is an excellent use of the large investment the citizens of this state have made in school buildings.

Section 2 of this bill allows districts to use basic education apportionment funds to support community programs. Unfortunately, no upper limit is placed on the amount of funds a district may divert from basic education to community programs. I urge the legislature and the Superintendent of Public Instruction to consider adopting statutory or regulatory language to carefully limit the funds devoted to community programs.

Respectfully submitted,  
DIXY LEE RAY, Governor.

#### MESSAGES FROM THE SENATE

May 2, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2143, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 2, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3033, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

#### REPORTS OF STANDING COMMITTEES

May 1, 1979

HOUSE BILL NO. 1155, Prime Sponsor: Representative King, broadening emergency medical service beyond prehospital care and making other changes in the program. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Deccio, Douthwaite, Ehlers, Grimm, Heck, Hughes, McDonald, Nisbet, Taller, Taylor.

Passed to Committee on Rules for second reading.

May 1, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2505, Prime Sponsor: Senator Donohue, authorizing a bond issue for jail facilities. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the amendments by Committee on Institutions and the following amendment:

On page 9 of the printed amendment, line 30 strike "four hundred three thousand dollars" and insert "three hundred sixty thousand dollars"

(For Committee on Institutions' amendments, see Journal, 37th Day ex. sess., April 26, 1979.)

Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Douthwaite, Ehlers, Grimm, Heck, Hughes, Maxie, McDonald, Nelson (G.A.), Nisbet, Taller, Taylor, Vrooman.

Passed to Committee on Rules for second reading.

April 30, 1979

SENATE BILL NO. 2751, Prime Sponsor: Senator Rasmussen, pertaining to pollution control facilities. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass as amended by the Committee on Ecology. (For amendments, see Journal, 17th Day ex. sess., April 6, 1979.)

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Galloway, Greengo, Hastings, Nelson (D), O'Brien, Sanders, Winsley.

Passed to Committee on Rules for second reading.

May 2, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2794, Prime Sponsor: Senator Hansen, modifying the law on water and water rights. Reported by Committee on Ecology.

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 90.03 RCW a new section as follows:

Rights subject to determination proceedings conducted under RCW 90.03.110 through 90.03.240 and 90.44.220 include all rights to the use of water, including all diversionary and instream water rights, and include rights to the use of water claimed by the United States.

'Nothing in this section may be construed as establishing or creating any new rights to the use of water. This section relates exclusively to the confirmation of water rights established or created under other provisions of state law or under federal laws.

Sec. 2. Section 16, chapter 117, Laws of 1917 as last amended by section 2, chapter 357, Laws of 1977 ex. sess. and RCW 90.03.130 are each amended to read as follows:

Service of said summons shall be made in the same manner and with the same force and effect as service of summons in civil actions commenced in the superior courts of the state: PROVIDED, That for good cause, the court, at the request of the supervisor, as an alternative to personal service, may authorize service of summons to be made by certified mail, with ~~((acknowledgment of))~~ return receipt ~~((of summons executed))~~ signed by defendant ~~((required, as an alternative to personal service))~~, a spouse of a defendant, or another person authorized to accept service. If the defendants, or either of them, cannot be found within the state of Washington, of which the return of the sheriff of the county in which the proceeding is pending shall be prima facie evidence, upon the filing of an affidavit by the supervisor of water resources, or his attorney, in conformity with the statute relative to the service of summons by publication in civil actions, such service may be made by publication in a newspaper of general circulation ~~((printed and published at the county seat of))~~ in the county in which such proceeding is pending, and also publication of said summons in a newspaper ~~((published at the county seat))~~ of general circulation in each county in which any portion of the water is situated, once a week for six consecutive weeks (six publications) ~~((before the return day thereof))~~. In cases where personal service can be had, such summons shall be served at least twenty days before the return day thereof. The summons by publication shall state that statements of claim must be filed within twenty days after the last publication or before the return date, whichever is later.

Personal service of summons may be made by department of ecology employees for actions pertaining to water rights.

Sec. 3. Section 21, chapter 117, Laws of 1917 as last amended by section 3, chapter 122, Laws of 1929 and RCW 90.03.180 are each amended to read as follows:

At the time of filing the statement as provided in RCW 90.03.140, each defendant shall pay to the clerk of the superior court a fee of ~~((one))~~ twenty-five dollars. The supervisor of water resources shall keep a record of the expenses incurred by him in the determination of the rights on any stream, including the proportionate share of the expense of his office, such expense to date from the filing of a petition or the institution of any investigation as provided in RCW 90.03.110. Immediately upon receipt of a decree of the superior court determining the rights of parties as provided in RCW 90.03.200, the supervisor shall prepare and file in the superior court a statement of such expense, showing the total expense of the determination and apportioning one-half of such expense to the various rights. And where ~~((such))~~ the expense subject to apportionment does not exceed five dollars for each water right, as determined by the court, it shall be divided equally between such rights. If such expense exceeds five dollars for each water right, such allottee shall pay five dollars plus a share of the amount remaining, which shall be equitably apportioned to the various irrigation and other consumptive rights in such proportion as the quantity of water allotted to each right bears to the total amount of water awarded taking into account priorities of the various rights, and to non-consumptive rights on such basis as the supervisor may determine to be equitable. Such records shall be subject to audit by the bureau of inspection and supervision of public offices as are other accounts of state offices. The amount of ~~((such))~~ the expense apportioned to each ~~((diverter))~~ user shall be paid by such ~~((diverter))~~ user before he shall be entitled to receive a certificate of diversion from the supervisor.

NEW SECTION. Sec. 4. There is added to chapter 90.14 RCW a new section to read as follows:

(1) Notwithstanding any time restrictions imposed by the provisions of chapter 90.14 RCW, a person may file a claim pursuant to RCW 90.14.041 if such person obtains a certification from the pollution control hearings board as provided in this section.

(2) A certification shall be issued by the pollution control hearings board if, upon petition to the board, it is shown to the satisfaction of the board that:

(a) Waters of the state have been applied to beneficial use continuously (with no period of nonuse exceeding five consecutive years) in the case of surface water beginning not later than June 7, 1917, and in the case of ground water beginning not later than June 7, 1945, or

(b) Waters of the state have been applied to beneficial use continuously (with no period of nonuse exceeding five consecutive years) from the date of entry of a court decree confirming a water right and any failure to register a claim resulted from a reasonable misinterpretation of the requirements as they related to such court decreed rights.

(3) The board shall have jurisdiction to accept petitions for certification from any person through December 31, 1979, and not thereafter.

(4) A petition for certification shall include complete information on the claim pursuant to RCW 90.14.051 (1) through (8), and any such information as the board may require.

(5) The department of ecology is directed to accept for filing any claim certified by the board as provided in subsection (2) of this section. The department of ecology, upon request of the board, may provide assistance to the board pertinent to any certification petition.

(6) A certification by the pollution control hearings board or a filing with the department of ecology of a claim under this section shall not constitute a determination or confirmation that a water right exists.

(7) The provisions of RCW 90.14.071 shall have no applicability to certified claims filed pursuant to this section.

(8) This section shall have no applicability to artificially stored ground waters resulting from the operations of reclamation projects.

Sec. 5. Section 16, chapter 233, Laws of 1967 and RCW 90.14.160 are each amended to read as follows:

Any person entitled to divert or withdraw waters of the state through any appropriation authorized by enactments of the legislature prior to enactment of chapter 117, Laws of 1917, or by custom, or by general adjudication, who abandons the same, or who voluntarily fails, without sufficient cause, to beneficially use all or any part of said right to divert or withdraw for any period of five successive years after the effective date of this act, shall relinquish such right or portion thereof, and said right or portion thereof shall revert to the state, and the waters affected by said right shall become available for appropriation in accordance with RCW 90.03.250: PROVIDED, That such rights to use waters reverted under this section or under RCW 90.14.170 and 90.14.180, which were last exercised for a beneficial use subsequent to June 30, 1979, shall, if a minimum flow or level established by the department of ecology is in effect at the time when a determination of the reversion made either by the department or a court becomes final, be applied to meet such minimum flow or level with a priority of the original date of the reverted right before becoming otherwise available for appropriation for other beneficial uses under RCW 90.03.250 through 90.03.340.

Sec. 6. Section 20, chapter 233, Laws of 1967 and RCW 90.14.200 are each amended to read as follows:

(1) All matters relating to the implementation and enforcement of this chapter by the department of ecology shall be carried out in accordance with chapter 34.04 RCW as it now exists or hereafter shall be amended except where the provisions of this chapter expressly conflict herewith. Proceedings held pursuant to RCW 90.14.130 hereof are "contested cases" within the meaning of chapter 34.04 RCW. Final decisions of the department of ecology in these proceedings are subject to review in accordance with chapter 43.21B RCW.

(2) RCW 90.14.130 provides nonexclusive procedures for determining a relinquishment of water rights under RCW 90.14.160, 90.14.170, and 90.14.180. RCW 90.14.160, 90.14.170, and 90.14.180 may be applied in, among other proceedings, general adjudication proceedings initiated under RCW 90.03.110 or 90.44.220: PROVIDED, That nothing herein shall apply to litigation involving determinations of the department of ecology under RCW 90.03.290 relating to the impairment of existing rights.

NEW SECTION. Sec. 7. There is added to chapter 90.03 RCW a new section to read as follows:

The establishment of reservations of water for agriculture, hydroelectric energy, municipal, industrial, and other beneficial uses under RCW 90.54.050(1) or minimum flows or levels under RCW 90.22.010 or 90.54.040 shall constitute appropriations within the meaning of this chapter with priority dates as of the effective dates of their establishment. Whenever an application for a permit to make beneficial use of public waters embodied in a reservation, established after the effective date of this act, is filed with the department of ecology after the effective date of such reservation, the priority date for a permit issued pursuant to an approval by the department of ecology of the application shall be the effective date of the reservation.

NEW SECTION. Sec. 8. There is added to chapter 90.03 RCW a new section to read as follows:

It is the policy of the state to promote the use of the public waters in a fashion which provides for obtaining maximum net benefits arising from both diversionary uses of the state's public waters and the retention of waters within streams and lakes in sufficient quantity and quality to protect instream and natural values and rights. Consistent with this policy, the state supports economically feasible and environmentally sound development of physical facilities through the concerted efforts of the state with the United States, public corporations, Indian tribes, or other public or private entities. Further, based on the tenet of water law which precludes wasteful practices in the exercise of rights to the use of waters, the department of ecology shall reduce these practices to the maximum extent practicable, taking into account sound principles of water management and the most effective use of public and private funds, and, when appropriate, to work to that end in concert with the agencies of the United States and other public and private entities.

NEW SECTION. Sec. 9. There is added to chapter 90.54 RCW a new section to read as follows:



When feasible, the department of ecology shall cooperate with the United States and other public entities, including Indian tribes, in the planning, development, and operation of comprehensive water supply projects designed primarily to resolve controversies and conflicts over water use by increasing water quantity and improving water quality within a stream or river system, or other bodies of water, as well as to enhance opportunities for both instream and diversionary water uses within the system, and, in relation thereto, the department may:

(1) Participate with the federal government and other public entities in the planning, development, operation, and management of various phases of water projects hereafter authorized by congress;

(2) Provide rights to the use of public waters under the state's surface and ground water codes for these projects when the waters are available for allocation; and

(3) Provide financial assistance through grants and loans for projects when moneys are made available to the department for this assistance by other provisions of this code.

**NEW SECTION.** Sec. 10. There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1981, the sum of forty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

**NEW SECTION.** Sec. 11. There is appropriated to the state conservation commission from the general fund for the biennium ending June 30, 1981, the sum of fifty-nine thousand dollars, or so much thereof as may be necessary, to provide moneys to conservation districts for studies and pilot projects relating to water resources aspects of their administration.

**NEW SECTION.** Sec. 12. Section 2 of 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.

**NEW SECTION.** Sec. 13. 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, beginning on line 10 of the title, after "making" strike "an appropriation" and insert "appropriations"

Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Galloway, Haley, Hughes, Isaacson, Nisbet, Pruitt, Sanders, Smith (C).

Passed to Committee on Rules for second reading.

April 30, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2929, Prime Sponsor: Senator Odegaard, revising laws relating to taxation of mobile homes. Reported by Committee on Revenue.

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

On page 1, line 18 after "homes" insert ", used floating homes, and detached buildings"

On page 1, after line 30 insert:

"(4) 'Used floating home' means a floating home which has been previously sold at retail and the previous sale has already been subjected to tax under chapter 82.08 RCW, or which has been previously used and the previous use has already been subjected to tax under chapter 82.12 RCW.

(5) 'Floating home' means a structure designed to be used as a dwelling while floating on water, and which is not designed for self-propulsion by mechanical means or propulsion by means of wind.

(6) 'Detached building' means a building which is or was physically attached to a parcel of land, but which is sold separately from the parcel of land, with the intent that the building be transferred as a unit to another parcel of land."

On page 2, line 24 after "homes" strike "as" and insert ", used floating homes, or detached buildings as each is"

On page 2, line 28 after "homes" insert "or floating homes, as each is defined in section 1 of this 1979 act"

On page 2, line 30 after "home" insert "or floating home"

On page 2, line 36 after "homes" strike "as" and insert ", floating homes, detached buildings, as each is"

On page 11, after line 36 of the engrossed bill, being page 11, line 33 of the printed bill, insert the following:

"Sec. 7. Section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020 are each amended to read as follows:

The county treasurer shall be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his county. All taxes upon real and personal property made payable by the provisions of this title shall be due and payable to the treasurer as aforesaid on or before the thirtieth day of April (in each year, after which date they shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon such unpaid taxes and upon unpaid personal property taxes from the date of delinquency until paid) and shall be deemed delinquent after that date: PROVIDED, That when the total amount of tax on personal property or on any lot, block or tract of real property payable by one person is ten dollars or more, and if one-half of such tax be paid on or

before the said thirtieth day of April, ((then the time for payment of the remainder thereof shall be extended and said remainder shall be due and payable on or before the thirty-first day of October following, after which date such remaining one-half shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon said remainder from the date of delinquency until paid: PROVIDED, FURTHER, That when the total amount of personal property taxes falling due in any year, payable by one person, is ten dollars or more, and if one-half of such taxes be paid on or before said thirtieth day of April then the time for payment of the remainder thereof shall be extended and said remainder shall be due and payable on or before the thirty-first day of October following, after which date such remaining one-half shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon said remainder from the date of delinquency until paid)) the remainder shall be due and payable on or before the thirty-first day of October following and shall be deemed delinquent after that date.

Delinquent taxes under this section shall be subject to interest at the rate of ten percent per annum computed on a monthly basis from the date of delinquency until paid. All collections of interest on delinquent taxes shall be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, shall, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and shall be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

Sec. 8. Section 84.64.050, chapter 15, Laws of 1961 as amended by section 2, chapter 84, Laws of 1972 ex. sess. and RCW 84.64.050 are each amended to read as follows:

After the expiration of ((five years)) the appropriate grace period from the date of delinquency, when any property remains on the tax rolls for which no certificate of delinquency has been issued, the county treasurer shall proceed to issue certificates of delinquency on said property to the county((and)); PROVIDED, That the grace period is five years for an owner exempt from a portion of property taxes under RCW 84.36.381 as now or hereafter amended, five years for an owner who is a claimant as defined in RCW 84.38.020 as now or hereafter amended, and three years for all other owners. The change to a three-year grace period shall first be effective on May 1, 1980. Prior to that date, the county treasurer shall send a notice to all taxpayers with taxes delinquent for two years or more, notifying them of the change in the grace period. The treasurer shall file said certificates when completed with the clerk of the court, and the treasurer shall thereupon, with such legal assistance as the county commissioners shall provide in counties having a population of thirty thousand or more, and with the assistance of the county prosecuting attorney in counties having a population of less than thirty thousand, proceed to foreclose in the name of the county, the tax liens embraced in such certificates, and the same proceedings shall be had as when held by an individual: PROVIDED, That notice and summons must be served or notice given in a manner reasonably calculated to inform the owner or owners of the foreclosure action. Either (1) personal service upon the owner or owners or (2) publication once in a newspaper of general circulation, which is circulated in the area of the property and mailing of notice by certified mail to the owner or owners or, if a mailing address is unavailable, personal service upon the occupant of the property, if any, is sufficient. In addition to describing the property as the same is described on the tax rolls, the notice must include the local street address, if any. It shall be the duty of the county treasurer to mail a copy of the published summons, within fifteen days after the first publication thereof, to the treasurer of each city or town within which any property involved in a tax foreclosure is situated, but the treasurer's failure to do so shall not affect the jurisdiction of the court nor the priority of any tax sought to be foreclosed. Said certificates of delinquency issued to the county may be issued in one general certificate in book form including all property, and the proceedings to foreclose the liens against said property may be brought in one action and all persons interested in any of the property involved in said proceedings may be made codefendants in said action, and if unknown may be therein named as unknown owners, and the publication of such notice shall be sufficient service thereof on all persons interested in the property described therein, except as provided above. The person or persons whose name or names appear on the treasurer's rolls as the owner or owners of said property shall be considered and treated as the owner or owners of said property for the purpose of this section, and if upon said treasurer's rolls it appears that the owner or owners of said property are unknown, then said property shall be proceeded against, as belonging to an unknown owner or owners, as the case may be, and all persons owning or claiming to own, or having or claiming to have an interest therein, are hereby required to take notice of said proceedings and of any and all steps thereunder: PROVIDED, That, at least thirty days prior to the sale of the property, if such property is shown on the tax rolls under unknown owners or as having an assessed value of three thousand dollars or more, the treasurer shall order or conduct a title search of the property to be sold to determine the legal description of the property to be sold and the record title holder, and if the record title holder or holders differ from the person or persons whose name or names appear on the treasurer's rolls as the owner or owners, the record title holder or holders shall be considered and treated as the owner or owners of said property for the purpose of this section, and shall be entitled to the notice provided for in this section.

Remember the remaining section consecutively.

On page 1, on line 5 of the title in both the engrossed bill and the printed bill, after "82.08.030;" insert "amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020; amending section 84.64.050, chapter 15, Laws of 1961 as amended by section 2, chapter 84, Laws of 1972 ex. sess. and RCW 84.64.050;"

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Greengo, Hastings, Nelson (D), O'Brien, Sanders, Winsley.

Passed to Committee on Rules for second reading.

The Speaker (Mr. Amen presiding) declared the House to be at ease.

Speaker Berentson called the House to order.

### SECOND READING

ENGROSSED SENATE BILL NO. 2333, by Senators Hansen, Clarke, Hayner, Talley, Bausch and Bluechel:

Modifying tort and product liability law.

The bill was read the second time.

Mr. King demanded a Call of the House, and the demand was sustained.

### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present.

The House resumed consideration of Engrossed Senate Bill No. 2333 on second reading.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse, Knowles, Smith (R) and Tilley:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. (1) In an action based on fault seeking to recover damages for injury or death to person or harm to property, any contributory fault chargeable to the claimant diminishes proportionately the amount awarded as compensatory damages for an injury attributable to the claimant's contributory fault, but does not bar recovery. This rule applies whether or not under prior law the claimant's contributory fault constituted a defense or was disregarded under applicable legal doctrines, such as last clear chance.

(2) 'Fault' includes acts or omissions that are in any measure negligent or reckless toward the person or property of the actor or others, or that subject a person to strict tort liability. The term also includes breach of warranty, unreasonable assumption of risk not constituting an enforceable express consent, misuse of a product for which the defendant otherwise would be liable, and unreasonable failure to avoid an injury or to mitigate damages. Legal requirements of causal relation apply both to fault as the basis for liability and to contributory fault.

**NEW SECTION.** Sec. 2. (1) In all actions involving fault of more than one party to the action, including third-party defendants, persons released by the claimant, persons immune from liability to the claimant, and persons with any other individual defense against the claimant, the court, unless otherwise agreed by all parties, shall instruct the jury to answer special interrogatories or, if there is no jury, shall make findings, indicating:

(a) The amount of damages each claimant would be entitled to recover if contributory fault is disregarded; and

(b) The percentage of the total fault of all of the parties to each claim that is allocated to each claimant, defendant, third-party defendant, persons released by the claimant, persons immune from liability to the claimant, and persons with any other individual defense against the claimant.

(2) In determining the percentages of fault, the trier of fact shall consider both the nature of the conduct of each party at fault and the extent of the causal relation between the conduct and the damages claimed.

(3) The court shall determine the award of damages to each claimant in accordance with the findings and enter judgment against each party liable in the amount of the equitable share of damages allocated against that party. The equitable share of each party is calculated by multiplying the party's percentage of fault determined in subsection (1)(b) of this section times the amount of damages determined in subsection (1)(a) of this section. Each party liable shall only be responsible for payment of that party's equitable share, except as provided in subsections (4) and (5) of this section.

(4) Except as otherwise provided in subsection (5) of this section, a party shall be responsible for the fault of another person or for payment of the equitable share of another party liable only where both were acting in concert or in a relationship justifying imposition of vicarious liability or where provided by statute. In a product liability action, a manufacturer shall be responsible for any fault attributable to its component suppliers; but a retailer, wholesaler, distributor, or other seller shall not be responsible for the fault of a manufacturer unless:

(a) The retailer, wholesaler, distributor, or other seller exercised control or substantial influence over the product design, manufacture, warnings, or instructions alleged to be defective; or

(b) The retailer, wholesaler, distributor, or other seller upon request refuses to disclose a prior seller in the chain of distribution from which the product was obtained; or

(c) Personal jurisdiction cannot be obtained over any known prior seller in the chain of distribution.

(5) Upon motion made not later than one year after judgment is entered, the court shall determine whether all or part of the judgment entered against a party liable has not been satisfied within a reasonable period of time. If either the claimant was not at fault or the defendant does not show that the unsatisfied amount is collectible by the claimant through reasonable efforts, the court shall reallocate the unsatisfied amount among all other parties who were allocated a percentage of fault under subsection (1)(b) of this section, including a claimant at fault, according to their respective percentages of fault and shall adjust the judgment accordingly. The party whose liability is reallocated is nonetheless subject to contribution and to any continuing liability to the claimant on the judgment.

(6) Any person whose fault was a cause of the claimant's damage may be joined as a party to the action for the purpose of assessing that person's percentage of fault. The fault of a person released by the claimant, a person immune from liability to the claimant, or a person with any other individual defense against the claimant shall not be allocated under subsection (1)(b) of this section unless such person is made a party to the action pursuant to the joinder procedure of this subsection. For purposes of this title, 'individual defense' means any defense which results in an exclusion or limitation of liability or damages.

(7) Notwithstanding any other provision of this section, if the claimant is entitled to compensation or benefits pursuant to Title 51 RCW, his or her employer or fellow employees shall not be joined as parties to the action or allocated a percentage of fault or an equitable share unless either (a) the employer or the department of labor and industries intervenes to establish the right to recover or discontinue compensation or benefit payments under chapter 51.24 RCW or (b) the defendant makes a claim against the employer under section 12 of this act or (c) the defendant makes a claim against the employer based on a contractual right to contribution or indemnity which is dependent on an assessment of employer fault. If the employer or the department of labor and industries does not intervene, the judgments against the parties liable shall be reduced by an amount equal to the sum of the compensation benefits paid and the present value of the future compensation and benefits payable pursuant to Title 51 RCW. The reduction shall be allocated against the judgments of the parties liable according to their respective percentages of fault. If the self-insurer or the department of labor and industries intervenes, the percentages of fault and the equitable shares of the employer and the other parties to the action and the judgments against the parties liable shall be determined pursuant to subsections (1) and (3) of this section, but the judgments against the parties liable to the claimant shall never be less than if the employer or the department of labor and industries had not intervened.

**NEW SECTION.** Sec. 3. A claim and counterclaim shall be set off, and only the difference between them is recoverable in the judgment. However, if either or both of the claims are covered by liability insurance and an insurance carrier's liability under its policy is reduced by reason of the set-off, the insured is entitled to recover from the carrier the amount of the reduction. Amounts so recovered shall be credited against pertinent liability policy limits. For purposes of uninsured motorist and similar coverages, the amounts so recovered shall be treated as payment of those amounts to the insured by the party liable. In the event of a set-off, the court shall equitably award costs, if any, among all parties to the lawsuit.

**NEW SECTION.** Sec. 4. (1) A party liable shall have a right to contribution, including a right to full indemnity, from any person whose fault caused claimant's damage if that person was not allocated a percentage of fault under section 2(1)(b) of this act or if the party liable was responsible for that person's fault under section 2(4) of this act or for payment of a reallocated portion of that person's equitable share under section 2(5) of this act. The right to contribution, including the right to full indemnity, may be enforced either in the original action or by a separate action brought for that purpose. The basis for contribution is each person's equitable share of the obligation, including the equitable share of a claimant at fault, as determined in accordance with the provisions of section 2 of this act.

(2) Contribution is available to a person who enters into a settlement with a claimant only if that person had a reasonable expectation of potential liability to the claimant, if the liability of the person against whom contribution is sought has been extinguished, and to the extent that the amount paid in settlement was reasonable.

**NEW SECTION.** Sec. 5. (1) If the equitable shares of the parties to a claim for contribution have been established pursuant to section 2 of this act, a party paying more than his equitable share of the obligation, upon motion, may recover judgment for contribution.

(2) If the equitable shares of the parties to the claim for contribution have not been established, contribution may be enforced in a separate action, whether or not a judgment has been rendered against either the person seeking contribution or the person from whom contribution is being sought.

(3) If a judgment has been rendered, the action for contribution shall be commenced within one year after the judgment becomes final. If no judgment has been rendered, the person bringing the action for contribution either shall have:

(a) Discharged by payment the liability within the period of the statute of limitations applicable to the claimant's right of action against him and commenced the action for contribution within one year after payment; or

(b) Agreed while action was pending to discharge the liability and, within one year after the agreement, have paid the liability and commenced an action for contribution.

**NEW SECTION.** Sec. 6. A release, covenant not to sue, or similar agreement entered into by a claimant and a person liable discharges that person from all liability for contribution, but the agreement does not discharge any other persons liable upon the same claim unless the agreement so provides.

**NEW SECTION.** Sec. 7. (1) For the purpose of this chapter and chapter 4.22 RCW, the following term shall have the meaning set forth in this section:

'Product liability action' means an action brought against the seller of a product by a person seeking to recover damages for injury or death to a person or harm to property caused by a defective condition of a product, including without limitation:

- (a) Any defect in product design;
- (b) Any defect in product manufacture, including inspection and testing;
- (c) Any failure to warn regarding the product; or
- (d) Any failure to properly instruct in the use of the product.

A product liability action includes all actions based upon negligence, breach of warranty, strict liability in tort, and any other substantive legal theory, except fraud, intentionally caused injury, or consumer protection under chapter 19.86 RCW.

(2) As used in this section, the term 'seller' includes the manufacturer, wholesaler, distributor, or retailer of a product.

**NEW SECTION.** Sec. 8. In any product liability action based on a design defect, it is an affirmative defense that the product's design was in conformance with the technology economically feasible and generally known or reasonably available at the time the product was manufactured, but such conformance shall not constitute an affirmative defense if the defendant knew or should have known that despite such conformance the hazards inherent in the product outweigh its utility.

**NEW SECTION.** Sec. 9. In any product liability action it is an affirmative defense that the damage was proximately caused by an alteration, modification, or misuse of the product which was not reasonably foreseeable by the defendant.

**NEW SECTION.** Sec. 10. In any product liability action the following rules of evidence apply:

(1) When, after an event, measures are taken which, if taken previously, would have made the event less likely to occur, evidence of the subsequent measures is not admissible to prove fault in connection with the event. This rule does not require exclusion of evidence of subsequent measures when offered for another purpose, such as proving ownership, control, or feasibility of precautionary measures, if controverted, or impeachment; and

(2) Evidence of technology which became economically feasible and generally known or reasonably available only after the product was manufactured is inadmissible; and

(3) If the plaintiff offers evidence that an alternative design would have reduced or prevented the injury, the defendant may introduce evidence to show that such alternative design would increase other hazards so as to degrade overall product safety.

**NEW SECTION.** Sec. 11. There is added to chapter 4.16 RCW a new section to read as follows:

(1) In any product liability action, the plaintiff shall commence the action within three years of the time the injury is or in the exercise of reasonable diligence should have been discovered by the plaintiff, except that no product liability action may be commenced more than ten years after the manufacturer relinquished possession or control of the product or sold the product, whichever occurred later in time. Where the defendant has expressly warranted in writing that the product has a longer useful life, the action must be commenced within one year after the expiration of the longer period.

(2) Where the plaintiff's cause of action is based upon a duty to alter, repair, recall, inspect, or to issue warnings or instructions, or to otherwise take any action or precaution for the benefit of the injured party, which duty (a) is based upon a contract, statute, or an actual or anticipated administrative or judicial ruling specifically applicable to the product or results from actual knowledge of a design defect which has caused injury and (b) arose after the defendant relinquished possession and control of the product or sold the product, whichever occurred later in time, the plaintiff shall commence the action within three years of the time the injury is or in the exercise of reasonable diligence should have been discovered by the plaintiff, except that no such action may be commenced more than six years after the defendant first came under the subsequent duty. The period in this subsection shall not act to bar any action brought within the time limited by subsection (1) of this section.

(3) If a person otherwise entitled to bring an action is, at the time the cause of action accrues, under a legal disability, as defined in RCW 4.16.190, the time of such disability shall not be a part of the time limited for commencement of action by subsections (1) and (2) of this section.

(4) The limitations set forth in subsection (1) of this section shall not apply to any product liability action based upon the use of any drug as defined in RCW 18.64.011 or the cumulative effects of exposure to radiation or a chemical.

**NEW SECTION.** Sec. 12. There is added to chapter 51.24 RCW a new section to read as follows:

If an employer, with wilful disregard of the safety of an employee and in knowing disregard of written recommendations by the product supplier or in knowing disregard of an administrative agency's written notice of a violation of a safety regulation, intentionally (1) removes, authorizes the removal of, or fails to install permanent safety features or devices for the product, or (2) misuses the product, and if the product supplier is sued by an employee injured as a result of such employer conduct, the product supplier shall have a right to join the employer and seek recovery from the employer of the amount by which the equitable share of the employer exceeds the judgment reduction under section 2(7) of this act for benefits and compensation paid and payable.

Sec. 13. Section 3, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.050 are each amended to read as follows:

(1) An election not to proceed against the third person operates as an assignment of the cause of action to the department or self-insurer, which may prosecute or compromise the action in its discretion in the name of the injured worker, beneficiary or legal representative.

(2) The injured worker or beneficiary shall be entitled to the remaining balance of any award or settlement recovered by the department or self-insurer after deduction of the following amounts:

(a) The expenses incurred in making the recovery including reasonable costs of legal services; and

(b) The compensation and benefits paid to or on behalf of the injured worker or beneficiary by the department or self-insurer, and only to the extent compensation and benefits paid exceed the total of the equitable shares allocated to the employer and others in the same employ, as determined under section 2 of this act.

(3) Thereafter ((no) payment shall be made to or on behalf of a worker or beneficiary by the department or self-insurer for such injury until the amount of ((any further)) all compensation or benefits paid shall equal ((any such remaining balance. Thereafter, such benefits shall be paid by the department or self-insurer to or on behalf of the worker or beneficiary as though no third party person claim had been made)) the total of the equitable shares allocated to the employer and others in the same employ, as determined under section 2 of this act. However, payments may not be discontinued unless the remaining balance recovered for the injured worker or beneficiary exceeds the present value of compensation and benefits payable in the future.

Sec. 14. Section 4, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.060 are each amended to read as follows:

(1) In an action by the injured worker or beneficiary against the third person, any award or settlement shall be distributed as follows:

(a) The costs and reasonable attorneys' fees shall be paid;

(b) The injured worker or beneficiary shall be paid twenty-five percent of the balance of the award: PROVIDED, That in the event of a compromise and settlement by the parties, the injured worker or beneficiary may agree to a sum less than twenty-five percent;

(c) The department or self-insurer shall be paid the balance of the award, but only to the extent necessary to reimburse the department or self-insurer for compensation or benefits paid, and only to the extent compensation and benefits paid exceed the total of the equitable shares allocated to the employer and others in the same employ, as determined under section 2 of this act;

(d) Any remaining balance shall be paid to the injured worker or beneficiary;

(e) Thereafter ((no) payment shall be made to or on behalf of a worker or beneficiary by the department or self-insurer for such injury until the amount of ((any further)) all compensation or benefits paid shall equal ((any such remaining balance. Thereafter, such benefits shall be paid by the department or self-insurer to or on behalf of the worker or beneficiary as though no third party person claim had been made)) the total of the equitable shares allocated to the employer and others in the same employ, as determined under section 2 of this act.

(2) The award or settlement shall be subject to a lien by the department or self-insurer for its share under this section.

(3) The right to recover or discontinue compensation or benefit payments under subsection (1) of this section applies only if the department or self-insurer intervenes in the action by the injured worker or beneficiary against the third person and obtains a determination of the employer's percentage of fault and equitable shares determined under section 2 of this act, or as part of a settlement.

Sec. 15. Section 6, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.080 are each amended to read as follows:

(1) If the injured worker or beneficiary elects to seek damages from the third person, notice of the election must be given to the department or self-insurer. The notice shall be by registered mail, certified mail, or personal service. If an action is filed by the injured worker or beneficiary, a copy of the complaint must be sent by registered mail to the department or self-insurer.

(2) A return showing service of the notice on the department or self-insurer shall be filed with the court but shall not be part of the record except as necessary to give notice to the defendant of the lien imposed by ((section 4(2))) RCW 51.24.060(2).

(3) If the department or self-insurer intends to intervene to establish a right to recover or discontinue compensation and benefit payments, notice of such intent must be given to the injured worker or beneficiary within thirty days of notice of the election to seek damages from the third person, and an appearance must be entered within thirty days of receipt of a copy of the complaint.

**NEW SECTION.** Sec. 16. There is added to chapter 4.92 RCW a new section to read as follows:

In any action for damages against the state or a political subdivision thereof, or against its officers, agents, employees, or contractors, the following affirmative defense is applicable, but nothing contained herein creates any cause of action or may be held or interpreted as altering or diminishing any other existing defenses:

In any action involving the design of any portion or aspect of a highway, road, bridge, street, or sidewalk, it is an affirmative defense that such design is not in violation of statutes or ordinances establishing or adopting design standards.

**NEW SECTION.** Sec. 17. There is added to chapter 4.92 RCW a new section to read as follows:

In any action for damages against the state or a political subdivision thereof, or against its officers, agents, or employees, the following affirmative defenses are applicable, but nothing contained herein creates any cause of action or may be held or interpreted as altering or diminishing any other existing defenses. In any action involving inspections, or failure to inspect, made for the purpose of determining compliance with applicable laws, it is an affirmative defense that the governmental agency:

(1) Was not aware of the noncompliance; or

(2) Has made a reasonable attempt to notify the owner, operator, or agent responsible for compliance of the noncompliance.

Neither affirmative defense applies where the property inspected is owned by the governmental agency or where inspection procedures pursuant to specific standards required by applicable laws have not been followed.

**NEW SECTION.** Sec. 18. There is hereby appropriated to the office of financial management the sum of ten thousand dollars or so much thereof as may be necessary from the general fund for the purpose of conducting a study of the effects of the apportionment and reallocation provisions of section 2 of this act on injured party recoveries in future cases where one of the parties at fault is insolvent or has an immunity or individual defense.

The office of financial management shall prepare a written report of its findings and shall submit the report to the financial institutions and insurance committee and the judiciary committee of the senate and the insurance committee and the judiciary committee of the house of representatives no later than January 1, 1981.

**NEW SECTION.** Sec. 19. Sections 1 through 10 and sections 12 through 17 of this 1979 act shall apply to all actions filed after the effective date of this 1979 act. Section 11 of this 1979 act shall apply to all causes of action arising after the effective date of this 1979 act.

**NEW SECTION.** Sec. 20. 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. 21. Sections 1 through 6 of this act are each added to chapter 4.22 RCW.

**NEW SECTION.** Sec. 22. Sections 7 through 10 of this act constitute a new chapter in Title 4 RCW.

**NEW SECTION.** Sec. 23. Section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.010 are each repealed. This repeal shall not be construed as affecting any action which has been filed prior to or on the effective date of this act."

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite, Lux, King, Nelson (D), Valle, Charnley and Blair to the amendment by Representative Newhouse and others:

On page 1, beginning on line 6 add a new section as follows:

"**NEW SECTION.** Section 1. Notwithstanding any other provisions, this 1979 act shall not apply to any action for sickness, injury or death to persons or harm to property due to fault attributable to the construction, maintenance or operation of any thermal power plant, including nuclear, as defined in RCW 80.50.020(10)."

Re-number the remaining sections consecutively.

Representatives Douthwaite, Newhouse and Nelson (D) spoke in favor of the amendment to the amendment.

Mr. Douthwaite spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite and others to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendment was adopted by the following vote: Yeas, 81; nays, 17; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Bond, Clayton, Craswell, Fancher, Flanagan, Garrett, Haley, Hastings, Isaacson, McGinnis, Oliver, Polk, Sanders, Smith C. P., Struthers, Taller.

Ms. Becker moved adoption of the following amendments to the amendment by Representative Newhouse and others:

On page 2, at the beginning of line 7 strike "persons released by the claimant."

On page 2, line 25 after "defendant" strike "persons released by the claimant"

On page 5, line 1 after "of" strike "a person released by the claimant."

Ms. Becker spoke in favor of the amendments, and Representatives Tilly and Newhouse spoke against them.

Ms. Becker spoke again in favor of the amendments to the amendment.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Smith, under current law can unfair settlements increase the liability of the remaining defendants?"

Mr. Smith (R): "That's a very good question. There seems to be some apprehension that it would be possible under current law, without the provisions in the Newhouse amendment, for the plaintiff or the plaintiff's attorney to arrange a settlement with one of the defendants that would somehow prejudice the interest of the remaining defendant. The way this is handled in actual trial practice is, it's necessary to go before a judge and explain the facts of the settlement so that the judge can make an independent assessment of whether the settlement that's being offered by the defendant to the plaintiff is fair to meet the liability exposure they have. If a defendant's exposure was probably \$50,000, any good lawyer would assess it at that, and should the plaintiff agree to take \$10,000, the judge would no doubt reject that because it may prejudice the interest of the remaining defendant. Under current law, the settlement has to be reasonable and has to be approved by the judge before it becomes effective."

Representatives Newhouse and Smith (R) spoke against the amendments.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Ms. Hurley.

Ms. Hurley: "I want to have it clarified if a person, for instance, who might have a relative who was ten percent at fault, and he doesn't want to sue that relative, but wants to release him, would that ten percent of the relative's fault be reallocated to all of the other defendants so that a person could sue?"

Mr. Smith (R): "No, Representative Hurley, under the reallocation in the Newhouse amendment, you don't get into reallocation unless the party is liable and if they are released they are no longer liable to the claimant. However, if you settled, that settlement must be reviewed by the judge, as I stated earlier, and would have to be approved as reasonable. Under both the Newhouse amendment and the Becker amendment, any party, any defendant, can bring somebody else in as a third party defendant under current law and under these, too, so if one of the defendant's felt that someone else was also liable, under both the Newhouse amendment and the Becker amendment, we are establishing contribution for the first time in the state of Washington, so they could bring that person in and get retribution from that. They would bring them in as a third party defendant also."

Ms. Hurley: "I guess I understood that as it relates to the money amount, but when it relates to the percentage of fault, does it also release that percentage of fault that was attributed to that person?"

Mr. Smith (R): "Under the Becker amendment, you don't change that distribution of fault, you have joint severable liability. In order for anybody to be found liable for the accident the jury or the judge would have to determine that but for the negligent act of that particular defendant, there would not have been an accident."

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Smith, what if there were two people and one was twenty percent at fault and was released, and the damages were found to be \$100,000. My understanding under the Becker amendment, is that the person who was found to be eighty percent at fault would pay the \$100,000, and the other person who was released would not pay anything. If that individual had not been released the amount would have been spread, \$80,000 and \$20,000. Do I interpret that correctly?"

Mr. Smith (R): "In order to be released the court would have to approve the settlement. The court wouldn't release somebody if they hadn't made a settlement. If the settlement were \$20,000, there would be no change. It may be if the settlement was accepted at, say \$10,000, under current law and under the Becker amendment, the party who settles for \$10,000 must—let's remember in the cases we're talking about, every defendant is represented by an attorney; it could be an insurance company attorney, and they don't settle for any figure unless they think they are liable for that—they make their best guess as to what the jury would determine



and they offer that. It's very difficult to settle a case. Under the Becker amendment, if the settlement is reasonable and in good faith, the judge will approve it and that defendant can go home. He no longer has to pay the sixty or seventy dollars an hour or whatever it is for attorney fees. Any judgment that is rendered against the other defendant is reduced by the amount of money the plaintiff has received from the defendant who has settled."

Ms. Sommers: "What if the person didn't have any money and was released because they didn't have any money?"

Mr. Smith (R): "They would never do that under the Newhouse amendment. This is another reason there would be no settlement under this bill or the Newhouse amendment, because there is a reallocation provision whereby if you can't collect all of your judgment from one of the defendants and if the plaintiff is wholly innocent, you get to reallocate from the other defendant. If you settle, the defendant is no longer liable to the plaintiff, so you'll never settle these cases."

#### POINT OF ORDER

Mr. Newhouse: "It appears the question and answer process has deteriorated into a dialogue which is very much contrary to our rules. Also, the position in which Mr. Smith has put himself in his discussion of the amendment, and to which he has already spoken twice, would appear that they are very unusual and peculiar circumstances."

Speaker Berentson: "The speaker is going to suggest that we not abuse the question and answer process for inserting into the record. I think we will continue and hope you will not abuse the privilege."

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Smith, going back to the example, let's take the \$100,000 for the parties who are eighty percent and twenty percent at fault and let's say there was a settlement for \$2,000. Would the person who was eighty percent at fault, then have to pay the \$98,000?"

Mr. Smith (R): "That's correct, if that settlement had been approved."

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Becker to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendments were not adopted by the following vote: Yeas, 28; nays, 70; not voting, 0.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Eng, Erak, Gallagher, Granlund, Gruger, Hughes, Jovanovich, Keller, King, Lux, Maxie, May, Monohon, Nelson D., Pruitt, Salatino, Sherman, Thompson, Valle, Vrooman.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Knowles, Kreidler, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Mr. Bender moved adoption of the following amendments to the Newhouse amendment:

On page 2, line 7 after "claimant," insert "and"

On page 2, line 9 after "claimant," strike "and persons with any other individual defense against the claimant."

On page 2, line 26 after "claimant" insert "and"

On page 2, line 27 after "claimant," strike "and persons with any other individual defense against the claimant."

Mr. Bender spoke in favor of the amendments, and Mr. Newhouse spoke against them.

#### POINT OF ORDER

Mr. Salatino: "I wish Representative Newhouse would speak to the amendments pertaining to the situation that has been brought up on the floor."

Speaker Berentson: "I believe, Representative Salatino, that Representative Bender did refer to the Warsaw Pact and I believe that opens up the discussion. I believe Representative Newhouse is covering the subject matter contained in these amendments."

Mr. Newhouse continued his remarks against the Bender amendments.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Newhouse, I am confused on one thing you mentioned, and I think this has been part of the problem in this debate. You mentioned that an aircraft carrier is ninety-eight percent at fault, Boeing, two percent at fault because of a minor technical problem with a plane and the Boeing Company, as an example, gets stuck with a \$10 million judgment. Do you have any examples you could give members of this House for some type of situation that's taken place like that to an aircraft carrier or manufacturer or airline where an individual party has been two percent at fault and been stuck with a huge judgment?"

Mr. Newhouse: "No."

Representatives Douthwaite, Barnes and Becker spoke in favor of the amendments, and Mr. Tilly spoke against them.

#### POINT OF INQUIRY

Mr. Rohrbach yielded to question by Mr. Charnley.

Mr. Charnley: "Mr. Rohrbach, there has been some comment here as to the reduction in insurance premiums in the discussion of the cost of insurance as a result of whether this amendment should or should not pass. Do you know of any definite plans or announcements in general by any insurance carrier that their liability rates are going to be reduced as a result of the passage of the Newhouse amendment to Senate Bill No. 2333?"

Mr. Rohrbach: "In response to that question, no; I can quote you no specific companies or any specific rate reduction. I do think, however, we should look at the general philosophy behind insurance. We, as individuals, buy insurance because we do not want to face a potential risk and we're willing to trade a set expense, an insurance premium, to cover a potential risk that might wipe out our life savings and things like that. In return, an insurance company is willing to absorb that risk for us for that premium and the premium they are going to charge is going to be based on the potential of that risk, the amount of risk and the chance of it occurring. The more predictable and the lower those risks are, the lower the premiums will be, so there's the direct effect, but I can quote no specific companies."

Representatives Charnley and Pruitt spoke in favor of the amendments to the Newhouse amendment.

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Smith, Representative Tilly mentioned a concern of most members of this House that not just the large businesses, but the middle-size businesses and small businesses could be affected by this. Is it true that the particular section with which we are dealing only deals with, in the case of individual defense, aircraft manufacturers, or is it broader than that?"

Mr. Smith (R): "I think this is the key question with regard to this amendment and it is terribly, terribly obtuse as to what that language means. Our committee looked at that language for two years without knowing what it meant. When we did finally understand the meaning of the language, we put some additional language in to define exactly what is meant by a person who has an individual defense against a claimant. That appears on page 5 of the Newhouse amendment, subsection (6) of section 2. The definition provided there is that the individual defense means any defense which results in an exclusion or limitation of liability or damages. Obviously, the limitation of liability covers the Warsaw Pact situation. I know of no other situation in the law where there is a limitation on your liability. Certainly there are none that apply to small manufacturers, so the question of whether the exclusion of liability or damages would cover anything else is not quite clear. It is the opinion of the attorneys that staffed our committee that it would be difficult to establish the proposition that exclusion from liability means the affirmative consent, for instance, that's in the bill for governmental entities or the affirmative consent that's in the bill for manufacturers because you don't allocate fault unless there is liability. If you've established an affirmative defense you don't have liability. You don't have fault, you have an affirmative defense and you're out. So I think the answer would be that it's extremely limited to the Warsaw Pact situation."

Mr. Salatino: "That's because of the particular agreement in which Boeing and other aircraft manufacturers are involved with the Warsaw Pact?"

Mr. Smith (R): "That's correct."

Mr. Newhouse again spoke against the amendments to the amendment.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Bender to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendments were not adopted by the following vote: Yeas, 32; nays, 66; not voting, 0.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Granlund, Gruger, Hughes, Hurley, Jovanovich, Keller, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, Pruitt, Salatino, Sherman, Sprague, Thompson, Valle, Vrooman.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Isaacson, King, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sommers, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

#### MOTIONS

On motion of Mr. Polk, the House dispensed with further business under the Call of the House.

On motion of Mr. Polk, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Berentson. The Clerk called the roll and all members were present.

The House resumed consideration of Engrossed Senate Bill No. 2333 on second reading.

Ms. Becker moved adoption of the following amendments by Representatives Becker and Sherman to the Newhouse amendment:

On page 2, beginning on line 8 strike "persons immune from liability to the claimant,"

On page 2, line 26 after "claimant" strike "persons immune from liability to the claimant,"

On page 5, line 2 after "claimant" strike "a person immune from liability to the claimant"

Ms. Becker spoke in favor of the amendments, and Mr. Newhouse spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Becker to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendments were not adopted by the following vote: Yeas, 32; nays, 66; not voting, 0.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Gallagher, Granlund, Gruger, Heck, Hughes, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, Pruitt, Salatino, Sherman, Thompson, Valle, Vrooman.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Grimm, Haley, Hastings, Houchen, Hurley, Isaacson, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

The Clerk read the following amendments by Representative Bender to the Newhouse amendment:

On page 5, line 2 after "claimant," insert "or"

On page 5, line 3 after "claimant," strike "or a person with any other individual defense"

On page 5, line 10 after "subsection." strike the remainder of the subsection down to and including "damages." on line 14.

With the consent of the House, Mr. Bender withdrew the amendments.

The Clerk read the following amendment by Representatives Becker and Sherman to the Newhouse amendment:

On page 5, beginning on line 15 strike all of subsection (7)

With the consent of the House, Ms. Becker withdrew the amendment.

Mr. Martinis moved adoption of the following amendment to the Newhouse amendment:

On page 6, after line 21 insert the following:

**NEW SECTION.** Sec. 3. In any action involving the collision of a motor vehicle with an ambulance attending at the scene of an accident, and where the defendant is an attorney licensed to practice in this state, the jury may award punitive damages up to triple the amount of actual damages.

**NEW SECTION.** Sec. 4. The placing of any advertising or notice relating to availability of legal services on the ceiling of an ambulance is a gross misdemeanor."

Renumber the remaining sections consecutively.

Mr. Martinis spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Ehlers: "I believe Representative Martinis is impugning the motives of those people who practice the profession of law, and I think he should speak only to the amendment."

Speaker Berentson: "I was wondering whether he was being that specific. Continue, Representative Martinis."

Mr. Martinis continued with his remarks in favor of the amendment to the Newhouse amendment.

Mr. Martinis stated, that with the consent of the House, he would withdraw his amendment.

#### POINT OF ORDER

Mr. Smith (R): "Mr. Speaker, I object to the procedure we're going through here and I think if Representative Martinis is going to offer such an amendment we ought to have a vote on it."

Speaker Berentson stated the question before the House to be the amendment by Representative Martinis to the Newhouse amendment.

Mr. Smith (R) spoke against the amendment to the amendment.

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, the speaker is not speaking to the amendment."

Speaker Berentson: "Your point is well taken. Would you speak directly to the amendment, Representative Smith."

Mr. Smith (R) continued his remarks against the amendment.

Mr. Newhouse spoke against the amendment to the amendment.

#### POINT OF ORDER

Mr. Martinis: "I believe Representative Newhouse is impugning my motives."

Speaker Berentson: "Your point is not well taken. I think he was defending the profession."

\* With the consent of the House, Mr. Martinis withdrew the amendment.

Mr. Van Dyken moved adoption of the following amendment to the Newhouse amendment:

On page 5, following line 14 insert a new subsection as follows:

(7) Notwithstanding any other provisions of this 1979 act once the comparative fault of the parties to a lawsuit has been established the method of determining which party shall pay the judgment and seek contribution shall be as follows:

(a) If the plaintiff is found to be the party most at fault, then the plaintiff must seek payment from each solvent/liable defendant in the amount of their fault as originally computed or computed following a reallocation due to insolvency of a defendant.

(b) If there are one or more solvent/liable defendants with a greater amount of fault than the plaintiff, then the solvent/liable defendant with the greatest amount of fault shall be responsible for paying the judgment of all solvent/liable defendants and for that defendant to then seek contribution from those defendants if such contribution is desired.\*

Renumber the remaining subsections consecutively.

Representatives Van Dyken and Becker spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

Mr. Van Dyken spoke again in favor of the amendment, and Mr. Newhouse again opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendment was not adopted by the following vote: Yeas, 39; nays, 58; not voting, 1.

Voting yea: Representatives Addison, Bauer, Becker, Bender, Brekke, Burns, Charnley, Dawson, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Gallagher, Galloway, Granlund, Gruger, Heck, Hughes, Jovanovich, King, Kreidler, Lux, Maxie, Monohon, Nelson D., Nelson G. A., North, Pruitt, Salatino, Sherman, Sommers, Sprague, Struthers, Thompson, Valle, Van Dyken, Vrooman, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Brown, Chandler, Clayton, Craswell, Deccio, Eberle, Erak, Fancher, Flanagan, Fuller, Garrett, Greengo, Grimm, Haley, Hastings, Houchen, Hurley, Isaacson, Keller, Knowles, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, O'Brien, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Taller, Taylor, Teutsch, Tilly, Tupper, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representative Oliver.

Ms. Becker moved adoption of the following amendments to the Newhouse amendment:

On page 8, line 38 after "A" insert "good faith"

On page 9, line 8 after "provides," insert "However, the claim of the releasing person is reduced by the amount paid pursuant to the agreement unless the agreement was not made in good faith.

All parties desiring to enter such an agreement shall give ten days' written notice to all other parties to the action. Notice shall include the terms of the agreement and shall, by way of motion, secure court approval that the agreement is made in good faith.\*

Ms. Becker spoke in favor of the amendments to the amendment, and Mr. Newhouse spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Becker to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendments were not adopted by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Sherman, Sommers, Valle, Van Dyken, Vrooman, Warnke.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Mr. Salatino moved adoption of the following amendment to the Newhouse amendment:

On page 10, beginning on line 5 strike all of section 8 and insert the following:

\*NEW SECTION. Sec. 8. (1) Any defendant in a product liability action based on a claim that a defect in the design of the product caused the injury may introduce evidence that the product alleged by the plaintiff to have caused the harm giving rise to the suit was designed in conformity with all safety considerations for the user which were then technologically and economically feasible, and which were generally known, or reasonably discoverable through a systematized program of risk anticipation;

(2) In any product liability action it is an affirmative defense that the product is not defective because the alternative design, manufacture, warnings, or instructions proposed by plaintiff to reduce or eliminate plaintiff's injury would increase other hazards so as to degrade overall product safety; or

(3) In any product liability action it is an affirmative defense that the damage was proximately caused entirely by substantial alteration, modification, or misuse of the product which was not reasonably foreseeable by the defendant.\*

Representatives Salatino, Douthwaite, Valle and Becker spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Nelson (G.A.)

Mr. Nelson (G.A.): "Representative Newhouse, I want to take Representative Becker's example where a small child was burned in a walker, and I wonder if you can answer whether or not in this law, under this situation, the right of obtaining any damages by that baby would be prohibited?"

Mr. Newhouse: "No, it would not, because you could easily prove that fabrics were available for that walker which were not explosive, would not burn, and the rights of that child and his family to progress through the courts would not at all be impaired by the amendment we are proposing. As a matter of fact, I talked to several of the individuals who were here, brought down by attorneys for that hearing last Friday, and in each case their rights of recovery would not have been impaired by this bill."

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Bender.

Mr. Bender: "Representative Smith, I was at the hearing on products liability, and I heard an attorney who specializes in this type of case say, that under this section of the bill, that child would be prohibited from recovering damages. Is that true?"

Mr. Smith (R): "Yes, in my judgment that is true. I think it's important to the members to understand the reason. This isn't really all that complicated. Under product liability law in the state of Washington and every other state, strict liability applies. It's called the Restatement of Tort 402A. It says a manufacturer is strictly liable for any damages that occur to a consumer or a worker because of an unreasonable danger or defect in a product. Our state Supreme Court set up a standard for what is unreasonable danger and the court said that any product that is more dangerous than the average reasonable, prudent consumer would expect, is unreasonably dangerous. The state of the art statement here says regardless of unreasonable danger, if the product met the state of the art, economically feasible, technologically feasible, if affirmative consent—unless we put a proviso in there during these negotiations—unless the manufacturer knew or should have known that the products' hazard exceeds its utility. The problem with the case that was mentioned in the Judiciary Committee hearing or the one that Seattle attorney, Doug Hewitt, indicated had changed his mind on the bill, is that the manufacturer submitted the product to fire testing under U.S. government flammable fabrics standard, and the product passed the test. In many of these flammable fabric's cases, they do pass because of unique and strange sets of circumstances. In that case the fabric melted; it didn't burn. The outer layer of fabric in the walker was fire retardant. It didn't burn but the hot coal lay in it for a sufficient period of time and it melted through the fire retardant fabric, igniting the flammable lining inside. It's clear to me the manufacturer could have established, to the satisfaction of the jury, that there was not reason to know of the hazard of the product."

Representatives Hurley and Newhouse spoke against the amendment to the amendment.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Newhouse, the Salatino amendment refers to a 'systemized program of risk anticipation.' The language in your amendment has no such clause in it. My question is, does the designer or manufacturer, under your law, have any responsibility to anticipate the risks with his design?"

Mr. Newhouse: "Yes, surely every manufacturer has that responsibility in the selling of the products which he makes for the public and that same responsibility is involved in exactly the type of legislation we talked about."

Representatives Douthwaite and Salatino spoke in favor of the amendment to the amendment, and Representatives Barnes and Smith (R) spoke against it.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Ms. Hurley.

Ms. Hurley: "In your new section 8, the bottom line, it says '...shall not constitute an affirmative defense if the defendant knew or should have known, that despite such conformance, the hazards inherent in the product outweigh the utility.' That bothers me. We've been

talking about a stroller and, of course, the utility of a stroller is to cart a little child around. It couldn't possibly outweigh the utility of the stroller because you use a stroller day after day and just in case one in seven hundred strollers would catch on fire, how did that apply?"

Mr. Newhouse: "I would say that language would not apply to the stroller situation. For the stroller situation you would go to the language where the product's design was in conformance with the technical, economically feasible and generally available. In this hazardous situation you would rule that it was something where there was hazard inherent in the product, such as the use of dynamite, perhaps, which some people must buy. But certainly for a consumer product there is a very high standard of safety required."

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Salatino to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendment was not adopted by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Sherman, Sommers, Thompson, Valle, Vrooman, Warnke.

Voting nay: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Amen, Blair, Zimmerman.

Mr. Salatino moved adoption of the following amendment to the Newhouse amendment:

On page 11, following section 10 add a new section to read as follows:

"NEW SECTION. Sec. 10. In any products liability action where the plaintiff shows that the defendant had knowledge of the defect in the product which caused the injury, and with wilful disregard for the safety of the product users proceeded to sell such product, the plaintiff shall be entitled to punitive damages, in addition to general and special damages, in such amount as the jury may determine proper."

Renumber the remaining sections consecutively.

Mr. Salatino spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

Mr. Salatino spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. McGinnis.

Mr. McGinnis: "Mr. Newhouse, if I understood right, you suggested the courts can actually take criminal action in this type of a setting in which there was wilful and deliberate neglect of the public interest. Is that correct or is that false?"

Mr. Newhouse: "Such things have happened and are presently happening in our state where a large corporation is being charged criminally. Not that the courts have instituted it obviously, but the prosecutor brings such a charge to court and that can be done. I'm just suggesting that in civil acts, as we're talking about here, we should not set a criminal penalty."

Mr. McGinnis spoke against the amendment to the amendment, and Mr. Douthwaite spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Salatino to the Newhouse amendment, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; not voting, 1.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, Pruitt, Rohrbach, Salatino, Sherman, Sommers, Taylor, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Hastings, Hurley, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representative Addison.

Ms. Granlund moved adoption of the following amendment by Representatives Granlund, Winsley and Hurley to the Newhouse amendment:

On page 13, line 3 after "drug" insert "," and on line 6 after "chemical" insert ", or to school buses used for school purposes."

Representatives Granlund and Hurley spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Ms. Granlund.

Ms. Granlund: "Are you asking why other trucks that are built to the same specifications aren't put into this amendment?"

Mr. Newhouse: "No, that's not the question. It's just that we do set a higher standard for trucks that are used for one purpose and then you get into a legal problem of why not that same standard for trucks used for another purpose."

Ms. Granlund: "But we're not talking about trucks, Representative Newhouse."

Mr. Newhouse: "We certainly are because a truck is the basic chassis on which a bus is constructed."

Ms. Granlund spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Granlund and others to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendment was not adopted by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., North, O'Brien, Pruitt, Salatino, Sanders, Sherman, Sommers, Sprague, Taylor, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Knowles, Martinis, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Scott, Smith C. P., Smith R., Struthers, Tally, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representative Eberle.

#### MOTION FOR RECONSIDERATION

Representative Smith (R), having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representatives Granlund, Winsley and Hurley to the Newhouse amendment was not adopted.

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

#### POINT OF ORDER

Mr. Ehlers: "I believe we are speaking about whether or not we should reconsider, not on the merits of the amendment."

#### SPEAKER BERENTSON'S RULING

Speaker Berentson: "Reed's Rule 203 says, 'A motion to reconsider, if agreed to, reopens the entire question for further action as if there had been no final decision.' So I believe Representative Tilly can speak to the merits of the issue."

Mr. Tilly concluded his remarks in opposition to the motion to reconsider.

Representatives Sommers, Salatino, Granlund and Douthwaite spoke in favor of the motion, and Representative Nisbet spoke against it.

Mr. Ehlers 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 the amendment by Representative Granlund and others to the Newhouse amendment failed to pass the House, and the motion was lost by the following vote: Yeas, 48; nays, 50; not voting, 0.



Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Sommers, Sprague, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Martinis, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Smith R., Struthers, Teller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Mr. Nelson (D) moved adoption of the following amendments by Representatives Nelson (D), Granlund, Burns, Bender, Charnley and Pruitt to the Newhouse amendment:

On page 13, line 1 after "apply" insert "(a)"

On page 13, line 6 after "or" strike "a chemical" and insert "chemicals, which term shall include elements in their various forms, mixtures, and compounds, or

(b) To any product liability action arising from an injury or illness which manifests no observable symptoms until five years following exposure to the product which caused the injury"

Mr. Nelson (D) spoke in favor of the amendments to the amendment, and Mr. Newhouse spoke against them.

#### POINT OF INQUIRY

Ms. Sherman yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Sherman, the word 'chemical' has been construed by the courts in a variety of ways, both fairly broad and rigorously narrow. As a member of the Judiciary Committee that worked on this bill, I wonder if you could tell me what your understanding of the term 'chemical' is in this section we are dealing with that excludes exposure to a chemical from the statute of limitations?"

Ms. Sherman: "Representative Nelson, because of the increasing number of fatal and crippling injuries and diseases resulting from a number of substances and products, my opinion is that the word 'chemical' must be interpreted in its broadest sense. 'Chemical' includes all matter, whether in the form of atoms, compounds, or mixtures of atoms or compounds, whether organic or inorganic, whether crystalline or noncrystalline, whether mineral or non-mineral, whether inert or active, whether natural or synthetic, whether gas, liquid or solid form, whether the size of atoms, microscopic particles or larger molecular structures."

Representatives Nelson (D), Becker and Isaacson spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke again in opposition to it.

Representatives Nelson (D) and Isaacson spoke again in favor of the amendment.

Mr. Bender demanded the previous question and the demand was not sustained.

#### POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, what is the intent of the amendment under the language of part (b)?"

Mr. Nelson (D): "The amendment, under part (b), says that in any product liability action, regardless of whether there is a statute of limitations, if observable symptoms appear later than five years following exposure to a product which caused the injury, then there can be a cause for recovery for that injury."

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Newhouse, is that your interpretation of what this does?"

Mr. Newhouse: "The (b) section of the amendment on page 13, line 6 would add new language which would weaken any statute of limitations for that period."

Representatives Isaacson and Nelson (D) again spoke in favor of the amendment to the amendment, and Mr. Haley spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (D) and others to the Newhouse amendment, and the amendment was not adopted by the following vote: Yeas, 46; nays, 52; not voting, 0.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Isaacson, Jovanovich, King, Kreidler, Lux, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., O'Brien, Pruitt, Rohrbach, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Van Dyken, Vrooman, Walk, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Haley, Hastings, Houchen, Hurley, Keller, Knowles, Martinis, McDonald, McGinnis, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Mr. Salatino moved adoption of the following amendment to the Newhouse amendment:

Beginning on page 11, line 17 of the amendment strike all of section 11 and insert the following:

**\*NEW SECTION, Sec. 11.** There is added to chapter 4.16.RCW a new section to read as follows:

(1) A product seller may be liable to a claimant for harm caused by the seller's product during the useful safe life of that product. 'Useful safe life' refers to the time during which the product reasonably can be expected to perform in a safe manner. In determining whether a product's useful safe life has expired, the trier of fact may consider:

(a) The effect on the product of wear and tear or deterioration from natural causes;  
 (b) The effect of climatic and other local conditions in which the product was used;  
 (c) The policy of the user and similar users as to repairs, renewals, and replacements;  
 (d) Representations, instructions, and warnings made by the product seller about the product's useful safe life; and

(e) Any modification or alteration of the product by a user or third party.

(2) A product seller shall not be liable for injuries or damage caused by a product beyond its useful safe life unless the seller has so expressly warranted.

(3) If a person otherwise entitled to bring an action is, at the time the cause of action accrues, under a legal disability, as defined in RCW 4.16.190, the time of such disability shall not be a part of the time limited for commencement of action by subsections (1) and (2) of this section.

(4) The limitations set forth in subsection (1) of this section shall not apply to any product liability action based upon the use of any drug as defined in RCW 18.64.011 or the cumulative effects of exposure to radiation or a chemical."

Mr. Salatino spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

## POINT OF INQUIRY

Mr. Smith (R) asked Mr. Newhouse to yield to question, and Mr. Newhouse refused to yield.

Mr. Bender spoke in favor of the amendment to the amendment.

Mr. Salatino spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Salatino to the Newhouse amendment, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Addison, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pruitt, Rohrbach, Salatino, Sherman, Sommers, Thompson, Valle, Vrooman, Walk.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Hurley, Knowles, Martinis, McCormick, McGinnis, Mitchell, Newhouse, Nisbet, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives McDonald, Warnke, Zimmerman.

The Clerk read the following amendment by Representative Wilson to the Newhouse amendment:

On page 13, beginning on line 7 strike all language through line 9 on page 15.

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Wilson withdrew the amendment to the amendment.

The Clerk read the following amendments by Representatives Becker and Sherman to the Newhouse amendment:

On page 13, beginning on line 7 strike all of sections 12, 13, 14 and 15 down to and including "complaint." on line 33 of page 17.

On page 19, beginning on line 34 strike "through 17" and insert "and 13"

With the consent of the House, Ms. Becker withdrew the amendments.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and Salatino to the Newhouse amendment:

On page 19 of the amendment following line 21 add the following paragraph:

"The office of financial management shall also gather data on products liability and municipal tort insurance premiums written and earned, losses paid and incurred, the number of claims filed, loss adjustment expenses, total loss reserves, loss ratios, and net profits and losses."

Mr. Douthwaite spoke in favor of the amendment to the amendment.

#### POINT OF ORDER

Mr. Deccio: "Mr. Speaker, I challenge Representative Douthwaite's amendment on scope and object."

Speaker Berentson: "The Speaker is going to rule that the amendment to the amendment is within the scope and object of the bill."

Representatives Newhouse, Deccio and Rohrbach spoke against the amendment to the amendment, and Mr. Douthwaite again spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Douthwaite and Salatino to the Newhouse amendment, and the amendment was not adopted by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Bagnariol, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Gallagher, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, Patterson, Pruitt, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Vrooman, Warnke.

Voting nay: Representatives Adams, Addison, Amen, Barnes, Barr, Bauer, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, Keller, Knowles, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Erickson, Martinis, Zimmerman.

Mr. King demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Newhouse, the House proceeded with business under the Call of the House.

Mr. Tilly moved adoption of the following amendment to the Newhouse amendment to Engrossed Senate Bill No. 2333:

On page 19, following line 29 insert a new section as follows:

**\*NEW SECTION.** Sec. 19. There is added to chapter 4.22 RCW a new section to read as follows:

The court may award a defendant in a tort action attorney's fees and costs incurred in defense of the suit if the court finds that the claim against the defendant seeking attorney's fees and costs was frivolous, unfounded or otherwise without merit."

Remember the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment to the amendment, and Representatives Newhouse and Smith (R) spoke against it.

Mr. Tilly again spoke in favor of the amendment, and Mr. Smith (R) spoke again in opposition to it.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Smith, if a suit is unfounded or otherwise a suit without merit, is there anything in present law which gives a defendant his court costs to defend himself against such a frivolous or unfounded lawsuit?"

Mr. Smith (R): "Yes, there is. An individual can claim what we call an abusive process, an action that has been in the law for many years."

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the Newhouse amendment, and the amendment was not adopted by the following vote: Yeas, 35; nays, 63; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Deccio, Dunlap, Eberle, Erak, Greengo, Haley, Hastings, Houchen, Isaacson, Jovanovich, Mitchell, Monohon, Nelson G. A., Nisbet, Oliver, Patterson, Polk, Rohrbach, Sanders, Schmitt, Sprague, Struthers, Taller, Tilly, Van Dyken, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Douthwaite, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Nelson D., Newhouse, North, O'Brien, Owen, Pruitt, Rosbach, Salatino, Scott, Sherman, Smith C. P., Smith R., Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley.

Mr. Salatino moved adoption of the following amendment to the Newhouse amendment:

On page 20 of the amendment following section 23 add a new section as follows:

\*NEW SECTION, Sec. 24. This 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 Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.\*

Representatives Salatino, Charnley, Becker, Douthwaite, May and Bender spoke in favor of the amendment to the amendment, and Representatives Greengo, Newhouse, Barnes, Flanagan, Isaacson and Struthers spoke against it.

Mr. Salatino spoke again in favor of the amendment to the amendment, and Mr. Barnes spoke again in opposition to it.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Salatino to page 20 of the Newhouse amendment, and the amendment was not adopted by the following vote: Yeas, 41; nays, 57; not voting, 0.

Voting yea: Representatives Addison, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Gallagher, Granlund, Grimm, Gruger, Hughes, Hurley, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Thompson, Tupper, Valle, Vrooman, Warnke.

Voting nay: Representatives Adams, Bagnariol, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Haley, Hastings, Heck, Houchen, Isaacson, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Van Dyken, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Mr. Van Dyken moved adoption of the following amendment to the Newhouse amendment:

On page 19, line 35 following "after" insert "July 1, 1980 which shall be"

Representatives Van Dyken and Becker spoke in favor of the amendment to the amendment, and Representatives Newhouse and Deccio spoke against it.

Ms. Becker spoke again in favor of the amendment.

Mr. King demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendment was not adopted by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., O'Brien, Oliver, Pruitt, Salatino, Sherman, Sommers, Sprague, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Zimmerman.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Fancher, Flanagan, Fuller, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Houchen, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Struthers, Taller, Taylor, Tilly, Tupper, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

## MOTION FOR RECONSIDERATION

Mr. Nelson (D) moved that the rules be suspended to allow reconsideration of the vote by which the amendment by Representative Nelson (D) to page 13, line 4 of the Newhouse amendment was not adopted.

Mr. Nelson (D) spoke in favor of the motion, and Mr. Newhouse spoke against it.

## POINT OF ORDER

Mr. Nelson (D): "Mr. Speaker, I believe Representative Newhouse is speaking to my amendment and as I understand the rules, he cannot do that."

Speaker Berentson: "I would remind you that Representative Newhouse did indicate he was speaking against the amendment."

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules to allow reconsideration of the vote by which the amendment by Representative Nelson (D) to page 13, line 4 of the Newhouse amendment failed to pass the House, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 58; nays, 40; not voting, 0.

Voting yea: Representatives Addison, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McDonald, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Eberle, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Martinis, McCormick, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Struthers, Taller, Taylor, Teutsch, Tupper, Williams, Wilson, Winsley, Zimmerman.

Ms. Becker moved adoption of the following amendment to the Newhouse amendment:

On page 1 of the amendment, beginning on line 6, strike all material down to and including line 23 on page 20 and insert the following:

**\*NEW SECTION.** Section 1. (1) In an action based on fault seeking to recover damages for injury or death to person or harm to property, any contributory fault chargeable to the claimant diminishes proportionately the amount awarded as compensatory damages for an injury attributable to the claimant's contributory fault, but does not bar recovery. This rule applies whether or not under prior law the claimant's contributory fault constituted a defense or was disregarded under applicable legal doctrines, such as last clear chance.

(2) 'Fault' includes acts or omissions that are in any measure negligent or reckless toward the person or property of the actor or others, or that subject a person to strict tort liability. The term also includes breach of warranty, unreasonable assumption of risk not constituting an enforceable express consent, misuse of a product for which the defendant otherwise would be liable, and unreasonable failure to avoid an injury or to mitigate damages. Legal requirements of causal relation apply both to fault as the basis for liability and to contributory fault.

**NEW SECTION.** Sec. 2. (1) In all actions involving fault of more than one party to the action, including third-party defendants, the court, unless otherwise agreed by all parties, shall instruct the jury to answer special interrogatories or, if there is no jury, shall make findings, indicating:

(a) The amount of damages each claimant would be entitled to recover if contributory fault is disregarded; and

(b) The percentage of the total fault of all of the parties to each claim that is allocated to each claimant, defendant, and third party defendant. For this purpose the court may determine that two or more persons are to be treated as a single party.

(2) In determining the percentages of fault, the trier of fact shall consider both the nature of the conduct of each party at fault and the extent of the causal relation between the conduct and the damages claimed.

(3) The court shall determine the award of damages to each claimant in accordance with the findings and enter judgment against each party liable on the basis of rules of joint-and-several liability. For purposes of contribution under sections 4 and 5 of this act, the court also shall determine and state in the judgment each party's equitable share of the obligation to each claimant in accordance with the respective percentages of fault.

(4) In a product liability action, as defined in section 7 of this act, a manufacturer shall be responsible for any fault attributable to its component suppliers; but a retailer, wholesaler, distributor, or other seller shall not be responsible for the fault of a manufacturer unless:

(a) The retailer, wholesaler, distributor or other seller exercised control or substantial influence over the product design, manufacture, warnings, or instructions alleged to be defective; or

(b) The retailer, wholesaler, distributor or other seller upon request refuses to disclose a prior seller in the chain of distribution from which the product was obtained; or

(c) Personal jurisdiction cannot be obtained over any known prior seller in the chain of distribution.

**NEW SECTION, Sec. 3.** A claim and counterclaim shall be set off, and only the difference between them is recoverable in the judgment. However, if either or both of the claims are covered by liability insurance and an insurance carrier's liability under its policy is reduced by reason of the set-off, the insured is entitled to recover from the carrier the amount of the reduction. Amounts so recovered shall be credited against pertinent liability policy limits. For purposes of uninsured-motorist and similar coverages, the amounts so recovered shall be treated as payment of those amounts to the insured by the party liable. In the event of a set-off, the court shall equitably award costs, if any, among all parties to the lawsuit.

**NEW SECTION, Sec. 4.** (1) A party liable shall have a right to contribution, including a right to full indemnity, from any person whose fault caused claimant's damage. The right to contribution, including the right to full indemnity, may be enforced either in the original action or by a separate action brought for that purpose. The basis for contribution is each person's equitable share of the obligation, including the equitable share of a claimant at fault, as determined in accordance with the provisions of section 2 of this act.

(2) Contribution is available to a person who enters into a settlement with a claimant only if that person had a reasonable expectation of potential liability to the claimant, if the liability of the person against whom contribution is sought has been extinguished, and to the extent that the amount paid in settlement was reasonable.

**NEW SECTION, Sec. 5.** (1) If the equitable shares of the parties to a claim for contribution have been established pursuant to section 2 of this act, a party paying more than his equitable share of the obligation, upon motion, may recover judgment for contribution.

(2) If the equitable shares of the parties to the claim for contribution have not been established, contribution may be enforced in a separate action, whether or not a judgment has been rendered against either the person seeking contribution or the person from whom contribution is being sought.

(3) If a judgment has been rendered, the action for contribution shall be commenced within one year after the judgment becomes final. If no judgment has been rendered, the person bringing the action for contribution either shall have:

(a) Discharged by payment the liability within the period of the statute of limitations applicable to the claimant's right of action against him and commenced the action for contribution within one year after payment; or

(b) Agreed while action was pending to discharge the common liability and, within one year after the agreement, have paid the liability and commenced an action for contribution.

**NEW SECTION, Sec. 6.** A good faith release, covenant not to sue, or similar agreement entered into by a claimant and a person liable discharges that person from all liability for contribution, but the agreement does not discharge any other persons liable upon the same claim unless the agreement so provides. However, the claim of the releasing person is reduced by the amount paid pursuant to the agreement unless such agreement was not made in good faith.

All parties desiring to enter into such an agreement shall give ten days' written notice to all other parties. Notice shall include the terms of the agreement and shall, by way of motion, secure court approval that the agreement is made in good faith.

**NEW SECTION, Sec. 7.** (1) For the purpose of this chapter, the following term shall have the meaning set forth in this section:

'Product liability action' means an action brought against the seller of a product by a person seeking to recover damages for injury or death to a person or harm to property caused by a defective condition of a product, including without limitation:

(a) Any defect in product design;

(b) Any defect in product manufacture, including inspection and testing;

(c) Any failure to warn regarding the product; or

(d) Any failure to properly instruct in the use of the product.

A product liability action includes all actions based upon negligence, breach of warranty, strict liability in tort, and any other substantive legal theory, except fraud, intentionally caused injury, or consumer protection under chapter 19.86 RCW.

(2) As used in this section, the term 'seller' includes the manufacturer, wholesaler, distributor, or retailer of a product.

**NEW SECTION.** Sec. 8. Any defendant in a product liability action based on a claim that a defect in the design of the product caused the injury may introduce evidence that the product alleged by the plaintiff to have caused the harm giving rise to the suit was designed in conformity with all safety considerations for the user which were then technologically and economically feasible, and which were generally known, or reasonably discoverable through a systematized program of risk anticipation.

**NEW SECTION.** Sec. 9. In any product liability action it is an affirmative defense that the damage was proximately caused by an alteration, modification, or misuse of the product which was not reasonably foreseeable by the defendant.

**NEW SECTION.** Sec. 10. In any product liability action the following rules of evidence apply:

(1) When, after an event, measures are taken which, if taken previously, would have made the event less likely to occur, evidence of the subsequent measures is not admissible to prove fault in connection with the event. This rule does not require exclusion of evidence of subsequent measures when offered for another purpose, such as proving ownership, control, or feasibility of precautionary measures, if controverted, or impeachment.

(2) Evidence of technology which became economically feasible and generally known or reasonably available only after the product was manufactured is inadmissible.

(3) If the plaintiff offers evidence that an alternative design would have reduced or prevented the injury, the defendant may introduce evidence to show that such alternative design would increase other hazards so as to degrade overall product safety.

**NEW SECTION.** Sec. 11. There is added to chapter 4.16 RCW a new section to read as follows:

(1) A product seller may be liable to a claimant for harm caused by the seller's product during the useful safe life of that product. 'Useful safe life' refers to the time during which the product reasonably can be expected to perform in a safe manner. In determining whether a product's useful safe life has expired, the trier of fact may consider:

(a) The effect on the product of wear and tear or deterioration from natural causes;  
 (b) The effect of climatic and other local conditions in which the product was used;  
 (c) The policy of the user and similar users as to repairs, renewals, and replacements;  
 (d) Representations, instructions, and warnings made by the product seller about the product's useful safe life; and

(e) Any modification or alteration of the product by a user or third party.

(2) A product seller shall not be liable for injuries or damage caused by a product beyond its useful safe life unless the seller has so expressly warranted.

(3) It shall be a rebuttable presumption that a product's useful safe life has expired ten years following delivery to the first purchaser or lessor who was not engaged in selling products of that type.

(4) If a person otherwise entitled to bring an action is, at the time the cause of action accrues, under a legal disability, as defined in RCW 4.16.190, the time of such disability shall not be a part of the time limited for commencement of action by this section.

(5) The presumption set forth in subsection (3) of this section shall not apply to any product liability action based upon the use of any drug as defined in RCW 18.64.011 or the cumulative effects of exposure to radiation or a chemical.

**NEW SECTION.** Sec. 12. In any action for damages against the state or a political subdivision thereof, or against its officers, agents, employees, or contractors, the following affirmative defense shall be applicable, but nothing contained herein shall create any cause of action or be held or interpreted as altering or diminishing any other existing defenses.

In any action involving the design of any portion or aspect of a highway, road, bridge, street, or sidewalk, it shall be an affirmative defense that such design was not in violation of statutes or ordinances establishing or adopting design standards.

**NEW SECTION.** Sec. 13. In any action for damages against the state or a political subdivision thereof, or against its officers, agents or employees, the following affirmative defenses shall be applicable, but nothing contained herein shall create any cause of action or be held or interpreted as altering or diminishing any other existing defenses. In any action involving inspections, or failure to inspect, made for the purpose of determining compliance with applicable laws, it shall be an affirmative defense that the governmental agency:

(1) Was not aware of the noncompliance; or

(2) Has made a reasonable attempt to notify the owner, operator, or agent responsible for compliance of the noncompliance.

Neither affirmative defense shall apply where the property inspected is owned by the governmental agency or where inspection procedures pursuant to specific standards required by applicable laws have not been followed.

**NEW SECTION.** Sec. 14. There is hereby appropriated to the legislative budget committee the sum of sixty thousand dollars or so much thereof as may be necessary from the general fund for the purpose of conducting a study of the unique problems presented by product liability actions which arise from work place injuries.

The legislative budget committee shall prepare a written report of its findings and shall submit the report to the financial institutions and insurance committee and judiciary committee of the senate and the insurance committee and the judiciary committee of the house of representatives no later than January 1, 1981.

**NEW SECTION.** Sec. 15. Sections 1 through 10 and sections 12 and 13 of this 1979 act shall apply to all actions filed after the effective date of this 1979 act. Section 11 of this 1979 act shall apply to all causes of action arising after the effective date of this 1979 act.

**NEW SECTION.** Sec. 16. 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. 17. Sections 1 through 6 of this act are each added to chapter 4.22 RCW.

**NEW SECTION.** Sec. 18. Sections 7 through 10 of this act constitute a new chapter in Title 4 RCW.

**NEW SECTION.** Sec. 19. Section 1, chapter 138, Laws of 1973 1st ex. sess. and RCW 4.22.010 are each repealed.

This repeal shall not be construed as affecting any action which has been filed prior to or on the effective date of this act."

Representatives Becker and Douthwaite spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

Mr. Smith (R) explained the difference between the Newhouse amendment and the Becker amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to the Newhouse amendment to Engrossed Senate Bill No. 2333, and the amendment was not adopted by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Gallagher, Galloway, Granlund, Gruger, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, O'Brien, Oliver, Patterson, Pruitt, Salatino, Sherman, Thompson, Valle, Vrooman, Williams.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Garrett, Greengo, Grimm, Haley, Hastings, Houchen, Knowles, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Owen, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Speaker Berentson stated the question before the House to be the amendment by Representative Newhouse and others as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse and others to Engrossed Senate Bill No. 2333, and the amendment was adopted by the following vote: Yeas, 62; nays, 36; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Grimm, Haley, Hastings, Heck, Keller, King, Knowles, Kreidler, Martinis, McCormick, McDonald, McGinnis, Monohon, Newhouse, Nisbet, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Struthers, Taller, Taylor, Teutsch, Tilly, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Brekke, Burns, Charnley, Douthwaite, Ehlers, Eng, Gallagher, Granlund, Greengo, Gruger, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Lux, Maxie, May, Mitchell, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pruitt, Salatino, Sherman, Sprague, Thompson, Tupper, Valle, Williams, Wilson.

On motion of Mr. Newhouse, the following amendments to the title were adopted:

On line 2 of the title beginning with "51.24.020" strike all material through and including "51.24.020" on line 4 and insert "3, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.050; amending section 4, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.060; amending section 6, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.080"

In line 5 of the title after "RCW;" insert "adding new sections to chapter 4.92 RCW;"

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2333 as amended by the House be placed on final passage.

Mr. Smith (R) spoke against the motion, and Mr. Newhouse spoke in favor of it.



ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 2333 to final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 67; nays, 31; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Greengo, Haley, Hastings, Heck, Houchen, Hurley, Keller, King, Kreidler, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Brekke, Burns, Charnley, Douthwaite, Eng, Erak, Gallagher, Granlund, Grimm, Gruger, Hughes, Isaacson, Jovanovich, Knowles, Lux, Maxie, May, Monohon, Nelson D., North, O'Brien, Oliver, Pruitt, Salatino, Sherman, Smith R., Valle, Van Dyken.

Speaker Berentson declared the question before the House to be the final passage of Engrossed Senate Bill No. 2333 as amended by the House.

Representatives Newhouse, Barnes and Haley spoke in favor of passage of the bill, and Representatives Knowles, Smith (R), Isaacson and Pruitt spoke against it.

Mr. Newhouse spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2333 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Grimm, Haley, Hastings, Heck, Keller, Martinis, McCormick, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Owen, Patterson, Polk, Rosbach, Sanders, Schmitten, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Addison, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Gallagher, Granlund, Greengo, Gruger, Houchen, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Maxie, May, Monohon, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pruitt, Rohrbach, Salatino, Sherman, Smith R., Sommers, Thompson, Tupper, Valle, Van Dyken, Vrooman, Williams, Wilson.

Engrossed Senate Bill No. 2333 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. Newhouse, Engrossed Senate Bill No. 2333 as amended by the House was ordered transmitted immediately to the Senate.

MOTIONS

On motion of Mr. Polk, the House dispensed with further business under the Call of the House.

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Friday, May 4, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FORTY-FIFTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 4, 1979.

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 Erickson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages JoAnn Riggs and Jay Hall. Prayer was offered by Father Herbert Pins 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.

### MESSAGES FROM THE SENATE

May 3, 1979

Mr. Speaker:

The Senate has passed:

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 3065,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 3, 1979

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2143,

SENATE BILL NO. 2224,

SECOND SUBSTITUTE SENATE BILL NO. 3033,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 80,

SUBSTITUTE HOUSE BILL NO. 125,

SUBSTITUTE HOUSE BILL NO. 194,

HOUSE BILL NO. 196,

SUBSTITUTE HOUSE BILL NO. 227,

SUBSTITUTE HOUSE BILL NO. 249,

SUBSTITUTE HOUSE BILL NO. 262,

SUBSTITUTE HOUSE BILL NO. 298,

SUBSTITUTE HOUSE BILL NO. 311,

HOUSE BILL NO. 335,

SUBSTITUTE HOUSE BILL NO. 352,

HOUSE BILL NO. 358,

SUBSTITUTE HOUSE BILL NO. 367,

SUBSTITUTE HOUSE BILL NO. 437,

SUBSTITUTE HOUSE BILL NO. 446,

HOUSE BILL NO. 622,

SUBSTITUTE HOUSE BILL NO. 665,

HOUSE BILL NO. 668,

SUBSTITUTE HOUSE BILL NO. 706,

SUBSTITUTE HOUSE BILL NO. 755,

SUBSTITUTE HOUSE BILL NO. 871,

SUBSTITUTE HOUSE BILL NO. 872,

SUBSTITUTE HOUSE BILL NO. 912,

SUBSTITUTE HOUSE BILL NO. 972,

SUBSTITUTE HOUSE BILL NO. 1032,

SUBSTITUTE HOUSE BILL NO. 1034,  
 SUBSTITUTE HOUSE BILL NO. 1281,  
 SUBSTITUTE HOUSE BILL NO. 1308,  
 HOUSE JOINT MEMORIAL NO. 16,  
 SENATE BILL NO. 2143,  
 SUBSTITUTE SENATE BILL NO. 2192,  
 SENATE BILL NO. 2224,  
 SUBSTITUTE SENATE BILL NO. 2317,  
 SUBSTITUTE SENATE BILL NO. 2337,  
 SUBSTITUTE SENATE BILL NO. 2375,  
 SENATE BILL NO. 2462,  
 SUBSTITUTE SENATE BILL NO. 2532,  
 SENATE BILL NO. 2905,  
 SECOND SUBSTITUTE SENATE BILL NO. 3033.

INTRODUCTION AND FIRST READING

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 3065, by Committee on Constitution and Elections (originally sponsored by Senators Woody, Waigren, Odegaard, Bausch, Peterson, Day, Henry, Bottiger, Marsh, Donohue, Shinpoch and Wilson):

Establishing procedures for the selection and operation of a redistricting commission.

To Committee on Constitution, Elections and Governmental Ethics

REPORT OF STANDING COMMITTEE

May 1, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2415, Prime Sponsor: Senator Talmadge, revising procedures relating to civil commitment. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 2, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. It is the intent of the legislature that chapter 71.05 RCW as amended by this 1979 act be carefully construed to accomplish the purposes stated in RCW 71.05.010 and hereby reaffirmed.

Sec. 2. Section 294, page 187, Laws of 1854 as last amended by section 7, chapter 13, Laws of 1965 and RCW 5.60.060 are each amended to read as follows:

(1) A husband shall not be examined for or against his wife, without the consent of the wife, nor a wife for or against her husband without the consent of the husband; nor can either during marriage or afterward, be without the consent of the other, examined as to any communication made by one to the other during marriage. But this exception shall not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other, nor to a criminal action or proceeding for a crime committed by said husband or wife against any child of whom said husband or wife is the parent or guardian, nor to a proceeding under chapter 71.05 RCW: PROVIDED, That the spouse of a person sought to be detained under chapter 71.05 RCW may not be compelled to testify and shall be so informed by the court prior to being called as a witness.

(2) An attorney or counselor shall not, without the consent of his client, be examined as to any communication made by the client to him, or his advice given thereon in the course of professional employment.

(3) A clergyman or priest shall not, without the consent of a person making the confession, be examined as to any confession made to him in his professional character, in the course of discipline enjoined by the church to which he belongs.

(4) A regular physician or surgeon shall not, without the consent of his patient, be examined in a civil action as to any information acquired in attending such patient, which was necessary to enable him to prescribe or act for the patient, but this exception shall not apply in any judicial proceeding regarding a child's injuries, neglect or sexual abuse, or the cause thereof.

(5) A public officer shall not be examined as a witness as to communications made to him in official confidence, when the public interest would suffer by the disclosure.

Sec. 3. Section 9, chapter 117, Laws of 1973 1st ex. sess. as amended by section 8, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.090 are each amended to read as follows:

(1) If at any time during the pendency of an action and prior to judgment, the court finds following a report as provided in RCW 10.77.060, as now or hereafter amended, that the defendant is incompetent, the court shall order the proceedings against him be stayed, except as provided in subsection (5) of this section, and, if the defendant is charged with a felony, may commit the defendant to the custody of the secretary, who shall place such defendant in an appropriate facility of the department for evaluation and treatment, or the court may alternatively order the defendant to undergo evaluation and treatment at some other facility, or under the guidance and control of some other person, until he has regained the competency necessary to understand the proceedings against him and assist in his own defense, but in any event, for no longer than a

period of ninety days. A copy of the report shall be sent to the facility. On or before expiration of the initial ninety day period of commitment the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent. If the defendant is charged with a crime which is not a felony, the court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the county mental health professional to evaluate the defendant and commence proceedings under chapter 71.05 RCW if appropriate; and subsections (2) and (3) of this section shall not be applicable: PROVIDED, That, upon order of the court, the prosecutor may directly petition for fourteen days of involuntary treatment under chapter 71.05 RCW.

(2) If the court finds by a preponderance of the evidence that the defendant is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional ninety day period, but it must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second ninety day period. The defendant, his attorney, the prosecutor, or the judge shall have the right to demand that the hearing on or before the expiration of the second ninety day period be before a jury. If no demand is made, the hearing shall be before the court. The court or jury shall determine whether or not the defendant has become competent.

(3) At the hearing upon the expiration of the second ninety day period if the jury or court, as the case may be, finds that the defendant is incompetent, the charges shall be dismissed without prejudice, and either civil commitment proceedings shall be instituted, if appropriate, or the court shall order the release of the defendant: PROVIDED, That the criminal charges shall not be dismissed if at the end of the second ninety day period the court or jury finds that the defendant is a substantial danger to other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, and that there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for an additional six months. At the end of said six month period, if the defendant remains incompetent, the charges shall be dismissed without prejudice and either civil commitment proceedings shall be instituted, if appropriate, or the court shall order release of the defendant.

(4) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

(5) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables him to understand the proceedings against him and to assist in his own defense, or does not disable him from so understanding and assisting in his own defense.

(6) At or before the conclusion of any commitment period provided for by this section, the facility providing evaluation and treatment shall provide to the court a written report of examination which meets the requirements of RCW 10.77.060(3).

Sec. 4. Section 11, chapter 117, Laws of 1973 1st ex. sess. as amended by section 10, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.110 are each amended to read as follows:

If a defendant is acquitted of a felony by reason of insanity, and it is found that he is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall direct his final discharge. If it is found that ((the)) such defendant is a substantial danger to himself or others and in need of control by the court or other persons or institutions, the court shall order his hospitalization, or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter. If it is found that ((the)) such defendant is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, but that he is in need of control by the court or other persons or institutions, the court shall direct his conditional release. If the defendant is acquitted by reason of insanity of a crime which is not a felony, the court shall order the defendant's release or order the defendant's continued custody only for a reasonable time to allow the county-designated mental-health professional to evaluate the individual and to proceed with civil commitment pursuant to chapter 71.05 RCW, if considered appropriate.

Sec. 5. 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: (a) Is in danger of serious physical harm resulting from a failure to provide for his essential human needs of health or safety, or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(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, or (c) a substantial risk that physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others;

(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 institution, hospital, or sanitarium which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill or deranged, if the agency is 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 or private institution, hospital, or sanitarium, which is conducted for, or includes a department or ward conducted for the care and treatment of persons who are mentally ill;

(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.

Sec. 6. Section 10, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.050 are each amended to read as follows:

Nothing in this chapter shall be construed to limit the right of any person to apply voluntarily to any public or private agency or practitioner for treatment of a mental disorder, either by direct application or by referral. Any person voluntarily admitted for inpatient treatment to any public or private agency shall be released immediately upon his request. Any person voluntarily admitted for inpatient treatment to any public or private agency shall orally be advised of the right to immediate release and further advised of such rights in writing as are secured to them pursuant to this chapter and their rights of access to attorneys, courts, and other legal redress. Their condition and status shall be reviewed at least once each one hundred eighty days for evaluation as to the need for further treatment and/or possible release, at which time they shall again be advised ((or)) of their right to release upon request: PROVIDED HOWEVER, That if the professional staff of any public or private agency or hospital regards a person voluntarily admitted who requests release as presenting, as a result of a mental disorder, an imminent likelihood of serious harm to himself or others, or is gravely disabled, they may detain such person for sufficient time to notify the designated county mental health professional of such person's condition to enable such mental health professional to authorize such person being further held in custody or transported to an evaluation and treatment center pursuant to the provisions of this chapter, which shall in ordinary circumstances be no later than the next judicial day: PROVIDED FURTHER, That if a person is brought to the emergency room of a public or private agency or hospital for observation or treatment, said person refuses voluntary admission, and the professional staff of the public or private agency or hospital regards such person as presenting as a result of a mental disorder an imminent likelihood of serious harm to himself or others or as presenting an imminent danger because of grave disability, they may detain such person for sufficient time to notify the designated county mental health professional of such person's condition to enable such mental health professional to authorize such person being further held in custody or transported to an evaluation treatment center pursuant to the conditions in this chapter, but which time shall be no more than six hours.

Sec. 7. Section 17, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.120 are each amended to read as follows:

No officer of a public or private agency, nor the superintendent, professional person in charge, his professional designee, or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a person pursuant to this chapter, nor any county designated mental health professional shall be civilly or criminally liable for ((detaining or releasing a person)) performing his duties pursuant to this ((1974 amendatory act at or before the end of the period for which he was admitted or committed)) chapter with regard to the decision of whether to admit, release, or detain a person for evaluation ((or)) and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

Sec. 8. Section 18, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.130 are each amended to read as follows:

In any judicial proceeding for involuntary commitment or detention, or in any proceeding challenging such commitment or detention, the prosecuting attorney for the county in which the proceeding was initiated shall represent the individuals or agencies petitioning for commitment or detention and shall defend all challenges to such commitment or detention: PROVIDED, That after January 1, 1980, the attorney general shall represent and provide legal services and advice to state hospitals or institutions with regard to all provisions of and proceedings under this chapter except in proceedings initiated by such hospitals and institutions seeking fourteen day detention.

Sec. 9. Section 20, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.150 are each amended to read as follows:

(1) (a) When a mental health professional designated by the county receives information alleging that a person, as a result of a mental disorder, presents a likelihood of serious harm to others or himself, or is gravely disabled, such mental health professional, after investigation and evaluation of the specific facts alleged, and of the reliability and credibility of the person or persons, if any, providing information to initiate detention, may summon such person to appear at an evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period; the summons shall state whether the required seventy-two hour evaluation and treatment services may be delivered on an outpatient or inpatient status. The mental health professional shall also designate, at the time of the summons, from a list provided by the court, an attorney who will be appointed, if any is to be appointed, and state the name, business address, and telephone number of this attorney in the summons.

(b) The summons shall state a date and time to appear not less than twenty-four hours after the service of the summons. The summons shall state the address of the evaluation and treatment facility to which such person is to report and the business address and phone number of the mental health professional designated by the county. The summons shall state that if the person named in the summons fails to appear at the evaluation and treatment facility at or before the date and time stated in the summons, such person may be involuntarily taken into custody. Accompanying the summons to such person shall be a copy of the petition for initial detention and a notice of rights.

(c) If such mental health professional decides to summon such person for up to a seventy-two hour evaluation and treatment period, the mental health professional must file in court the summons, the petition for initial detention, and all documentary evidence. The mental health professional shall then serve or cause to be served on such person, his guardian, and conservator, if any, a copy of the summons together with a notice of rights and a petition for initial detention. After service on such person the mental health professional shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility and the designated attorney. The mental health professional shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time specified on the summons if such person is not released prior to the expiration of such period.

(d) If the person summoned appears on or before the date and time specified, the evaluation and treatment facility may admit such person as required by RCW 71.05.170 or may provide treatment on an outpatient basis. If the person summoned fails to appear on or before the date and time specified, the evaluation and treatment facility shall immediately notify the mental health professional designated by the county who may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility. Should the mental health professional notify a peace officer authorizing him to take a person into custody under the provisions of this subsection, he shall file with the court a copy of such authorization and a notice of detention. At the time such person is taken into custody there shall commence to be served on such person, his guardian, and conservator, if any, a copy of the original summons together with a notice of detention, a notice of rights, and a petition for initial detention.

(2) When a mental health professional designated by the county receives information alleging that a person, as the result of a mental disorder, presents an imminent likelihood of serious harm to himself or others, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the mental health professional may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility for not more than seventy-two hours as described in RCW 71.05.180.

(3) A peace officer may take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility pursuant to subsection (1)(d) of this section.

(4) A peace officer may, without prior notice of the proceedings provided for in subsection (1) of this section, take or cause such person to be taken into custody and immediately delivered to an evaluation and treatment facility:

(a) Only pursuant to subsections (1)(d) and (2) of this section; or

(b) When he has reasonable cause to believe that such person is suffering from a mental disorder and presents an imminent likelihood of serious harm to others or himself or is in imminent danger because of being gravely disabled.

(5) Persons delivered to evaluation and treatment facilities by peace officers pursuant to subsection (4)(b) of this section may be held by the facility for a period of up to twelve hours: PROVIDED, That they are examined by a mental health professional within three hours of their arrival. Within twelve hours of their arrival, the designated county mental health professional must file a supplemental petition for detention, and commence service on the designated attorney for the detained person.

Sec. 10. Section 23, chapter 142, Laws of 1973 1st ex. sess. as amended by section 11, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.180 are each amended to read as follows:

If the evaluation and treatment facility admits the person, it may detain him for evaluation and treatment for a period not to exceed seventy-two hours from the time of acceptance as set forth in RCW 71.05.170. The computation of such seventy-two hour period shall ~~((include Saturdays, but))~~ exclude Saturdays, Sundays and holidays.

Sec. 11. Section 24, chapter 142, Laws of 1973 1st ex. sess. as amended by section 12, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.190 are each amended to read as follows:

If the person is not approved for admission by a facility providing seventy-two hour evaluation and treatment, and the individual has not been arrested, the facility shall furnish transportation, if not otherwise available, for the person to his place of residence or other appropriate place. If the individual has been arrested, the evaluation and treatment facility shall detain the individual for not more than eight hours at the request of the peace officer in order to enable a peace officer to return to the facility and take the individual back into custody.

Sec. 12. Section 29, chapter 142, Laws of 1973 1st ex. sess. as amended by section 16, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.240 are each amended to read as follows:

If a petition is filed for fourteen day involuntary treatment, the court shall hold a probable cause hearing within seventy-two hours of the initial detention of such person as determined in RCW 71.05.180, as now or hereafter amended. If requested by the detained person or his attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.

At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of mental disorder, presents a likelihood of serious harm to others or himself, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility certified to provide treatment by the department of social and health services. If the court finds that such person, as the result of a mental disorder, presents a likelihood of serious harm to others or himself, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment for not to exceed fourteen days.

The court shall specifically state to such person and give such person notice in writing that if involuntary treatment beyond the fourteen day period is to be sought, such person will have the right to a full hearing or jury trial as required by RCW 71.05.310.

Sec. 13. Section 33, chapter 142, Laws of 1973 1st ex. sess. as amended by section 19, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.280 are each amended to read as follows:

At the expiration of the fourteen day period of intensive treatment, a person may be confined for further treatment pursuant to RCW 71.05.320 for an additional period, not to exceed ninety days if:

(1) Such person after having been taken into custody for evaluation and treatment has threatened, attempted, or inflicted: (a) Physical harm upon the person of another or himself ((after having been taken into custody for evaluation and treatment)), or substantial damage upon the property of another, and(;-) (b) as a result of mental disorder presents a likelihood of serious harm to others or himself; or

(2) Such person was taken into custody as a result of conduct in which he attempted or inflicted physical harm upon the person of another or himself, and continues to present, as a result of mental disorder, a likelihood of serious harm to others or himself; or

(3) Such person ((is in custody because he)) has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.090(3), as now or hereafter amended, and has committed acts constituting a felony, and as a result of a mental disorder, presents a substantial likelihood of repeating similar acts. In any proceeding pursuant to this subsection it shall not be necessary to show intent, wilfulness, or state of mind as an element of the felony; or

(4) Such person is gravely disabled.

For the purposes of this chapter 'custody' shall mean involuntary detention under the provisions of this chapter or chapter ~~((+0-76))~~ 10.77 RCW, uninterrupted by any period of unconditional release from a facility providing involuntary care and treatment.

Sec. 14. Section 37, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.320 are each amended to read as follows:

(1) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department of social and health services for a further

period of intensive treatment not to exceed ninety days from the date of judgment. An order for treatment less restrictive than involuntary detention may include conditions, and if such conditions are not adhered to, the designated mental health professional may order the person apprehended under the terms and conditions of RCW 71.05.340 as now or hereafter amended.

If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department of social and health services or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment.

(2) Said person shall be released from involuntary treatment at the expiration of ninety days unless the superintendent or professional person in charge of the facility in which he is confined, or in the event of a less restrictive alternative, the designated mental health professional, files a new petition for involuntary treatment on the grounds that the committed person;

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another ((during the current period of court ordered treatment and)), or substantial damage upon the property of another, and (ii) as a result of mental disorder presents a likelihood of serious harm to others; or

(b) Was taken into custody as a result of conduct in which he attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of mental disorder a likelihood of serious harm to others; or

(c) Is in custody pursuant to RCW 71.05.280(3) and as a result of mental disorder presents a substantial likelihood of repeating similar acts; or

(d) Continues to be gravely disabled.

If the conduct required to be proven in subsections (b) and (c) of this section was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to reprove that element. Such new petition for involuntary treatment shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this subsection are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment. At the end of the one hundred eighty day period of commitment, the committed person shall be released unless a petition for another one hundred eighty day period of continued treatment is filed and heard in the same manner as provided herein above. Successive one hundred eighty day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty day commitment. No person committed as herein provided may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length.

Sec. 15. Section 39, chapter 142, Laws of 1973 1st ex. sess. as amended by section 24, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.340 are each amended to read as follows:

(1) When, in the opinion of the superintendent or the professional person in charge of the hospital or facility providing involuntary treatment, the committed person can be appropriately served by outpatient ~~((care))~~ treatment prior to or at the expiration of the period of commitment, ~~((then such outpatient care may be required as a condition for early release for a period which, when added to the inpatient treatment period, shall not exceed the period of commitment))~~ then outpatient treatment may be required for a period which shall not exceed ninety days. If the hospital or facility designated to provide outpatient ~~((care))~~ treatment is other than the facility providing involuntary treatment, the outpatient facility so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated county mental health professional in the county in which the patient is to receive outpatient treatment, and to the court of original commitment.

(2) The hospital or facility designated to provide outpatient care or the secretary may modify the conditions for continued release when such modification is in the best interest of the person. Notification of such changes shall be sent to all persons receiving a copy of the original conditions.

(3) If the hospital or facility designated to provide outpatient care, the designated county mental health professional or the secretary determines that a conditionally released person is failing to adhere to the terms and conditions of his release, ~~((and because of that failure has become a substantial danger to himself or other persons;))~~ then, upon notification by the hospital or facility designated to provide outpatient care, or on his own motion, the designated county mental health professional or the secretary may order that the conditionally released person be apprehended and taken into custody and temporarily detained in an evaluation and treatment facility in or near the county in which he is receiving outpatient treatment until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he had been conditionally released. The designated county mental health professional or the secretary may modify or rescind such order at any time prior to commencement of the court hearing. The court that originally ordered commitment shall be notified within two judicial days of a person's detention under the provisions of this section, and the designated county mental health professional or the secretary shall file his petition and order of apprehension and detention with the court and serve them upon the person detained. His attorney, if any, and his guardian or conservator, if any, shall receive a copy of such papers as soon as possible. Such person shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except as specifically set forth in this section



and except that there shall be no right to jury trial. The issues to be determined shall be whether the conditionally released person did or did not adhere to the terms and conditions of his release; and, if he failed to adhere to such terms and conditions, whether the conditions of release should be modified or the person should be returned to the facility. Pursuant to the determination of the court upon such hearing, the conditionally released person shall either continue to be conditionally released on the same or modified conditions or shall be returned for involuntary treatment on an inpatient basis subject to release at the end of the period for which he was committed for involuntary treatment, or otherwise in accordance with the provisions of this chapter. Such hearing may be waived by the person and his counsel and his guardian or conservator, if any, but shall not be waivable unless all such persons agree to waive, and upon such waiver the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions.

(4) The proceedings set forth in subsection (3) of this section may be initiated by the designated county mental health professional or the secretary on the same basis set forth therein without requiring or ordering the apprehension and detention of the conditionally released person, in which case the court hearing shall take place in not less than fifteen days from the date of service of the petition upon the conditionally released person.

Upon expiration of the period of commitment, or when the person is released from outpatient care, notice in writing to the court which committed the person for treatment shall be provided.

Sec. 16. Section 44, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.390 are each amended to read as follows:

The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services at public or private agencies shall be confidential.

Information and records may be disclosed only:

(1) In communications between qualified professional persons to meet the requirements of this chapter, in the provision of services or appropriate referrals, or in the course of guardianship proceedings. The consent of the patient, or his guardian, must be obtained before information or records may be disclosed by a professional person employed by a facility to a professional person, not employed by the facility, who does not have the medical responsibility for the patient's care or who is not a designated county mental health professional or who is not involved in providing services under the community mental health services act, chapter 71.24 RCW(;;);

(2) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing outpatient services to the operator of a care facility in which the patient resides.

(3) When the person receiving services, or his guardian, designates persons to whom information or records may be released, or if the person is a minor, when his parents make such designation(;;);

((3)) (4) To the extent necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he may be entitled(;;);

((4)) (5) For program evaluation and/or research: PROVIDED, That the secretary of social and health services adopts rules for the conduct of such evaluation and/or research. Such rules shall include, but need not be limited to, the requirement that all evaluators and researchers must sign an oath of confidentiality substantially as follows:

'As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, . . . . ., agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that an unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/ .....

((5)) (6) To the courts as necessary to the administration of this chapter.

((6)) (7) To law enforcement officers or public health officers necessary to carry out the responsibilities of their office: PROVIDED, That

(a) Only the fact and date of admission, the fact and date of discharge, and the last known address shall be disclosed upon request; and

(b) The law enforcement and public health officers shall be obligated to keep such information confidential in accordance with this chapter; and

(c) Additional information shall be disclosed only after giving notice to said person and his counsel and upon a showing of clear, cogent and convincing evidence that such information is necessary and that appropriate safeguards for strict confidentiality are and will be maintained: PROVIDED HOWEVER, That in the event the said person has escaped from custody, said notice prior to disclosure is not necessary and that the facility from which the person escaped shall include an evaluation as to whether the person is of danger to persons or property and has a propensity toward violence.

((7)) (8) To the attorney of the detained person.

The fact of admission, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to this chapter shall not be admissible as evidence in any legal proceeding outside this chapter without the written consent of the person who was the subject of the proceeding. The records and files maintained in any court proceeding pursuant to this chapter shall be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his

attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

**NEW SECTION.** Sec. 17. There is added to chapter 72.23 RCW a new section to read as follows:

The department is directed to establish at each state hospital a procedure, including the necessary resources, to provide temporary residential observation and evaluation of persons who request treatment, unless admitted under RCW 72.23.070. Temporary residential observation and evaluation under this section shall be for a period of not less than twenty-four hours nor more than forty-eight hours and may be provided informally without complying with the admission procedure set forth in RCW 72.23.070 or the rules and regulations established thereunder.

It is the intent of the legislature that temporary observation and evaluation as described in this section be provided in all cases except where an alternative such as: (1) Delivery to treatment outside the hospital, or (2) no need for treatment is clearly indicated.

**NEW SECTION.** Sec. 18. The department shall provide annually, by August 1, to the house standing committees on appropriations, social and health services, and institutions and the senate standing committees on ways and means and social and health services an analysis of the impact of this 1979 act: Such analysis shall include but not be limited to: Information on the impact on the average daily population of the state mental hospitals; information on both individual and average length of stays for patients involuntarily committed; information on the grounds for commitment, recidivism, and history of treatment by the community mental health system; information on the outcomes of treatment for patients involuntarily treated either in the state hospitals or in community-based care; and, information on the status of the expenditure of funds appropriated in this 1979 act.

**NEW SECTION.** Sec. 19. There is appropriated from the general fund to the department of social and health services for the 1979-81 biennium, the sum of four million five hundred twenty-three thousand dollars, of which two hundred seventy-five thousand dollars is to be from federal funds, or so much thereof as shall be necessary, to carry out the purposes of this 1979 act which include funding two hundred thirty-eight staff years: PROVIDED, That these funds and staff years shall be held in allotment reserve by the office of financial management and allotted upon receipt of adequate justification for the sole purposes of meeting the requirements of this 1979 act."

In line 1 of the title, after "commitment;" strike the remainder of the title, and insert "amending section 294, page 187, Laws of 1854 as last amended by section 7, chapter 13, Laws of 1965 and RCW 5.60.060; amending section 9, chapter 117, Laws of 1973 1st ex. sess. as amended by section 8, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.090; amending section 11, chapter 117, Laws of 1973 1st ex. sess. as amended by section 10, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.110; amending section 7, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.020; amending section 10, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.050; amending section 17, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.120; amending section 18, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.130; amending section 20, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.150; amending section 23, chapter 142, Laws of 1973 1st ex. sess. as amended by section 11, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.180; amending section 24, chapter 142, Laws of 1973 1st ex. sess. as amended by section 12, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.190; amending section 29, chapter 142, Laws of 1973 1st ex. sess. as amended by section 16, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.240; amending section 33, chapter 142, Laws of 1973 1st ex. sess. as amended by section 19, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.280; amending section 37, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.320; amending section 39, chapter 142, Laws of 1973 1st ex. sess. as amended by section 24, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.340; amending section 44, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 199, Laws of 1975 1st ex. sess. and RCW 71.05.390; adding a new section to chapter 72.23 RCW; creating new sections; and making an appropriation."

Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Douthwaite, Grimm, Heck, McDonald, Nelson (G.A.), Nisbet, Taller, Taylor, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2388, by Committee on Natural Resources (originally sponsored by Senators Newschwander, Bausch and Odegaard):

Modifying the privilege fees on certain producers of food fish.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 30th Day ex. sess., April 19, 1979.)

On motion of Ms. Craswell, the committee amendments were adopted.

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute Senate Bill No. 2388 as amended by the House to third reading and final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 64; nays, 29; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Brekke, Brown, Chandler, Craswell, Dawson, Deccio, Dunlap, Eberle, Eng, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Owen, Patterson, Polk, Rohrbach, Sanders, Smith C. P., Smith R., Sommers, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Vrooman, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Burns, Charnley, Douthwaite, Ehlers, Erak, Granlund, Grimm, Jovanovich, King, Knowles, Kreidler, Lux, Maxie, Monohon, North, Pruitt, Rosbach, Schmitt, Scott, Sherman, Sprague, Valle, Van Dyken, Walk.

Not voting: Representatives Clayton, Erickson, Oliver, Salatino, Thompson, Winsley.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2388 as amended by the House.

MOTION

Mr. Schmitt moved that the rules be suspended and the bill be returned to second reading for the purpose of amendment.

Mr. Schmitt spoke in favor of the motion, and Ms. Craswell spoke against it.

The motion was lost.

Representatives Greengo and Smith (R) spoke in favor of passage of the bill, and Representatives Jovanovich and Schmitt spoke against it.

POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Smith, when this bill came before the Revenue Committee I was concerned about the fairness of removing this tax and whether it would be fair to other people in the fish business that were raising fish. I asked the gentleman from the Fisheries Department whether there would be some adjustment in the charges made for the eggs that these people will have to pay and he assured me there would. It seems to me that what he was saying is that the state cannot lend its credit. We can't give away any value or any valuable product of the state to any private person. Even though, as Representative Schmitt has said, that there was a price set that took into account the taxes that were previously paid, if we change those taxes, as we are now, limiting those taxes, there would have to be an adjustment in those prices to reflect the true value. I'm wondering if you would comment on that, and if you think that would have to be done legally so they would be paying for the true value of the eggs?"

Mr. Smith (R): "Yes, that is my understanding, Representative Nelson. The fishermen, the aquaculture, that purchase these eggs have to pay the fair value of them otherwise the state would be lending its credit to private corporations which would not be appropriate. I think it's important for us to keep in mind that the aquaculture is paying the five percent tax, or are being asked to pay the five percent tax, not on the value of the things they purchase from the enhancement program, the eggs, but five percent on the value of the product that it sells for after they've vaccinated the fish, paid for the research costs that are inherent in their program, paid for all the fees to raise the fish up from eggs to marketable size. If it was five percent from what they were getting from the enhancement program, that would be fine. Ironically, the larger the state's enhancement program is the lower the surplus is. Actually, aquaculture is being hurt by the enhancement program because it's creating a much larger need for eggs."

Mr. Jovanovich again opposed the bill, and Ms. Craswell spoke in favor of it.

## POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Fuller.

Mr. Fuller: "Representative Craswell, I presume that people that do this sea farming appeared before the Revenue Committee. Were there cases where this five percent was going to force them out of business, or be a substantial burden?"

Ms. Craswell: "There was only one attorney who came and testified, but I talked to numerous owners of the fish growers, and yes, there is every indication that they cannot make it. They are a new industry, just getting off the ground, and many of them have indicated to me there is no way they can stay in business if this tax is imposed."

Mr. Fuller spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Jovanovich asked Ms. Craswell to yield to question, and Ms. Craswell refused to yield.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2388 as amended by the House, and the bill passed the House by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Addison, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Brekke, Brown, Chandler, Charnley, Clayton, Craswell, Dunlap, Eberle, Eng, Fancher, Flanagan, Fuller, Galloway, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, King, Kreidler, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Polk, Rohrbach, Sanders, Sherman, Smith C. P., Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Becker, Burns, Dawson, Deccio, Douthwaite, Ehlers, Erak, Gallagher, Garrett, Granlund, Gruger, Hurley, Jovanovich, Keller, Knowles, Lux, Martinis, Maxie, May, McCormick, Monohon, North, Patterson, Pruitt, Rosbach, Schmitt, Scott, Struthers, Valle, Vrooman, Whiteside.

Not voting: Representatives Erickson, Salatino, Thompson, Winsley.

Engrossed Substitute Senate Bill No. 2388 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. 2434**, by Committee on Higher Education (originally sponsored by Senators Goltz, Scott and Benitz):

Regulating certain educational institutions.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 16th Day ex. sess., April 5, 1979.)

On motion of Mr. Barnes, the committee amendment was adopted.

## MOTION

On motion of Mr. Barnes, further consideration of Substitute Senate Bill No. 2434 was deferred; and the bill was ordered placed on the second reading calendar of the next working day.

**SUBSTITUTE SENATE BILL NO. 2442**, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Extending the governor's emergency powers relating to energy emergencies to June 30, 1981.)

The bill was read the second time.

Mr. Haley moved adoption of the following amendments by Representatives Haley and McCormick:

On page 5, after line 7 add the following new sections:

**NEW SECTION.** Sec. 2. There is hereby appropriated to the state energy office from the general fund, the sum of two hundred fifty-one thousand dollars or so much thereof as shall be necessary for the biennium ending June 30, 1981. The appropriation provided for in this section shall be expended exclusively

for the additional staff which may be needed to handle fuel allocation requirements. If federal funds are received for this purpose an equal amount of this appropriation shall be placed in reserve."

On page 1, line 1 strike "and"

On page 1, line 4 after "RCW 43.21G.040" insert "; and making an appropriation"

Representatives Haley and Blair spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Haley yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I'd like a bit more detail on what it is we're allocating here, Representative Haley. Representative Blair mentioned rationing. Are we talking about diesel, home heating fuel or auto fuel, or what are we talking about?"

Mr. Haley: "We're talking about all those things. You know about the way the state is able to hold back on three percent of the supplies of gasoline and, I believe, four percent of the diesel fuel and distillates because of the apparent shortage. Because of the problems of supplying dealers with gasoline and the problems with supplying the necessary diesel fuel needed, the Energy Office has been quite busy with applications for additional allocations needed. They had one thousand applications last month and that averages out at two hundred fifty applications for each of the four areas in the state. These applications come through because some fisherman or trucker or some gas station operator can't get his usual supply of gasoline for his operation. Apparently this is something that has just come up along with the fuel crunch that we're in, creating a necessity for this."

Mr. Douthwaite: "The bottom line says we're now going to need twelve full time employees to take care of the impending rationing problem which applies to fishermen, as well as auto drivers, and home furnaces? Twelve people just continually to do the job?"

Mr. Haley: "They are asking for six per year which comes to twelve totally. One for each area, one to supervise the whole program and one to handle the special problems of special cases."

Mr. Williams spoke in favor of the amendments.

The amendments were adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2442 as amended by the House was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2442 as amended by the House and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Eberle, Rohrbach.

Not voting: Representatives Berentson, Erickson, Polk, Smith R., Winsley.

Substitute Senate Bill No. 2442 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. King, 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 Erickson and Winsley. Representative Erickson was excused.

## SUBSTITUTE SENATE BILL NO. 2434:

The House resumed consideration of the bill on second reading.

Ms. Teutsch moved adoption of the following amendment by Representatives Teutsch and Salatino:

On page 4, following line 20 insert a new subsection to read as follows:

"(7) Schools or training programs whose course content is regulated or approved by a Washington state agency under the authority of an occupational or professional licensing law as to the portion or program of the school or training program approved or regulated."

Ms. Teutsch spoke in favor of the amendment, and Mr. Grimm spoke against it.

The amendment was not adopted.

## MOTION FOR RECONSIDERATION

Mr. Salatino moved that the House reconsider the vote by which the amendment by Representatives Teutsch and Salatino failed to pass the House.

Mr. Salatino spoke in favor of the motion, and Mr. Grimm spoke against it.

The motion was lost.

Mr. Tupper moved adoption of the following amendment:

On page 7, line 12 following "fee" strike "of two hundred dollars" and insert "equal to the amount necessary to pay all of the agency's costs generated by the educational institution's registration as such amount is determined by the agency"

Representatives Tupper and Barnes spoke in favor of the amendment, and Representatives Grimm and Becker spoke against it.

Mr. Tupper spoke again in favor of the amendment, and it was adopted.

On motion of Mr. Tupper, the following amendment was adopted:

On page 7, line 14 following "fee" strike "of one hundred dollars" and insert "equal to the amount necessary to pay all of the agency's costs generated by the educational institution's registration as such amount is determined by the agency. The agency shall set such registration fees as may be necessary to insure that this 1979 act is self funding"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2434 as amended by the House was placed on final passage.

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

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Would you name a couple of 'diploma mills' in the state?"

Mr. Grimm: "A couple of the examples we have, we have a number of out-of-state, supposedly colleges, that a lot of us have never heard of that are licensed as businesses. One of them, for instance, is from the state of Missouri and they offer a program—they come into this state and advertise themselves as, let's say, 'The Zimmerman University,' and they build up in their advertising that they are an established institution from another state when they are not—at least from every analysis we are able to find in a lot of instances. They say if you come and take so many English classes, or whatever, to get a degree in English or any other major, and absolutely we have no indication that the faculty they have is at all qualified to teach or any way recognized as a justifiable institution from any state. Another example is vocational

schools. They come in and say you can get placement within six months and in actuality the students pay the fees and learn a trade, I'm not sure of that, but they get no placement. As a result, it's very shoddy advertising and misleading. That's the kind of example of diploma mill I mean."

Mr. Zimmerman: "Most of these that you have mentioned are from out of state. Are they going to be able to be controlled through this law? I'm wondering about how you do control the out-of-state ones?"

Mr. Grimm: "The method by which they would be controlled is that they offer a program within the state of Washington right here in this state. We would not be able to stop any other state in their own state, but we could control and make sure they offer quality programs in this state."

Mr. Eberle spoke against passage of the bill, and Mr. Barnes spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2434 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Teller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson.

Voting nay: Representatives Eberle, Hastings, Knowles, Rohrbach, Zimmerman.

Not voting: Representatives Erickson, Winsley.

Substitute Senate Bill No. 2434 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

April 17, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2957, except for the language in section 2, line 9 of subsection (1), which reads as follows: "and who may purchase the property at the same price for which the department originally paid at the time of purchase or at fair market value, whichever is less" 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. Martinis moved that the House do not recede from its amendment to Substitute Senate Bill No. 2957, and once again ask the Senate to concur therewith.

Mr. Martinis spoke in favor of the motion.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Martinis, I'm confused about what you are suggesting the Senate has done. It's my understanding as a practice in the House, when we have a lot of amendments and large amendments, we do not divide the question. Apparently that is not the case with the Senate. The language I see here is the amendment added by Representative Rohrbach on the floor. Is that what you're asking us to not recede from?"

Mr. Martinis: "Representative Ehlers, the rules of the House provide for dividing an issue when an amendment is proposed. What happened here is the Senate divided an amendment that the House passed and there is no provision in either Senate rules, House rules or joint rules for this provision. I agree with the intent of what the Senate was trying to do because what they are trying to take out of there we have AG opinions on similar situations which were

blatantly unconstitutional. The intent of the maker of the amendment to the amendment on the floor of the House was really well intended, but we have what we consider, and what the AG considers, a constitutional problem. There is no rule set up where after an amendment is passed on a concurrence that you can divide the question and this is what we were trying to get around. We have assurance from the Department of Transportation that what we were trying to do with this House amendment, the original Patterson amendment, is accomplishable without the amendment. The bill itself is so important—it means \$1 million to the motor vehicle fund—so we do have their assurance that they will recede and we will come back and pass the bill and we will accomplish the original intent of the floor amendment."

Mr. Ehlers: "My understanding then is that when they recede we will eliminate this section, this entire amendment, from the bill, including this language?"

Mr. Martinis: "That is my understanding."

The motion was carried.

### SECOND READING

ENGROSSED SENATE BILL NO. 2506, by Senators North and Shinpoch:

Prohibiting the mandatory retirement of public employees under the age of seventy.

The bill was read the second time.

On motion of Mr. Bauer, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2506 was placed on final passage.

Representatives Blair and Douthwaite spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2506, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman.

Not voting: Representatives Erickson, Winsley.

Engrossed Senate Bill No. 2506, having received the 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 2, 1979

Mr. Speaker:

The Senate insists on its position on the Senate amendments to HOUSE BILL NO. 307 on page 7, after line 32, adding sections 15 and 16 (by Senator Gaspard), and on page 7, after line 32, adding a section 14 (by Senator von Reichbauer), together with the title amendments thereto, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Newhouse, the House insisted on its position with regard to the Senate amendments to House Bill No. 307.

### MESSAGE FROM THE SENATE

May 2, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2095, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



MOTION

On motion of Mr. Newhouse, the House insisted on its position with regard to the House amendments to Engrossed Substitute Senate Bill No. 2095.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 106, by Senators Goltz, Clarke, Wilson and Lysen:

Establishing the Joint Legislative Committee on Washington/British Columbia cooperation.

The resolution was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 106 was placed on final passage.

Ms. Becker spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 106, and the resolution passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Erickson, Winsley.

Senate Concurrent Resolution No. 106, having received the constitutional majority, was declared passed.

THIRD READING

ENGROSSED SENATE BILL NO. 2852, by Senators Lysen and Morrison:

Establishing procedures for mediation and arbitration in collective bargaining by uni-formed personnel.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2852, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Erickson, Salatino, Winsley.

Engrossed Senate Bill No. 2852, having received the 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. 2044 as amended by the House, by Senators Lewis, Talley and Conner:

Authorizing golfing organizations to conduct golfing calcuttas under the gambling laws.

The House resumed consideration of the bill on third reading. (For previous action, see Journal, 41st Day ex. sess., April 30, 1979.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Engrossed Senate Bill No. 2044 as amended by the House.

#### MOTION

Mr. Struthers moved that the rules be suspended, and Engrossed Senate Bill No. 2044 be returned to second reading for the purpose of amendment.

Representatives Struthers and Warnke spoke in favor of the motion, and Mr. McDonald spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return Engrossed Senate Bill No. 2044 to second reading, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 60; nays, 31; not voting, 7.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bauer, Bender, Berentson, Brown, Burns, Clayton, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Fancher, Flanagan, Fuller, Gallagher, Garrett, Granlund, Grimm, Haley, Hastings, Heck, Hurley, Jovanovich, Keller, King, Knowles, Lux, May, McCormick, McGinnis, Mitchell, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Sommers, Sprague, Struthers, Teutsch, Valle, Walk, Warnke, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Becker, Brekke, Chandler, Charnley, Craswell, Eng, Erak, Galloway, Greengo, Gruger, Houchen, Hughes, Kreidler, Martinis, Maxie, McDonald, Monohon, Nelson G. A., Nisbet, Pruitt, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Tally, Taylor, Tilly, Tupper, Van Dyken, Vrooman, Williams.

Not voting: Representatives Blair, Bond, Erickson, Isaacson, Thompson, Winsley, Zimmerman.

#### MOTION

Mr. Struthers moved that further consideration of Engrossed Senate Bill No. 2044 as amended by the House be deferred.

Mr. Struthers spoke in favor of the motion, and Mr. McDonald spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to defer further consideration of Engrossed Senate Bill No. 2044 as amended by the House, and the motion was carried by the following vote: Yeas, 53; nays, 40; not voting, 5.

Voting yea: Representatives Addison, Barnes, Barr, Bauer, Bender, Berentson, Bond, Dawson, Deccio, Eberle, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Granlund, Grimm, Haley, Hastings, Heck, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Sherman, Sprague, Struthers, Teutsch, Valle, Walk, Warnke, Whiteside, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Becker, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Garrett, Greengo, Gruger, Houchen, Hughes, Kreidler, Lux, Martinis, McDonald, Nelson D., Oliver, Pruitt, Salatino, Sanders, Scott, Smith C. P., Smith R., Sommers, Tally, Taylor, Tilly, Tupper, Van Dyken, Vrooman, Williams.

Not voting: Representatives Blair, Erickson, Thompson, Winsley, Zimmerman.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 79-44, by Representatives Erickson, Bauer, Chandler, Ehlers, Fuller, Galloway, Haley, Heck, Kreidler, Rosbach, Thompson, Williams and Winsley.

WHEREAS, Public television station KCPQ, Channel 13, is tentatively being sold to a commercial broadcasting company from California; and

WHEREAS, The sale of this station must be approved by the Federal Communications Commission (FCC); and

WHEREAS, When the current station owner, the Clover Park School District, purchased the channel in 1975, it told the FCC that the channel would be used solely as a public television station; and

WHEREAS, Channel 13 reaches a potential audience of 2.2 million southwest Washington viewers, many of whom would receive no public broadcasting without it; and

WHEREAS, Channel 13 reaches viewers in eleven counties, and is supported by thirteen school districts; and

WHEREAS, Over 5,000 viewers have personally financed the continued operation of the station; and

WHEREAS, Efforts to keep Channel 13 public have received the support of over 10,000 petitioners and 222 personal letters, including Congressman Don Bonker, Attorney General Slade Gorton, Secretary of State Bruce Chapman, Olympia Mayor Lyle Watson, and countless other public officials and private citizens; and

WHEREAS, The FCC regulations allow the permanent designation of two local channels as public broadcasting channels, and there is currently only one such designation; and

WHEREAS, There are numerous possibilities as to how Channel 13 could continue as a public station, even if the Clover Park School District decides not to continue its ownership;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives strongly supports the continued operation of Channel 13 as a public broadcasting station, and encourages the FCC to permanently designate Channel 13 as such; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to the Federal Communications Commission, the station manager of Channel 13, the chairman of the Clover Park School Board, and the Washington Educational Television Commission.

Mr. Chandler moved adoption of the resolution.

Representatives Chandler, Bauer and Haley spoke in favor of the resolution, and Mr. Addison spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 79-44, and the resolution was adopted by the following vote: Yeas, 60; nays, 26; not voting, 12.

Voting yea: Representatives Amen, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Burns, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Mitchell, Nelson D., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rosbach, Schmitten, Scott, Sherman, Taylor, Teutsch, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Addison, Barnes, Barr, Bond, Brown, Clayton, Craswell, Erak, Gallagher, Hastings, Hughes, Martinis, McDonald, Monohon, Nelson G. A., Rohrbach, Salatino, Sanders, Smith C. P., Smith R., Sprague, Struthers, Taller, Thompson, Van Dyken.

Not voting: Representatives Blair, Dawson, Eberle, Erickson, Houchen, Isaacson, McGinnis, Newhouse, Oliver, Sommers, Wilson, Winsley.

HOUSE RESOLUTION NO. 79-59, by Representatives Patterson and Amen:

WHEREAS, There is a growing awareness of the need to maintain cultural ties with our past; and

WHEREAS, Red Wolf, Chief of the Alpowa, is an historical figure of great importance; and

WHEREAS, Red Wolf discovered and marked for all to use the safe crossing on the Snake River in the area between Clarkston and the Alpowa; and

WHEREAS, The place of this crossing has been known as "Red Wolf Crossing" for such length of time that the mind of man runneth not to the contrary; and

WHEREAS, The organizations which believe that the name of the crossing should remain Red Wolf Crossing include the Clarkston Sacajawea Club, the Asotin County Historical Society, the Oregon Historical Society, the Asotin County Commissioners, the Whitman County Commissioners, and the Whitman County Historical Society; and

WHEREAS, The newest Snake River bridge at 15th Street in Clarkston is located in the approximate historical location of Red Wolf Crossing;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests the Washington State Department of Transportation to officially designate the newest Snake River bridge at 15th Street in Clarkston as "Red Wolf Crossing"; and

BE IT FURTHER RESOLVED, That the Washington State Department of Transportation install appropriate plaques or other notices on or in the vicinity of the Snake River bridge at 15th Street in Clarkston so that those who use this crossing in the future will be made aware of the contributions made by those who came before them; and

BE IT FURTHER RESOLVED, That the Chief Clerks of the House of Representatives transmit a copy of this resolution to the Washington State Department of Transportation.

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

HOUSE RESOLUTION NO. 79-62, by Representatives Taller, Blair, Douthwaite, Ehlers, McDonald, Sommers and Thompson.

WHEREAS, The House of Representatives of the State of Washington is concerned about the provision of a sound and equitable retirement plan for the law enforcement officers and the fire fighters of the state; and

WHEREAS, Recent claims of abuse of the existing statutes regarding the Law Enforcement Officers' and Fire Fighters' Retirement System have caused concern on behalf of: Members of the system, both active and retired; administrators and officials of political subdivisions of the state; and the citizens of the state in general;

NOW, THEREFORE, BE IT RESOLVED, That the House Appropriations Committee's subcommittee on compensation shall review the existing statutes, administrative codes, board policies, and system practices regarding the granting of disability retirements, and report back by November 15, 1979 to the House of Representatives its findings and recommendations on establishing state disability standards and consolidation of local boards; and

BE IT FURTHER RESOLVED, That the House Appropriations Committee's subcommittee on compensation shall work in cooperation with representatives of LEOFF System members (active and retired); police and fire chiefs; local, regional, and state disability boards; the Department of Retirement Systems; and the State Actuary in its conduct of this review. It shall be within the scope of this review to develop quantitative findings on the nature and frequency of alleged abuse of the disability retirements.

On motion of Mr. Taller the resolution was adopted.

HOUSE RESOLUTION NO. 79-28, by Representatives Deccio and Owen:

WHEREAS, There are approximately 145,000 small businesses with zero to 50 employees in Washington State; and

WHEREAS, 95.5 percent of all Washington wholesale businesses are small businesses; and

WHEREAS, 96.7 percent of all Washington retail businesses are small businesses; and

WHEREAS, 98.6 percent of all Washington contract construction firms are small businesses; and

WHEREAS, It is estimated that small businesses will collect \$1.630 billion in retail sales taxes and use taxes for the State of Washington; and

WHEREAS, It is estimated that small businesses will pay \$393 million in State Business and Occupation Taxes to Washington State; and

WHEREAS, These small businesses provide jobs for 515,378 workers which is 46.1 percent of the total private sector Washington workforce; and

WHEREAS, Washington small businesses created over 24,000 new jobs per year for the last five years for a total of 121,129 new jobs; and

WHEREAS, These small businesses provide an annual total payroll of more than \$6 billion for workers in Washington State; and

WHEREAS, Small businesses will contribute an estimated \$84.5 billion to the State's gross product; and

WHEREAS, President Carter has called for a White House Conference on Small Business in January 1980 to provide input to the federal government on what must be done to conserve the vital but vulnerable small-business community throughout the nation; and

WHEREAS, The Regional White House Conference on Small Business is being held in Seattle, Washington, at the Olympic Hotel on March 22 and 23 of this year; and

WHEREAS, The Office of Small Business, State of Washington, the District Office of the U.S. Small Business Administration, and Independent Business Association of Washington jointly conducted a series of eight state Small Business Conferences around Washington State

for the purpose of gathering data from Washington small businesses which has been compiled and will be presented to the White House Conference on Small Business;

**NOW, THEREFORE, BE IT RESOLVED,** That the House of Representatives welcomes the staff of the White House Conference on Small Business to Washington State;

**BE IT FURTHER RESOLVED,** That the House of Representatives also welcomes all other federal government officials who will participate in the Regional White House Conference on Small Business to Washington State;

**BE IT FURTHER RESOLVED,** That the House of Representatives commends the owners and employees of all Washington small businesses for their outstanding contributions they make to the state's economy and the overall well-being of the entire state; however, the House of Representatives also recognizes the vulnerability of the small-business community when any element of government fails to consider the effects of government on small businesses. The House of Representatives has in the past and will continue in the future to consider legislation designed to protect and assist small businesses. The House of Representatives is committed to continuing its concern of the small business community here in Washington State which is so vital to the well-being of the overall state and requests all other elements of state government to likewise consider the well-being of the Washington small business community;

**BE IT FURTHER RESOLVED,** That the House of Representatives requests the White House Conference on Small Business to carefully analyze the outstanding report prepared by the Office of Small Business, State of Washington, District Office of the U.S. Small Business Administration, and the Independent Business Association of Washington which are the results of many hours of meetings and many additional hours of analysis and organization of this information into a highly useful document;

**BE IT FURTHER RESOLVED;** That the House of Representatives commends the efforts of the White House Conference on Small Business and strongly encourages participation by Washington small businesses in the Regional Conference, and the National Conference to be held in January of 1980;

**BE IT FURTHER RESOLVED,** That the House of Representatives requests that the White House Conference on Small Business in cooperation with all levels of government develop definitive constructive solutions to the significant problems small businesses are now facing so as to preserve this vital part of the state and national economy;

**BE IT FURTHER RESOLVED,** That official copies of this resolution be immediately transmitted by the chief clerks of the House to The Honorable Jimmy Carter; The Honorable Dixy Lee Ray; The Honorable A. Vernon Weaver, Administrator, U.S. Small Business Administration; Arthur Levitt, Jr., Chairman, Small Business Conference Commission; David S. Smoak, Executive Director, White House Conference on Small Business; Douglas L. Clark, Manager, Office of Small Business, State of Washington; Robert F. Caldwell, District Director, U.S. Small Business Administration; and Gary L. Smith, Executive Director, Independent Business Association of Washington.

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

**HOUSE RESOLUTION NO. 79-35,** by Representatives Hurley, Amen, Bagnariol, Barr, Blair, Bond, Brown, Burns, Charnley, Dawson, Douthwaite, Gallagher, Haley, Hastings, Isaacson, King, Knowles, Martinis, Maxie, May, McCormick, Nelson (D), North, Oliver, Polk, Salatino, Sanders, Struthers, Taller, Tilly, Van Dyken, Walk, Warnke, Wilson, Winsley, and Zimmerman.

**WHEREAS,** Our national energy supply is so critical that traditional methods of transporting people by automobile could become greatly disrupted in the next decade; and

**WHEREAS,** We recognize the possibility that severe rationing of motor fuel may be imposed, or that allocations to service stations will be so limited that peoples' mobility will be drastically curtailed; and

**WHEREAS,** The Legislature must acknowledge the fact that lifestyles which only a few years ago could be taken for granted are seriously threatened and that new solutions to the problems of public mobility must be thought out, developed, and put in place; and

WHEREAS, A high speed train line serving the population centers from Bellingham to Vancouver has been discussed and studied for many years, but has not been developed sufficiently so that the details to put such a system in place have been worked out; and

WHEREAS, The Legislature, through its Committees on Transportation, and with the experience of the Department of Transportation at its disposal, should serve as the central political impetus to work out a forceful, imaginative and sensitive solution to the state's energy shortage as it affects public transportation;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington expresses its concern about the transportation of people in the years ahead, and recognizes the responsibility of this institution to anticipate whatever critical needs may arise; and

BE IT FURTHER RESOLVED, That the Legislative Transportation Committee be advised to conduct a feasibility study of the possibility of developing such a high-speed rail line through western Washington; the study should examine arrangements with private railroad companies for utilization of existing track, as well as the application for federal grants for study and construction assistance and the feasibility of financial participation by local governments in the project.

Ms. Hurley moved adoption of the resolution.

Ms. Hurley spoke in favor of the resolution, and Mr. Eberle spoke against it.

House Resolution No. 79-35 was adopted.

HOUSE RESOLUTION NO. 79-38, by Representatives Fuller, Barnes, Eberle, Erickson, Hastings and Oliver.

WHEREAS, In 1972 the voters of the State of Washington overwhelmingly approved Initiative Measure No. 276; and

WHEREAS, Many provisions of the law remain controversial, administratively complex, and burdensome for those persons required to comply with the reporting provisions of the law;

NOW, THEREFORE, BE IT RESOLVED, That the House Committee on Constitution, Elections and Governmental Ethics shall review the provisions of the Public Disclosure Law and the Public Disclosure Commissions's implementing regulations, in an effort to simplify administration of the law, clarify the reporting requirements, and standardize the reporting procedures;

BE IT FURTHER RESOLVED, That the aforementioned House Committee may obtain necessary support from those state agencies whose assistance is determined by the committee to be essential for an effective review of the disclosure law and the various reporting requirements.

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

HOUSE RESOLUTION NO. 79-46, by Representatives Grimm and Barnes:

WHEREAS, The Legislature has enacted House Bill No. 226 (Chapter 80, Laws of 1979) authorizing the establishment of a limited higher education reciprocity arrangement with the State of Oregon; and

WHEREAS, The program of reciprocity envisioned in the Act is contingent upon acceptance of the concept, signified by the establishment of an agreement with Oregon; and

WHEREAS, The Clark and Cowlitz County area is the major remaining population center in the state not directly served by a comprehensive range of upper-division educational programs by Washington institutions; and

WHEREAS, The major purpose of Chapter 80, Laws of 1979, is to provide a means by which residents of the Clark-Cowlitz County area can avail themselves of educational services through Portland State University; and

WHEREAS, Should the procedures authorized in Chapter 80, Laws of 1979, not culminate in an agreement with Oregon, residents of this area could be left without access to comprehensive upper-division educational services through another alternative;

NOW, THEREFORE, BE IT RESOLVED, That in the event the Council for Postsecondary Education finds the interstate reciprocity arrangement authorized by Chapter 80, Laws of 1979, cannot be achieved, it shall immediately undertake a review of educational needs in the

geographic area encompassed by Chapter 80, Laws of 1979, and identify alternative means of fulfilling them, including but not limited to extended outreach programs, branch campuses, and interinstitutional consortia;

BE IT FURTHER RESOLVED, That the Council shall provide an interim report on its actions, along with its recommendations, to the Higher Education Committee of the House of Representatives not later than January, 1980, and a final report and recommendations not later than January, 1981.

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

HOUSE RESOLUTION NO. 79-54, by Representatives Dunlap, McCormick and Scott:

WHEREAS, The House of Representatives of the State of Washington finds that all utility services are considered necessities of life and are, therefore, essential to the well-being of all citizens of the state; and

WHEREAS, The House further finds that all utilities provided within the boundaries of cities and towns are subject to varying degrees of taxation and that, most importantly, these taxes are levied directly against the utility consumer and collected for city government by the utilities; and

WHEREAS, The effect of these taxes is to further increase utility costs at a time when all consumers are being hard pressed by inflation; and

WHEREAS, The House has a responsibility to examine the impact on consumers of cities' authority to levy utility consumer taxes, specifically electricity, gas, and telephone taxes; and

WHEREAS, The House recognizes the increasing need for revenue by city governments and therefore must take great care in evaluating the impact of any change in consumer utility taxation;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House standing Committee on Energy & Utilities is instructed to hold hearings on and make studies of the impact of utility consumer taxation; and

BE IT FURTHER RESOLVED, That the Committee on Energy & Utilities shall report their findings and recommendations to the next legislative session.

Mr. Dunlap moved adoption of the resolution.

Representatives Dunlap and Scott spoke in favor of the resolution.

#### POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Dunlap, as I read this, it could include a study of all utilities and similar taxation and if we did this, that would include legislation such as House Bill No. 294, which would tax utility that generates electricity. Do you intend it to include the whole gamut of energy taxation as well as other utility taxation?"

Mr. Dunlap: "I think that might very well be within the scope of the floor resolution, but that decision, in my judgment, should be left to the Co-Chairmen of the Energy and Utilities Committee."

House Resolution No. 79-54 was adopted.

HOUSE RESOLUTION NO. 79-56, by Representatives Warnke and Greengo:

WHEREAS, The power and authority granted to the Joint House-Senate Committee on International Trade and Tourism includes the study of state trade and convention centers; and

WHEREAS, The establishment and operation of a state convention center system and each of its constituent centers will serve a state purpose by increasing the opportunities for residents from throughout the state, the nation, and from foreign nations to meet, exchange ideas, and share knowledge; enable large gatherings within the state to form and express group opinions; attract conventions and trade exhibitions to this state, thereby enhancing the economy and revenues of the state and benefiting its citizenry through the visits of those attending and their guests; and generate tourism and the development of travel and travel-related industries within the state; and

WHEREAS, The Legislature desires a comprehensive analysis of the funding mechanisms available for the establishment and operation of a state convention center system;

NOW, THEREFORE, BE IT RESOLVED, That the Joint House-Senate Committee on International Trade and Tourism is hereby authorized and directed to undertake a study of the means for establishing and operating convention centers through a state convention center system or alternatively, through facilities owned by cities or counties; methods for acquiring, constructing, operating, and maintaining individual state convention facilities through local governments; the authorization of general obligation bonds and the allocation of state tax revenue for payment thereof; or alternatively, the authorization for cities and counties to levy and collect an excise tax to finance such facilities;

BE IT FURTHER RESOLVED, That the Joint House-Senate Committee on International Trade and Tourism is directed to report the results of this study to the House and Senate prior to January 1, 1981.

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

HOUSE RESOLUTION NO. 79-65, by Representatives Taylor, McGinnis, Smith (C), Jovanovich, Erak, Chandler, Barr, Monohon and Rosbach:

WHEREAS, The House of Representatives of the State of Washington recognizes the vital role to be played by this state's National Guard; and

WHEREAS, The events of the last year have battered the internal morale and external image of the Guard; and

WHEREAS, The ability to gain new recruits may be seriously hampered by the current public perception of the Guard; and

WHEREAS, It is the duty of this Legislature to insure that a strong, competent, and full time Guard exists in this state for the defense of the nation;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Speakers establish a select eight-member committee to review the administration and operations of the Washington State National Guard and performance of its current part-time adjutant general, Major General Robert C. Collins; and

BE IT FURTHER RESOLVED, That the Select Committee be comprised of four members from each caucus of the House and that the Select Committee hold hearings and take testimony concerning all facets of the Guard including its procedures, appointments, dismissals, operations and the committee shall consider the desirability of extending present legislative oversight; and

BE IT FURTHER RESOLVED, That the Select Committee shall report its findings to the next session of the Legislature.

Mr. Taylor moved adoption of the resolution.

Mr. Ehlers spoke against the resolution, and Mr. Barr spoke in favor of it.

#### MOTION

Mr. Warnke moved that House Resolution No. 79-65 be referred to Committee on State Government.

Representatives Warnke, Ehlers, and Barr spoke in favor of the motion, and Representatives Taylor, Dunlap and Nisbet spoke against it.

Mr. Taylor then spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to refer House Resolution No. 79-65 to Committee on State Government, and the motion was carried by the following vote: Yeas, 52; nays, 38; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Eberle, Ehlers, Eng, Erak, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Greengo, Hastings, Houchen, Jovanovich, McDonald, McGinnis, Mitchell,



Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Berentson, Blair, Erickson, Haley, Isaacson, Polk, Sprague, Winsley.

**HOUSE RESOLUTION NO. 79-58, by Representatives Whiteside, Adams, Becker, Blair, Newhouse, Smith (R), Struthers and Thompson.**

**WHEREAS,** Primary emphasis has been given to deinstitutionalizing the provision of mental health services in the state and nation; and

**WHEREAS,** During the 1978 fiscal year, 3,851 adults were released from the state's two mental hospitals; and

**WHEREAS,** Effective case monitoring does not exist to ensure continued stabilization on release either by maintenance of medication or provision of a supportive environment enabling a successful return to independent living in the community; and

**WHEREAS,** It has been evidenced that some individuals must commit a crime in order to be committed and receive the care they need; and

**WHEREAS,** Individuals who commit crimes and are in need of mental health care are not always adequately identified and treated, even though they are examined by Department of Social and Health Services personnel; and

**WHEREAS,** There is a need for a revision in the laws dealing with involuntary as well as voluntary treatment; and

**WHEREAS,** Current efforts at providing mental health services by the Department of Social and Health Services are characterized by a fragmented approach to service delivery and competing views of client needs; and

**WHEREAS,** There is not a definitive statement of legislative policy with regard to program planning, service delivery and legislative monitoring of mental health care in Washington State;

**NOW, THEREFORE, BE IT RESOLVED,** That there be established a Special Committee to examine the delivery of mental health services and to develop comprehensive legislative policy addressing the organization, management and monitoring of mental health programs; and

**BE IT FURTHER RESOLVED,** That the Committee be composed of the co-chairs of the House of Representatives' Standing Committees on Social and Health Services, Institutions, Appropriations and Judiciary, or each of their designees; and

**BE IT FURTHER RESOLVED,** That staff support be given by Office of Program Research staff with a director designated by the O.P.R. Director, and

**BE IT FINALLY RESOLVED,** That the Committee submit its findings, which shall include a six-year plan for the provision of mental health services, to the regular session of the 47th Legislature, along with legislation that the Committee deems necessary to implement its recommendations. The Committee shall submit progress reports every six months to the standing committees cited above, the Co-Speakers of the House of Representatives, and the President of the Senate. The Committee may submit legislation to a special session of the 46th Legislature.

Mr. Whiteside moved adoption of the resolution.

Representatives Whiteside and Becker spoke in favor of the resolution, and it was adopted.

**MOTION**

On motion of Mr. King, the House adjourned until 9:00 a.m., Monday, May 7, 1979.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## FORTY-EIGHTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 7, 1979.

The House was called to order at 9:00 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Bond, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joe Fisher and Brian Forner. Prayer was offered by The Reverend Paul 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 4, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 4, 1979, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 57: Relating to local government;

HOUSE BILL NO. 330: Relating to the department of game;

HOUSE BILL NO. 338: Relating to marriage;

HOUSE BILL NO. 424: Relating to justice courts;

SUBSTITUTE HOUSE BILL NO. 459: Relating to insurance;

SUBSTITUTE HOUSE BILL NO. 504: Relating to the parks and recreation commission;

SUBSTITUTE HOUSE BILL NO. 697: Relating to replevin.

Sincerely,

H. B. Hanna, Legal Counsel.

### MESSAGE FROM THE SENATE

May 4, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 80,

SUBSTITUTE HOUSE BILL NO. 125,

SUBSTITUTE HOUSE BILL NO. 194,

HOUSE BILL NO. 196,

SUBSTITUTE HOUSE BILL NO. 227,

SUBSTITUTE HOUSE BILL NO. 249,

SUBSTITUTE HOUSE BILL NO. 262,

SUBSTITUTE HOUSE BILL NO. 298,

SUBSTITUTE HOUSE BILL NO. 311,

HOUSE BILL NO. 335,

SUBSTITUTE HOUSE BILL NO. 352,

HOUSE BILL NO. 358,

SUBSTITUTE HOUSE BILL NO. 367,

SUBSTITUTE HOUSE BILL NO. 437,

SUBSTITUTE HOUSE BILL NO. 446,

HOUSE BILL NO. 622,

SUBSTITUTE HOUSE BILL NO. 665,

HOUSE BILL NO. 668,

SUBSTITUTE HOUSE BILL NO. 706,

SUBSTITUTE HOUSE BILL NO. 755,

SUBSTITUTE HOUSE BILL NO. 871,

SUBSTITUTE HOUSE BILL NO. 872,

SUBSTITUTE HOUSE BILL NO. 912,  
 SUBSTITUTE HOUSE BILL NO. 972,  
 SUBSTITUTE HOUSE BILL NO. 1032,  
 SUBSTITUTE HOUSE BILL NO. 1034,  
 SUBSTITUTE HOUSE BILL NO. 1281,  
 SUBSTITUTE HOUSE BILL NO. 1308,  
 HOUSE JOINT MEMORIAL NO. 16,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

Mr. Salatino demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond and Thompson.

MOTION

Mr. Polk moved that the absent members be excused and the House proceed with business under the Call of the House.

Mr. Polk demanded an oral roll call on the motion, and the demand was sustained.

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, 51; nays, 45; not voting, 2.

Voting yea: Representatives Addison, Amen, Bagnariol, Berentson, Barnes, Barr, Blair, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, King, McDonald, McGinnis, Mitchell, Nelson G.A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Smith C.P., Sprague, Struthers, Taler, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Scott, Sherman, Smith R., Sommers, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Bond, Thompson.

Representative Thompson appeared at the bar of the House.

MESSAGE FROM THE SENATE

May 3, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2062, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Sommers moved that the House insist on its position with regard to the amendment to page 5, line 33 and ask the Senate to concur therewith.

Representatives Sommers and Newhouse spoke in favor of the motion, and Mr. Van Dyken spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House insist on its position with regard to the amendment to page 5, line 33 of Engrossed Senate Bill No. 2062, and the motion was carried by the following vote: Yeas, 55; nays, 42; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bender, Blair, Brekke, Brown, Burns, Chandler, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eng, Erak, Flanagan, Gallagher, Garrett, Granlund, Greengo, Gruger, Haley, Hastings, Hughes, Hurley, Jovanovich, King, Knowles, Martinis, Maxie,

May, McCormick, McDonald, Monohon, Nelson D., Nelson G. A., Newhouse, O'Brien, Polk, Rohrbach, Schmittens, Scott, Smith R., Sommers, Sprague, Struthers, Taller, Thompson, Tilly, Valle, Warnke, Whiteside, Winsley.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Berentson, Charnley, Clayton, Eberle, Ehlers, Erickson, Fancher, Fuller, Galloway, Grimm, Heck, Houchen, Isaacson, Keller, Kreidler, Lux, McGinnis, Mitchell, Nisbet, North, Oliver, Owen, Patterson, Pruitt, Rosbach, Salatino, Sanders, Sherman, Smith C. P., Taylor, Teutsch, Tupper, Van Dyken, Vrooman, Walk, Williams, Wilson, Zimmerman.

Not voting: Representative Bond.

Ms. Sommers moved that the House insist on its position with regard to the amendment to page 6, line 4 of Engrossed Senate Bill No. 2062 and ask the Senate to concur therewith.

Representatives Sommers, Newhouse and Greengo spoke in favor of the motion, and Representatives Tilly, Zimmerman, Heck and Dunlap spoke against it.

Ms. Sommers again spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House insist on its position with regard to the amendment to page 6, line 4 of Engrossed Senate Bill No. 2062, and the motion was carried by the following vote: Yeas, 51; nays, 46; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bender, Berentson, Blair, Brekke, Brown, Burns, Clayton, Craswell, Dawson, Deccio, Douthwaite, Eng, Erickson, Fancher, Flanagan, Gallagher, Granlund, Greengo, Gruger, Hughes, Hurley, Jovanovich, King, Knowles, Kreidler, Martinis, May, McCormick, McDonald, Mitchell, Nelson D., Newhouse, Patterson, Pruitt, Rohrbach, Salatino, Scott, Smith R., Sommers, Thompson, Tupper, Valle, Van Dyken, Whiteside, Winsley.

Voting nay: Representatives Bauer, Becker, Chandler, Charnley, Dunlap, Eberle, Ehlers, Erak, Fuller, Galloway, Garrett, Grimm, Haley, Hastings, Heck, Houchen, Isaacson, Keller, Lux, Maxie, McGinnis, Monohon, Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Polk, Rosbach, Sanders, Schmittens, Sherman, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman.

Not voting: Representative Bond.

#### MOTION

Mr. King moved that the House dispense with further business under the Call of the House.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to dispense with the Call of the House, and the motion was carried by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G.A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Clayton, Dawson, Eberle, Fancher, Schmittens, Smith C.P., Taylor, Tilly, Van Dyken, Wilson, Zimmerman.

Not voting: Representative Bond.

#### SENATE AMENDMENT TO HOUSE BILL

May 4, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 491 with the following amendment:

On page 1, line 26 after "charged" and before the period insert "except further, notwithstanding any other provision of this chapter, that well adult clinic services may be provided in lieu of health screening services if such clinics use the fee schedule established by this section"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendment to Engrossed House Bill No. 491.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 491 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 491 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Bond.

Engrossed House Bill No. 491 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

April 16, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2010 on page 5, line 35, and refuses to concur in the amendment to page 2, line 24 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. Charnley moved that the House insist on its position and again ask the Senate to concur therewith.

Mr. Charnley spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Whiteside.

Mr. Whiteside: "Representative Charnley, is this the amendment which deals with the addition of expanding this program from senior citizens to a broader group of people?"

Mr. Charnley: "That's quite right, Representative Whiteside, it inserts mobile homes and mobile home parks."

Representatives Whiteside and Zimmerman spoke against the motion, and Mr. Charnley again spoke in favor of it.

The motion was lost.

## MOTION

On motion of Mr. Zimmerman, the House receded from its amendment to page 2, line 24 of Substitute Senate Bill No. 2010.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

Speaker Berentson stated the question before the House to be the final passage of Substitute Senate Bill No. 2010 without one House amendment.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2010 without the House amendment to page 2, line 24, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio,

Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Bond.

Substitute Senate Bill No. 2010 without the House amendment to page 2, line 24, having received the 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 2, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1031 with the following amendments:

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

**"NEW SECTION.** Section 1. The legislative transportation committee, in consultation with the house and senate standing committees on transportation, is authorized to conduct the following studies and activities and such other studies and activities as it deems appropriate, may employ consultants, and shall report findings and recommendations, as appropriate, to the legislature during or prior to the 1981 regular legislative session:

(1) Develop policies and criteria to be used by the legislature to determine relative priorities for use of state motor vehicle fund revenues by state agencies;

(2) An analysis of local public transportation plans and programs, with emphasis on the 1980-1985 period, in coordination with appropriate municipalities and the department of transportation;

(3) The procedural and fiscal feasibility of a program requiring:

(a) That the transportation commission adopt and designate a uniform state standard for emergency traffic signals;

(b) That the department of transportation install and maintain such signals on state highways;

(4) The role of rail transportation in the state's economy;

(5) The need for a program of periodic registration and inspection of carriers of hazardous cargo on the highways of the state; the study to address the appropriate agency to conduct the program, and how most effectively to integrate such a program with existing local and federal programs;

(6) A review of the effectiveness of existing statutes relating to drunk drivers and the judicial and administrative procedures implementing such statutes;

(7) The feasibility of integrating bus and rail intercity transportation, especially between small towns; the study to assess the legal and logistical possibility of attaching rail passenger cars to scheduled freight trains;

(8) A study of alternate methods of financing the state ferry system through a more equitable assessment of property benefited by ferry service; the study to include a detailed search of potential federal funds to assist in relieving the impact west of Puget Sound caused by federal installations and forest lands, as well as alternative methods of taxation of value added to property by reason of the access the ferries provide;

(9) A policy on contracting for maintenance work on highway rights of way with private firms. The committees may have meetings with contractors to assess their interest, and determine whether such work could be completed more economically through such contracts;

(10) Review, in cooperation with the department of transportation and other appropriate agencies, methods by which the public may share in the benefits created by new transportation facilities through value capture financing;

(11) The feasibility of a program to refund the use tax on gasoline or diesel fuel purchased by commercial fishermen when used beyond the state's three-mile limit;

(12) A study of the need for and feasibility of high speed passenger-only ferry service in the inner waters of Puget Sound, particularly between the high density population centers of southern Puget Sound;

(13) A study of increasing costs and diminishing supplies of asphalt in state highway construction and maintenance, and the feasibility of an alternative paving material, other than reinforced concrete, that may be used in place of asphalt paving;

(14) A study to determine the means and effects of deregulation and the alternatives to regulation of intrastate transportation activities under the utilities and transportation commission, including air, land, rail, water, and pipeline modes of transportation for compensation;

(15) A study of the feasibility and desirability of a program by which the taxicab industry would be regulated by the utilities and transportation commission;

(16) A program designed to inform the public of the benefits of ride sharing including the development of legislation that could stimulate interest in ride-sharing programs among individual citizens;

(17) A study of the effect of the possible loss of fuel tax revenues caused by apparent fuel shortages and allocation procedures;

(18) A review of appraisal practices used by the department of transportation in the exercise of eminent domain including a review of statutes relating to judicial review of disputed assessments;

(19) Review development and implementation of automobile emission reduction programs by the United States Environmental Protection Agency and in accordance with chapter ... (SHB 298), Laws of 1979 1st ex. sess. to determine whether such implementation jeopardizes federal transportation and/or highway funds or interferes with the orderly planning process for state and local surface transportation needs;

(20) A review of the effects of the Hood Canal Bridge sinking, and the department of transportation's effort to provide interim transportation services for users of that corridor. Such review shall include: (a) An examination of the need to relocate existing ferry terminals; (b) interim transportation measures required as a result of the bridge loss, including ferry service across Puget Sound and Hood Canal; and (c) the effect on local communities of changing transportation patterns, including a review of state route 101 between Shelton and Discovery Bay to determine safety impacts of increased traffic, and its effect on law enforcement efforts;

(21) Monitor the creation of new, or the improvement of existing, transit systems within the state;

(22) In concert with public transportation operating authorities, a study of methods to insure better security from unlawful conduct for transportation system patrons and operating personnel. Such study shall concern itself with not only transit bus operations, but shall include security on ferry vessels and in terminals, as well as other modes of public conveyance;

(23) A study to determine how the ferry system and local governments can better coordinate in regard to local facilities, with or without state funding or other assistance, for the mutual benefit of community residents and patrons of the ferry system. Such study shall also include an evaluation of the negative effects of ferry terminals and local programs upon each other and methods to resolve these problems (including, but not limited to, traffic congestion, accident rates due to traffic flow, and local plans);

(24) A review, in conjunction with the transportation commission, of the use of motor vehicle funds to improve access to state facilities of higher education;

(25) A study, in conjunction with the Washington utilities and transportation commission, as to the necessity of safety inspections of private carriers and the feasibility thereof;

(26) Study motor vehicle equipment and motor vehicle modifications in conjunction with state and federal standards for motor vehicles, and determine if existing equipment regulations reflect the current state-of-the-art in motor vehicle safety;

(27) An evaluation of property acquisition and disposal procedures of the department of transportation and an updating and consolidation of statutes pertaining thereto;

(28) Explore the use of improved public transportation services as a means of better serving residents of areas served by the state ferry system, as well as a means of reducing vehicle overloads on many state ferry routes;

(29) Evaluate existing statutes relating to public transportation and make recommendations for clarification and consolidation of such statutes;

(30) A review of current statutes relating to vessel pilotage, including the establishment of a training program for new ship pilots, and the establishment of a mandatory retirement program for pilots;

(31) A review of methods to improve bicycle safety and to encourage the use of bicycles for transportation and recreational purposes;

(32) A study of the effects of major developments on state highways; the study shall address the need for the department to have advance notice of such developments and the potential financial participation of the developer in constructing changes to the highway facility necessitated by the development.

**NEW SECTION.** Sec. 2. The legislative transportation committee and the transportation commission may jointly conduct the following studies and report their findings and recommendations to the 1981 legislative session:

(1) The feasibility of potential corridors which would include preliminary engineering, social, economic, and environmental analyses of a third bridge across the Columbia river between Clark county, Washington, and Oregon. Such study shall be based on, and be a continuation of, the January, 1979, third bridge study which developed and evaluated travel demands on potential crossings of the lower Columbia river between the vicinities of Camas and Woodland. The transportation commission and the department of transportation shall make every effort to obtain the cooperation of the Oregon transportation commission, the Oregon department of transportation, and the Portland metropolitan service district in conducting the study;

(2) The feasibility of a new east-west highway between state route number 181 and state route number 516 in the vicinity of South 277th street between Kent and Auburn; the study to be conducted by the state department of transportation in cooperation with King county and the municipalities affected;

(3) A study of the potential need and feasibility of constructing a bridge across the Cowlitz river between Interstate 5 in the vicinity of Rocky Point and state route number 411 in the vicinity of Lexington, in Cowlitz county;

(4) The feasibility of reconstructing state route number 195 into a four-lane highway between Plaza and Rosalia and between Colfax and Pullman;

(5) The feasibility of constructing a four-lane limited access highway along the alignment of state route number 395 from Pasco to Ritzville;

(6) The feasibility of constructing a four-lane limited access highway along the alignment of state route number 17 from Othello to Moses Lake;

(7) A study of the need to construct an interchange to bypass the Woodinville community on state route number 522 near Northeast 190th and Northeast 195th in King county; such study to be completed by December 1, 1979;

(8) The feasibility and cost of improving the Black Lake interchange on state route number 101 near Olympia; the study to examine methods of securing matching money from local jurisdictions or other public or private sources;

(9) The feasibility of assisting in the financing of the construction of a street along the Brandon street right of way between Delridge Way and Southwest Sixteenth avenue in West Seattle. The city of Seattle may be required to secure whatever federal, county, urban arterial board, or other assistance may be available to participate in this project;

(10) The feasibility of extending state route number 291 from the Stevens county line northwest of Spokane along the most feasible route to a junction with state route number 231;

(11) A study by the department of transportation of the transportation plans and program needs in the Kitsap and Pierce county area from the Hood Canal bridge location southerly through the Bremerton metropolitan area to, and including, the Narrows bridge.

The study shall analyze population growth trends throughout the study area, including the impact of existing and predicted industrial and military developments on existing facilities. The study shall analyze transportation needs and assess whether existing and planned transportation facilities are compatible with development patterns of residential, industrial, and agricultural uses. The department, in assessing the availability of revenues needed to meet the needs, shall explore all available sources, including federal programs. The study shall consider the feasibility of a regional public transportation system in the area, together with recommendations for funding such a system;

(12) A study of the long range requirements of ferry services between Southworth, Vashon Island, and Seattle. The study shall address:

- (a) Facility and vessel capacity needs;
- (b) Vessel scheduling needs;
- (c) Public transit needs;
- (d) Passenger-only service needs;
- (e) Terminal access improvement needs; and

(f) The feasibility of alternate ferry routes from Southworth directly to downtown Seattle as well as from Vashon Island to downtown Seattle;

(13) A study of the feasibility of constructing state route number 528 from Marysville easterly to state route number 9;

(14) A study to determine the need for and financing of improvements to state route number 105 near Huntley road and West Harriman street in Aberdeen;

(15) An evaluation of the need for rerouting state route 101 in the vicinity of Sequim;

(16) An evaluation of the impact of state route 3 on the community of Shelton, and the need for improved traffic control devices to relieve congestion along that corridor;

(17) A study of access to state route 5 in the vicinity of Vancouver as it relates to new transportation projects in the area and the needs of the surrounding community;

(18) The feasibility and benefits of constructing the Ben Franklin dam on the Columbia river above Richland, together with locks necessary to facilitate barge traffic upriver, and the possibility of locating a toll bridge across the river at the dam site;

(19) The feasibility and desirability of realignment of a segment of state route 302 near Burley;

(20) The feasibility and desirability of widening state route 3 to four lanes between state route 304 and Kitsap Way in Bremerton;

(21) A review of department of transportation plans and proposals for changes in the intersections of state routes 16, 160, and 3, in the vicinity of Gorst;

(22) The desirability and feasibility of rerouting existing sections of state route 160 to bypass the city-center of Port Orchard;

(23) A review of the transportation activities associated with the United States Navy Trident Facility, especially as they affect the city of Poulsbo and access to and from Poulsbo, including Bond Road and state route 305;

(24) A study of methods to provide improved access from state route 405 to the Evergreen Hospital, the Totem Lake shopping center, and the park and ride facility at NE 132nd. Such study shall include consideration of the feasibility and desirability of constructing an interchange at NE 132nd;

(25) An examination of the rerouting of state route 20 between state route 5 and Sedro Woolley as a joint development of the corridor with the United States Army Corps of Engineers and/or Puget Sound Power and Light Company if and when the Corps proceeds with plans for flood control projects in the Lower Skagit Valley and/or Puget Power proceeds with development of the Skagit Nuclear project requiring additional transportation services.

Sec. 3. Section 1, chapter 201, Laws of 1973 1st ex. sess. as last amended by section 112, chapter 158, Laws of 1979 and RCW 44.40.070 are each amended to read as follows:

Prior to October 1st of each even-numbered year all state agencies whose major programs consist of transportation activities, including the department of transportation, the utilities and transportation commission, the urban arterial board, the Washington state patrol, the department of licensing, the traffic safety commission, the county road administration board, and the ((department of transportation)) board of pilotage commissioners, shall adopt or revise, after consultation with the legislative transportation committee, ((and/or senate and house transportation committees, a long range plan of not less than six years and)) a comprehensive six-year program and financial plan for all transportation activities under each agency's jurisdiction.



The ((long range)) comprehensive six-year program and financial plan shall state the general objectives and needs of each agency's major transportation programs, including workload and performance estimates.

((The comprehensive six-year program and financial plan shall be prepared in consonance with the long range plan and shall identify that portion of the long range plan to be accomplished within the succeeding six-year period:))

Sec. 4. Section 75, chapter 51, Laws of 1970 ex. sess. as amended by section 9, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.370 are each amended to read as follows:

A state highway to be known as state route number 181 is established as follows:

Beginning at a junction with state route number 18 in the vicinity west of Auburn, thence northerly to a junction with state route number ((599 south of Seattle)) 405 in the vicinity of Tukwila.

NEW SECTION. Sec. 5. There is hereby appropriated from the general fund to the legislative transportation committee the sum of one hundred eighty-five thousand dollars, or so much thereof as may be necessary, for the biennium ending June 30, 1981, for the purpose of conducting a study of general aviation and intrastate air carriers operating in Washington. Such study shall address, but not be limited to, airport licensing, standards, and inspection, emergency landing facilities, economic and safety regulations of commercial intrastate carriers, aircraft registration and inspection, pilot regulations, and the development of procedures for effecting state and federal cooperative programs relating to aviation safety.

Sec. 6. Section 1, chapter 128, Laws of 1961 as last amended by section 1, chapter 7, Laws of 1979 1st ex. sess., by section 1, chapter 26, Laws of 1979 1st ex. sess., by section 1, chapter 27, Laws of 1979 1st ex. sess., and by section 50, chapter ... (EHB 101), Laws of 1979 1st ex. sess. and RCW 46.16.380 are each amended and reenacted to read as follows:

Any person who submits satisfactory proof to the director that he or she has lost both of his or her lower extremities, or has lost the normal or full use thereof, or is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, or has lost both hands, or who suffers from lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second, shall be entitled to receive a special card to be left in a vehicle in a conspicuous place, bearing distinguishing marks, letters, or numerals indicating that the vehicle is being used to transport such a disabled person. Such a disabled 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 disabled person. The disabled person is also entitled to receive, in lieu of the decal and regular motor vehicle license plates, special license plates bearing distinguishing marks, letters, or numerals indicating that the vehicle is owned by such a disabled person. Vehicles displaying the special license plate, card, or decal shall be entitled to use parking places otherwise reserved for physically disabled persons pursuant to chapter 70.92 RCW, or authority implemental thereof. Whenever the disabled person transfers or assigns his or her interest in the vehicle, the special decals or license plates shall be removed from the motor vehicle. 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, the disabled person, a new decal shall be issued by the director. Application for renewal, except for the permanently disabled who shall be issued a permanent card, must be made by January 10th of each renewal year together with satisfactory proof of the right to continued use of such special card and decal. If another vehicle is acquired by the disabled person and special plates are used, they shall be attached to the vehicle, and the director shall be immediately notified of the transfer of plates. If another vehicle is not acquired by the disabled person, the removed plates shall be immediately forwarded to the director to be reissued later upon payment of the regular registration fee.

The special license plates shall be renewed in the same manner and at the time required for the renewal of regular motor vehicle license plates under this chapter. No special license plate may be issued to a person who is temporarily disabled. A person who is permanently disabled under this section shall be issued a permanent card. A person who is temporarily disabled under this section shall be issued a temporary card which shall be renewed, at such times as the director may require, by satisfactory proof of the right to continued use of the card.

No additional fees shall be charged for the issuance of the special card and decal, and, at the time the vehicle is originally licensed in this state, no additional fee may be charged for the issuance of the special license plates except the regular motor vehicle registration fee and any other fees and taxes required to be paid upon initial registration of a motor vehicle. On the effective date of this 1979 act, any disabled person who is entitled to receive a special license plate under this section and who has valid Washington state license plates for his or her motor vehicle shall be entitled to receive special license plates upon payment of the fee prescribed in RCW 46.16.270 and surrender of the existing plates.

The director shall promulgate such rules and regulations as he or she deems necessary to carry into effect this section.

Any unauthorized use of ((such distinguishing license plate;)) the special card ((or)), the decal, or the special license plate is a traffic infraction.

It is a traffic infraction for any person ((parking)) to park a vehicle in a parking place reserved for physically disabled persons pursuant to chapter 70.92 RCW, or authority implemental thereof, without a special license plate, card, or decal as in this section provided((- shall be guilty of a misdemeanor: PROVIDED, That)). A person charged with a violation hereof shall not be ((convicted)) determined to have committed an infraction if he produces in court or prior to the court appearance the special license plate, special card, or special decal required hereunder or demonstrates he was entitled to the same at the time of being ticketed.

**NEW SECTION.** Sec. 7. Section 6 of this 1979 act shall take effect July 1, 1980. Sections 1 through 5 of this 1979 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 on July 1, 1979."

On page 1, on line 1 of the title after "transportation;" strike the remainder of the title and insert the following: "amending section 1, chapter 201, Laws of 1973 1st ex. sess. as last amended by section 112, chapter 158, Laws of 1979 and RCW 44.40.070; amending and reenacting section 1, chapter 128, Laws of 1961 as last amended by section 1, chapter 7, Laws of 1979 1st ex. sess., by section 1, chapter 26, Laws of 1979 1st ex. sess., by section 1, chapter 27, Laws of 1979 1st ex. sess., and by section 50, chapter .. (EHB 101), Laws of 1979 1st ex. sess. and RCW 46.16.380; amending section 75, chapter 51, Laws of 1970 ex. sess. as amended by section 9, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.370; creating new sections; making an appropriation; providing effective dates; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1031.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1031 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1031 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed Substitute House Bill No. 1031 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 4, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 650 with the following amendments:

On page 2, beginning on line 7 strike all of subsection (2) and renumber the remaining subsections.

On page 2, line 15 after "penalty of" strike "five" and insert "four"

On page 2, line 17 after "penalty of" strike "ten" and insert "nine"

On page 2, line 20 after "penalty of" strike "twenty" and insert "nineteen"

On page 3, line 3 after "penalties" and before "be waived" strike "may" and insert "shall"

On page 3, line 7 add the following new subsections:

"(6) Any decision to assess a penalty as provided by this section shall be made by the chief administrative officer of the tax branch.

(7) Nothing in this section shall be construed to deny an employer the right to appeal the assessment of any penalty. Such appeal shall be made in the manner provided in RCW 50.32.030."

Renumber the remaining subsection consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Clayton, the House concurred in the Senate amendments to Engrossed House Bill No. 650.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 650 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 650 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Grimmer, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreydler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Eberle, Hastings.

Not voting: Representative Bond.

Engrossed House Bill No. 650 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, 1979

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 1013** with the following amendments:

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

**NEW SECTION.** Section 1. The state of Washington has a large and growing need for electrical energy. The state of Washington possesses a great potential for the generation of electrical or mechanical power and useful heat energy through the process of cogeneration. It is the purpose and intent of the legislature to promote the growth of cogeneration in the state of Washington.

**NEW SECTION.** Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Cogeneration' means the sequential generation of electrical or mechanical power and useful heat from the same primary energy source or fuel.

(2) 'Cogeneration facility' means any machinery, equipment, structure, process, or property, or any part thereof, installed or acquired for the primary purpose of cogeneration by a person or corporation other than an electric utility.

(3) 'Certificate' means a cogeneration tax credit certificate granted by the department.

(4) 'Cost' means only the cost of a cogeneration facility which is in addition to the cost that the applicant otherwise would incur to meet the applicant's demands for useful heat. 'Cost' does not include expenditures which are offset by cost savings, including but not limited to savings resulting from early retirement of existing equipment.

(5) 'Department' means the department of revenue.

(6) 'Electric utility' means any person, corporation, or governmental subdivision authorized and operating under the Constitution and laws of the state of Washington which is primarily engaged in the generation or sale of electric energy.

(7) 'Office' means the state energy office.

**NEW SECTION.** Sec. 3. (1) An application for a certificate shall be filed with the department. The application shall contain the estimated or actual cost, plans, and specifications of the cogeneration facility, including all materials incorporated or to be incorporated therein, and a list describing and showing all expenditures made by the applicant for the purpose of cogeneration, together with the operating procedure for the facility, and if the facility has not been constructed, a time schedule for the acquisition and installation or attachment of the cogeneration facility and the proposed operating procedure for the cogeneration facility.

(2) The department shall provide a copy of the application to the energy office within ten days after receipt thereof. Within sixty days after receipt of the application from the department, the office shall approve the application but only if it first determines that construction of the cogeneration facility began or will begin after the effective date of this act, that the cogeneration facility is designed and is operated or will be operated primarily for cogeneration, and that the cogeneration facility is suitable, reasonably adequate, and meets the intent and purposes of this chapter.

(3) Within ten days after approval of the application, the office shall provide a copy thereof to the department. Within thirty days after receipt thereof the department shall issue the certificate but only if it finds that the cost data in the application is accurate. If the application contains estimated cost data, the certificate shall be conditioned upon the applicant providing sufficient information for the department to determine the actual cost of the cogeneration facility on the date it becomes operational. Within sixty days after the cogeneration facility is operational the department shall review the certificate. If the actual cost of

the cogeneration facility is less than the cost shown in the certificate, the department shall issue a modified certificate or a supplement to the original certificate, showing the actual cost of the cogeneration facility.

(4) The department, with the approval of the office, may adopt rules specifying the administrative procedures applicable to applications for certification, the form and manner in which the applications shall be filed and additional information to be contained therein. The rules shall apply to administrative procedures before both the office and the department. An applicant shall have the opportunity for a hearing before the office and the department in respect to their respective decisions granting or denying approval or certification.

This section shall expire on December 31, 1984.

**NEW SECTION.** Sec. 4. (1) No certificate or supplement may be issued after December 31, 1984.

(2) The department shall keep a running tabulation of the total cogeneration facility costs incurred or planned to be incurred pursuant to certificates or supplements issued under this chapter. The department may not issue any new certificate or any supplement if the certificate or supplement would result in the tabulation exceeding one hundred million dollars. Nothing in this section shall be deemed to bar any certificate holder from amending the certificate or obtaining a supplement thereto so long as the amendment or supplement is issued prior to December 1, 1984, and does not increase the total amount of cogeneration facility costs incurred or planned to be incurred under the original certificate.

(3) The department may adopt any rules under chapter 34.04 RCW it considers necessary for the administration of this chapter.

**NEW SECTION.** Sec. 5. When a cogeneration facility is operational and a certificate pertaining thereto has been issued, a credit may be claimed against taxes imposed under chapter 82.04 RCW, if the due date for payment of the taxes is after the effective date of the certificate: PROVIDED, That the date on which the facility is operational is no more than four years after the date of issuance of the certificate. The amount of the credit shall be two percent of the cost of a facility covered by the certificate for each year the certificate remains in force. The credits shall be cumulative and shall be subject only to the following limitations:

(1) The tax credit shall apply to capital costs only and shall not apply to operating costs.

(2) A person, firm, corporation, or organization which acquires a cogeneration facility shall be entitled to the credit only to the extent that it has previously not been taken. Under no circumstances may a credit be taken more than once against any cost or portion thereof of a cogeneration facility.

(3) No credit exceeding fifty percent of the taxes payable under chapter 82.04 RCW shall be allowed in any reporting period.

(4) The total cumulative amount of the credits allowed for any cogeneration facility covered by a certificate shall not exceed fifty percent of the cost of the cogeneration facility.

(5) The total cumulative amount of credits against state taxes authorized by this chapter shall be reduced by the total amount of any federal investment credit or other federal tax credit actually received by the certificate holder applicable to the cogeneration facility. This reduction shall be made as an offset against the credit claimed in the first reporting period following the allowance of the investment credit, or other credit, and thereafter as an offset against any credit balance as it shall become available to the certificate holder.

**NEW SECTION.** Sec. 6. If subsequent to the issuance of a certificate for a cogeneration facility and prior to December 31, 1984, a determination is made to modify or replace the cogeneration facility, the holder of the certificate may file an application for a modified certificate or supplement to the existing certificate covering the modified or replacement cogeneration facility in accordance with the procedures set forth in this chapter for original certificates and supplements. After the issuance by the department of any modified certificate or supplement, all subsequent tax credits and exemptions for the cogeneration facility shall be based on the modified certificate or supplement and shall be exclusively based on the cost shown in the modified or supplemented certificate.

This section shall expire on December 31, 1984.

**NEW SECTION.** Sec. 7. The department shall send a certificate or supplement, when issued, by certified mail to the applicant. Notice of the department's refusal to issue a certificate or supplement shall likewise be sent to the applicant by certified mail.

**NEW SECTION.** Sec. 8. (1) Except as provided in subsection (2) of this section, the department shall revoke any certificate issued under this chapter if it finds that any of the following have occurred with respect to the certificate:

(a) The certificate was obtained by fraud or deliberate misrepresentation;

(b) The certificate was obtained through the use of inaccurate data but without any intention to commit fraud or misrepresentation;

(c) The facility was constructed or operated in violation of any provision of this chapter or provision imposed by the department as a condition of certification; or

(d) The cogeneration facility is no longer capable of being operated for the primary purpose of cogeneration.

(2) If the department finds that there are few inaccuracies under subsection (1)(b) of this section and that cumulatively they are insignificant in terms of the cost or operation of the facility or that the inaccurate data is not attributable to carelessness or negligence and its inclusion was reasonable under the circumstances, then the department may provide for the continuance of the certificate and whatever modification it considers in the public interest.

(3) Any person, firm, corporation, or organization that obtains a certificate revoked under this section shall be liable for the total amount of money saved by claiming the credits and exemptions provided under this chapter and section 9 of this act. The total amount of the credits shall be collected as delinquent business and occupation taxes, and the total of the exemptions shall be collected and distributed as delinquent property taxes. Interest shall accrue on the amounts of the credits and exemptions from the date the taxes were otherwise due.

(4) The office shall provide technical assistance to the department in carrying out its responsibilities under this section.

**NEW SECTION. Sec. 9.** There is added to chapter 84.36 RCW a new section to read as follows:

Cogeneration facilities which have been granted a cogeneration tax credit certificate under chapter ... RCW (sections 1 through 8 of this act) shall be exempt from property taxation for a period of seven years from the date on which the facility is operational or until the certificate is revoked, whichever is first. For the purposes of the exemption under this section the value of the cogeneration facility shall be based upon the cost shown in the certificate.

Claims for the exemption authorized by this section shall be filed with the county assessor on forms prescribed by the department of revenue and furnished by the assessor. The assessor shall verify and approve such claims as he or she determines to be justified in accordance with this section.

The department of revenue shall promulgate such rules and regulations, pursuant to chapter 34.04 RCW as are necessary and convenient to properly administer the provisions of this section.

Sec. 10. Section 80.04.010, chapter 14, Laws of 1961 as last amended by section 1, chapter 47, Laws of 1977 ex. sess. and RCW 80.04.010 are each amended to read as follows:

As used in this title, unless specifically defined otherwise or unless the context indicates otherwise:

'Commission' means the utilities and transportation commission.

'Commissioner' means one of the members of such commission.

'Corporation' includes a corporation, company, association or joint stock association.

'Person' includes an individual, a firm or copartnership.

'Gas plant' includes all real estate, fixtures and personal property, owned, leased, controlled, used or to be used for or in connection with the transmission, distribution, sale or furnishing of natural gas, or the manufacture, transmission, distribution, sale or furnishing of other type gas, for light, heat or power.

'Gas company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receiver appointed by any court whatsoever, and every city or town, owning, controlling, operating or managing any gas plant within this state.

'Electric plant' includes all real estate, fixtures and personal property operated, owned, used or to be used for or in connection with or to facilitate the generation, transmission, distribution, sale or furnishing of electricity for light, heat, or power for hire; and any conduits, ducts or other devices, materials, apparatus or property for containing, holding or carrying conductors used or to be used for the transmission of electricity for light, heat or power.

'Electrical company' includes any corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever (other than a railroad or street railroad company generating electricity solely for railroad or street railroad purposes or for the use of its tenants and not for sale to others), and every city or town owning, operating or managing any electric plant for hire within this state. 'Electrical company' does not include a company or person employing a cogeneration facility solely for the generation of electricity for its own use or the use of its tenants or for sale to an electrical company, state or local public agency, municipal corporation, or quasi municipal corporation engaged in the sale or distribution of electrical energy, but not for sale to others, unless such company or person is otherwise an electrical company.

'Telephone company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town owning, operating or managing any telephone line or part of telephone line used in the conduct of the business of affording telephonic communication for hire within this state.

'Telephone line' includes conduits, ducts, poles, wires, cables, cross-arms, receivers, transmitters, instruments, machines, appliances, instrumentalities and all devices, real estate, easements, apparatus, property and routes used, operated, owned or controlled by any telephone company to facilitate the business of affording telephonic communication.

'Telegraph company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating or managing any telegraph line or part of telegraph line used in the conduct of the business of affording for hire communication by telegraph within this state.

'Telegraph line' includes conduits, poles, wire, cables, cross-arms, instruments, machines, appliances, instrumentalities and all devices, real estate, easements, apparatus, property and routes used, operated or owned by any telegraph company to facilitate the business of affording communication by telegraph.

'Water system' includes all real estate, easements, fixtures, personal property, dams, dikes, head gates, weirs, canals, reservoirs, flumes or other structures or appliances operated, owned, used or to be used for or in connection with or to facilitate the supply, storage, distribution, sale, furnishing, diversion, carriage, apportionment or measurement of water for power, irrigation, reclamation, manufacturing, municipal, domestic or other beneficial uses for hire.

'Water company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town

owning, controlling, operating, or managing any water system for hire within this state: PROVIDED, That it shall not include any water system serving less than sixty customers where the average annual gross revenue per customer does not exceed one hundred twenty dollars per year.

'Cogeneration facility' means any machinery, equipment, structure, process, or property, or any part thereof, installed or acquired for the primary purpose of the sequential generation of electrical or mechanical power and useful heat from the same primary energy source or fuel.

'Public service company' includes every gas company, electrical company, telephone company, telegraph company and water company. Ownership or operation of a cogeneration facility does not, by itself, make a company or person a public service company.

The term 'service' is used in this title in its broadest and most inclusive sense.

NEW SECTION. Sec. 11. The generation of power by a nonpolluting, renewable energy source by an individual natural person not otherwise engaged in the business of power generation is declared to be exempt from all statutes and rules otherwise regulating the generation of power: PROVIDED, That such an individual is hereby authorized to provide such power to the utility servicing the property on which the power is generated and the servicing utility is hereby authorized to accept such power under such terms and conditions as may be agreed to between the parties.

NEW SECTION. Sec. 12. The house and senate energy and utilities committees are authorized and directed to monitor the effectiveness of the business and occupation tax credit and property tax exemption for cogeneration facilities as an incentive for the implementation of cogeneration, and to study the cost and effectiveness of alternative state incentives for cogeneration, including, but not limited to direct grants, loans, other tax incentives, and partial funding for feasibility studies. The committees shall report their findings and recommendations to the forty-seventh legislature of the state of Washington convened in regular session.

NEW SECTION. Sec. 13. If any provision of this 1979 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. 14. Sections 1 through 8 of this act shall constitute a new chapter in Title 82 RCW."

On page 1, on line 1 of the title, after "regulation;" strike the remainder of the title and insert "amending section 80.04.010, chapter 14, Laws of 1961 as last amended by section 1, chapter 47, Laws of 1977 ex. sess. and RCW 80.04.010; adding a new chapter to Title 82 RCW; adding a new section to chapter 84.36 RCW; and creating new sections." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Ms. McCormick moved that the House do concur in the Senate amendments to Substitute House Bill No. 1013.

Representatives McCormick and Sommers spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 1013 as amended by the Senate.

#### POINT OF INQUIRY

Mr. Haley yielded to question by Mr. Tupper.

Mr. Tupper: "Representative Haley, can commercial building owners who install co-generation facilities for use still receive a certificate for it if, during a minor portion of the day, the facility is used solely for the purpose of producing electricity and not, as the bill says, for electricity and useful heat?"

Mr. Haley: "Yes, they can. The bill says as long as the primary purpose of the co-generation is the production not only of useful heat, but electricity, they are still eligible for these tax credits. The companies who are interested in going ahead with co-generation must be allowed to produce only electricity at least a minor portion of the day, but as long as they do not produce only electricity more then they produce electricity and useful heat they would be eligible for these tax credits."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1013 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio,

Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Nelson D.

Not voting: Representative Bond.

Substitute House Bill No. 1013 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, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1075 with the following amendments:

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

**"NEW SECTION.** Section 1. There is added to chapter 43.52 RCW a new section to read as follows:

The board of directors of any operating agency constructing or operating a thermal power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The board shall retain a qualified firm or firms to conduct performance audits, including such engineering expertise as the board deems necessary, which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the board of directors of the operating agency. The board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the board. The board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the board and furnish any information or data to the board which the administrative auditor, firm, or board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the board shall prescribe to accomplish the purposes of this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

**NEW SECTION.** Sec. 2. There is added to chapter 43.52 RCW a new section to read as follows:

The legislature hereby declares that an operating agency or joint operating agency created by or under authorization of this chapter is an 'agency' within the definition and meaning set forth in RCW 42.17.020(1) and a 'public agency' under the definition and meaning set forth in RCW 42.30.020. As such an 'agency', each operating agency, joint operating agency and each and every subagency, board, committee, commission, participating agency or any other internal organization thereof, however designated, shall be fully subject to chapter 42.30 RCW and chapter 42.17 RCW."

On page 1, line 1 of the title after "agencies;" strike the remainder of the title and insert "providing for the appointment of an independent administrative auditor and prescribing the duties of such auditor; requiring management performance audits of the operating agency by at least one qualified independent firm and the evaluation of such audits by the legislative budget committee; subjecting operating agencies to the open public meetings act and the public disclosure act; and adding new sections to chapter 43.52 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Isaacson moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1075, and ask the Senate to recede therefrom.

Mr. Isaacson spoke in favor of the motion, and Ms. McCormick spoke against it.

## POINT OF INQUIRY

Mr. Isaacson asked Ms. McCormick to yield to question, and she refused to yield.

Mr. Isaacson spoke again in favor of the motion.

## MOTION

Mr. Martinis moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1075.

Representatives Martinis, Haley and Williams spoke in favor of the motion to concur, and Mr. Isaacson spoke against it.

## POINT OF INQUIRY

Ms. McCormick yielded to question by Mr. Haley.

Mr. Haley: "Representative McCormick, section 2 subjects WPPSS to the Open Meetings Act and the Public Disclosure Act. What does this language add to existing law?"

Ms. McCormick: "This section adds nothing to those acts. It merely sets out clearly that joint operating agencies are subject to the acts, and it specifies that fact in the chapter which deals with joint operating agencies."

Mr. Haley: "Then no extra meeting notices or filing or other requirements are imposed by this beyond those that are already required in the Public Meetings Act and the Public Disclosure Act?"

Ms. McCormick: "That is correct."

Mr. Oliver spoke against the motion to concur.

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

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1075, and the motion was carried by the following vote: Yeas, 65; nays, 30; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Greengo, Hastings, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Sprague, Struthers, Tally, Whiteside, Winsley.

Not voting: Representatives Blair, Bond, Zimmerman.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1075 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1075 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen,



Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Bond.

Engrossed Substitute House Bill No. 1075 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 FOR RECONSIDERATION**

Mr. Kreidler, having voted on the prevailing side, moved that the House reconsider the vote by which the House insisted on its position with regard to Engrossed Senate Bill No. 2062.

Representatives Kreidler and Dunlap spoke in favor of the motion, and Representatives Newhouse and Greengo spoke against it.

**ROLL CALL**

The Clerk called the roll on the motion that the House reconsider the vote whereby the House insisted on its position with regard to Engrossed Senate Bill No. 2062, and the motion was lost by the following vote: Yeas, 42; nays, 55; not voting, 1.

Voting yea: Representatives Adams, Addison, Bauer, Berentson, Chandler, Charnley, Deccio, Dunlap, Eberle, Fuller, Galloway, Garrett, Haley, Hastings, Heck, Houchen, Isaacson, Keller, Kreidler, Lux, Maxie, McGinnis, Mitchell, Nelson D., Nisbet, O'Brien, Oliver, Polk, Salatino, Sanders, Schmitten, Scott, Smith R., Struthers, Taylor, Teutsch, Tilly, Vrooman, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Barr, Becker, Bender, Blair, Brekke, Brown, Burns, Clayton, Craswell, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Gallagher, Granlund, Greengo, Grimm, Gruger, Hughes, Hurley, Jovanovich, King, Knowles, Martinis, May, McCormick, McDonald, Monohon, Nelson G. A., Newhouse, North, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Sherman, Smith C. P., Sommers, Sprague, Taller, Thompson, Tupper, Valle, Van Dyken, Walk, Whiteside, Wilson.

Not voting: Representative Bond.

**MOTION**

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Tuesday, May 8, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FORTY-NINTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 8, 1979.

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 Representative Bond, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Beverlee Adams and Alan Heywood. Prayer was offered by The Reverend Paul 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 7, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 7, 1979, Governor Ray approved the following House Bills entitled:

HOUSE BILL NO. 33: Relating to corporations;  
 SUBSTITUTE HOUSE BILL NO. 79: Relating to the disposal of reading materials;  
 SUBSTITUTE HOUSE BILL NO. 99: Relating to juries;  
 HOUSE BILL NO. 101: Relating to motor vehicle offenses;  
 SUBSTITUTE HOUSE BILL NO. 133: Relating to special purpose districts;  
 SUBSTITUTE HOUSE BILL NO. 535: Relating to motor freight carriers;  
 SUBSTITUTE HOUSE BILL NO. 619: Relating to legend drugs;  
 HOUSE BILL NO. 666: Relating to education.

Sincerely,  
H.B. Hanna, Legal counsel

### MESSAGES FROM THE SENATE

May 7, 1979

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2506,  
 SENATE BILL NO. 2852,  
 SENATE CONCURRENT RESOLUTION NO. 106,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 7, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2442, and has passed the bill as amended by the House.

Sidney R. Snyder, 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.

### SENATE AMENDMENTS TO HOUSE BILL

May 7, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 236 with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*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, reappropriated, and authorized to be disbursed for salaries, wages, capital projects, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION.** Sec. 2. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation ..... \$ 16,728,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the house ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

**NEW SECTION.** Sec. 3. FOR THE SENATE

General Fund Appropriation ..... \$ 14,300,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the senate ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

**NEW SECTION.** Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation ..... \$ 1,247,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$70,000 shall be expended for the specific purpose of conducting a management survey, program review, and/or a performance audit, as defined in RCW 44.28.085 and 44.28.086, of the Washington public power supply system and any other joint operating agencies established pursuant to chapter 43.52 RCW.

**NEW SECTION.** Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation ..... \$ 1,295,000

**NEW SECTION.** Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation ..... \$ 301,000

**NEW SECTION.** Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation ..... \$ 3,626,000

**NEW SECTION.** Sec. 8. FOR THE SUPREME COURT

General Fund Appropriation ..... \$ 5,306,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,568,000 shall be expended for indigent appeal cases.

**NEW SECTION.** Sec. 9. FOR THE LAW LIBRARY

General Fund Appropriation ..... \$ 1,386,000

The appropriation contained in this section shall be subject to the following condition or limitation: All nonstate agency users of the WestLaw system shall be charged a service fee sufficient to cover the costs of their usage.

**NEW SECTION.** Sec. 10. FOR THE COURT OF APPEALS

General Fund Appropriation ..... \$ 6,130,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$328,000 shall be expended for costs associated with a long-term lease for the division I court.

**NEW SECTION.** Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation ..... \$ 10,313,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$106,000 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (2) \$5,635,000 shall be for superior court judges.
- (3) Not more than \$100,000 shall be expended for criminal cost bills, including prior claims.
- (4) The administrator for the courts together with the county and city users of the judicial information system shall prepare a report delineating a feasible plan to convert funding of the judicial information system to a user fee schedule. Such report shall be presented to the senate ways and means committee and the house appropriations committee by January 1, 1981.

**NEW SECTION.** Sec. 12. FOR THE JUDICIAL COUNCIL

General Fund Appropriation ..... \$ 225,000

NEW SECTION. Sec. 13. FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation .....	\$	2,704,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$2,392,000 shall be used for executive operations.
- (2) Not more than \$20,000 shall be used for investigations and emergency purposes.
- (3) Not more than \$184,000 shall be used for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.
- (4) Not more than \$108,000 shall be used for mansion maintenance.

NEW SECTION. Sec. 14. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State .....	\$	176,404,000
General Fund Appropriation—Federal .....	\$	24,060,000
Special Fund Salary and Insurance Contribution Increase Revolving Fund		
Appropriation .....	\$	61,265,000
Total Appropriation .....	\$	261,729,000

The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

(1) \$1,800,000 shall be for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency, of which not more than \$700,000 may be allocated by the governor for surveys and installations.

(2) It is the intent of the legislature to comply with the Presidential guidelines on compensation. To this end:

(a) Not more than \$82,916,000 of general fund moneys (including \$21,837,000 in federal funds) shall be expended to effect salary increases for state classified employees and for state employees exempt from the classified service. Not more than \$30,945,000 of this amount (including \$8,150,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an average 5.0% salary increase for these employees. Not more than \$36,397,000 of this amount (including \$9,586,000 in federal funds) shall be expended to implement the salary ranges adopted by the state personnel board from the 1978 salary survey for state classified employees and to effect comparable salary increases for state employees exempt from the classified service. These adjustments shall take effect beginning October 1, 1979. Not more than \$15,574,000 of this amount (including \$4,101,000 in federal funds) shall be expended to effect, beginning October 1, 1980, an average 6.0% salary increase for these employees.

(b) Not more than \$36,924,000 of general fund moneys shall be expended to effect salary increases for state higher education classified employees excluding student employees not under the jurisdiction of the state personnel board or the higher education personnel board. Not more than \$11,649,000 of this amount shall be expended to effect, beginning July 1, 1979, an average of 5.0% salary increase for these employees. Not more than \$19,269,000 of this amount shall be expended to implement the salary ranges adopted by the higher education personnel board from the 1978 salary survey. These adjustments shall take effect beginning October 1, 1979. Not more than \$6,006,000 of this amount shall be expended to effect, beginning October 1, 1980, an average of 6.0% salary increase for these employees.

(c) Not more than \$63,194,000 of general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and administrative exempt employees of the four-year units of higher education and community colleges. Not more than \$24,990,000 of this amount shall be expended to effect a 5.0% increase for faculty and administrative exempt employees effective September 1, 1979. Not more than \$25,720,000 of this amount shall be expended to effect an average 5.6% increase for faculty and administrative exempt employees, effective October 1, 1979. Not more than \$12,484,000 of this amount shall be expended to effect an average 6.0% salary increase for faculty and administrative exempt employees effective October 1, 1980. Notwithstanding any other provision of this subsection (c), a portion of each institution's other budgeted funds may be expended to fund additional actual increments or their equivalents in an amount not more than 1 and 1/2% of their respective average salary levels for each year of the biennium and no institution may grant from any fund source whatsoever any salary increase greater than that provided in this act for faculty and exempt employees.

(d) Not more than \$229,000 of general fund moneys shall be expended to effect salary increases for commissioned officers of the Washington State Patrol. Not more than \$88,000 of this amount shall be expended to effect, beginning July 1, 1979, an average 5.0% salary increase. Not more than \$97,000 of this amount shall be expended to effect, beginning October 1, 1979, an average of 6.0% salary increase. Not more than \$44,000 of this amount shall be expended to effect, beginning October 1, 1980, an average of 6.0% salary increase: PROVIDED, That no additional salary increases may be granted from any fund source greater than those authorized by this act.

(e) Not more than \$15,401,000 of general fund moneys (including \$2,223,000 in federal funds) shall be expended to effect increases in the state's maximum contribution for employee insurance benefits. Not more than \$11,000,000 of this amount (including \$1,588,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$85.00 per month per eligible employee. Not more than \$4,401,000 of this amount (including \$635,000 in federal funds) shall be expended to effect, beginning July 1, 1980, an increase in the

state's maximum contribution for employee insurance benefits from \$85.00 per month to \$95.00 per month per eligible employee.

(f) Not more than \$56,688,000 of special fund salary and insurance contribution increase revolving fund moneys shall be expended to effect salary increases for state classified employees, state employees exempt from the classified service, higher education classified employees, higher education faculty, higher education exempt employees, and commissioned members of the Washington State Patrol.

Increases for state classified employees and for state employees exempt from the classified service shall be calculated in accordance with the procedures outlined in subsection (2)(a) of this section. Increases for higher education classified employees shall be calculated in accordance with the procedures outlined in subsection (2)(b) of this section. Increases for higher education faculty and higher education exempt employees shall be calculated in accordance with the procedures outlined in subsection (2)(c) of this section. Increases for the commissioned officers of the Washington State Patrol shall be calculated in accordance with the procedures outlined in subsection (2)(d) of this section.

(g) Not more than \$5,058,000 of special fund salary and insurance contribution increase revolving fund moneys shall be expended to effect increases in the state's maximum contributions for employee insurance benefits. Not more than \$3,613,000 of this amount shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$85.00 per month per eligible employee. Not more than \$1,445,000 of this amount shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$85.00 per month to \$95.00 per month per eligible employee: PROVIDED, That the funds contained in this subsection (2) (g) and (e) shall be expended exclusively for the maintenance of the level of health benefits being provided on the effective date of this act.

(h) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is hereby directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(i) The state employees' insurance board's authority and practice of expending funds in the state employees' insurance revolving fund generated by dividends and refunds to provide increased benefits or to allow reduced employee contributions is recognized, and the average contribution per employee in subsections (e) and (g) of this section shall not be construed as a restriction on such expenditures. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

**NEW SECTION. Sec. 15. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation ..... \$ 204,000

**NEW SECTION. Sec. 16. FOR THE SECRETARY OF STATE**

General Fund Appropriation ..... \$ 3,705,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,080,000 shall be used solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.
- (2) \$624,000 shall be used solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.
- (3) \$20,000 shall be expended to establish working capital for the publication revolving fund.
- (4) Not more than \$157,000 shall be expended for precinct census mapping.

**NEW SECTION. Sec. 17. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation ..... \$ 147,000

**NEW SECTION. Sec. 18. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 121,000

**NEW SECTION. Sec. 19. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 124,000

**NEW SECTION. Sec. 20. FOR THE STATE TREASURER**

General Fund Appropriation ..... \$ 10,000  
 Motor Vehicle Fund—State Appropriation ..... \$ 31,000  
 State Treasurer's Service Fund Appropriation ..... \$ 3,807,000  
 Total Appropriation ..... \$ 3,848,000

The appropriations contained in this section shall be subject to the following condition or limitation: The general fund appropriation shall be distributed as provided in RCW 84.38.120 to the appropriate county and city finance officers for senior citizen and disabled property tax and special assessment deferrals authorized by chapter 84.38 RCW.

**NEW SECTION. Sec. 21. FOR THE STATE AUDITOR**

General Fund Appropriation—State ..... \$ 6,041,000  
 General Fund Appropriation—Federal ..... \$ 300,000

Motor Vehicle Fund Appropriation .....	\$	232,000
Total Appropriation .....	\$	6,573,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The state auditor shall continue supplemental security income state supplementation audits according to a priority schedule established by the department of social and health services and the office of financial management.

(2) 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. 22. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	3,355,000
Legal Services Revolving Fund Appropriation .....	\$	15,034,000
Total Appropriation .....	\$	18,389,000

**NEW SECTION. Sec. 23. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State .....	\$	10,949,000
General Fund Appropriation—Federal .....	\$	24,081,000
Total Appropriation .....	\$	35,030,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,174,000 of this appropriation shall be expended to develop a common payroll/personnel system for higher education: PROVIDED, That the four-year institutions and the community college system: (a) Establish a common core of data elements; and (b) adopt procedures to maintain commonality of the system that are acceptable to the office of financial management, the house appropriations committee, and the senate ways and means committee: PROVIDED FURTHER, That the establishment of the common core of data elements does not preclude the introduction of additional data elements at individual institutions: PROVIDED FURTHER, That a central site will process all payroll calculations and the necessary edits to ensure the commonality of data elements including personnel data, position data, and payroll data.

(2) Not more than \$75,000 shall be used for payment of assessments against state-owned land.

(3) Not more than \$1,000,000 shall be used exclusively for state budget and accounting systems development above the recurring level of system development activities funded in the base budget.

(4) Not more than \$525,000 shall be used for payment of supplies and services furnished in previous biennia.

(5) \$26,000 shall be expended to acquire 1980 bureau of the census Washington state data.

(6) \$4,000 shall be expended to acquire 1979 and 1980 bureau of the census census maps and transparencies of municipal boundaries.

(7) The office shall study and report to the next regular session of the legislature on the work orientation program.

(8) Of the law and justice federal funds included for distribution to state agencies, there shall be made available to the attorney general's office for the crime watch program \$370,000.

(9) The office of financial management shall institute procedures to abolish positions identified by the department of personnel through the retirement/vacancy program, and shall cause to be reverted the salaries and fringe benefits associated with the abolishment of such positions.

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

General Fund Appropriation .....	\$	263,000
Department of Personnel Service Fund Appropriation .....	\$	7,136,000
State Employees' Insurance Fund Appropriation .....	\$	1,229,000
Total Appropriation .....	\$	8,628,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$225,000 of the General Fund Appropriation shall be used to provide working capital for the personnel payroll system costs incurred through the department of personnel service fund.

(2) Not more than \$211,000 of the personnel service fund and 8 FTE's shall be expended for continuation of the cooperative staff utilization review program.

(3) Not more than \$166,000 of the personnel service fund and 8 FTE's shall be utilized for a pilot project directed toward the provision of personnel services for small agencies, boards, and commissions.

(4) Not more than \$38,000 from the general fund shall be expended for a study by the state employees' insurance board to evaluate the effects of including common school employees within the jurisdiction of the board. The report shall be submitted to the governor and the legislature by October 1, 1980.

**NEW SECTION. Sec. 25. FOR THE STATE CAPITOL COMMITTEE**

General Fund—Capital Building Construction Account Appropriation .....	\$	20,000
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**NEW SECTION. Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	1,023,000
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**NEW SECTION. Sec. 27. FOR THE DEFERRED COMPENSATION COMMITTEE**

General Fund Appropriation .....	\$	35,000
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**NEW SECTION. Sec. 28. FOR THE STATE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation ..... \$ 991,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$200,000 shall be expended exclusively for the purpose of a computerized investment management and accounting system.

**NEW SECTION, Sec. 29. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation ..... \$ 29,298,000  
 State Timber Reserve Account Appropriation ..... \$ 2,343,000  
 Motor Vehicle Fund Appropriation ..... \$ 93,000  
 Total Appropriation ..... \$ 31,734,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$400,000 of the appropriation from the state timber reserve account shall be expended exclusively to reimburse counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land: PROVIDED, That the assessor of each timbered county has provided the department of revenue with a complete listing of designated and classified land acreage and assessed value by taxing district by December 31, 1979, to qualify for reimbursement for listing of the values of forest land under RCW 84.33.117, as now or hereafter amended. Such information shall be made available to the legislature.

(2) The department shall maintain current services including advisory appraisals as required by RCW 84.41.060.

**NEW SECTION, Sec. 30. FOR THE TAX APPEALS BOARD**

General Fund Appropriation ..... \$ 718,000

**NEW SECTION, Sec. 31. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation ..... \$ 9,526,000  
 Motor Transport Account Appropriation ..... \$ 3,653,000  
 General Administration Facilities and Services Revolving Fund Appropriation ..... \$ 10,996,000  
 Total Appropriation ..... \$ 24,175,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$871,000 of the General Fund Appropriation shall only be used for replacement of motor transport division vehicles.

(2) \$1,734,000 of the General Fund Appropriation shall only be expended for the banking program and \$700,000 for the savings and loan program, and that revenues generated from fees and charges in these programs must equal or exceed expenditures.

(3) The department shall discontinue transferring agency-owned vehicles to the motor transport division until a cost benefit analysis has been prepared and approved by the senate ways and means committee and the house appropriations committee. Such analysis shall be completed by October 1, 1980, and shall identify those agency-owned vehicles that should be transferred to the motor transport division effective July 1, 1981, and a proposed method of funding the motor transport account for their depreciated value.

(4) The department of agriculture shall transfer \$8,225 from its local fund accounts to the motor transport account and the state treasurer shall transfer to the motor transport account \$4,100 from the fertilizer, agricultural, mineral and lime fund, \$4,100 from the commercial feed fund, \$34,160 from the grain and hay inspection fund, \$4,100 from the community college capital projects account, \$4,100 from the highway safety fund, and \$4,100 from the higher education personnel board service fund. These transfers shall be in accordance with schedules provided by the office of financial management.

(5) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft, whether piloted by a state employee or by an employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(6) The department of general administration, through the department of purchasing, shall analyze and review the establishment, maintenance, and operation of its central stores in relationship to inflationary trends, economies of scale, effectiveness in meeting agency needs, and financial and accounting control and report its findings and recommendation to the legislature by September 1980.

**NEW SECTION, Sec. 32. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation ..... \$ 1,000

**NEW SECTION, Sec. 33. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation ..... \$ 6,023,000

**NEW SECTION, Sec. 34. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution ..... \$ 4,025,000  
 General Fund Appropriation for snowmobile registration fee distribution ..... \$ 59,000  
 General Fund Appropriation for public utility district excise tax distribution ..... \$ 16,243,000  
 General Fund Appropriation for prosecuting attorneys' salaries ..... \$ 1,172,000  
 General Fund Appropriation for motor vehicle excise tax distribution ..... \$ 44,138,000  
 General Fund Appropriation for local mass transit assistance ..... \$ 66,602,000

General Fund Appropriation for camper and travel trailer excise tax distribution . . . . .	\$	2,053,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution . . . . .	\$	399,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution . . . . .	\$	19,159,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution . . . . .	\$	180,969,000
Liquor Board Revolving Fund Appropriation for liquor profits distribution . . . . .	\$	49,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties . . . . .	\$	23,540,000
State Timber Reserve Account Appropriation for distribution to 'Timber' counties . . . . .	\$	29,620,000
Total Appropriation . . . . .	\$	436,979,000

**NEW SECTION, Sec. 35. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION**

Forest Reserve Fund Appropriation for forest reserve fund distribution . . . . .	\$	64,498,000
General Fund Appropriation for federal flood control funds distribution . . . . .	\$	26,000
General Fund Appropriation for federal grazing fees distribution . . . . .	\$	50,000
Total Appropriation . . . . .	\$	64,574,000

**NEW SECTION, Sec. 36. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST**

Fisheries Bond Redemption Fund 1977 Appropriation . . . . .	\$	1,004,000
Salmon Enhancement Bond Redemption Fund 1977 Appropriation . . . . .	\$	3,940,000
Higher Education Refunding Bond Retirement Fund 1977 Appropriation . . . . .	\$	8,782,000
Fire Service Training Center Bond Retirement Fund 1977 Appropriation . . . . .	\$	76,000
Highway Bond Retirement Fund Appropriation . . . . .	\$	66,952,000
State Building Construction Bond Redemption Fund Appropriation . . . . .	\$	4,226,000
State Higher Education Bond Redemption Fund 1977 Appropriation . . . . .	\$	2,504,000
Public School Building Bond Redemption Fund 1959 Appropriation . . . . .	\$	4,800,000
Emergency Water Projects Bond Retirement Fund 1977 Appropriation . . . . .	\$	2,568,000
Public School Building Bond Redemption Fund 1961 Appropriation . . . . .	\$	7,455,000
General Administration Building Bond Redemption Fund Appropriation . . . . .	\$	671,000
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation . . . . .	\$	631,000
Outdoor Recreational Bond Redemption Fund Appropriation . . . . .	\$	2,335,000
Public School Building Bond Redemption Fund 1965 Appropriation . . . . .	\$	2,456,000
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation . . . . .	\$	5,890,000
Outdoor Recreational Bond Redemption Fund 1979 Appropriation . . . . .	\$	382,000
Public School Building Bond Redemption Fund 1963 Appropriation . . . . .	\$	8,712,000
Social and Health Services Bond Redemption Fund 1979 Appropriation . . . . .	\$	2,673,000
Higher Education Bond Redemption Fund 1979 Appropriation . . . . .	\$	1,054,000
Fisheries Bond Redemption Fund 1976 Appropriation . . . . .	\$	767,000
Indian Cultural Center Bond Redemption Fund 1976 Appropriation . . . . .	\$	76,000
State Building Bond Redemption Fund 1967 Appropriation . . . . .	\$	654,000
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation . . . . .	\$	9,510,000
Common School Building Bond Redemption Fund 1976 Appropriation . . . . .	\$	6,879,000
Outdoor Recreational Bond Redemption Fund 1967 Appropriation . . . . .	\$	6,255,000
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation . . . . .	\$	3,871,000
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation . . . . .	\$	9,840,000
State Building and Parking Bond Redemption Fund 1969 Appropriation . . . . .	\$	2,453,000
Waste Disposal Facilities Bond Redemption Fund Appropriation . . . . .	\$	12,558,000
Water Supply Facilities Bond Redemption Fund Appropriation . . . . .	\$	8,902,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation . . . . .	\$	3,737,000
Recreation Improvements Bond Redemption Fund Appropriation . . . . .	\$	6,002,000
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation . . . . .	\$	7,498,000
State Building Authority Bond Redemption Fund Appropriation . . . . .	\$	9,842,000
Office—Laboratory Facilities Bond Redemption Fund Appropriation . . . . .	\$	276,000
University of Washington Hospital Bond Retirement Fund 1975 Appropriation . . . . .	\$	1,156,000
Washington State University Bond Redemption Fund 1977 Appropriation . . . . .	\$	511,000
Higher Education Bond Redemption Fund 1975-76 Appropriation . . . . .	\$	2,168,000
State Building Bond Redemption Fund 1973 Appropriation . . . . .	\$	3,914,000
State Building Bond Retirement Fund 1975 Appropriation . . . . .	\$	693,000
State Higher Education Bond Redemption Fund 1973 Appropriation . . . . .	\$	4,396,000



Social and Health Services Bond Redemption Fund 1975-76 Appropriation .....	\$	6,800,000
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	387,000
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,641,000
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,227,000
Pacific Northwest Festival Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Jail Renovation Bond Retirement Fund Appropriation .....	\$	1,680,000
Common School Building Bond Retirement Fund 1979 Appropriation .....	\$	382,000
General Obligation Bond Retirement Fund Appropriation .....	\$	288,000
Total Appropriation .....	\$	249,856,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the state general obligation bond retirement fund is created by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess., any appropriation to a bond retirement or redemption fund affected by the provisions of such act shall be deemed to be appropriated to the state general obligation bond retirement fund.

**NEW SECTION. Sec. 37. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$	810,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$5,000 shall be expended for a pictorial directory of registered lobbyists in the state of Washington.

**NEW SECTION. Sec. 38. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS**

General Fund Appropriation .....	\$	409,353,000
Motor Vehicle Fund Appropriation .....	\$	27,000
Retirement System Expense Fund Appropriation .....	\$	4,694,000
Teachers' Retirement Fund Appropriation .....	\$	1,889,000
Total Appropriation .....	\$	415,963,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,694,000 shall be expended from the retirement system expense fund for the administration of the law enforcement officers' and fire fighters' retirement system and the public employees' retirement system.

(2) Not more than \$6,000 from the general fund shall be expended for the administration of the judges' retirement system and the judicial retirement system.

(3) Not more than \$27,000 from the motor vehicle fund shall be expended for administration of the state patrol retirement system.

(4) Not more than \$1,889,000 shall be expended from the teachers' retirement fund for the administration of the teachers' retirement system.

(5) Not more than \$243,600,000 from the general fund (\$67,500,000 of which shall be from general revenue sharing funds received during the 1979-81 biennium) shall be expended for contributions to the teachers' retirement system.

(6) Not more than \$493,000 from the general fund shall be expended for contributions to the judicial retirement system.

(7) Not more than \$554,000 from the general fund shall be expended for contributions to the judges' retirement system.

(8) Not more than \$164,700,000 from the general fund shall be expended for contributions to the law enforcement officers' and fire fighters' retirement system.

**NEW SECTION. Sec. 39. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation .....	\$	880,000
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**NEW SECTION. Sec. 40. UNIFORM LEGISLATION COMMISSION**

General Fund Appropriation .....	\$	21,000
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**NEW SECTION. Sec. 41. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation .....	\$	517,000
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**NEW SECTION. Sec. 42. FOR THE ATHLETIC COMMISSION**

General Fund Appropriation .....	\$	56,000
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**NEW SECTION. Sec. 43. FOR THE CEMETERY BOARD**

General Fund—Cemetery Account Appropriation .....	\$	68,000
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**NEW SECTION. Sec. 44. FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Fund Appropriation .....	\$	1,752,000
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The appropriation contained in this section shall be subject to the following condition or limitation: If there are more than five hundred sixty-seven racing days during the 1979-81 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

**NEW SECTION. Sec. 45. FOR THE LIQUOR CONTROL BOARD**

Liquor Board Revolving Fund Appropriation .....	\$	58,425,000
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**NEW SECTION. Sec. 46. FOR THE PHARMACY BOARD**

General Fund Appropriation .....	\$	828,000
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**NEW SECTION. Sec. 47. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation—State.....	\$	11,939,000
Public Service Revolving Fund Appropriation—Federal.....	\$	338,000
Grade Crossing Protective Fund Appropriation.....	\$	1,457,000
Total Appropriation.....	\$	13,734,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$865,000 from the grade crossing protective fund shall be used solely for obligations incurred in prior biennia.
- (2) \$68,000 from the public service revolving fund—state shall be expended for railroad inspectors contingent upon receipt of federal matching funds.

**NEW SECTION. Sec. 48. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund Appropriation .....	\$	102,000
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**NEW SECTION. Sec. 49. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State.....	\$	651,000
General Fund Appropriation—Federal.....	\$	2,048,000
Total Appropriation.....	\$	2,699,000

**NEW SECTION. Sec. 50. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation—State.....	\$	5,485,000
General Fund Appropriation—Federal.....	\$	605,000
Total Appropriation.....	\$	6,090,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) No general fund moneys shall be expended for administration, operation or maintenance of the Washington state guard.
- (2) Not more than \$206,000 of the general fund appropriation shall be expended solely for national guard educational assistance grants contingent upon chapter ... (2nd SSB 2212 or ESHB 295), Laws of 1979 1st ex. sess. becoming law.

**NEW SECTION. Sec. 51. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation.....	\$	1,174,000
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**NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

State Funding Sources.....	\$	1,242,212,000
Federal Funding Sources.....	\$	851,558,000
Other Funding Sources.....	\$	13,433,000
Total of all Funding Sources.....	\$	2,107,203,000
Total FTE Staff Years.....		28,435

The appropriations contained in sections 53 through 65 of this act shall be subject to the following conditions and limitations:

- (1) The department shall not initiate any new services beyond those authorized by appropriation in this act without approval of the office of financial management. The senate ways and means committee and the house appropriations committee of the legislature shall be advised of any approvals.
- (2) Funds appropriated to programs in sections 53 through 65 of this act shall be initially allotted reflecting the fiscal assumptions and legislative intent of this act. Transfers between programs may occur only to the extent required to meet obligations deriving from federal matching requirements and legislative intent regarding federal programs as expressed in this appropriations act. Analysis of the programmatic impacts and justification of approved amendments to this plan will be conveyed by the office of financial management to the senate ways and means committee and the house appropriations committee of the legislature.

(3) The department of social and health services will cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

**NEW SECTION. Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

General Fund Appropriation.....	\$	114,004,000
Total FTE Staff Years.....		4,299

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$1,702,000 from the general fund shall be expended for community services.
- (2) Not more than \$1,716,000 from the general fund and 76.0 FTE's shall be expended for intensive parole.
- (3) Not more than \$15,679,000 from the general fund and 731 FTE's shall be expended for probation and parole.
- (4) Not more than \$7,002,000 from the general fund and 152 FTE's shall be expended for work/training release.
- (5) Not more than \$81,663,000 from the general fund and 3,259 FTE's shall be expended for institutional staffing.

(6) \$920,000 from the general fund shall be expended to contract with a nonprofit corporation to provide a diversionary program for convicted felons with prior conviction records and prior incarcerations. No felon may participate in the program if: (a) he or she has a prior conviction for any violent or inherently dangerous felony, or (b) the crime for which he or she is being diverted into the program is a violent or inherently dangerous felony. For the purposes of this section, 'violent or inherently dangerous felony' means rape in the first or second degree, robbery in the first or second degree, kidnapping in the first or second degree, assault in the first or second degree, or arson in the first degree. Prior to entering into the contract, the secretary of the department of social and health services must have assurance of the cooperation of the superior court bench of the county in which the program will be implemented. The program shall include the following:

(a) A contractual agreement between such nonprofit corporation and the felon with approval of the sentencing judge. Such agreement will describe work performance and restitution expectations, and judicial conditions and review;

(b) A fully controlled residential component;

(c) Supervision by a probation officer of the department of social and health services;

(d) Coordination of all activities by a case manager employed by such nonprofit corporation;

(e) Job development and placement services which will guarantee each participant regular employment;

(f) Specialized alcohol, drug, and counseling services; and

(g) Participation of community and corporate entities which will provide \$1,212,000 in direct and in-kind support.

(7) Not more than \$25,000 from the general fund will be expended for a program evaluation by an independent third party of the diversionary program set forth in subsection (6) of this section. Such evaluation will commence with the initiation of the contract and shall include the following:

(a) Evaluation of the intake procedures, including initial screening, final screening, the contract between the nonprofit organization and the convicted felon, and the participant selection process;

(b) Evaluation of the program elements;

(c) Evaluation of the program impact on recidivism using the measures of rearrest, type of rearrest offense, reconviction, revocation and recommitment;

(d) Evaluation of the control group;

(e) Data collection and analysis; and

(f) A cost benefit analysis.

(8) In the event chapter ... (Substitute House Bill No. 144), Laws of 1979 1st ex. sess. fails to pass, \$100,000 will be reverted to the general fund.

**NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	53,665,000
General Fund Appropriation—Federal .....	\$	747,000
Total Appropriation .....	\$	54,412,000
Total FTE Staff Years .....		1,966

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$600,000 from the general fund and 50 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing within the institutions and to allow residence units not currently being utilized to be opened and staffed. Staffing patterns within the residence units will provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(2) Not more than \$30,000 shall be expended for resource development and coordination and educational program development and coordination.

(3) \$800,000 and 26 FTE staff years shall be expended for a mental health unit at Maple Lane School, except that such unit will be fully implemented and operational by September 30, 1979, except that if such unit is not implemented and operational by September 30, 1979, the operational responsibility will be transferred to the mental health division of the department of social and health services.

(4) No funds shall be expended for the lease-back of any institutional facility.

**NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	98,466,000
General Fund Appropriation—Federal .....	\$	17,277,000
General Fund Appropriation—Local .....	\$	2,119,000
Total Appropriation .....	\$	117,862,000
Total FTE Staff Years .....		3,110

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$31,845,000 of which \$11,396,000 shall be from federal funds shall be expended to maintain and enhance the present level of community mental health services, except that, of this amount, \$373,000 from state funds shall be expended to continue the 'grandfathered' level of support through the 1979-81 biennium at which time this level of support shall be terminated.

(2) \$5,500,000 from state funds shall be expended for the purpose of providing staffing grant-in-aid to the nonprofit community mental health centers and to nonprofit mental health providers: PROVIDED, That no more than a total of \$200,000 may be assigned to nonprofit mental health providers.

(3) \$500,000 from state funds shall be expended to implement a program for the violent, disturbed child.

(4) \$262,000 from state funds shall be expended to maintain institutional legal services.

(5) \$302,000 from state funds shall be expended for a demonstration project providing case management, residential, and support services to chronic seriously mentally ill adults who have continual histories of admission and readmission to eastern state hospital.

(6) \$400,000 from state funds shall be expended for a demonstration project in four counties to provide full case management services.

(7) \$984,000, of which \$142,000 shall be from federal funds, and 60 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing with the state hospitals.

(8) Not more than \$250,000 shall be expended for a demonstration project to reduce the number of hospitalizations of children assessed by mental health professionals as needing hospital care, provided that the project will involve intensive in-home family crisis and education services conducted by highly-trained individuals and shall include an evaluation component to compare the outcomes with those of similar children who are hospitalized. The department shall submit this evaluation to the legislature by January 5, 1981.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

General Fund Appropriation—State . . . . .	\$	99,439,000
General Fund Appropriation—Federal . . . . .	\$	61,900,000
Total Appropriation . . . . .	\$	161,339,000
Total FTE Staff Years . . . . .		6,821

The appropriations contained in this section are subject to the following conditions and limitations:

(1) \$1,296,000 (of which \$859,000 shall be from federal funds) will be expended for home aide services, assuming five hundred two cases per month in fiscal year 1980 and five hundred forty-two cases per month in fiscal year 1981.

(2) Not more than \$682,000 (of which \$46,000 shall be from federal funds) shall be expended to increase the personal needs allowance of clients in group homes and institutions to \$32.50 per month.

(3) \$78,000 from state funds shall be expended for the provision of legal services for institutionalized persons: PROVIDED, That no moneys may be expended on deinstitutionalization lawsuits.

(4) \$2,793,000 from state funds shall be expended solely for the purpose of providing vendor rate increases.

(5) \$120,000 shall be used to provide protection and advocacy services for the handicapped.

(6) Extended sheltered employment will be provided in the vocational rehabilitation program and none of the appropriations contained in this section shall be expended for such services.

(7) Not more than \$344,000 shall be allocated for a pilot project for disturbed youth to develop a treatment program for certain youth with multiple problems that do not fit within the specific eligibility criteria of the various service programs of the department of social and health services. The department shall provide the appropriate legislative committees an evaluation and monitoring report semiannually regarding the effectiveness of this pilot project, and shall provide to the forty-seventh legislature, no later than January 5, 1981, an evaluation report containing recommendations for future programming.

(8) Not more than \$2,946,000 shall be expended exclusively to increase compensation for group home resident care and support staff, excluding administrative staff.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State . . . . .	\$	126,830,000
General Fund Appropriation—Federal . . . . .	\$	126,152,000
Total Appropriation . . . . .	\$	252,982,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The funds appropriated in this section shall revert immediately to the general fund if ESSB 2335 fails to be enacted.

(2) For fiscal year 1980, the wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.

(3) The wages for all employees, other than those specified in subsection (2) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.

(4) For fiscal year 1980, food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.

(5) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(6) \$500,000 shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(7) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(8) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State.....	\$	122,273,000
General Fund Appropriation—Federal.....	\$	121,595,000
Total Appropriation.....	\$	243,868,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.

(2) The wages for all employees, other than those specified in subsection (1) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.

(3) Food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.

(4) Reimbursement for administration and operations will include all items not specified in subsections (1), (2), (3), (5), and (6) of this section and shall not exceed the eighty-fifth percentile of all reporting facilities, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations.

(5) Property reimbursement shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. Rental costs of leased facilities shall be reimbursed to the extent they do not exceed the upper limit of the multiple regression formula for comparable owner-operated facilities.

(6) The return of net invested equity for each facility will be determined by utilizing Medicare rules and regulations.

(7) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(8) \$500,000 shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(9) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(10) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

(11) The funds contained in this section shall revert immediately to the general fund if ESSB 2335 is enacted.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM**

General Fund Appropriation—State.....	\$	314,749,000
General Fund Appropriation—Federal.....	\$	205,932,000
Total Appropriation.....	\$	520,681,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$31,928,000 (of which \$10,052,000 shall be from federal funds) shall be expended for the purposes of providing a 10.0% per year increase to all assistance grants.

(2) \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

(3) \$5,036,000 (of which \$448,000 shall be from federal funds) shall be expended solely for vendor rate increases of 7.0% per year.

(4) \$6,646,000 from state funds shall be expended for noncontinuing general assistance, except that after the recipient has been determined eligible for such assistance for the third time, the recipient's grant will be equivalent to two times the food only standard plus twenty dollars.

(5) \$760,000 from state general funds shall be expended to provide forty-eight hours of shelter care for victims of domestic violence.

(6) \$360,000 from state general funds shall be expended to provide a variable one-time allowance for persons without resources who are discharged from a skilled nursing facility.

(7) \$900,000 of state funds and \$600,000 of federal funds shall be expended to place Kitsap county residents into Area 1 grant standards eligibility and pay such grants accordingly.

(8) Not more than \$1,869,000 shall be expended exclusively to increase compensation for employees of congregate care facilities, excluding administrative staff.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM**

General Fund Appropriation—State .....	\$	79,755,000
General Fund Appropriation—Federal .....	\$	65,624,000
General Fund Appropriation—Local .....	\$	100,000
Total Appropriation .....	\$	145,479,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$7,404,000 (of which \$2,219,000 shall be from federal funds) shall be expended solely for vendor rate inflationary increases.

(2) \$14,194,000, of which \$10,444,000 shall be from federal funds, shall be expended for child care payments.

(3) \$28,805,000, of which \$21,260,000 shall be from federal funds, shall be expended for the provision of adult chore service payments: PROVIDED, That:

(a) A single application and assessment of need shall be utilized in determining eligibility for and allowable amounts of all chore services. All financially eligible applicants shall have their need for said services fairly and equitably evaluated by a competent, trained person, skilled in the assessment of the conditions and needs of elderly and disabled persons. Applicants shall receive notice of the results of the assessment and informed of their right to a fair hearing as provided in RCW 74.08.070 and 74.08.080.

(b) The provision of chore services shall be coordinated to the extent practical through one agency of the department to avoid fragmentation of service delivery.

(c) All chore services shall be provided to the extent necessary to assure adequate standards of health and hygiene; to maintain a decent, clean, and safe household; and to meet independent living requirements for eligible persons as determined by the department.

(d) The department shall assure that persons eligible for chore services receive such services promptly after eligibility is determined and on a regularly scheduled basis thereafter.

(e) Chore services shall be provided on an emergency basis when regularly scheduled services have been unexpectedly interrupted.

(f) The scope, amount, and duration of services authorized shall not be changed without good cause and prior notice which informs recipients of their right to a fair hearing.

(g) The department shall assist in the recruiting, training, and supervision of workers to the extent necessary to assure that clients receive chore services reasonably qualified to perform the required tasks.

(h) The department, in carrying out its program, shall assure that payment to providers and workers performing chore services is made on a prompt and regular basis, and that all workers employed under this program are paid at least the federally established minimum wage: PROVIDED FURTHER, That recipients of the chore services shall be afforded the following rights and protections:

(i) No recipient shall be discriminated against for reasons of race, sex, age, marital status, language background or fluency, religion, or any mental, physical, or sensory handicap;

(ii) All recipients' rights of privacy and confidentiality shall be respected in the provision of chore services;

(iii) All recipients have the right to receive quality care provided with dignity and consideration from trained chore service workers who are able to communicate with the recipient; and

(iv) All recipients, or their legal guardians, shall have the right to take an active role in the planning and management of such services, including a reasonable choice of providers.

(4) \$15,006,000, of which \$10,444,000 shall be from federal funds, shall be expended for the provision of child day care payments.

(5) \$161,000 from state funds shall be provided to the department of personnel alcoholism program for state employees stationed in eastern Washington, except that this program shall be initiated in eastern Washington by January 1, 1980; otherwise the funds shall revert to the general fund.

(6) \$866,000, of which \$434,000 shall be from federal funds, shall be expended to provide enhancement of the foster care program, including the establishment of a foster parent's property damage or loss fund, an increase in the clothing allowance, and a children's needs assessment.

(7) Reimbursement to private child caring agencies responsible for foster care placement shall be increased from \$33 per month per child to \$50 per month per child.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State .....	\$	201,114,000
General Fund Appropriation—Federal .....	\$	148,435,000
Total Appropriation .....	\$	349,549,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$23,743,000 (of which \$9,628,000 shall be from federal funds) shall be expended solely for inflationary increases for hospitals.
- (2) \$23,236,000 (of which \$10,307,000 shall be from federal funds) shall be expended solely for inflationary increases for medical vendors other than hospitals.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	20,556,000
General Fund Appropriation—Federal .....	\$	52,589,000
General Fund Appropriation—Local .....	\$	400,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)—Reappropriation .....	\$	10,814,000
Total Appropriation .....	\$	84,359,000
Total FTE Staff Years .....		838

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,266,000 from state funds shall be used solely for supplemental funding to kidney centers.
- (2) \$400,000 from state funds will be used solely to continue the contract for the purchase of cancer research.
- (3) Not less than \$674,000 (of which \$506,000 shall be from federal funds) and 42 FTE staff years shall be spent for administration of the early periodic screening, testing, diagnosis, and treatment program (EPSDT).
  - (a) Local offices are to provide outreach for the EPSDT program.
  - (b) The department shall develop a screening/billing form to be used by EPSDT providers as a requirement for payment.
  - (c) The department shall develop a reporting system which will enable follow-up to the EPSDT diagnosis and treatment process.
  - (d) 2 FTE's shall be used by the department for the coordination and management of the EPSDT program.

**NEW SECTION. Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	7,196,000
General Fund Appropriation—Federal .....	\$	35,741,000
Total Appropriation .....	\$	42,937,000
Total FTE Staff Years .....		658

The appropriation contained in this section shall be subject to the following condition or limitation: \$2,871,000 of which \$2,153,000 shall be federal funds shall be expended for the extended sheltered employment program.

**NEW SECTION. Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	52,875,000
General Fund Appropriation—Federal .....	\$	33,837,000
Total Appropriation .....	\$	86,712,000
Total FTE Staff Years .....		2,951

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$14,003,000 of which \$8,359,000 shall be federal funds, and 702 FTE's shall be expended for support enforcement.
- (2) Not more than \$2,526,000 of which \$923,000 shall be federal funds, and 104 FTE's shall be expended for fair hearings.
- (3) Not more than \$17,628,000 of which \$5,371,000 shall be federal funds, and 526 FTE's shall be expended for information systems.
- (4) \$115,000 of which \$23,000 shall be federal funds shall be expended to increase the personal needs allowance to \$32.50 per month.

**NEW SECTION. Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State .....	\$	73,563,000
General Fund Appropriation—Federal .....	\$	103,324,000
Total Appropriation .....	\$	176,887,000
Total FTE Staff Years .....		7,792

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Fifty-two FTE's shall be utilized in the delinquency prevention and crisis intervention intake services.

(2) Not more than 258 FTE staff years and \$7,852,000 (of which \$7,736,000 shall be from federal funds) shall be utilized in the disability insurance benefits section.

(3) Not more than 306 FTE staff years and \$13,844,000 (of which \$8,901,000 shall be from federal funds) shall be utilized in the medical assistance administration program.

(4) The department of social and health services shall obtain competitive bids from the private sector for the purpose of the administration of the dental program with medical assistance.

**NEW SECTION. Sec. 66. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund Appropriation—State .....	\$	21,357,000
General Fund Appropriation—Federal .....	\$	15,343,000
Total Appropriation .....	\$	36,700,000

The appropriations contained in this section shall be subject to the following condition or limitation: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balance of the 1977-1979 allotments for such purpose.

**NEW SECTION. Sec. 67. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State .....	\$	13,386,000
General Fund Appropriation—Local .....	\$	1,593,000
Total Appropriation .....	\$	14,979,000

**NEW SECTION. Sec. 68. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$	3,976,000
General Fund Appropriation—Federal .....	\$	10,024,000
Total Appropriation .....	\$	14,000,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$7,035,000 from federal funds and 18.0 FTE staff years shall be expended exclusively to provide support to local agencies' weatherization programs.

(2) \$200,000 from the general fund—state appropriation shall be expended and distributed to border towns within seven air miles of the Canadian border. These moneys shall be disbursed to these communities on the basis of border traffic and historical public impacts of law enforcement problems caused by the border on local budgets. No moneys in this subsection may be used by the planning and community affairs agency for its own purposes in administering these funds.

(3) \$110,000 from the general fund—state appropriation shall be utilized for a grant to the city of Port Angeles to design, construct, and equip a marine laboratory and support facility. Such funds are contingent upon the prior receipt of \$40,000 in private, local, or federal funds.

(4) Up to \$250,000 of the appropriation shall be used exclusively for the provision of the assistance of a special prosecutor on the investigation of indictments linking local government officials to criminal operations: PROVIDED, That the total assistance provided pursuant to this section and section 11, chapter 15, Laws of 1979 shall not exceed \$300,000. To the extent possible, this appropriation shall be used to match available federal and local funds for this purpose.

(5) Not more than \$83,000 from the general fund—state appropriation shall be provided as a grant to the city of Dayton to complete the restoration of the historic depot museum and grounds.

(6) Not more than \$380,000 from the state general fund shall be expended exclusively to provide a fifty percent state match for federal funds in the community services program. In the event the federal government requires a lesser state matching rate, an appropriate amount of state general funds shall be placed in allotment reserve for the remainder of the biennium.

(7) \$140,000 of the state general fund appropriation shall be expended exclusively for the continuation of programs of the Washington association of sheriffs and police chiefs.

**NEW SECTION. Sec. 69. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State .....	\$	2,967,000
General Fund Appropriation—Federal .....	\$	340,000
Total Appropriation .....	\$	3,307,000

**NEW SECTION. Sec. 70. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund Appropriation .....	\$	82,000
Accident Fund Appropriation .....	\$	1,526,000
Medical Aid Fund Appropriation .....	\$	1,525,000
Total Appropriation .....	\$	3,133,000

**NEW SECTION. Sec. 71. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation .....	\$	3,783,000
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**NEW SECTION. Sec. 72. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State .....	\$	7,778,000
General Fund Appropriation—Federal .....	\$	110,000
General Fund—Crime Victims' Compensation Account Appropriation .....	\$	10,000



Accident Fund Appropriation—State .....	\$	28,276,000
Accident Fund Appropriation—Federal .....	\$	366,000
Electrical License Fund .....	\$	5,888,000
Medical Aid Fund Appropriation .....	\$	24,647,000
Plumbing Certificate Fund .....	\$	199,000
Pressure Systems Safety Fund .....	\$	499,000
Total Appropriation .....	\$	67,773,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) General fund expenditures for the Building and Construction Program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the Building and Construction Program.

(2) 30 FTE staff years may be expended for electrical licensing and regulation activity.

(3) Expenditures may be made from the general fund—electrical license account in lieu of the electrical license fund until chapter 67, Laws of 1979 1st ex. sess. (ESB 2295) takes effect.

**NEW SECTION. Sec. 73. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation .....	\$	1,984,000
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**NEW SECTION. Sec. 74. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State .....	\$	326,000
General Fund Appropriation—Federal .....	\$	528,000
General Fund—Hospital Commission Account Appropriation .....	\$	557,000
Total Appropriation .....	\$	1,411,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the federally funded prospective reimbursement project is extended beyond September 30, 1980, state general funds shall be placed in reserve to the extent that state funds can be replaced by federal funds.

**NEW SECTION. Sec. 75. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State .....	\$	3,083,000
General Fund Appropriation—Federal .....	\$	173,441,000
General Fund Appropriation—Local .....	\$	684,000
Administrative Contingency Fund Appropriation—Federal .....	\$	428,000
Unemployment Compensation Administration Fund Appropriation .....	\$	81,180,000
Total Appropriation .....	\$	258,816,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$133,000 of the general fund appropriation shall be expended for support of the Washington occupational information system.

(2) Not more than \$68,000 shall be expended for the operation and maintenance of the Buena migrant housing camp.

**NEW SECTION. Sec. 76. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State .....	\$	2,463,000
General Fund Appropriation—Federal .....	\$	5,090,000
Total Appropriation .....	\$	7,553,000

**NEW SECTION. Sec. 77. FOR THE JAIL COMMISSION**

General Fund Appropriation .....	\$	360,000
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**NEW SECTION. Sec. 78. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State .....	\$	1,021,000
General Fund Appropriation—Federal .....	\$	5,140,000
Total Appropriation .....	\$	6,161,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$1,167,000 of the general fund—federal appropriation shall be expended exclusively by schools, hospitals, units of local governments, and public care institutions for energy conservation programs pursuant to the provisions of the National Energy Conservation Policy Act.

**NEW SECTION. Sec. 79. FOR THE OCEANOGRAPHIC COMMISSION**

General Fund Appropriation .....	\$	384,000
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**NEW SECTION. Sec. 80. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State .....	\$	5,000
General Fund Appropriation—Federal .....	\$	26,000
Total Appropriation .....	\$	31,000

**NEW SECTION. Sec. 81. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State .....	\$	18,212,000
General Fund Appropriation—Federal .....	\$	8,907,000
General Fund—Special Grass Seed Burning Research Account Appropriation .....	\$	15,000
General Fund—Reclamation Revolving Account Appropriation .....	\$	874,000

General Fund—Litter Control Account Appropriation .....	\$	3,344,000
Stream Gaging Basic Data Fund Appropriation .....	\$	197,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26) .....	\$	100,918,000
General Fund—Water Pollution Control Facilities Account Appropriation .....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	14,146,000
General Fund—Emergency Water Project Revolving Account Appropriation (These funds will be a reappropriation of projects approved in the 1977-79 operating budget) .....	\$	200,000
Total Appropriation .....	\$	146,863,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,142,000 in state funds from this appropriation shall be expended by the department of ecology for matching purposes for activated air pollution control authorities, and if such authorities do not expend an equal amount to match these funds during the 1979-81 biennium, such unmatched unexpended state funds shall be available to the department.

(2) Up to \$1,464,000 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) \$235,000 of the general fund appropriation—state shall be expended within the field operations program for the Washington state conservation commission for ongoing commission staff functions, including those responsibilities related to the implementation phase of section 208, P.L. 92-500, the federal clean water act.

(4) On or before October 1, 1979, the department of ecology shall file with the ways and means committee of the senate and the appropriations committee of the house of representatives a master compilation by project type of those projects proposed for funding during the 1979-81 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 such committees at six month intervals during the 1979-81 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering such projects. If the department proposes to change or modify any project list on the master compilation, it shall give the senate ways and means committee and the house appropriations committee 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 such committees as soon as practicable of emergent federal action which has any effect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(5) 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.

(6) 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 provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) Not more than \$500,000 of the state general fund appropriations shall be expended for an auto emissions inspection program, contingent upon the passage of House Bill No. 298.

**NEW SECTION. Sec. 82. FOR THE POLLUTION CONTROL HEARINGS BOARD**

General Fund Appropriation .....	\$	542,000
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**NEW SECTION. Sec. 83. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund Appropriation—State .....	\$	505,000
General Fund Appropriation—Private/Local .....	\$	863,000
Total Appropriation .....	\$	1,368,000

**NEW SECTION. Sec. 84. FOR THE SHORELINES HEARING BOARD**

General Fund Appropriation .....	\$	41,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$19,000 is to be used exclusively for court reporting costs.

**NEW SECTION. Sec. 85. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State .....	\$	24,749,000
General Fund Appropriation—Federal .....	\$	100,000
General Fund Appropriation—Private/Local .....	\$	258,000
General Fund—Trust Land Purchase Account Appropriation .....	\$	2,522,000
General Fund—Winter Recreation Parking Account Appropriation .....	\$	64,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	70,000

Motor Vehicle Fund Appropriation .....	\$	800,000
Total Appropriation .....	\$	28,563,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) No currently operating state park will be closed due to budgetary constraints.

(2) 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 senate ways and means committee and house appropriations committee.

(3) \$155,000 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.

(4) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase the state-owned Heart Lake property located in section 36, township 35 north, range 1 east W.M. located in Skagit county if such amount is equal to or more than the fair market value of the property.

(5) Not more than \$15,000 shall be expended for the purpose of making a grant to the port of Skagit county for the operation of the historical railway from Sedro Woolley to Concrete. Any portion of the grant not spent ending June 30, 1981, shall be returned to the general fund of the state of Washington. Any net profit, up to the amount expended in the grant to the port of Skagit county for the operation of the historical railway, but not to exceed \$15,000, earned by the railway ending June 30, 1981, shall be reimbursed to the general fund of the state of Washington.

(6) Not more than \$228,000 shall be expended for an experimental campsite reservation system for Washington residents.

(7) Not more than \$80,000 shall be expended for operation of the Goldendale observatory.

**NEW SECTION. Sec. 86. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund Appropriation—State .....	\$	100,000
General Fund Appropriation—Federal .....	\$	2,340,000
General Fund—State and Local Improvements Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. ....	\$	432,000
Total Appropriation .....	\$	2,872,000

**NEW SECTION. Sec. 87. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation .....	\$	27,997,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,094,000 is to be expended for administration.

**NEW SECTION. Sec. 88. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$	3,777,000
General Fund Appropriation—Federal .....	\$	213,000
Motor Vehicle Fund Appropriation .....	\$	380,000
Total Appropriation .....	\$	4,370,000

**NEW SECTION. Sec. 89. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State .....	\$	35,288,000
General Fund Appropriation—Federal .....	\$	4,154,000
General Fund Appropriation—Private/Local .....	\$	1,241,000
General Fund—Lewis River Hatchery Account Appropriation .....	\$	28,000
Vessel, Gear, License, and Permit Reduction Fund Appropriation .....	\$	756,000
Total Appropriation .....	\$	41,467,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$348,000 of the general fund—state appropriation may be used for renovation of the Olympia office.

(2) The appropriations contained in this section shall include \$300,000 directed to a volunteer cooperative salmon enhancement program. No compensation shall be given by the department to volunteer participants in the program: PROVIDED, That fertilized salmon eggs and other necessary materials shall be furnished at no cost.

**NEW SECTION. Sec. 90. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation—State .....	\$	29,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$	101,000
Game Fund Appropriation—State .....	\$	27,151,000
Game Fund Appropriation—Federal .....	\$	6,483,000
Game Fund Appropriation—Private/Local .....	\$	686,000
Game Special Wildlife Account Appropriation .....	\$	163,000
Total Appropriation .....	\$	34,613,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$42,000 of the state game fund—state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.

(2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.

(3) The department shall make no contractual agreements or receive any donation of real property or an interest therein which commits the department 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 senate ways and means committee and house appropriations committee.

**NEW SECTION. Sec. 91. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State	\$	21,652,000
General Fund Appropriation—Federal	\$	452,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	2,583,000
General Fund—Forest Development Account Appropriation	\$	10,016,000
General Fund—State Timber Reserve Account Appropriation	\$	2,338,000
General Fund—Landowner Contingency Forest Fire Suppression Account		
Appropriation	\$	1,000,000
General Fund—Resource Management Cost Account Appropriation	\$	36,994,000
General Fund—Outdoor Recreation Account Appropriation	\$	1,201,000
Total Appropriation	\$	76,236,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,842,000 of the general fund—state appropriation shall be expended exclusively for emergency forest fire suppression. Such funds shall also be available for interfund loans with the landowners forest fire suppression account.

(2) The recreation program shall be split into two elements for accounting and allotment purposes: Maintenance and capital enhancement.

(3) \$250,000 of the general fund—state appropriation shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*), knapweed (*centaurea L.*), and bindweed (*convolvulus*). The department shall provide a one-third state share for problem areas to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares, and not to exceed \$30,000 for cooperative studies for control, demonstration plots, application rates, and timing, with the department of forestry and range management at Washington State University.

(4) \$1,443,000 of the general fund—state appropriation, \$89,000 of the forest development account appropriation, and \$1,215,000 of the resource management cost account appropriation shall be expended within the forest rehabilitation program for the operation of Clearwater, Larch Mountain, Indian Ridge, and Skagit county honor camps. However, \$264,000 of the general fund—state appropriation, \$15,000 of the forest development account appropriation, \$219,000 of the resource management cost account appropriation and 9 FTE staff years shall not be expended until the Skagit county honor camp is fully constructed and operating in conjunction with the department of social and health services.

(5) Up to \$2,000,000 of the forest development account appropriation shall be used as available in place of the resource management cost account appropriation with the replaced resource management cost account reverting to reserve not to be expended for any purpose.

(6) Not more than \$1,700 shall be expended for costs associated with the state board of geographic names.

(7) The department shall submit a report to the legislature detailing the findings of the mineral resource inventory no later than January 1, 1981.

(8) The department shall not use any funds appropriated by this section to purchase the services of independent fee appraisers for the purpose of reappraising the value of leased lands located within harbor areas which are devoted principally to water-dependent recreational use, except where necessary in the defense of a legal proceeding brought against the department.

**NEW SECTION. Sec. 92. FOR THE FOREST PRACTICES APPEALS BOARD**

General Fund Appropriation	\$	68,000
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**NEW SECTION. Sec. 93. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State	\$	7,989,000
General Fund Appropriation—Federal	\$	498,000
General Fund—Feed and Fertilizer Account Appropriation	\$	22,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	324,000
Commercial Feed Fund Appropriation—State	\$	314,000
Commercial Feed Fund Appropriation—Federal	\$	24,000
Seed Fund Appropriation	\$	763,000
Nursery Inspection Fund Appropriation	\$	266,000
Grain and Hay Inspection Fund Appropriation	\$	7,352,000
Total Appropriation	\$	17,552,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$180,000 of the general fund appropriation—state shall be expended by the department for its one-third share for the special tansy ragwort control program in conjunction with those county noxious weed control boards which have placed tansy ragwort on their noxious weed list. 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 landowners 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 the conservation. \$30,000 of the \$180,000 shall be expended in cooperation with Washington State University for research into seed physiology and morphology as related to herbicide effects and the effects of mineral supplementation on pyrrolizidine alkaloid toxicity of tansy ragwort (*Senecio-Jacobaea*).

(2) \$10,000 of the general fund appropriation—state shall be expended for the continued implementation of the starling control program.

(3) Not more than \$460,000 of the general fund appropriation—state shall be expended to provide for brucellosis vaccinations, by veterinarians in private practice, to beef and dairy cattle in order to suppress the disease. Not more than \$40,000 of the general fund appropriation—state shall be expended for administration of this program. The department of agriculture shall make known the program and shall encourage beef and dairy cattle operations to participate. The department shall supply necessary vaccine and other materials certifying vaccination. The department shall adopt rules, including a schedule of costs, which shall not allow separate reimbursement to veterinarians of 'trip' fees or mileage expense nor injection paraphernalia. Maximum reimbursement shall be \$2 per vaccination.

**NEW SECTION, Sec. 94. FOR THE STATE PATROL**

General Fund Appropriation .....	\$	9,994,000
Motor Vehicle Fund Appropriation .....	\$	69,897,000
Total Appropriation .....	\$	79,891,000

**NEW SECTION, Sec. 95. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION**

Highway Safety Fund Appropriation .....	\$	8,000
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**NEW SECTION, Sec. 96. FOR THE TRAFFIC SAFETY COMMISSION**

Highway Safety Fund Appropriation—State .....	\$	169,000
Highway Safety Fund Appropriation—Federal .....	\$	7,980,000
Total Appropriation .....	\$	8,149,000

**NEW SECTION, Sec. 97. FOR THE DEPARTMENT OF LICENSING**

General Fund Appropriation .....	\$	8,132,000
General Fund—Architects' License Account Appropriation .....	\$	149,000
General Fund—Commercial Automobile Driver Training School Account Appropriation .....	\$	4,000
General Fund—Opticians' Account Appropriation .....	\$	28,000
General Fund—Optometry Account Appropriation .....	\$	74,000
General Fund—Professional Engineers' Account Appropriation .....	\$	418,000
General Fund—Real Estate Commission Account Appropriation .....	\$	2,312,000
General Fund—Sanitarians' Licensing Account Appropriation .....	\$	16,000
General Fund—Board of Psychological Examiners Account Appropriation .....	\$	36,000
Game Fund Appropriation .....	\$	85,000
Highway Safety Fund Appropriation .....	\$	24,508,000
Motor Vehicle Fund Appropriation .....	\$	21,058,000
Motor Vehicle Fund—Vehicle Title Guarantee Account Appropriation .....	\$	12,000
Total Appropriation .....	\$	56,832,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$1,698,000 shall be expended for the business licensing center.

**NEW SECTION, Sec. 98. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund Appropriation .....	\$	190,000
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**NEW SECTION, Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State .....	\$	11,906,000
General Fund Appropriation—Federal .....	\$	6,288,000
General Fund—Traffic Safety Education Account Appropriation .....	\$	378,000
Total Appropriation .....	\$	18,572,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) Not more than \$378,000 shall be expended for the state office administration of the traffic safety education program.

(2) Not more than \$30,000 shall be expended to collect enrollment data from all private elementary and secondary schools commencing with the 1979-80 school year.

(3) The superintendent shall contract for services relating to proprietary educational clinics as an alternative education program for high school dropouts for not more than \$1,300,000 from funds appropriated by this section.

(4) Local school districts may use funds appropriated pursuant to section 100 of this act for the support of instructional and public broadcasting.

(5) Not more than \$600,000 from the appropriation contained in section 100 of this act shall be used exclusively to match federal funds allocated to the state under the provisions of sections 120 and 130 of Public Law 94-482 for the purpose of providing special vocational programs for the disadvantaged.

(6) Not less than \$72,000 of state funds shall be expended to implement the provisions of chapter 28A.85 RCW.

**NEW SECTION. Sec. 100. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
BASIC EDUCATION ALLOCATION FOR FISCAL YEARS 1980 AND 1981**

General Fund Appropriation ..... \$ 2,063,520,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) No district may grant from any fund source any percentage salary increase greater than that provided in sections 102 and 103 of this act.

(2) The allocation of moneys for a basic education allocation per annual average full time equivalent student for the 1979-80 school year shall be at 100% of formula and 100% of formula in the 1980-81 school year. One hundred percent of formula for each school district shall be determined by the superintendent of public instruction as follows:

(a) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts enrolling not more than one hundred average annual full time equivalent students and for small school plants within any school district, which such districts or small plants have been judged to be remote and necessary by the state board of education as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students.

(d) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) Total certified compensation entitlement for school year 1979-80 shall be the sum of the following subsections:

(i) Maintenance of compensation shall be calculated using each district's 1978-79 base salary established in section 101 of this act times the number of certificated staff units generated in subsection (2)(a) through (d) of this section in each district times each district's particular 1979-80 average staff mix factor improved by seven and forty-three hundredths percent;

(ii) Total salary increase compensation for each district shall be calculated by multiplying the 1978-79 base salary times the total number of staff units generated in subsection (2)(a) through (d) of this section times the 1979-80 average staff mix factor, times the percentage salary increase for each district pursuant to section 102 of this act improved by six and thirteen hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$85 per month per certificated full time equivalent staff units generated in subsection (2)(a) through (d) of this section.

(f) Total certificated compensation entitlement for school year 1980-81 shall be equal to the sum of the following subsections:

(i) Maintenance of compensation shall be calculated by using each district's 1978-79 base salary established in section 101 of this act improved by the percentage salary increase for each district pursuant to section 102 of this act, times the number of staff units generated in subsection (2)(a) through (d) of this section times each district's particular 1980-81 average staff mix factor improved by seven and seventy-eight hundredths percent;

(ii) Total salary increase compensation for each district shall be calculated by multiplying the 1978-79 base salary times the total number of staff units generated in subsection (2)(a) through (d) of this section times the 1980-81 average staff mix factor, improved by the percentage salary increase pursuant to section 102 of this act, times the percentage salary increase pursuant to section 103 of this act improved by six and forty-eight hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$95 per month per certificated full time equivalent staff units generated in subsection (2)(a) through (d) of this section.

(g) Respecting classified employees: A numerical allocation of one classified staff unit for each three certificated staff units as computed for the purposes of subsections (2) (a), (c) and (d) of this section, and one classified staff unit for each sixty vocational full time equivalent students, for each school district shall be established.

(h) Total 1979-80 basic education classified compensation entitlement for each district shall be equal to the sum of the following:

(i) Maintenance of classified compensation shall be equal to the staff units generated in subsection (2)(g) of this section times the 1978-79 average classified salary established in section 104 of this act improved by nineteen and thirty-one hundredths percent;

(ii) Total salary increase compensation shall be equal to the 1978-79 average classified salary established in section 104 of this act times the classified units established in subsection (2)(g) of this section times eight percent salary increase improved by thirteen and thirteen hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$85 per month per classified full time equivalent staff units generated in subsection (2)(g) of this section.

(i) Total 1980-81 basic education classified compensation entitlement for each district shall be equal to the sum of the following:

(i) Maintenance of classified compensation shall be equal to the staff units generated in subsection (2)(g) of this section times the 1978-79 average classified salary for each district improved by eight percent improved by nineteen and sixty-six hundredths percent;

(ii) Total salary increase compensation shall be equal to the 1978-79 average classified salary for each district improved by eight percent times the number of staff units established in subsection (2)(g) of this section, times six percent salary increase improved by thirteen and forty-eight hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$95 per month per classified full time equivalent staff units generated in subsection (2)(g) of this section.

(j) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1979-80 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (2) (a), (c), and (d) of this section, multiplied by \$3,910 for each such certificated staff unit and shall utilize the number of certificated staff units computed for the purposes of subsection (2)(b) of this section, multiplied by \$6,893 for each such certificated staff unit.

(k) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1980-81 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (2) (a), (c), and (d) of this section, multiplied by \$4,184 for each such certificated unit and shall utilize the number of certificated staff units computed for the purposes of subsection (2)(b) of this section multiplied by \$7,375 for each such certificated staff unit.

(3) Not more than \$10,460,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1979-80 school year from the 1978-79 base enrollment level and in the 1980-81 school year from the 1979-80 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1979-80 and 1980-81 school years to such districts on the basis of current school year enrollment plus one-half the amount of the enrollment decline from the prior school year level. The superintendent of public instruction in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from the previous school year.

(4) The superintendent of public instruction shall distribute not more than \$19,507,000 of the funds appropriated by this section, outside of the basic education allocation to school districts as follows:

(a) For school district emergencies, not more than \$500,000.

(b) For 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 RCW 52.36.020; not more than \$280,000 for the 1979-80 school year and not more than \$280,000 for the 1980-81 school year.

(c) Not more than \$6,138,000 shall be expended for extracurricular and extended duty pay to be distributed on the basis of \$85 per certificated staff per year in the following programs: Basic education, general support, handicapped, and special needs.

(d) For substitute teachers, to be distributed to districts on the basis of the number of state supported employees who are classroom teachers; for fiscal year 1980, an amount not to exceed \$5,447,000 and for fiscal year 1981, an amount not to exceed \$6,562,000: PROVIDED, That such distribution shall be for not more than five days per classroom teacher and shall be reimbursable at a rate of forty dollars per day exclusively for sick leave days taken.

(e) Not more than \$300,000 for nonhigh school district billings for documented shortages caused by application of the levy lid act, chapter 325, Laws of 1977 ex. sess.

**NEW SECTION.** Sec. 101. For purposes of determining the 1978-79, 1979-80, and 1980-81 school year base certificated salary by district, the following definitions shall apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) General support (program 97).

(2) Average 1978-79 basic education certificated staff salaries means the total 1978-79 actual salaries reimbursed such staff divided by the total number of such full time equivalent basic education certificated staff.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1978-79, 1979-80, and 1980-81 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

(5) Each district's particular 1978-79 certificated base salary shall be calculated by dividing each district's average basic education certificated staff salaries by each district's particular average staff mix factor.

**NEW SECTION.** Sec. 102. (1) Certificated base salary increases for the 1979-80 school year shall be calculated on the basis of each district's 1978-79 certificated base salaries as defined in section 101 of this act.

(2) The superintendent shall establish a 1978-79 state average certificated base salary.

(3) Those school districts whose certificated 1978-79 base salary is below the state average base salary shall be entitled to receive an eight and one-half percent increase.

(4) Those school districts having 1978-79 base certificated salaries above the state average base salary shall be entitled to a six percent increase.

**NEW SECTION.** Sec. 103. (1) Certificated base salary increases for the 1980-81 school year shall be calculated on the basis of each district's 1979-80 base salaries as defined in subsection (2) of this section.

(2) The 1979-80 average state certificated base salary shall equal the 1978-79 state average certificated base salary improved by 7.07%.

(3) The 1979-80 base salaries shall be derived using the 1978-79 certificated base salaries adjusted by salary increases authorized by section 102 of this act.

(4) Those school districts whose certificated 1979-80 base salary is below the state average base salary shall be entitled to receive an eight and one-half percent increase.

(5) Those school districts having 1979-80 base certificated salaries above the 1979-80 state base average salary shall be entitled to a six percent increase.

**NEW SECTION.** Sec. 104. For purposes of determining 1979-80 and 1980-81 school year classified salary by district, the following shall apply: School year 1978-79 basic education average classified salaries in each district shall be equal to the sum of each district's full time equivalent staff's classified salaries divided by the total number of such full time equivalent staff in the following programs:

- (1) Basic education (program 00);
- (2) General support (program 97);
- (3) Secondary vocational education (program 30).

**NEW SECTION.** Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation . . . . . \$ 34,852,000

The appropriation contained in this section shall be subject to the following condition or limitation: The appropriation contained in this section shall be expended for classified and certificated salary and fringe benefit increases and health benefits for state-funded classified and certificated staff not funded through the basic education allocation of section 100 of this act: PROVIDED, That certificated and classified staff of a district shall be eligible for the same percentage salary and fringe benefit increases and health benefit rates specified in this act for certificated and classified staff in a particular district funded through the basic education allocation: PROVIDED FURTHER, That certificated staff employed by an educational service district shall be entitled to salary and fringe benefit increases based on a 7% salary increase in each year.

**NEW SECTION.** Sec. 106. Notwithstanding any other provision of this act, local districts whose base salaries during the 1979-80 school year or 1980-81 school year are less than the state-wide average base salary for certificated staff, as determined in sections 102 and 103 of this act, may use: (1) Special levy funds, and/or (2) ending cash balances from the prior school year, to provide additional salary increases to state-funded certificated and classified employees, the total therefrom not to exceed one and one-half percent of the prior school year's actual average district salary.

**NEW SECTION.** Sec. 107. The appropriations, and all conditions and limitations to the appropriations, contained in sections 100 through 106 of this act are subject to the following: Each school district which receives fall 1979 or calendar year 1980 maintenance and operation excess tax levy collections, or both, shall reduce the levy and collection of any maintenance and operation excess tax levy now or hereafter authorized for collection in 1980 as a condition to the receipt of one hundred percent of the district's state-funded portion of the district's basic education allocation for the 1979-80 school year, as follows:



(1) If a district receives maintenance and operation levy collections in the fall of 1979, an amount of funds from such collections equal to eight percent of the district's 1979-80 basic education allocation pursuant to RCW 28A.41.130 multiplied by such district's fall tax collection percentage rate as determined by the superintendent of public instruction or the amount of the district's fall 1979 collections, whichever amount is less, shall be held in an unencumbered status for expenditure for maintenance and operation relief in a subsequent school year: PROVIDED, That the amount of any 1980 maintenance and operation excess levy now or hereafter authorized and collectible in calendar year 1980 in accordance with RCW 84.52.053 and 84.52.0531 for collection in calendar year 1980 shall be reduced by the amount of eight percent of such district's 1979-80 basic education allocation or the amount authorized, whichever is less.

(2) The superintendent of public instruction shall withhold from each district's state funded basic education allocation entitlement for 1979-80 an amount equal to the amount the district's calendar year 1980 maintenance and operation excess tax levy is to be reduced pursuant to this section minus the amount in which the district actually reduced the levy and collection of any such taxes.

**NEW SECTION, Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR PUPIL TRANSPORTATION**  
General Fund Appropriation ..... \$ 145,847,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) The superintendent shall not distribute more than \$70,237,000 to local school districts for pupil transportation during the 1979-80 school year.

(2) Not more than \$534,000 shall be expended for regional transportation coordinators.

(3) Not more than \$77,000 shall be expended for driver training.

(4) \$261,000 shall be transferred to the department of transportation for allocation to existing mass transit municipalities to conduct feasibility studies to determine the advantages, if any, of consolidating or integrating all or any part of the K-12 pupil transportation system within the boundaries of the municipality: PROVIDED, That not less than \$30,000 shall be allocated to the Grays Harbor transportation authority to be used as a pilot study.

(5) Not more than \$105,000 shall be expended for the continued planning, development and evaluation of the regional transportation model by educational service district no. 121; and not more than \$60,000 shall be expended for administrative and organizational services by educational service district no. 121 in the implementation of the regional transportation model: PROVIDED, That the superintendent of public instruction shall explicitly approve such contracts: PROVIDED FURTHER, That regular reports shall be made to the legislative budget committee: PROVIDED FURTHER, That no funds for the implementation of the regional transportation model shall be expended without the recommendation of the legislative budget committee.

**NEW SECTION, Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**  
General Fund Appropriation ..... \$ 34,706,000

**NEW SECTION, Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**  
General Fund Appropriation—State ..... \$ 6,497,000  
General Fund Appropriation—Federal ..... \$ 60,893,000  
Total Appropriation ..... \$ 67,390,000

**NEW SECTION, Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR HANDICAPPED EXCESS COSTS**  
General Fund Appropriation—State ..... \$ 124,545,000  
General Fund Appropriation—Federal ..... \$ 26,521,000  
Total Appropriation ..... \$ 151,066,000

The appropriations contained in this section shall be subject to the following condition or limitation: The superintendent of public instruction shall implement for the 1980-81 school year a new full cost allocation model to fulfill the provisions of P.L. 94-142.

**NEW SECTION, Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**  
General Fund—Traffic Safety Education Account Appropriation ..... \$ 13,614,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$392,000 shall be expended for traffic safety education coordinators.

**NEW SECTION, Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONAL SERVICE DISTRICTS**  
General Fund Appropriation ..... \$ 9,386,000

**NEW SECTION, Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE SPECIAL NEEDS PROGRAM**  
General Fund Appropriation—State ..... \$ 26,300,000  
General Fund Appropriation—Federal ..... \$ 6,000,000

Total Appropriation ..... \$ 32,300,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,500,000 shall be expended for pupils whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning when taught only in English, but shall not include pupils who are equally or almost equally competent in English.

(2) Not more than \$12,000,000 of state general funds shall be expended for the implementation of Substitute House Bill No. 663.

(3) Not more than \$7,300,000 shall be expended to implement the provisions of RCW 28A.41.270 through 28A.41.290: PROVIDED, That not more than \$750,000 from this appropriation may be used for Project Excel community involvement pilot projects in selected school districts.

(4) Not more than \$2,500,000 shall be expended on programs for gifted students, of which the superintendent shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

**NEW SECTION. Sec. 115. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State ..... \$ 13,330,000  
 General Fund Appropriation—Federal ..... \$ 3,316,000  
 Total Appropriation ..... \$ 16,646,000

**NEW SECTION. Sec. 116. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation ..... \$ 1,501,000

**NEW SECTION. Sec. 117. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER .**

General Fund Appropriation ..... \$ 300,000

**NEW SECTION. Sec. 118. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR COMPREHENSIVE PLANNING AND DEVELOPMENT**

General Fund Appropriation ..... \$ 144,000

**NEW SECTION. Sec. 119. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal ..... \$ 97,443,000  
     Elementary and Secondary  
         Education Act of 1965 ..... \$ 93,338,000  
         Education of Indian Children ..... \$ 1,625,000  
         Adult Basic Education ..... \$ 2,480,000

**NEW SECTION. Sec. 120. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENVIRONMENTAL EDUCATION PROGRAM**

General Fund Appropriation ..... \$ 576,000

The appropriation contained in this section shall be subject to the following condition or limitation: The revenue from fees received in conjunction with this program shall be retained by educational service district No. 113 for the exclusive support of the Cispus Environmental Education Center.

**NEW SECTION. Sec. 121. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal ..... \$ 24,221,000

**NEW SECTION. Sec. 122. COMMUNITY COLLEGE EDUCATION**

The appropriations contained in sections 124 through 128 of this act shall be subject to the following conditions and limitations:

(1) The formula funding levels for each year of the biennium are:

- (a) Instruction program:
  - (i) 72% of formula entitlement for faculty staffing;
  - (ii) 51.5% of formula entitlement for support staff and operations;
- (b) Library program:
  - (i) 50% of formula entitlement for staffing;
  - (ii) 60% of formula entitlement for resources; and
  - (iii) 100% of formula entitlement for binding;
- (c) Student services program 55.8% of formula entitlements; and
- (d) Plant operation and maintenance program:
  - (i) 100% of formula entitlement for fixed costs; and
  - (ii) 60% of formula entitlement for variable costs.

(2) The state board for community college education is authorized to transfer up to 5% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs, upon review and approval by the office of financial management.

(3) The community college system shall cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

(4) The state board for community college education is authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.

(5) The community college system may provide student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 123. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation . . . . . \$ 2,428,000

**NEW SECTION. Sec. 124. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 197,098,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$7,764,000 shall be expended for the purchase and repair of instructional equipment.

(2) \$2,148,000 shall be expended for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, and Lower Columbia. 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.

**NEW SECTION. Sec. 125. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 15,962,000

**NEW SECTION. Sec. 126. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 31,284,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$105,000 shall be expended by the state board for community college education for the community college system minority affairs office.

**NEW SECTION. Sec. 127. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 45,792,000

**NEW SECTION. Sec. 128. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 29,159,000

Community College Capital Projects Account Appropriation . . . . . \$ 9,800,000

Total Appropriation . . . . . \$ 38,959,000

**NEW SECTION. Sec. 129. HIGHER EDUCATION**

The appropriations contained in sections 130 through 163 of this act shall be subject to the following conditions and limitations:

(1) The formula funding levels, unless otherwise provided for, for each year of the biennium are:

(a) 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 regional universities and The Evergreen State College; and

(iii) 75% of formula entitlement for faculty support;

(b) Libraries program—60% of formula entitlement for resources;

(c) Student services program—75% of formula entitlement: PROVIDED, That the formula shall not apply to The Evergreen State College;

(d) Plant operations and maintenance program:

(i) 60% of formula entitlement for variable costs; and

(ii) 100% of formula entitlement for fixed costs.

(2) The four-year institutions of higher education are authorized to transfer up to 5% of the amount appropriated for any specific program or programs upon review and approval by the office of financial management.

(3) No funds shall be used for the inauguration or operation of any new degree program until such program has been reviewed and favorably recommended by the council for postsecondary education.

(4) The four-year institutions of higher education shall cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

(5) The boards of regents of all institutions of higher education are authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.

(6) The four-year institutions may provide graduate assistance, teaching assistance, and student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 130. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	185,247,000
Accident Fund Appropriation .....	\$	839,000
Medical Aid Fund Appropriation .....	\$	839,000
Total Appropriation .....	\$	186,925,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$2,724,000 shall be expended for instructional equipment replacement.
- (2) \$532,000 shall be expended for the joint center for graduate study—Richland.
- (3) \$1,500,000 shall be expended for family medicine education and residency programs provided for by chapter 70.112 RCW.

- (4) \$320,000 shall be expended to meet federal title nine regulations for women's athletics.

**NEW SECTION. Sec. 131. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	19,050,000
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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 65% of such formula entitlement for binding and is at 89% of such formula entitlement for staffing for the 1979-81 biennium.

**NEW SECTION. Sec. 132. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	12,114,000
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**NEW SECTION. Sec. 133. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation .....	\$	18,645,000
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**NEW SECTION. Sec. 134. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	23,533,000
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**NEW SECTION. Sec. 135. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	14,653,000
University of Washington Building Account Appropriation .....	\$	18,000,000
Total Appropriation .....	\$	32,653,000

**NEW SECTION. Sec. 136. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	113,786,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$2,186,000 shall be expended for instructional equipment replacement.
- (2) \$422,000 shall be expended for the Joint Center for Graduate Study—Richland.
- (3) \$724,000 shall be expended for the support of Washington State University's participation in the WAMI program.

- (4) \$30,000 shall be expended for Christmas tree research.

- (5) \$300,000 shall be expended to meet federal title nine regulations for women's athletics.

(6) In addition to maintaining the types and levels of service provided during the 1977-79 biennium, \$300,000 shall be expended for equipment and improvements at the Southwest Washington research station.

(7) \$25,000 shall be expended to research the protection and growing of grapes and wine production. Such funds shall not be expended until an additional \$25,000 is secured from private funding sources.

(8) \$120,000 shall be expended to research health-related problems, including chronic pharyngitis, of racing and performing horses. Such funds shall not be expended until an additional \$40,000 is secured from private funding sources.

- (9) \$650,000 shall be expended for the Washington animal disease diagnostic laboratory.

**NEW SECTION. Sec. 137. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	9,344,000
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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 27.5% of such formula entitlement for binding and is at 72% of such formula entitlement for staffing for the 1979-81 biennium.

**NEW SECTION. Sec. 138. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 6,969,000

**NEW SECTION, Sec. 139. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 14,461,000

**NEW SECTION, Sec. 140. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 19,099,000

Washington State University Building Account Appropriation ..... \$ 3,500,000

Total Appropriation ..... \$ 22,599,000

**NEW SECTION, Sec. 141. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 28,134,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,122,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 142. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 2,715,000

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 87% of such formula entitlement for binding and is at 61% of such formula entitlement for staffing in the 1979–81 biennium.

**NEW SECTION, Sec. 143. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 2,929,000

**NEW SECTION, Sec. 144. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 5,198,000

**NEW SECTION, Sec. 145. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 8,358,000

Eastern Washington University Capital Projects Account Appropriation ..... \$ 700,000

Total Appropriation ..... \$ 9,058,000

**NEW SECTION, Sec. 146. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 24,730,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,060,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 147. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 3,398,000

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 95% of such formula entitlement for binding and is at 60% of such formula entitlement for staffing in the 1979–81 biennium.

**NEW SECTION, Sec. 148. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 2,902,000

**NEW SECTION, Sec. 149. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 5,555,000

**NEW SECTION, Sec. 150. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 6,964,000

**NEW SECTION, Sec. 151. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 8,487,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$421,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 152. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 2,385,000

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 10% of such formula entitlement for bindings and is at 64% of such formula entitlement for staffing in the 1979–81 biennium.

**NEW SECTION, Sec. 153. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 1,360,000

**NEW SECTION, Sec. 154. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 3,367,000

**NEW SECTION, Sec. 155. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 4,535,000

**NEW SECTION, Sec. 156. FOR THE EVERGREEN STATE COLLEGE—FOR A MASTER'S DEGREE PROGRAM**

General Fund Appropriation . . . . . \$ 296,000

**NEW SECTION, Sec. 157. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 33,105,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$653,000 shall be expended for instructional equipment replacement.

**NEW SECTION, Sec. 158. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 4,221,000

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 35% of such formula entitlement for binding and is at 75% of such formula entitlement for staffing in the 1979–81 biennium.

**NEW SECTION, Sec. 159. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 4,173,000

**NEW SECTION, Sec. 160. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 6,727,000

**NEW SECTION, Sec. 161. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 5,835,000

Western Washington University Capital Projects Account Appropriation . . . . . \$ 1,400,000

Total Appropriation . . . . . \$ 7,235,000

**NEW SECTION, Sec. 162. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation . . . . . \$ 53,000

**NEW SECTION, Sec. 163. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State . . . . . \$ 13,836,000

General Fund Appropriation—Federal . . . . . \$ 3,515,000

Total Appropriation . . . . . \$ 17,351,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The council shall make the largest possible distribution of financial aid funds to the state work study program consistent with student employment opportunities.

(2) \$350,000 of the general fund appropriation shall be expended solely to implement a displaced homemakers program.

(3) The council shall develop a faculty salary schedule or schedules accommodating the full time regular faculty members of the public universities and The Evergreen State College, taking into consideration

periodic longevity increments and traditional faculty rank differences. The proposal shall be submitted to the house and senate higher education committees and the house appropriation and senate ways and means committees for review and consideration by June 1, 1980.

(4) The council shall review the compensation policy for students and graduate assistant employees at the state's higher education institutions. The council shall develop recommendations for uniform compensation policy at the respective institutions and shall report back to the senate ways and means and house appropriations committees no later than November 1, 1980.

(5) From such funds as are included for policy analysis, the council shall prepare a manual explaining, documenting, and defining current formula procedures in the institutions of higher education for the instruction, libraries, student services, and plant operation and maintenance programs.

**NEW SECTION. Sec. 164. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State .....	\$	3,243,000
General Fund Appropriation—Federal .....	\$	21,416,000
Total Appropriation .....	\$	24,659,000

The appropriations contained in this section shall be subject to the following condition or limitation: No state funds shall be expended by the advisory council for vocational education.

**NEW SECTION. Sec. 165. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation .....	\$	1,151,000
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**NEW SECTION. Sec. 166. FOR THE STATE LIBRARY**

General Fund Appropriation—State .....	\$	6,343,000
General Fund Appropriation—Federal .....	\$	2,057,000
General Fund Appropriation—Private/Local .....	\$	876,000
Washington Library Network Computer System Revolving Fund Appropria- tion—Private/Local .....	\$	7,460,000
Total Appropriation .....	\$	16,736,000

**NEW SECTION. Sec. 167. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State .....	\$	1,218,000
General Fund Appropriation—Federal .....	\$	907,000
General Fund—Indian Cultural Center Construction Account Appropria- tion—State .....	\$	1,000,000
Total Appropriation .....	\$	3,125,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$10,000 shall be expended for a portrait of former governor Daniel J. Evans.

(2) The Indian Cultural Center Construction Account Appropriation contained in this section shall be expended exclusively for a grant to the city of Seattle for the development of a regional Indian cultural, educational, tourist, and economic development facility by the United Indians of All Tribes Foundation designated as the 'People's Lodge.'

(3) If \$2,700,000 or more in additional federal and/or private funding is not secured within five years of the effective date of this 1979 act and applied towards the completion of the 'People's Lodge,' ownership of the property and/or facility developed with this appropriation shall be transferred to the state.

**NEW SECTION. Sec. 168. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	531,000
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**NEW SECTION. Sec. 169. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	495,000
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**NEW SECTION. Sec. 170. FOR THE STATE CAPITAL HISTORICAL ASSOCIATION**

General Fund Appropriation .....	\$	436,000
General Fund—State Capital Historical Association Museum Account Appropriation .....	\$	49,000
Total Appropriation .....	\$	485,000

**NEW SECTION. Sec. 171. FOR THE STATE TREASURER—TRANSFERS**

General Fund Appropriation: For transfer to the Reserve for Accrued Revenue Account pursuant to chapter 70, Laws of 1975-'76 2nd ex. sess. ....	\$	45,978,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$1,800,000 in excess of the cash requirements in the trust land purchase account, as determined by the office of financial management. ....	\$	1,800,000
General Fund Appropriation: For transfer to the Salmon Enhancement Con- struction Account to allow for the completion of approved projects .....	\$	600,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$22,000,000 pursuant to chapter 50, Laws of 1969 .....	\$	22,000,000

Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Transportation and the Washington State Patrol during the period July 1, 1979, through June 30, 1981 .....	\$	3,000,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1981, an amount up to \$6,000,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1982, for credit to the fiscal year in which earned .....	\$	6,000,000

**NEW SECTION, Sec. 172. FOR BELATED CLAIMS**

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, 1981, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Electrical License Account .....	\$	1,209.30
General Fund—State Timber Reserve Account .....	\$	44,448.93
General Fund—Optometry Account .....	\$	391.55
General Fund—Public Facilities Construction Loan and Grant Revolving Account .....	\$	1,148.00
General Fund—Real Estate Commission Account .....	\$	1,640.73
General Fund—Reclamation Revolving Account .....	\$	10,602.30
General Fund—Sanitations Licensing Account .....	\$	560.35
General Fund—Landowners' Forest Fire Suppression Account .....	\$	18,173.52
General Fund—Motor Transport Account .....	\$	1,494.41
General Fund—Aeronautics Account .....	\$	72,609.00
General Fund—Resource Management Cost Account .....	\$	12,500.53
General Fund—Litter Control Account .....	\$	1,207.35
General Fund—Traffic Safety Education Account .....	\$	483.77
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities .....	\$	28.15
General Fund—Outdoor Recreation Account .....	\$	5,381.57
General Fund—State Building Authority Construction Account .....	\$	1,475.00
General Fund—Vehicle Title Guarantee Account .....	\$	3,300.00
Fertilizer, Agriculture, Mineral and Lime Fund .....	\$	74.00
Seed Fund .....	\$	16.00
Seattle Army Fund .....	\$	1,372.84
State Game Fund .....	\$	22,762.36
Grain and Hay Inspection Fund .....	\$	54.00
Highway Safety Fund .....	\$	1,490.51
Motor Vehicle Fund .....	\$	31,683.91
Public Service Revolving Fund .....	\$	4,009.25
Unemployment Compensation Administration Fund .....	\$	41,775.63
Clark—McNary Fund .....	\$	25,338.83
State Treasurer's Service Fund .....	\$	1,070.59
State Coastal Protection Fund .....	\$	262.98
General Administration Facilities and Services Revolving Fund .....	\$	9,946.27
Liquor Revolving Fund .....	\$	2,282.93
Accident Fund .....	\$	6,999.73
Medical Aid Fund .....	\$	2,497.78
Retirement System Expense Fund .....	\$	1,641.30
Teachers' Retirement Fund .....	\$	413.42
The Retirement System Fund .....	\$	587.21
Total Appropriation .....	\$	330,934.00

**NEW SECTION, Sec. 173.** 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 July 1, 1979, to June 30, 1981.

**SUNDRY CLAIMS**

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

- (1) HAROLD GIVENS, CARL KASZYCKI, Judgment against the state in Residents for a Planned Peninsula et al. vs. DSHS .....
- (2) ARCHITECTURAL WOODS, INC., Judgment against the state in Architectural Woods vs. the State: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Architectural Woods, Inc. or by



its directors prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims, except that the state may become liable for interest payment accruing from October 27, 1977, if, and only if, it is so ordered by the Supreme Court of Washington.'

	\$	36,615.23
(3) DAVID PARKER AND DENTON P. ANDREWS, Payment of writ of mandate for costs assessed against the state in State vs. David C. Parker	\$	616.23
(4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT CORP., Judgment against the state in Evergreen Plaza Investors vs. Washington State Higher Education Assistance Authority, et al., for breach of contract	\$	7,937.70
(5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart	\$	24.74
(6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Seeze vs. Thomas Marion Wright	\$	92.00
(7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka	\$	200.00
(8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge	\$	774.70
(9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account	\$	204,120.00
(10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman	\$	522.94
(11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges	\$	33,940.00
(12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund	\$	211.27
(13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund	\$	90.39
(14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU.'	\$	44,771.68
(15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment.'	\$	20,000.00
(16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch	\$	110.00
(17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board	\$	107.00
(18) BURRELL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: 'By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department'	\$	13,000.00
(19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit: PROVIDED, That such claims shall be paid at fifty percent of their		

approved value: PROVIDED FURTHER, That \$90,000 shall be from federal sources .....	\$	1,100,000.00
(20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	167.84
(21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	421.77
(22) MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund .....	\$	1,488.99
(23) MRS. DEL CARY SMITH, Payment in full of deceased husband's retirement contributions, such payment to come from the Judges' Retirement Systems Fund .....	\$	15,836.36
(24) WILLIAM VAN KLAVEREN, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	550.72
(25) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief. ....	\$	10,290.00
(26) VIRGIL PRICE, Payment for watch stolen during holdup of state liquor store: PROVIDED, That payment shall come from the Liquor Revolving Fund—State .....	\$	150.00
(27) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief. ....	\$	1,182.00
(28) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment entered on December 28, 1978: PROVIDED, That not more than \$4,100,000 shall be from state funds .....	\$	8,200,000.00

**NEW SECTION. Sec. 174. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

(1) Acquire land and construct modular building to provide temporary space during campus remodeling, and for longer range industrial-type use.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	7,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	7,000,000	7/80

(2) Complete remodeling and renovation of Old Capitol Building and provide for increased costs due to delays.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		3,558,000	713,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	4,271,000	9/82

(3) Complete remodeling and renovation of Insurance Building—Phase II.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		986,000	—0—
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
14,000	-0-	1,000,000	1/82

(4) Provide for increased costs due to delays in remodeling and renovation of Insurance Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		554,000	834,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,388,000	1/82

(5) Complete air conditioning of west campus buildings.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		687,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	-0-	1,087,000	6/81

(6) Complete capitol campus safety circulation and master plan implementation and provide for cost increases: PROVIDED, That the department of general administration shall insure in the demolition of the courthouse that the artwork in the front of the building (the eagles) is not destroyed or damaged and such items shall be made available to the city of Tenino.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		532,000	277,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
43,000	-0-	852,000	6/81

(7) Install hardware to monitor energy consumption in state offices.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		300,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
655,000	-0-	955,000	6/81

(8) Replace power house equipment.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	126,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	126,000	6/81

(9) Miscellaneous repairs and renovations on the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		300,000	885,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
157,150	-0-	1,342,150	6/81

## (10) Various mechanical and electrical repairs on the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		—0—	951,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	951,000	6/81

## (11) Major electrical—rewire old buildings, rebalance and install new panels, and revise campus loop system.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	2,722,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	2,722,000	6/81

## (12) Elevator and escalator repairs and modifications.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		—0—	506,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	506,000	7/82

## (13) Correct garage and plaza leaks—Phase I.

		Reappropriation	Appropriation
GF, Cap Purch & Dev Acct—State		—0—	590,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	220,000	810,000	6/85

## (14) Clean and seal exterior of Legislative Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		—0—	357,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	357,000	6/80

## (15) Complete construction of Office Building No. 2.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		35,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
171,700	—0—	207,000	6/80

## (16) Rehabilitate Capitol Lake by dredging lake bottom, disposing of sediment, and constructing settling basin and waterway improvements.

Reappropriation	Appropriation
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GF, State Bldg Constr Acct		65,000	-0-
General Fund—ORA (Int. 215)		56,000	-0-
General Fund—ORA (LWCF)		55,000	-0-

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,845,300	-0-	2,022,000	6/80

(17) Install central chiller plant, air conditioning, and remodel legislative facilities.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct	12,000	-0-
Project Costs Through 6/30/79	Estimated Total Costs	Estimated Completion Date
41,000	-0-	53,000
		6/80

(18) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	60,000	-0-
Project Costs Through 6/30/79	Estimated Total Costs	Estimated Completion Date
140,000	-0-	200,000
		6/80

(19) To provide minor building alterations or renovations for section 504 handicapped access compliance to existing facilities on or surrounding the capitol campus.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	-0-	290,000
Project Costs Through 6/30/79	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000
		6/81

(20) For design and construction of a general office building.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct	-0-	1,800,000
Project Costs Through 6/30/79	Estimated Total Costs	Estimated Completion Date
-0-	27,200,000	29,000,000
		6/81

(21) To construct visitor parking facilities and an information center on the west capitol campus.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	-0-	266,000
Project Costs Through 6/30/79	Estimated Total Costs	Estimated Completion Date
-0-	-0-	266,000
		6/81

(22) Develop recreational site at Capitol Lake.

	Reappropriation	Appropriation
General Fund—ORA (HJR 52)	-0-	30,000

General Fund—ORA (LWCF)			—0—	30,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs		Estimated Completion Date
—0—	—0—	60,000		6/81

(23) Legislative chambers art work.

GF, Cap Bldg Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	200,000	6/81

(24) Defense costs for two claims by contractors against the state dealing with construction of Office Building No. 2.

GF, Cap Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	250,000	6/81

**NEW SECTION. Sec. 175. FOR THE MILITARY DEPARTMENT**

(1) Construct and equip a 600-man armory at Camp Murray.

GF, State Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	—0—	525,000	7/79

(2) Acquire land for 400-man armory in Vancouver.

General Fund—State		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		50,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	563,000	6/81

(3) Provide preconstruction funds to plan for federally funded or partial federally funded projects state-wide.

General Fund—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
29,000	20,000	59,000	6/85

(4) Acquire land for 200-man armory in Walla Walla.

GF, State Bldg Constr Acct—State		Reappropriation	Appropriation
		—0—	138,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	622,000	770,000	9/83

(5) Replace furnace fire units at various armories.

Reappropriation	Appropriation
-0-	59,000

General Fund—State

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	59,000	6/81

(6) Schematic planning for future projects.

Reappropriation	Appropriation
-0-	20,000

General Fund—State

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	30,000	70,000	6/85

(7) Provide for minor construction and site improvement projects.

Reappropriation	Appropriation
56,000	70,000

General Fund—State

GF, State Bldg Constr Acct—State

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,330	85,000	248,230	6/85

(8) Heating system and minor repairs for Tacoma armory.

Reappropriation	Appropriation
-0-	200,000

GF, State Bldg Constr Acct—State

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	1/80

**NEW SECTION, Sec. 176. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE AND SUPPORT SERVICES PROGRAM (HEADQUARTERS)**

(1) To construct and equip community social and health services facilities (Referendum 29).

Reappropriation	Appropriation
4,200,000	-0-

GF, LIRA, DSHS Fac

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,800,000	-0-	25,000,000	7/81

(2) To repair and improve utilities and facilities—Omnibus.

Reappropriation	Appropriation
300,000	2,458,000

DSHS Constr Acct

Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
1,900,000	-0-	4,658,000	6/81

(3) To provide contingency expenses on department of social and health services construction projects.

		Reappropriation	Appropriation
DSHS Constr Acct		5,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
497,000	-0-	502,000	9/79

(4) To provide for preplanning funds on future construction projects.

		Reappropriation	Appropriation
DSHS Constr Acct		103,000	750,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
80,000	-0-	933,000	6/81

(5) To provide for demonstration design and testing for solar heating and energy conservation in department of social and health services construction.

		Reappropriation	Appropriation
DSHS Constr Acct		130,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
586,000	-0-	716,000	1/80

(6) To provide for renovation at the Northern State facility to permit use for mental health programs.

		Reappropriation	Appropriation
DSHS Constr Acct		1,000,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
500,000	-0-	1,500,000	9/79

(7) To provide new water supply facilities for Medical Lake institutions.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	520,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	520,000	4/80

(8) To provide funding for department of social and health services compliance with section 504 relating to handicapped access to facilities.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	562,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
-0-	-0-	562,000	6/81

**NEW SECTION, Sec. 177. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM**

(1) To construct and equip one 100-bed honor camp.

		Reappropriation	Appropriation
DSHS Constr Acct		3,260,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	-0-	3,300,000	7/80

(2) To renovate and repair roofs, Washington Corrections Center.

		Reappropriation	Appropriation
DSHS Constr Acct		255,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
521,000	-0-	776,000	10/79

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		1,993,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,993,000	1/81

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		145,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	145,000	6/80

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	5,924,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
101,000	6,966,000	12,991,000	6/84

(6) To construct and equip two 120-bed medium security units, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

Reappropriation	Appropriation
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DSHS Constr Acct			42,000	6,850,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
25,000	-0-	6,917,000	9/81	

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
53,000	1,690,000	7,118,000	6/83

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	1,412,000	3/81

(9) To construct and equip maximum security facility, Washington State Reformatory.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,058,000	-0-	12,054,000	7/81

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

General Fund—State DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
128,000	-0-	900,000	1/81

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct CEP & RI Acct		Reappropriation	Appropriation
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
27,000	-0-	1,681,000	9/81

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,524,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,524,000	2/82

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	402,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	402,000	3/81

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	386,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	386,000	8/80

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	248,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	248,000	4/81

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—Federal		-0-	414,000
DSHS Constr Acct		-0-	305,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	719,000	11/80

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		273,000	346,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
503,000	-0-	1,122,000	8/80

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	617,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	617,000	11/80

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

		Reappropriation	Appropriation
DSHS Constr Acct		300,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
76,000	-0-	376,000	7/79

(20) To renovate and open work training release facility, Geiger Field.

		Reappropriation	Appropriation
DSHS Constr Acct		600,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	620,000	1/80

(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	112,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	112,000	10/80

**NEW SECTION, Sec. 178. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

(1) To expand and upgrade water system, Mission Creek Youth Camp; except that, if construction has not begun by 7/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		44,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000	-0-	45,000	6/80

(2) To construct, and/or purchase and equip a group home in Eastern Washington in other than a class A county; except that, if construction has not begun by 10/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	988,600	9/81
		-0-	423,000

(3) To replace security windows, Maple Lane School; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	231,000	9/80
		-0-	231,000

(4) To construct and equip academic/vocational building, Naselle Youth Camp; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,851,000	5/81
		-0-	1,851,000

(5) To construct and equip multiservice building, Maple Lane School; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,640,000	1/82
		-0-	2,640,000

(6) To renovate and replace steam plant, Maple Lane School; except that, if construction has not begun by 1/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
16,000	-0-	3,005,000	6/81
		24,000	2,965,000

(7) To renovate and repair roofs, Maple Lane School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
		-0-	321,000

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	321,000	9/80

(8) To renovate and repair roofs, Green Hill School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	502,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	502,000	9/80

(9) To provide fire and safety improvements, Maple Lane School; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	318,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	318,000	10/80

(10) For remodeling of dormitories, Mission Creek Youth Camp; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		13,000	-0-
DSHS Constr Acct		-0-	293,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	308,000	6/80

**NEW SECTION. Sec. 179. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM**

(1) To provide matching funds to construct and equip a mental health wing at Children's Orthopedic Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		177,000	-0-
General Fund—Federal		289,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,723,000	-0-	2,189,000	4/80

(2) To improve security of the mentally ill offenders facility at Eastern State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	-0-	100,000	9/79

(3) Construct covered fuel storage and conveyor system, Western State Hospital; except that, if construction has not begun by 8/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,000	-0-	350,000 584,000	230,000 4/80

(4) To renovate for accreditation, Western State Hospital.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	-0-	1,200,000 1,500,000	-0- 1/80

(5) Design, construct, and equip 225-bed modular facility for nonoffender populations, Western State Hospital; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
328,000	-0-	372,000 21,993,000	21,293,000 6/82

(6) Design, construct, and equip 130-bed modular facility for nonoffender populations, Eastern State Hospital; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	-0-	100,000 12,335,000	12,035,000 7/82

(7) Renovate per accreditation requirements, Eastern State Hospital; except that, if construction has not begun by 4/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0- 487,000	487,000 6/81

(8) Preliminary design and working drawings to construct elevated water tower, Western State Hospital.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	-0-	40,000 50,000	-0- 9/79

(9) Repair roofs, Western State Hospital; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,031,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,031,000	12/80

**NEW SECTION. Sec. 180. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM**

(1) To provide fire and safety improvements and secondary source of power, School for the Deaf; except that, if construction has not begun by 9/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—State		38,000	-0-
DSHS Constr Acct		-0-	381,000
CEP & RI Acct		41,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,000	-0-	472,000	3/80

(2) To upgrade utilities and complete Phase I, Rainier School.

		Reappropriation	Appropriation
DSHS Constr Acct		1,400,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,791,000	-0-	3,191,000	6/81

(3) To renovate kitchen, primary area, and administration building, School for the Blind.

		Reappropriation	Appropriation
General Fund—State		1,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
319,000	-0-	320,000	4/80

(4) To renovate and repair facilities and utility system, School for the Blind.

		Reappropriation	Appropriation
DSHS Constr Acct		219,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
163,000	-0-	383,000	4/80

(5) Supplemental funding to complete construction and provide equipment for Phase I, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		500,000	1,412,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
4,240,000	-0-	6,152,000	4/80

(6) To design and construct Phase II, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	9,421,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	9,421,000	3/82

(7) To design and construct Phase II, Rainier School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	10,344,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,832,000	6/82

(8) Roof repair for Cerebral Palsy Center, Rainier School; except that, if construction has not begun by 7/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	379,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	379,000	2/80

(9) Repair and upgrade utilities, Phase III, Fircrest School.

		Reappropriation	Appropriation
DSHS Constr Acct		1,075,000	2,415,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	-0-	3,890,000	1/82

(10) Renovation of Primary and Administration buildings, Phase II, School for the Blind; except that, if construction has not begun by 10/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	619,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	619,000	4/80

(11) Renovate heating and ventilation system, Interlake School; except that, if construction has not begun by 1/1/81, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	527,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	527,000	8/81

(12) Purchase land, complete preliminary design and construct one cottage, Frances Haddon Morgan Children's Center; except that, if preliminary drawings have not begun by 10/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,167,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	5,389,000	6,556,000	6/83

(13) Design and construction funds for Yakima Valley School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,546,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,193,000	3,626,000	8/82

(14) To replace roofs at Rainier School; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	564,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	564,000	9/80

(15) New water service, School for the Blind; except that, if construction has not begun by 8/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	139,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	139,000	11/79

(16) Renovate laundry, Fircrest School; except that, if construction has not begun by 10/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	422,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	422,000	4/81

(17) Enclose courtyards, Fircrest School; except that, if construction has not begun by 11/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		10,000	136,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	146,000	4/80

(18) To provide site development of a community recreation and horticulture training center for the handicapped, to be located at the former NIKE-Ajax site in South King County.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	1/81

**NEW SECTION: Sec. 181. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) To provide fire safety and health improvements at the Veterans' Home and Soldiers' Home including construction of a 78-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home.

		Reappropriation	Appropriation
General Fund—Federal		1,674,000	-0-
CEP & RI Acct		30,000	-0-
DSHS Constr Acct		853,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,065,000	-0-	7,622,000	9/79

(2) To replace boilers, Soldiers' Home.

		Reappropriation	Appropriation
CEP & RI Acct		119,000	758,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	-0-	927,000	7/82

(3) To repair and improve utilities and facilities—Omnibus.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	705,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	705,000	6/81

(4) To install underground sprinkler system, Soldiers' Home.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	222,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	222,000	6/80

(5) To construct and equip laundry facility, Veterans' Home.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	1,094,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	1,094,000	9/81

(6) To construct activities therapy facility, Veterans' Home.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation  Estimated Total Costs	Appropriation  Estimated Completion Date
	-0-	-0-	347,000	9/80

NEW SECTION, Sec. 182. FOR THE JAIL COMMISSION

GF, LJICA	Reappropriation	Appropriation
	-0-	106,000,000

NEW SECTION, Sec. 183. FOR THE DEPARTMENT OF ECOLOGY

(1) To drill four test-observation wells in the 1979-81 fiscal period and additional wells as required in ensuing bienniums.

General Fund—Emergency Water Project Revolving Fund— <del>State</del>	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation  Estimated Total Costs	Appropriation  Estimated Completion Date
	781,000	1,060,000	2,241,000	6/81

(2) Construct sanitary facilities at various state parks and department of social and health services institutions to include sewage and sink waste disposal and sewage treatment facilities.

General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Ref. 26)	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation  Estimated Total Costs	Appropriation  Estimated Completion Date
	1,806,000	-0-	4,915,000	6/81

(3) Construct water supply facilities at various state parks to ensure adequate supplies of water which meet water quality standards.

General Fund—State and Local Improvement Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Ref. 27)	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation  Estimated Total Costs	Appropriation  Estimated Completion Date
	247,000	-0-	737,000	6/81

NEW SECTION, Sec. 184. FOR THE STATE PARKS AND RECREATION COMMISSION

(1) Modernization and improvements of various state parks—State-wide.

Reappropriation	Appropriation
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General Fund—State and Local Improvement  
 Revolving Account—Public Recreation Facilities:  
 Appropriated pursuant to section 4(3), chapter  
 129, Laws of 1972 ex. sess. (Ref. 28)

		2,290,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,664,000	—0—	5,954,000	6/81

(2) Acquisition and development of recreation sites—State-wide: PROVIDED, That the commission place first priority on the completion of development of recreation sites.

	Reappropriation	Appropriation
General Fund—ORA (LWCF)	876,000	—0—
General Fund—ORA (Ref. 28)	1,671,000	—0—
General Fund—ORA (Int. 215)	12,000	—0—
General Fund—ORA (Ref. 18)	84,000	—0—
General Fund—ORA (ATV)	48,000	—0—

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,512,000	—0—	4,203,000	6/81

(3) Funds required to pay unanticipated expenditures such as emergency repairs of existing facilities, contract cost overruns, and acquisition of inholdings, easements, etc.

	Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)	—0—	300,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	300,000	6/81

(4) Acquire approximately 122 acres of land at Dash Point south of Dash Point State Park.

	Reappropriation	Appropriation
General Fund—ORA (HJR 52)	—0—	118,000
General Fund—ORA (LWCF)	187,000	117,000
General Fund—ORA (Ref. 18)	188,000	—0—

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	610,000	1/80

(5) To install insulation for residences located in various parks throughout the system.

	Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)	—0—	150,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	150,000	6/81

(6) Acquire approximately 330 acres and three miles of river bank at Green River Gorge.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			—0—	516,000
General Fund—ORA (LWCF)			—0—	516,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
3,200,000	768,000		5,000,000	6/85

(7) Acquire approximately 80 acres and 1,500 feet of lakefront at Pearrygin Lake.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			—0—	187,000
General Fund—ORA (LWCF)			—0—	187,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
150,000	1,000,000		1,524,000	6/85

(8) Acquire inholdings at Conconully State Park.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			—0—	8,000
General Fund—ORA (LWCF)			—0—	8,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
—0—	—0—		16,000	7/80

(9) Renovate and expand day use facility for ocean beach access at Copalis and Joe Creek.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			—0—	187,000
General Fund—ORA (LWCF)			—0—	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
—0—	—0—		373,000	11/80

(10) Develop 50-unit campground, roadway, and parking facilities at Green River Gorge.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			—0—	524,000
General Fund—ORA (LWCF)			—0—	476,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
—0—	21,000		1,021,000	4/81

(11) Construct parking area for overflow periods at Battle Ground Lake.

			Reappropriation	Appropriation
General Fund—ORA (HJR 52)			—0—	21,000
General Fund—ORA (LWCF)			—0—	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
—0—	—0—		41,000	6/81

(12) Develop 50-unit camping area with associated facilities at Manchester.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	208,000
General Fund—ORA (LWCF)		-0-	207,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	415,000	6/80

(13) Construct two additional boat launch ramps at Fort Canby State Park.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	44,000
General Fund—ORA (LWCF)		-0-	44,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	88,000	5/81

(14) Develop campground facilities at Spencer Spit.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	319,000
General Fund—ORA (LWCF)		-0-	319,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	638,000	11/80

(15) Acquire land and trail easements for trailhead facilities at Squak Mountain.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	39,000
General Fund—ORA (LWCF)		-0-	39,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	7/80

(16) Acquire the Bradley site in central Puget Sound.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	600,000
General Fund—ORA (LWCF)		-0-	600,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,200,000	6/81

(17) To design, construct, and equip a Lewis and Clark interpretive center at Chief Timothy park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	160,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	160,000	6/81

(18) Acquire the Goldendale observatory site.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	100,000	6/81

(19) Renovate the day use area at Camp Wooten State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	55,000
General Fund—ORA (LWCF)		-0-	54,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	109,000	6/81

(20) Acquire frontage at or near the abandoned townsite of Frankfort on the Columbia River.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	700,000	1,000,000	1/81

(21) Acquire additional property for Scenic Beach State Park in Kitsap county.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	350,000	6/81

(22) Acquire the Matelich site in central Puget Sound.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	6/81

(23) Acquire approximately five acres of the property known as Kubota Gardens.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	125,000
General Fund—ORA (LWCF)		-0-	125,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	6/81

(24) Acquire portions of river bank on the Green River.



		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	375,000
General Fund—ORA (LWCF)		-0-	375,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	750,000	6/81

(25) Construct day-use facilities at Clallam Bay spit.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	90,000
General Fund—ORA (LWCF)		-0-	89,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	179,000	6/81

(26) Acquire recreational property at Beards Hollow.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	400,000
General Fund—ORA (LWCF)		-0-	400,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	800,000	6/81

(27) Acquire additional property for Penrose Point State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	350,000	6/81

(28) Acquire approximately 700 feet of waterfront and 65 acres of uplands at Haley Property.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	300,000	900,000	6/81

**NEW SECTION. Sec. 185. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

(1) \$5,000,000 for the planning, design, construction, furnishing and landscaping of a multi-theatre international performing arts facility designated as the 'Pacific Northwest festival facility' located in south King county in the vicinity of Federal Way. The appropriation contained in this section shall not be expended until the state is in receipt of \$15,000,000 from the federal government and/or other sources. Should federal legislation dictate that the facility be owned by the federal government, the state moneys shall be granted to such federal administering agency which is representing the federal government.

	Reappropriation	Appropriation
GF, Pacific Northwest Festival Facility Constr Acct	-0-	5,000,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	6/81

(2) To provide matching grants for the planning, design, construction, furnishing, and landscaping of two regionally based performing arts facilities, to be known as the 'Washington center for the performing arts' facility located in Thurston county within the area of the city of Olympia, and 'the Pantages theatre' facility located in Pierce county within the area of the city of Tacoma.

		Reappropriation	Appropriation
GF, Cultural Facilities Constr Acct		-0-	3,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,000,000	6/81

NEW SECTION. Sec. 186. FOR THE DEPARTMENT OF FISHERIES

(1) Renovate and make improvements to meet safety, health, and environmental regulations.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		455,000	2,440,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,726,000	725,000	8,346,000	6/81

(2) Provide necessary replacement and alterations to facilities at various hatchery locations state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		1,271,000	1,635,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,131,000	250,000	4,287,000	6/81

(3) Improve operation and production efficiency of existing facilities state-wide.

		Reappropriation	Appropriation
General Fund—Federal		-0-	575,000
GF, Fish Cap Proj Acct		743,000	941,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
625,000	958,000	3,842,000	6/81

(4) Complete various enhancements projects, state-wide.

		Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct		24,060,000	3,541,000
General Fund—Federal		1,024,000	650,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,125,000	-0-	34,400,000	9/81

(5) Complete various recreation projects funded through the interagency committee for outdoor recreation.

	Reappropriation	Appropriation
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General Fund—ORA (Ref. 28)		573,000	—0—
General Fund—ORA (LWCF)		1,136,000	—0—
General Fund—ORA (Int. 215)		160,000	—0—

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
933,000	—0—	2,802,000	6/81

(6) Complete capital facility improvements to support the shellfish research and production program state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		103,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
155,000	—0—	258,000	6/80

(7) Construct four additional saltwater rearing pens for research and enhancement of juvenile lingcod and mussel cultures.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		—0—	71,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	71,000	6/80

(8) Construct artificial reef structures in ten locations in Puget Sound and Hood Canal for use by recreational fishermen.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	205,000
General Fund—ORA (LWCF)		—0—	205,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	410,000	6/81

(9) Construct wooden walkways on top of breakwater structures at Westhaven Cove Marina in Westport to improve safety and ease of access for recreational fishermen.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	62,000
General Fund—ORA (LWCF)		—0—	62,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	124,000	5/81

(10) Construct access walkway and fishing pier atop and extending from the breakwater at the Port of Peninsula Boat Basin at Nahcotta.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	61,000
General Fund—ORA (LWCF)		—0—	60,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	121,000	5/81

(11) Construct access walkway and stairs to east end of Hood Canal bridge, including sanitary facilities, parking, and artificial reef for recreational fishing.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	190,000
General Fund—ORA (LWCF)		-0-	190,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	380,000	12/80

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek. Upon completion of construction, the department of fisheries shall contract with the state parks and recreation commission for operation of the facility with no user fee charged for use by the general public.

		Reappropriation	Appropriation
General Fund—ORA (Int.215)		-0-	323,000
General Fund—ORA (LWCF)		-0-	322,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	645,000	3/80

(13) Develop parking area for 100 cars for use with Edmonds fishing pier.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	14,000
General Fund—ORA (LWCF)		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	3/80

(14) Complete construction of Seattle and Tacoma fishing piers.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	245,000
General Fund—ORA (LWCF)		-0-	245,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	490,000	9/80

NEW SECTION, Sec. 187. FOR THE DEPARTMENT OF GAME

(1) Critical resource acquisition, acquire lands for wildlife habitat, wildlife recreation, and public hunting state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		6,000	-0-
General Fund—ORA (Ref. 28)		64,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,000	-0-	153,000	6/80

(2) Critical resource development, develop lands to provide recreational opportunities for the public state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		56,000	-0-
General Fund—ORA (Ref. 28)		90,000	-0-
General Fund—ORA (Int. 215)		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
54,000	-0-	240,000	12/79

(3) Freshwater shorelands development, development of facilities to provide public access to inland waters state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		3,000	-0-
General Fund—ORA (Ref. 28)		55,000	-0-
General Fund—ORA (Int. 215)		63,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
89,000	-0-	210,000	12/79

(4) Naches Hatchery, water supply development for raceways and hatcheries.

		Reappropriation	Appropriation
Game Fund—State		107,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
30,000	-0-	137,000	10/79

(5) To construct pollution abatement facilities at the Beaver Creek Hatchery.

		Reappropriation	Appropriation
Game Fund—Federal		561,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	581,000	10/79

(6) To construct an equipment and storage shop at Wells Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Local		14,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,000	-0-	32,000	12/79

(7) To construct a seed storage facility at McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Federal		1,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	3,000	12/79

(8) To construct habitat area and wildlife recreation area boundary fencing state-wide.

		Reappropriation	Appropriation
Game Fund—State		29,000	—0—
Game Fund—Federal		110,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
48,000	—0—	187,000	11/79

(9) To construct shop and storage area for equipment at the McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—State		2,000	—0—
Game Fund—Federal		7,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	—0—	18,000	12/79

(10) Remodel existing storage area at Olympia warehouse to provide additional office space and parking.

		Reappropriation	Appropriation
Game Fund—State		100,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	—0—	109,000	10/79

(11) Sell Auburn Game Farm and distribute existing facilities to Whidbey Island, South Tacoma, and Lewis County Game Farms.

		Reappropriation	Appropriation
Game Fund—State		235,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	235,000	6/81

(12) Relocate Auburn shop activities to Olympia after sale of Auburn Game Farm.

		Reappropriation	Appropriation
Game Fund—State		200,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	200,000	6/81

(13) Provide for repair or replacement under emergency conditions.

		Reappropriation	Appropriation
Game Fund—State		—0—	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	200,000	300,000	6/81

(14) Replace 29 sets of outdoor toilets located on game department access areas state-wide.

		Reappropriation	Appropriation
Game Fund—State		-0-	163,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	198,000	361,000	6/81

(15) Provide sedimentation basins at five hatcheries that will collect solid waste from used water for pollution control.

		Reappropriation	Appropriation
Game Fund—State		-0-	218,000
Game Fund—Federal		-0-	22,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	240,000	7/80

(16) Construct an 8-foot high chain link fence to protect rainbow broodstock from vandalism and theft at Tokul Creek Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	11,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	11,000	12/79

(17) Purchase fishing sites and easements to mitigate the fishery loss related to Wells Dam construction.

		Reappropriation	Appropriation
Game Special Wildlife Account		-0-	69,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	69,000	6/81

(18) Design and construct a three bedroom residence with garage, utilities, and roadway plus holding pen for 750 birds at Wells WRA.

		Reappropriation	Appropriation
Game Special Wildlife Account		-0-	108,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	108,000	9/80

(19) Repair pipeline from Lake Whatcom that supplies hatchery with production water.

		Reappropriation	Appropriation
Game Fund—State		-0-	36,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	36,000	9/80

(20) Provide for maintenance and construction of boundary, drift and habitat area fencing and property surveys.

		Reappropriation	Appropriation
Game Fund—Federal		—0—	146,000
Game Fund—State		—0—	49,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	481,000	676,000	7/81

(21) Replace 80 wood troughs and supports at Lake Whatcom Hatchery.

		Reappropriation	Appropriation
Game Fund—State		—0—	38,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	38,000	3/80

(22) Repair or replace fish screens at lake outlets preventing out migration of planted trout.

		Reappropriation	Appropriation
Game Fund—Federal		—0—	53,000
Game Fund—State		—0—	18,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	71,000	6/81

(23) Replace old holding pens, brooder runs, and woven wire fencing to prevent game bird escapement.

		Reappropriation	Appropriation
Game Fund—State		—0—	195,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	526,000	721,000	4/81

(24) Replace three wood wall dirt bottom raceways with three 10-foot by 100-foot concrete raceways at South Tacoma Hatchery.

		Reappropriation	Appropriation
Game Fund—State		—0—	67,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	67,000	3/81

(25) Repair leaks in hatchery pond and raceways at Arlington Hatchery.

		Reappropriation	Appropriation
Game Fund—State		—0—	49,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	49,000	5/81

(26) Replace roofing at Skamania Hatchery.

		Reappropriation	Appropriation
Game Fund—Federal		—0—	18,000



Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	18,000	6/81

(27) Provide preplanning and design funds for future biennia capital projects.

Game Fund—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	100,000	150,000	6/81

(28) Construct small parking area and related user facilities at Scatter Creek WRA.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
General Fund—ORA (LWCF)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	11,000
-0-	-0-	-0-	11,000
-0-	-0-	22,000	9/79

(29) Construct parking area, launch ramp, and related user facilities at Lake Ki in Snohomish county.

General Fund—ORA (Int. 215)		Reappropriation	Appropriation
General Fund—ORA (LWCF)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	36,000
-0-	-0-	-0-	36,000
-0-	-0-	72,000	7/80

(30) Redevelop and construct boat launching facilities at Potholes Reservoir, Campbell Lake, Fazon Lake, Burke Lake, Badger Lake, Loon Lake, Humptulips River, and Chambers Lake.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		Reappropriation	Appropriation
General Fund—ORA (LWCF)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
39,000	-0-	497,000	6/81

(31) Construct parking area and related user facilities at Tokul Creek.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
General Fund—ORA (LWCF)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	24,000	11/80

(32) Construct an 'A' Frame warming hut designed to provide essential facilities for snowmobilers during cold or emergency conditions.

Reappropriation                      Appropriation

General Fund—State		—0—	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	33,000	9/80

(33) Construct .34 acre parking area surface with ballast at Wooten WRA.

General Fund—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	14,000	7/80

(34) Construct a one-half acre parking area and install timber bridge for snowmobilers at Sherman Creek WRA.

General Fund—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	19,000	7/80

(35) Acquire Delfeld property as an addition to Chiliwist WRA.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
General Fund—ORA (LWCF)		—0—	159,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	318,000	6/81

**NEW SECTION, Sec. 188. FOR THE DEPARTMENT OF NATURAL RESOURCES**

(1) Construct 15,000 square feet of lath house at the Bellingham Nursery to provide holding area for seedlings.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	30,000	10/79

(2) Webster Nursery—Land reclamation.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	50,000	10/79

(3) Upgrade domestic water systems at various locations.

General Fund—State		Reappropriation	Appropriation
		—0—	65,000

General Fund—CEP & RI Acct		—0—	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	78,000	9/80

(4) Provide for emergency exit at Olympic Area Headquarters.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	6,000	11/79

(5) Acquire and improve surplus federal installation on Budd Inlet for seaweed research laboratory.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	228,000	2/80

(6) Provides funding for implementation of Senate Bill No. 2200 (chapter 109, Laws of 1977 ex. sess.) to establish land bank.

GF, For Dev Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	2,000,000	3,000,000	6/81

(7) Construct and improve roads and bridges into state-owned timberlands, state-wide.

GF, For Dev Acct		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		—0—	426,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,559,000	4,000,000	2,240,000	1,040,000
		9,265,000	6/81

(8) Convert arid lands into productive lands for crop growing through development or irrigation systems.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,497,000	4,000,000	3,770,000	1,940,000
		12,207,000	6/81

(9) Acquire access for management of timber and agricultural lands.

GF, For Dev Acct		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		—0—	175,000
		—0—	691,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
900,000	1,300,000	3,066,000	6/81

(10) Provides shops for maintenance and repair of equipment used in the honor camp program in Skagit county.

General Fund—CEP & RI Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	536,000
		536,000	6/80

(11) Replace old lookout structures at rate of one per biennium.

General Fund—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	34,000	-0-	15,000
		59,000	6/81

(12) Rebuild gas house and expand parking at Chehalis Compound.

General Fund—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	17,000
		17,000	6/81

(13) Provide air exchange and cooling system to reduce heat buildup at Southwest Area Headquarters.

GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	7,000
		7,000	6/80

(14) Construct roads and bridges to state lands in Cavanaugh Block.

GF, For Dev Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	475,000
		475,000	6/81

(15) Construct dry storage facility at Larch Mountain warehouse.

General Fund—CEP & RI Acct		Reappropriation	Appropriation
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date
		-0-	47,000

6/30/79	Thereafter		
-0-	-0-	47,000	6/80

(16) Prepare sites for commercial leases, state-wide.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		1,570,000	2,449,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
196,000	3,000,000	7,215,000	6/81

(17) Provide facilities to house three-man fire crews at Beaver and Sekiu.

		Reappropriation	Appropriation
General Fund—State		-0-	46,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	46,000	5/80

(18) Construct and improve campsites, roads, trails, and other recreation projects, including off-road vehicles and snowmobile facilities.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		733,000	-0-
General Fund—ORA (Ref. 18)		19,000	-0-
General Fund—ORA (Int. 215)		187,000	-0-
General Fund—ORA (LWCF)		412,000	-0-
General Fund—State		-0-	31,000
General Fund—ORV Acct—State		-0-	1,994,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,448,000	4,900,000	9,724,000	6/81

(19) Drill well to provide water for Ahtanum Camp.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	6,000
General Fund—ORA (LWCF)		-0-	6,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	12,000	10/79

(20) Drill two wells and install powerline at Black Rock Irrigation Project.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000	6/81

(21) Rebuild old Mule Spur road to provide access for reforestation.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	75,000
GF, Res Mgmt Cost Acct		-0-	225,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	6/81

(22) Improve road to Elbe Hills for timber sales activities.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	405,000
GF, Res Mgmt Cost Acct		-0-	135,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	540,000	6/81

(23) Purchase materials for use in camp road maintenance programs.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	45,000	65,000	6/80

(24) Provide housing for radio equipment at Little Summit presently in old military surplus trailer.

		Reappropriation	Appropriation
General Fund—State		-0-	3,000
GF, Res Mgmt Cost Acct		-0-	4,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	3/81

(25) Reconstruct gas house and enlarge parking area at Northwest Area Headquarters Compound.

		Reappropriation	Appropriation
General Fund—State		-0-	16,000
GF, Res Mgmt Cost Acct		-0-	17,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	12/79

(26) Construct building on Orcas Island to store fire control supplies.

		Reappropriation	Appropriation
General Fund—State		-0-	16,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,000	10/80

(27) Construct cyclone fencing at two area headquarter sites.

		Reappropriation	Appropriation
General Fund—State		-0-	33,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	33,000	3/80

(28) Construct a block masonry cold storage building to store seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	70,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	70,000	9/80

(29) Construct wells and powerline to irrigate 600 acres at Smith Irrigation Project.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	275,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	275,000	6/81

(30) Construct a block masonry cold storage facility as storage for six million seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(31) Construct three corrugated fiberglass growing houses to protect grafted trees at seed orchard.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	97,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	97,000	2/80

(32) Improve access to large blocks of state land at Marckworth for timber removal.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	171,000
GF, Res Mgmt Cost Acct		-0-	73,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	244,000	6/81

(33) Remove dangerous abandoned structures from state tidelands.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	150,000	6/81

## (34) Acquire recreational property at Mount Si.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	900,000
General Fund—ORA (LWCF)		—0—	900,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	1,800,000	6/81

NEW SECTION. Sec. 189. FOR THE UNIVERSITY OF WASHINGTON

## (1) To provide for the completion of the expansion and renovation of existing teaching hospital.

		Reappropriation	Appropriation
St Bldg Auth Constr Acct		180,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,413,000	—0—	12,593,000	5/79

(2) A continuation of the renovation of mechanical and electrical systems; renovation and remodeling of departmental space; elevator extension and access improvement for handicapped for Department of Chemistry and School of Pharmacy at Bagley Hall.

		Reappropriation	Appropriation
UW Bldg Acct		4,350,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	—0—	4,500,000	5/80

(3) A continuation of building systems renovation and replacement including mechanical and electrical systems, remodeling of spaces for more intensive use, and repairs to correct code deficiencies at Health Science Building.

		Reappropriation	Appropriation
UW Bldg Acct		2,800,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	2,800,000	3/80

(4) To construct additional locker rooms, service areas, and multipurpose gymnasium to provide comparable athletic facilities for men and women at Edmundson Pavilion.

		Reappropriation	Appropriation
UW Bldg Acct		395,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,967,000	—0—	2,362,000	7/79

(5) To construct a new building providing offices, classrooms, speech and hearing clinics, media center, library, and laboratories for School of Social Work and Department of Speech & Hearing Sciences.

		Reappropriation	Appropriation
UW Bldg Acct		5,200,000	—0—
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
1,450,000	-0-	6,650,000	6/80

(6) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities.

		Reappropriation	Appropriation
UW Bldg Acct		1,450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,189,000	-0-	6,139,000	6/81

(7) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	1,538,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,538,000	6/81

(8) To provide for improvements for high priority academic needs, improved energy utilization, remodeling and refurbishing of classrooms, repairs to sports facilities, and continuing real estate contract payments.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	2,692,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	12,748,000	14,438,000	6/81

(9) To plan and construct utility projects including power plant modifications, utility extensions to new buildings, electrical distribution system improvements, supervisory control system extension and upper campus sewer separation.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	2,248,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	6,733,000	8,981,000	6/81

(10) To design laboratory facilities at Big Beef Creek.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	8/83

(11) To design a new facility to house the center for extension and continuing education.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	236,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	236,000	6/83

(12) To replace obsolete and outmoded scientific, instruction and support equipment.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	5,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	6/81

(13) To remodel certain areas for the Department of Speech and Hearing Sciences when the School of Social Work vacates the building at Eagleson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	537,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	537,000	1/81

(14) To renovate and remodel interior spaces to accommodate new program requirements of School of Nutritional Sciences and Textiles, correct code deficiencies, and install an elevator to make the building accessible to the handicapped at Raitt Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,024,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,024,000	9/82

(15) To construct and equip laboratory and service facilities for instruction in biology, botany, zoology, and genetics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	10,978,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
566,000	-0-	11,544,000	9/81

(16) To provide new ventilation and air handling systems, water piping, code deficiency correction, and general upgrading at Health Sciences Building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,806,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,806,000	12/80

(17) To remodel the existing clinic to make it more usable as a practice clinic, provide professional practice instruction and better services to dental patients at Dental Clinic.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	437,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	437,000	4/80

(18) To replace heating system, improve ventilation, change partitions, install elevator and bring existing staff personnel office building up to code after it is vacated by the Speech and Hearing Sciences Clinics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	646,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	646,000	3/81

(19) Design funds to upgrade heating, ventilation, plumbing, and electrical systems; to make code corrections; and to remodel a portion of the gym for more intensive use of space for new program emphasis at Hutchinson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	153,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,401,000	2,554,000	12/81

(20) Funds to repair or replace building systems, make safety and code corrections, replace window frames and door hardware at Health Science Building, wings E and F.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	360,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,398,000	3,758,000	6/83

(21) To construct addition to existing structure to relieve overcrowding of existing staff in Physical Plant and Facilities Planning and Construction.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	434,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	434,000	9/81

(22) To construct addition to existing structure to adequately house existing staff in Purchasing, General Accounting, and Grant and Contract Accounting.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,003,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,003,000	9/81

(23) To construct a new mechanical room underground to serve Health Sciences Building wings E, F, and G and add some adjacent space for office use.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,580,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,580,000	6/80

(24) To restore Johnson Hall Annex to sound condition meeting current code requirements.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	5/81

(25) To renovate the Showboat, Penthouse, and Playhouse Theaters, including structural repairs, electrical rewiring, sound system replacement, general repainting and refurbishing.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	300,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	4/81

(26) To design and construct a laboratory building and dormitory at Pack Forest.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	544,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	544,000	8/81

(27) Design and construct two dormitories of 20 double rooms each and one apartment building with 10 one-bedroom apartments to increase student capacity at Friday Harbor.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	717,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	717,000	6/81

**NEW SECTION, Sec. 190. FOR WASHINGTON STATE UNIVERSITY**

(1) To construct and equip modifications to existing utility production and distribution systems.

		Reappropriation	Appropriation
WSU Bldg Acct		2,830,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,115,000	-0-	4,945,000	6/81

(2) To construct and equip the Computer Sciences and Mathematics Building.

		Reappropriation	Appropriation
WSU Constr Acct		431,000	-0-
St H Ed Constr Acct		1,320,000	-0-
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
8,235,000	-0-	9,986,000	12/79

(3) To construct and equip the Intercollegiate Center for Nursing Education.

St H Ed Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	2,648,000	-0-	1,084,000	-0-
			5,679,000	6/80

(4) To construct and equip classroom, laboratory, and office building for veterinary sciences.

St H Ed Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	13,836,000	-0-	193,000	-0-
			14,029,000	10/79

(5) To provide minor alterations or renovations to buildings and utilities in order to make safety improvements, increase building efficiency, or extend the useful life of facilities.

WSU Bldg Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	2,339,000	10,285,000	904,000	5,041,000
			20,573,000	6/85

(6) To provide minor building alterations or renovations for section 504 handicapped access compliance.

St H Ed Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	-0-	-0-	-0-	2,965,000
			2,965,000	6/81

(7) To design, remodel, equip, and construct an addition to Wegner Hall: PROVIDED, That \$2,881,000 shall be from federal funding sources.

H Ed Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	388,000	-0-	-0-	5,847,000
			9,116,000	7/81

(8) To design, remodel, and equip Morrill Hall.

H Ed Constr Acct	Project Costs Through	Estimated Costs 7/1/81 and	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
			-0-	1,952,000

6/30/79	Thereafter		
19,000	-0-	1,971,000	1/82
(9) To design, construct, and equip an animal holding facility.			
		Reappropriation	Appropriation
H Ed Constr Acct		-0-	2,018,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,018,000	8/82

(10) To design, construct, and equip a receiving and delivery building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	653,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
21,000	-0-	674,000	6/80

NEW SECTION. Sec. 191. FOR EASTERN WASHINGTON UNIVERSITY

(1) To construct and equip new physical education field house.

		Reappropriation	Appropriation
St H Ed Constr Acct		365,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,092,000	-0-	2,457,000	12/79

(2) To perform minor capital improvements to comply with current fire and safety codes, and provide for handicap access.

		Reappropriation	Appropriation
EWU Cap Proj Acct		178,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
278,000	-0-	456,000	6/80

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	441,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	441,000	6/81

(4) To perform minor capital improvements to correct facility deficiencies and improve utilization.

		Reappropriation	Appropriation
EWU Cap Proj Acct		360,000	2,472,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
429,000	-0-	3,925,000	6/81

(5) To construct and equip utility loop system and implement facility energy conservation improvements.

		Reappropriation	Appropriation
EWU Cap Proj Acct		163,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	165,000	6/80

(6) To design, remodel, renovate, and equip Martin Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,100,000	4/82

(7) To design, construct, and equip an aquatics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,765,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
72,000	-0-	1,837,000	2/81

NEW SECTION, Sec. 192. FOR CENTRAL WASHINGTON UNIVERSITY

(1) Alterations to facilities that will effect efficiencies in operations, extend useful life, and make needed safety correction.

		Reappropriation	Appropriation
CWU Cap Proj Acct		160,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
216,000	-0-	286,000	1/80

(2) To effect repairs and alterations to utility system for improved efficiencies, implementation of safety codes, and extension of lifetime.

		Reappropriation	Appropriation
CWU Cap Proj Acct		230,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
160,000	-0-	390,000	6/81

(3) Renovation and remodeling of vacated library building to house communications, mass media, computer sciences, special pathology, executive offices, and audio-visual services in Bouillon Hall.

		Reappropriation	Appropriation
St H Ed Constr Acct		450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,665,000	-0-	2,115,000	3/80

## (4) Installation of central ventilation system to supply and exhaust air to Randall Hall.

		Reappropriation	Appropriation
CWU Cap Proj Acct		70,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	-0-	84,000	11/79

## (5) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	532,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	532,000	6/81

## (6) Construction of new greenhouse adjacent to Dean Science Building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	481,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,000	-0-	485,000	8/80

## (7) Conformance to safety health standards.

		Reappropriation	Appropriation
CWU Cap Proj Acct		100,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	119,000	6/82

## (8) Modifications for the handicapped.

		Reappropriation	Appropriation
CWU Cap Proj Acct		120,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
42,000	-0-	162,000	12/79

## (9) Minor renovations and additions for better facility utilization and meet changes in program needs.

		Reappropriation	Appropriation
CWU Cap Proj Acct		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
60,000	-0-	100,000	11/79

## (10) Planning funds to restore and remodel Barge Hall.

		Reappropriation	Appropriation
CWU Cap Proj Acct		10,000	-0-
Project	Estimated	Estimated	Estimated



Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
8,000	-0-	18,000	8/79

(11) Complete design of McConnell Hall for renovation and remodeling to add a multiform theater and associated components and to remodel Wildcat Shop for computer services.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,499,000
St H Ed Constr Acct		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
261,000	-0-	3,780,000	3/81

(12) Minor capital improvements and land acquisition to upgrade university buildings, facilities, and grounds.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	2,217,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	325,000	2,542,000	6/81

(13) To improve, extend, and modify underground utilities and services.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	1,026,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,026,000	6/81

(14) To provide funding which will enable the university to share costs with the city of Ellensburg in fire pumper truck purchase.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	40,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	40,000	12/79

**NEW SECTION. Sec. 193. FOR THE EVERGREEN STATE COLLEGE**

(1) To construct and equip a Communications Laboratory.

		Reappropriation	Appropriation
St H Ed Constr Acct		150,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,305,000	-0-	8,455,000	6/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	136,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	136,000	6/81

(3) To provide emergency repairs and renovations for the library building.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	111,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	111,000	7/80

(4) To further develop outdoor recreation fields.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	328,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	328,000	11/80

NEW SECTION. Sec. 194. FOR WESTERN WASHINGTON UNIVERSITY

(1) Old Main renovation, including structural, mechanical, and electrical upgrading.

		Reappropriation	Appropriation
WWU Cap Proj Acct		103,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,401,000	-0-	3,504,000	6/81

(2) To construct and equip space for technology in applied art and provided equipment for home economics.

		Reappropriation	Appropriation
St H Ed Constr Acct		25,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,462,000	-0-	1,487,000	12/79

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	327,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	327,000	6/81

(4) Construct and equip south campus fields and complete deferred improvements to south campus streets, walks, lighting, and landscaping.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	2,300,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
107,000	-0-	2,407,000	5/81

(5) Improvements to academic buildings to provide for changing program requirements, improve instruction, space efficiency, and protect original investment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	214,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
131,000	700,000	1,145,000	6/81

(6) Complete design to improve access to service facilities on south campus physical plant site including hazardous materials storage for nonacademic needs.

		Reappropriation	Appropriation
St H Ed Constr Acct		21,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
102,000	-0-	123,000	12/79

(7) Planning and construction funds for College of Business and Economics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	4,500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,500,000	6/81

(8) Minor improvements to grounds to reduce operating costs, reduce danger from injury, increase safety, and protect original investment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		35,000	217,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	300,000	592,000	6/81

(9) Make improvements to utility systems to reduce operating costs and increase efficiency.

		Reappropriation	Appropriation
WWU Cap Proj Acct		104,000	193,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,190,000	-0-	2,577,000	6/81

(10) Fire and physical safety improvements.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
231,000	40,000	557,000	6/81

## (11) Art acquisition fund.

			Reappropriation	Appropriation
St Bldg Auth Constr Acct			17,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
4,037,000	-0-		4,504,000	6/81

## (12) To purchase property in accordance with WWU Board of Trustees campus land use plan.

			Reappropriation	Appropriation
WWU Cap Proj Acct			-0-	30,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
-0-	250,000		280,000	6/81

## (13) To provide several cost-effective improvements to conserve energy consumption.

			Reappropriation	Appropriation
WWU Cap Proj Acct			-0-	81,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
-0-	-0-		81,000	6/81

## (14) Improvements to academic facilities to protect property and equipment.

			Reappropriation	Appropriation
WWU Cap Proj Acct			-0-	72,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
-0-	30,000		102,000	6/81

## (15) Construct fire station for use by city of Bellingham to provide more adequate fire and ambulance equipment and personnel availability to Western Washington University.

			Reappropriation	Appropriation
St H Ed Constr Acct			-0-	490,000
WWU Cap Proj Acct			-0-	318,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
-0-	-0-		808,000	6/81

**NEW SECTION. Sec. 195. FOR THE STATE BOARD FOR COMMUNITY, COLLEGE EDUCATION**

The appropriations contained in this section adhere to the major projects priority list established by the state board and assume that the 1981-83 biennium priority listing will have the 8th priority through the 33rd priority projects of the 1979-81 biennium as the 1st through the 26th priority projects of the 1981-83 biennium. The budget also assumes Big Bend Community College will construct a \$2,500,000 physical education facility of which \$2,100,000 shall be from local funds and \$400,000 shall be from the sale proceeds of the South Campus to the Moses Lake School District.

## (1) Reappropriations of projects approved and funded in previous biennia.

	Reappropriation	Appropriation
Com Col Cap Impvmt Acct	735,000	-0-
Com Col Cap Proj Acct	510,000	-0-

Com Col Cap Constr Acct		4,045,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,665,000	-0-	23,955,000	2/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance to be allocated to each district by the state board.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	4,329,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,329,000	6/81

(3) Repair and reconstruct roofs on six community college campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,083,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,083,000	1/81

(4) To complete the design, construction, and equipping of three code-compliance projects at Clark College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,209,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
124,000	-0-	2,333,000	6/81

(5) To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	1,949,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,949,000	6/81

(6) To provide for unforeseen emergency capital repairs, to be administered by the state board.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	6/81

(7) To provide for unforeseen emergency roof repairs, to be administered by the state board.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	800,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	800,000	6/81

(8) To perform community college master planning, to be administered by the state board.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	6/81

(9) To perform fire and ventilation improvements on three campuses.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	538,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	538,000	8/80

(10) To perform minor capital improvement repairs and renovations on nine campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,196,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,305,000	2/81

(11) The state board for community college education shall execute an agreement with the municipality of Bremerton within which is located the campus of community college district three for the transfer of municipally owned property within the campus to the state pursuant to state laws governing vacation of city rights of way and for the transfer of state owned property to the municipality: PROVIDED, That such an agreement shall result in a net increase in acreage of the campus and that the property transferred from the state to the municipality is used exclusively for the purpose of traffic flow and access to, through, and around the campus. Once the agreement has been executed, the appropriation provided in this subsection shall be granted by the board to the municipality.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	375,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	375,000	6/81

(12) To perform four minor utility and mechanical systems improvements at three campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	10/79

(13) To replace, repair, restore, install, and construct heating, ventilation, and air conditioning systems at five campuses.

Reappropriation	Appropriation
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Com Col Cap Proj Acct			-0-	2,005,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	2,005,000	2/81	

(14) To perform three feasibility studies for two colleges.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	104,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	104,000	4/80

(15) Design, remodel, equip, and construct an addition to the Science and Vocational Instruction facilities at Shoreline Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,043,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,043,000	5/81

(16) Design, construct, and equip a vocational instruction building for industrial electronics at Peninsula College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(17) Design, construct, and equip an addition to vocational facilities at Olympia Technical Community College.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	652,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	652,000	12/80

(18) To design a gymnasium at North Seattle.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	267,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,448,000	3,715,000	12/81

(19) To design, construct, raze, remodel, and renovate vocational facilities at the Duwamish branch of the South Seattle Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,070,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,070,000	5/81

(20) To acquire and develop land, design, remodel, and construct facilities for maintenance and vocational instruction at Centralia College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,528,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,528,000	8/81

(21) To purchase a building and land, renovate existing facilities, and design and construct a vocational building at Lower Columbia Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	4,265,000
Com Col Cap Impvmt Acct		-0-	10,000
Com Col Cap Proj Acct		-0-	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	1,867,000	6,198,000	11/82

#### NEW SECTION. Sec. 196. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION

To provide for planning, construction, remodeling, and demolition of public school facilities: PROVIDED, That of this appropriation not more than \$8,000,000 shall be to provide minor building alterations or renovations for section 504 handicapped access compliance pursuant to procedures and requirements established by the state board which shall be separate and apart from the procedures and requirements of chapter 28A.47 RCW and chapter 180-30 WAC, each as now or hereafter amended, which govern the allocation of the balance of this appropriation item: PROVIDED, That notwithstanding any provision contained in chapter 28A.47 RCW and/or RCW 28A.47.800 through 28A.47.811, inclusive, as now or hereafter amended, or any regulation of the state board of education or the state superintendent of public instruction adopted after January 1, 1979, all school districts which passed a bond issue or special levy for capital construction or capital purposes, including a vocational-technical institute, on or before April 5, 1979, shall remain eligible for state matching funds on the same basis as provided under statutes and/or state board of education regulations in effect on or before January 1, 1979, and each such district application shall receive the same priority it would have received under state law and/or state board of education rules and regulations in effect at the time any such bond issue or special levy was approved by the voters: PROVIDED FURTHER, That this condition shall apply only to bond issues or capital levies for capital purposes approved by the voters prior to April 5, 1979, and shall not be construed as preventing future modifications of space standards for districts which pass a bond issue or special levy for capital construction or capital purposes after April 5, 1979.

		Reappropriation	Appropriation
Com Sch Constr Fund		76,123,000	318,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,875,000	292,000,000	769,998,000	6/81

#### NEW SECTION. Sec. 197. FOR THE STATE PATROL

(1) Construct and equip facility for district command and detachment personnel, communications, dispatching, and VIN Inspection in Vancouver.

	Reappropriation	Appropriation
MV Fund—State	150,000	56,000



Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
657,000	-0-	864,000	8/79

(2) Construct and equip weigh station facility on I-82 near the Washington-Oregon border at Plymouth to ensure truck compliance with existing laws and regulations.

MV Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation	Appropriation
	-0-	-0-	-0-	320,000
			Estimated Total Costs	Estimated Completion Date
			320,000	12/80

(3) Construct VIN Inspection building at Kennewick to inspect out-of-state vehicles prior to licensing.

MV Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation	Appropriation
	-0-	-0-	-0-	102,000
			Estimated Total Costs	Estimated Completion Date
			102,000	7/80

(4) Provide minor alterations and modifications to increase efficiency and useful life to existing facilities.

MV Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation	Appropriation
	-0-	-0-	-0-	165,000
			Estimated Total Costs	Estimated Completion Date
			165,000	7/80

(5) Design funds for mobile radio relay sites at Octopus, Neilton Point/Salmon River Ridge, Republic, Pateros, and Okanogan.

MV Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation	Appropriation
	-0-	1,134,000	-0-	3,000
			Estimated Total Costs	Estimated Completion Date
			1,137,000	6/83

(6) Design funds to construct mobile radio relay sites at Gardiner, Pullman, and Blue Mountain.

MV Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation	Appropriation
	-0-	813,000	-0-	2,000
			Estimated Total Costs	Estimated Completion Date
			814,000	6/85

(7) Install chain link security fencing at Skamania, Stacker Butte, Roosevelt, Clyde, Lind, Chehalis, Kalama, Bellevue, and Gold Mountain.

MV Fund—State	Project	Estimated	Reappropriation	Appropriation
			-0-	27,000
			Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	27,000	10/79

(8) Relocate weigh station facility on SR 20 west of Mt. Vernon.

MV Fund—State	Reappropriation	Appropriation	
	-0-	82,000	
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	82,000	12/80

**NEW SECTION. Sec. 198. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

In accordance with RCW 43.17.200, all state agencies or departments shall expend, as a nondeductible item, out of any moneys appropriated for the original construction of any state building, an amount of one-half of one percent of the appropriation for the acquisition of works of art which may be an integral part of the structure, attached to the structure, detached within or outside of the structure, or can be exhibited by the agency in other public facilities. In case the amount shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the agency. For the purpose of this section, 'building' does not include highway construction sheds, warehouses, or other buildings of a temporary nature.

**NEW SECTION. Sec. 199.** The director of general administration shall transfer to the department of social and health services the facility known as Northern State Hospital, along with all attached real estate under the jurisdiction of the department of general administration.

**NEW SECTION. Sec. 200.** 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 facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1979.

**NEW SECTION. Sec. 201.** The word 'agency' used herein 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 means 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 does not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

**NEW SECTION. Sec. 202.** In order to carry out the provisions of these appropriations and the state budget, the director of the office of financial management, with the approval of the governor, may:

(1) Allot all or 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 financial 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 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 appropriations or to incur a deficiency and any obligations 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; and

(4) Allot funds from appropriations in this act in advance of July 1, 1979, for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1, 1979: **PROVIDED**, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1979.

**NEW SECTION. Sec. 203.** In the event that receipts are less than those appropriated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 202 of this act. Receipts for purposes of this section 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. 204. State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

**NEW SECTION.** Sec. 205. Any programs which are supported in whole or in part by federal funds shall not receive any additional state funds for the programs in the event that federal funds are reduced or eliminated for the program.

**NEW SECTION.** Sec. 206. Unless otherwise provided for by this act with respect to any specific agency, program, or revenue source, any receipts from federal or other sources, or from gifts or grants, in excess of estimates for the budget expenditures as approved by the legislature and which are not otherwise available for general governmental purposes, may be received and allotted by the governor in accordance with RCW 43.79.260 through 43.79.282.

**NEW SECTION.** Sec. 207. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of financial management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

**NEW SECTION.** Sec. 208. 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. 209. 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 financial management shall 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. 210. In addition to the amounts appropriated in this act for revenue for distribution, 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. 211. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 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 financial 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. 212. The chairmen of the senate committee on ways and means and the house appropriations committee shall review monthly reports of state agency expenditures prepared by the legislative evaluation and accountability program and shall advise their respective committee members of substantial deviations from an agency's allotment expenditure plan. The chairmen may request from an agency, or the office of financial management, such information as may be necessary to determine the reasons for such deviations.

**NEW SECTION.** Sec. 213. The office of financial management shall place in reserve status 3% of the general fund—state appropriations contained in this act. Such moneys shall remain in reserve status and may not be authorized for expenditure through the allotment process in any fiscal quarter unless the governor determines that projected economic conditions warrant additional expenditures: PROVIDED, That for institutions of higher education the requirements of this section are in addition to any enrollment reserve requirements set forth in section 214 of this act.

The provisions of this section shall not apply to sections 34, 38, or 100 of this act.

**NEW SECTION.** Sec. 214. In accordance with the provisions of this section, the office of financial management shall use the allotment process during the 1979-81 biennium to control the funding of the formula portion of the instruction services program of all the institutions of higher education. 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 four-year institutions of higher education while full time equivalent student enrollment will be the controlling factor for the community college system. For the purpose of this section, the 'contract level' is defined as the level upon which the budget is based, and the 'base level' is defined as the level corresponding to the prior year's actual enrollment level. Controls shall be applied to each four-year institution separately and to the community college system as a total entity. 'Growth funding' is defined as that portion of the state general fund appropriation by which the contract level exceeds the base level. Growth funds may be allotted or placed in reserve at the option of the institution or system. Unearned growth funds will be reverted to the state general fund prior to the end of the fiscal year in which such growth fails to materialize. If The Evergreen State College's enrollments for the first year of the biennium exceed the contract level, additional funding will be considered. Olympia Technical Community College shall not become comprehensive and shall offer only courses essential to vocational education. Expenditures shall be authorized for the rental of off-campus classroom facilities by community college district number twelve when such rentals would not reduce the current utilization of facilities already constructed on either of its campuses.

Reversions are not required when an institution's faculty formula entitlement as generated by actual enrollment, or in the case of the community colleges the actual annual average full time equivalent student enrollment, is within a set range of the contracted level. The allowable tolerances are as follows: University of Washington, Washington State University, and the community colleges as a system, 1 percent; Central Washington University, Eastern Washington University, and Western Washington University, 2 percent; and The Evergreen State College, 3 percent.

Contract enrollments for the second year of the biennium will be renegotiated if the first year's actual enrollment falls below the base level of the first year of the biennium.

**NEW SECTION.** Sec. 215. Real property leases with purchase options are prohibited without prior legislative approval.

**NEW SECTION.** Sec. 216. It is the expressed intention of the legislature that agency operational activity shall be regularly monitored by the office of financial management, under its statutory authority relating to the allotment control function, in order to limit fluctuations in the respective fiscal year spending patterns which tend to inflate the expenditures in the second fiscal year of the biennium. Particular control emphasis shall be placed on those instances in which the full time equivalent staff years authorization is deliberately delayed in order to increase the agency's full time equivalent staff years as substantiation for the second fiscal year of the ensuing biennial request. Unanticipated receipts, which are authorized by the governor and expended by any state agency, shall be allotted, monitored, and controlled.

**NEW SECTION.** Sec. 217. In order to ensure adherence with the provisions of sections 14(2) (b) and (c), 102, and 103 of this act, the director of the office of financial management shall review salary increases granted by each four-year institution of higher education, each community college district, and each local school district. If the director's review indicates that salary increases granted by a four-year institution of higher education, a community college district, or a local school district exceeds the provisions of sections 14(2) (b) and (c), 102, and 103 of this act, the director shall withhold an amount of state funds otherwise distributable to that educational unit equal to the amount by which the salary increase exceeded the above-referenced provisions.

**NEW SECTION.** Sec. 218. The superintendent of public instruction and the director of the state board for community college education, in conjunction with the director of the office of financial management, shall develop rules and regulations directing placement of local educational units' employees with nonstandard teaching certificates on the state-wide education and experience schedules.

**NEW SECTION.** Sec. 219. Any rate increases proposed for the legal services revolving fund or the general administration facilities and services revolving fund, or any change in the method of calculating changes from those funds, shall be subject to approval by the director of the office of financial management prior to implementation.

**NEW SECTION.** Sec. 220. To obtain maximum interagency use of aircraft, the aeronautics division in the department of transportation, in accordance with chapter 39.34 RCW, is hereby authorized to lease, purchase, or otherwise acquire suitable aircraft which shall be utilized for the purposes of the department of transportation and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the department of transportation 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 department of transportation and without prior approval of the director of the office of financial management.

**NEW SECTION.** Sec. 221. 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. 222. State agencies shall not receive or make a contractual agreement to receive any donation of real property or an interest therein which commits the agency to assume on a current basis or request at a future time appropriated funds for operating, development, or acquisition costs without prior approval of the legislative budget committee or the senate ways and means committee and house appropriations committee if the legislature is in session.

**NEW SECTION.** Sec. 223. Any capital improvements or capital project involving construction or major expansion of a state office facility, to include district headquarters, detachment offices, and off-campus faculty offices shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION.** Sec. 224. As used in this act the following phrases shall have the following meanings:

- (1) 'GF, Cap Bldg Constr Acct' means General Fund—Capital Building Construction Account;
- (2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
- (3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
- (4) 'General Fund—ORA (HJR 52)' means General Fund—Outdoor Recreation Account, House Joint Resolution 52;

- (5) 'General Fund—ORA (LWCF)' means General Fund—Outdoor Recreation Account, Federal Land and Water Conservation Fund;
- (6) 'General Fund—ORA (Int. 215)' means General Fund—Outdoor Recreation Account, Initiative 215;
- (7) 'General Fund—ORA (Ref. 28)' means General Fund—Outdoor Recreation Account, Referendum 28;
- (8) 'General Fund—ORA (Ref. 18)' means General Fund—Outdoor Recreation Account, Referendum 18;
- (9) 'General Fund—ORA (ATV)' means General Fund—Outdoor Recreation Account, All Terrain Vehicle Fund;
- (10) 'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;
- (11) 'GF, For Dev Acct' means General Fund—Forest Development Account;
- (12) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
- (13) 'GF, LJICA' means General Fund—Local Jail Improvement and Construction Account;
- (14) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;
- (15) 'DSHS Constr Acct' means State Social and Health Services Construction Account;
- (16) 'CEP & RI Acct' means Charitable, Educational, Penal, and Reformatory Institutions Account;
- (17) 'MV Fund—State' means Motor Vehicle Fund—State;
- (18) 'WSU Bldg Acct' means Washington State University Building Account;
- (19) 'St H Ed Constr Acct' means State Higher Education Construction Account;
- (20) 'H Ed Constr Acct' means Higher Education Construction Account;
- (21) 'Off/Lab Constr Acct' means Office/Laboratory Construction Account;
- (22) 'Com Sch Constr Fund' means Common School Construction Fund;
- (23) 'EWU Cap Proj Acct' means Eastern Washington University Capital Projects Account;
- (24) 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;
- (25) 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;
- (26) 'Com Col Cap Proj Acct' means Community College Capital Projects Account;
- (27) 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;
- (28) 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account;
- (29) 'UW Bldg Acct' means University of Washington Building Account;
- (30) 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;
- (31) 'WWU Cap Proj Acct' means Western Washington University Capital Projects Account;
- (32) 'WSU Constr Acct' means Washington State University Construction Account;
- (33) 'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;
- (34) 'GF, Pacific Northwest Festival Facility Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account;
- (35) 'GF, Cultural Facilities Constr Acct' means General Fund—Cultural Facilities Construction Account; and

(36) 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. 225. Expenditure of moneys appropriated by section 174 of this act shall be made in consultation with the prior approval of the state capitol committee in accordance with the provisions of chapter 79.24 RCW. In addition, the department of general administration shall consult with and obtain the approval of the joint legislative committee on capitol facilities prior to expenditure of moneys appropriated by this section on projects involving capitol buildings occupied wholly or in part by the legislature.

**NEW SECTION.** Sec. 226. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 227. Reappropriations shall be limited to the unexpended balances remaining June 30, 1979, in the current appropriation for each project.

**NEW SECTION.** Sec. 228. Notwithstanding any other provisions of law, for the 1981-83 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment shall have been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. Beginning with the 1979-81 biennium, the state board for community college education need not accumulate any specific balance in the community college capital projects account in anticipation of transfers to reimburse the general fund.

**NEW SECTION.** Sec. 229. The governor, through the director of the office of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

Nothing in this section shall prevent the governor, through the director of the office of financial management, from authorizing the transfer of appropriation authority for capital projects for the parks and recreation commission, department of fisheries, department of game, department of natural resources, and the interagency committee for outdoor recreation which utilize the following funds: General Fund—ORA (Ref. 28), General Fund—ORA (Ref. 18), General Fund—ORA (Int. 215), and General Fund—ORA (LWCF). The governor, through the director of the office of financial management, may authorize similar transfers which utilize General Fund—ORA (HJR 52) funds, but only with the prior approval of the senate ways and means committee and the house appropriations committee if the legislature is in session, or the legislative budget committee if the legislature is not in session. Such transfers shall only be made to maximize the use of the funds within the limits of the appropriations.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 230. 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. 231. 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 July 1, 1979."

On page 1, line 1 of the title, after "budget;" strike the remainder of the title and insert "making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; designating effective dates for certain appropriations; providing an effective date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Thompson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

Representatives Thompson, King and Bagnariol spoke in favor of the motion, and Representatives Polk, Blair, Berentson and Amen spoke against it.

Mr. Thompson spoke again in favor of the motion.

### POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Owen.

Mr. Owen: "Representative Struthers, section 53 of Substitute House Bill No. 236, the 1979-81 biennial budget, contains an appropriation of \$100,000 for the implementation of House Bill No. 144. Since that bill was developed by the House Institutions Committee, would you explain its intent and how these funds are to be used?"

Mr. Struthers: "Yes. House Bill No. 144 is an attempt to address a problem faced by cities and counties which have certain state penal institutions within their jurisdiction. For years, these governmental units have incurred criminal justice costs as the result of the criminal activity of offenders from institutions, like the penitentiary, the Corrections Center, the Reformatory, Green Hill School and Western State Hospital. When there is an escape or when crimes are committed inside an institution, it is the local jurisdiction which must pick up the cost of apprehension, prosecution, incarceration and adjudication. Such additional financial burdens are not borne by jurisdictions without such institutions within their vicinity. For these reasons, House Bill No. 144 created an institutional impact fund which shall reimburse local jurisdictions for such costs."

Mr. Owen: "Is it your opinion that this bill provides enough safeguards against excessive or improper reimbursements?"

Mr. Struthers: "Yes, it is. First, the law strictly limits reimbursements to criminal justice costs which can be directly attributed to the criminal behavior of offenders from such institutions.

Second, the law clearly designates which institutions are involved by citing the statute under which the offenders are committed:

Regular Adult Offender

Criminally Insane

RCW 10.64

RCW 10.77

Sexual Psychopath  
Juvenile Offender

RCW 71.06  
RCW 13.40

Third, the Secretary of Social and Health Services has the final authority regarding reimbursement and must promulgate rules for the process.

Fourth, reimbursements can only be made to the extent that funds are appropriate, in this case \$100,000, for the ensuing biennium."

Representatives Taller, McDonald, Deccio and Zimmerman spoke against the motion to concur, and Representatives Bagnariol and Hughes spoke in favor of it.

Mr. Chandler spoke against the motion.

#### POINT OF ORDER

Mr. Salatino: "We're talking about the budget; we're not talking about corruption in government in Pierce County. I would hope the Speaker would keep us more in line with the serious situation we have before us right now."

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Representative Salatino. Will you confine your remarks to the budget and the amendment placed by the Senate."

Mr. Chandler concluded his remarks in opposition to the motion.

Representatives Salatino, Douthwaite, Owen and Lux spoke in favor of the motion, and Representatives Sanders, McDonald, Haley, Nisbet, Williams, Nelson (G.A.), Deccio, Taylor, Barnes and Berentson spoke against it.

#### MOTION

Mr. Eberle moved that the debate on the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 236 be inserted in the Journal.

#### POINT OF ORDER

Speaker Bagnariol: "Representative Eberle made a speech before he made his motion."

The Speaker (Mr. O'Brien presiding): "Your point of order is well taken, Speaker Bagnariol. Representative Eberle, you made a few comments before you placed your motion."

#### MOTION

Mr. Eberle moved that today's debate be inserted in the Journal.

Mr. Eberle spoke in favor of the motion, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that today's debate on Engrossed Substitute House Bill No. 236 be inserted in the Journal, and the motion was lost by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmiten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Adams, Bond.

Mr. King demanded an oral roll call vote on the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and the motion was lost by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson

D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Eng, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Hurley, Isaacson, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Bond.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 2:00 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGE FROM THE SENATE

May 8, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2442,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

HOUSE BILL NO. 491,

HOUSE BILL NO. 650,

SUBSTITUTE HOUSE BILL NO. 1013,

SUBSTITUTE SENATE BILL NO. 2442,

SENATE BILL NO. 2506,

SENATE BILL NO. 2852,

SENATE CONCURRENT RESOLUTION NO. 106.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2952, by Committee on Transportation (originally sponsored by Senator Henry):

Revising pilotage laws.

On motion of Mr. King, the rules were suspended, and Substitute Senate Bill No. 2952 was advanced to second reading and read the second time in full.

On motion of Mr. King, further consideration of Substitute Senate Bill No. 2952 was deferred, and the bill was ordered placed on the bottom of today's second reading calendar.

#### REPORTS OF STANDING COMMITTEES

May 7, 1979

HOUSE BILL NO. 1000, Prime Sponsor: Representative Oliver, lowering the excise tax on alcohol-gasoline fuels. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Galloway, Greengo, Hastings, Sanders, Winsley.

Passed to Committee on Rules for second reading.

May 7, 1979

SUBSTITUTE SENATE BILL NO. 2374, Prime Sponsor: Senator Odegaard, revising the property tax treatment of retired owners. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 24 strike all material down to and including line 16 on page 14 and insert the following:

"Section 1. Section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter 268, Laws of 1977 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: PROVIDED FURTHER, That confinement of the person to a hospital or nursing home shall not disqualify the claim of exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, 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 or owned by cotenants shall be deemed to be owned by each spouse or cotenant;

(3) The person claiming the exemption must have been ~~((sixty-two))~~ sixty-one 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: PROVIDED, That any surviving spouse of a person who was receiving an exemption at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this section;

(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, and any cotenant occupying the residence for the preceding calendar year ~~((, in accordance with the following schedule:~~

Income	Percentage of Excess
Range	Levies Exemption
\$7,000 or less	One hundred percent
\$7,001-\$8,000	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 six 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)). If the person claiming the exemption was retired for two months or more of the preceding year, the combined income of such person, his or her spouse, and any cotenant occupying the residence shall be calculated by multiplying the average monthly income of such person, his or her spouse, and any cotenant occupying the residence during the months such person was retired by twelve. 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.

(5) A person who otherwise qualifies under this section and is within the income range of eleven thousand dollars or less shall be exempt from all excess property taxes; and in addition

(b) A person who otherwise qualifies under this section and is within the income range of seven thousand dollars or less shall be exempt from all regular property taxes on up to fifteen thousand dollars of valuation of his or her residence.

(6) For the purposes of this section, cotenants mean two or more individuals who reside together, who jointly own the residence, and who otherwise meet the requirements of this section.

Sec. 2. Section 2, chapter 182, Laws of 1974 ex. sess. as amended by section 15, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.383 are each amended to read as follows:

As used in ~~((this chapter))~~ RCW 84.36.381 through 84.36.389, 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. 3. Section 3, chapter 182, Laws of 1974 ex. sess. as amended by section 2, chapter 268, Laws of 1977 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.

Claims under RCW 84.36.381 through 84.36.389, as now or hereafter amended, in ((1977)) 1979 shall be filed between January 2 and October 1, ((1977)) 1979. Persons who filed claims after January 2, 1979 and who would have been eligible for an exemption in 1980 under the law amended by this 1979 act are eligible for an exemption under sections 1 through 4 of this 1979 act without necessity of reapplication.

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)) under RCW 84.36.381 through 84.36.389, through communications media, including such paid advertisements or notices as it deems appropriate. Notice of the qualifications, method of making applications and availability of further information shall be included on or with property tax statements and revaluation notices for all residential property including mobile homes, except rental properties. For assessment year 1980 and thereafter, the notice shall also indicate that claim forms and renewal affidavits are available in January of the year in which the property tax levies are imposed.

Sec. 4. Section 5, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.389 are each amended to read as follows:

(1) The director of the department of revenue shall adopt such rules and regulations and prescribe such forms as may be necessary and appropriate for implementation and administration of this chapter subject to chapter 34.04 RCW, the administrative procedure act.

(2) The department may conduct such audits of the administration of RCW 84.36.381 through 84.36.389 and the claims for exemption filed thereunder as it considers necessary. The powers of the department under chapter 84.08 RCW apply to these audits.

(3) Any information or facts concerning confidential income data obtained by the assessor or the department, or their agents or employees, under subsection (2) of this section shall be used only to administer RCW 84.36.381 through 84.36.389. Notwithstanding any provision of law to the contrary, absent written consent by the person about whom the information or facts have been obtained, the confidential income data shall not be disclosed by the assessor or the assessor's agents or employees to anyone other than the department or the department's agents or employees nor by the department or the department's agents or employees to anyone other than the assessor or the assessor's agents or employees except in a judicial proceeding pertaining to the taxpayer's entitlement to the tax exemption under RCW 84.36.381 through 84.36.389. Any violation of this subsection is a misdemeanor.

Sec. 5. Section 27, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.020 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) '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 or more 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, including assessments under chapters 35.44, 36.88, 36.94, 53.08, 54.16, 56.20, 57.16, 86.09, and 87.03 RCW and any other relevant chapter.

(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 multipurpose or multidwelling 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.

Sec. 6. Section 28, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.030 are each amended to read as follows:

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: PROVIDED, That confinement of the person to a hospital or nursing home shall not disqualify the claim of deferral if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support.

(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 or owned by cotenants shall be deemed to be owned by each spouse or cotenant.

(3) The claimant must have been (~~(sixty-two)~~ sixty-one) 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: PROVIDED, That any surviving spouse of a person who was receiving a deferral at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this chapter.

(4) The claimant (~~(and/or)~~), his or her spouse, and any cotenant occupying the residence 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.

(7) For the purposes of this section, cotenants mean two or more individuals who reside together, who jointly own the residence, and who otherwise meet the requirements of this section.

Sec. 7. Section 29, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.040 are each amended to read as follows:

(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)~~) no later than thirty days before the tax or assessment is due.

(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.

Sec. 8. Section 30, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.050 are each amended to read as follows:

(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)~~) no later than thirty days before the tax is due 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~~) no later than thirty days before the special assessment is due 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.

Sec. 9. Section 2, chapter 131, Laws of 1974 ex. sess. and RCW 84.41.041 are each amended to read as follows:

Each county assessor shall cause taxable real property (being valued) to be physically inspected and valued at least once every four years (~~in order to provide adequate data from which to make accurate valuations~~) in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be revalued and these newly-determined values placed on the assessment rolls each year. During the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property. (~~The provisions of this section shall take effect on January 1, 1977.~~)

**NEW SECTION.** Sec. 10. The exemption created by sections 1 through 4 of this act shall be effective starting with property taxes levied in calendar year 1979 for collection in calendar year 1980. The former exemption created by the law amended shall continue to be effective with respect to property taxes levied in calendar year 1978 for collection in calendar year 1979."

Renumber the remaining section consecutively.

On page 1, on line 16 of the title, after "84.38.050;" strike "amending section 37, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.120; amending section 39, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.140; adding new sections to chapter 84.38 RCW; adding a new section to chapter 84.56 RCW;" and insert "amending section 2, chapter 131, Laws of 1974 ex. sess. and RCW 84.41.041;"

On page 14, before line 17 insert the following:

**\*NEW SECTION.** Sec. 11. There is added to chapter 84.36 RCW a new section to read as follows:

Property owned in fee or held in trust by a public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 if the property is listed on or is within a district listed on any federal or state register of historical sites is exempt from taxation.

Sec. 12. Section 14, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.451 are each amended 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:

(1) The United States, the state of Washington, or any political subdivision or municipal corporation of the state of Washington(;;); or

(2) A public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 if the property is listed on or is within a district listed on any federal or state register of historical sites; and

(3) Including any leasehold interest arising from (such) the property identified in subsections (1) and (2) of this section as defined in RCW 82.29A.020: PROVIDED, That ((this) the exemption under this section 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. 13. Section 2, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.020 are each amended to read as follows:

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 (excluding land or buildings) 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 include an interest in property which is owned in fee or held in trust by a public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 if the property is listed on or is within a district listed on any federal or state register of historical sites. The term 'leasehold interest' shall not include road or utility easements or rights of access, occupancy or use granted solely for the purpose of removing materials or products purchased from a public owner or the lessee of a public owner.

(2) 'Taxable rent' shall mean contract rent as defined in subsection (a) of this subsection in all cases where the lease or agreement has been established or renegotiated through competitive bidding, or negotiated or renegotiated in accordance with statutory requirements regarding the rent payable, or negotiated or renegotiated 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. All other leasehold interests shall be subject to the determination of taxable rent under the terms of subsection (b) of this subsection.

(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, and such improvements shall be taxable to the sublessee as personal property; (iv) improvements added to publicly owned property if such improvements are being taxed as personal property to any person.

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. 14. There is added to chapter 82.29A RCW a new section to read as follows:

Leasehold interests in real or personal property owned by a public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 are exempt from taxes imposed under RCW 82.29A.030 and 82.29A.040 if the property is within a district listed on any federal or state register of historical sites, and if the public corporation, commission, or authority was created prior to January 1, 1976.

**NEW SECTION.** Sec. 15. Section 7, chapter 37, Laws of 1974 ex. sess., section 1, chapter 35, Laws of 1977 ex. sess. and RCW 35.21.755 are each repealed."

Renumber the remaining section consecutively.

On page 1, beginning on line 20, strike "creating a new section;" and insert "amending section 14, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.451; amending section 2, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.020; adding a new section to chapter 82.29A RCW; adding a new section to chapter 84.36 RCW; creating a new section; repealing section 7, chapter 37, Laws of 1974 ex. sess., section 1, chapter 35, Laws of 1977 ex. sess. and RCW 35.21.755;"

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Sanders, Smith (R), Winsley.

Passed to Committee on Rules for second reading.

May 7, 1979

SENATE BILL NO. 2508, Prime Sponsor: Senator Bottiger, pertaining to insurance premium taxes. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Galloway, Greengo, Hastings, Nelson (D), Sanders, Winsley.

Passed to Committee on Rules for second reading.

May 7, 1979

SUBSTITUTE SENATE BILL NO. 3126, Prime Sponsor: Senator Talley, permitting manicurists to operate manicure shops. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Executive Chairman; Greengo, Co-Chairman; Fuller, Gallagher, May, Oliver, Salatino, Sanders, Struthers, Walk.

Passed to Committee on Rules for second reading.

### SECOND READING

SUBSTITUTE SENATE BILL NO. 2181, by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Marsh, Matson, Shinpoch, Gaspard, Gallagher, von Reichbauer, Lewis, Pullen, Newschwander, Clarke, Bottiger, Day, North, McDermott, Peterson, Walgren, Wilson, Moore, Talmadge, Hansen, Guess, Wojahn, Ridder, Goltz, Conner, Jones, Lee, Benitz, Sellar, Bluechel, Fleming, Talley, Wanamaker, Quigg, Morrison, Hayner, Van Hollebeke, Woody, Bausch and Vognild):

Revising the inheritance and gift tax laws.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 23rd Day ex. sess., April 12, 1979.)

Ms. Sommers moved adoption of the committee amendment.

On motion of Ms. Winsley, the following amendment by Representatives Winsley and Sommers to the committee amendment was adopted:

On page 5, line 72 after "twenty-five" insert ", or a child eighteen years of age at the time of the parent's death who has been found to be incompetent by judicial determination in this or any state, or who is unable to support himself or herself by reason of physical or mental handicap as determined by the department of revenue."

Mr. Heck moved adoption of the following amendment by Representatives Heck, Hastings, Bauer, Newhouse, Kreidler, Becker, Walk, Knowles, Fancher, Van Dyken and Grimm to the committee amendment:

On page 9 of the amendment, after line 44 insert the following:

**NEW SECTION.** Sec. 26. (1) If the decedent was at the time of his death a resident of the state and the application of sections 26 through 34 of this act is elected by filing the agreement referred to in section 29 of this act, then, for purposes of this chapter, the value of qualified real property shall be its value for the use under which it qualifies, under section 27 of this act, as qualified real property.

(2) The aggregate decrease in the value of qualified real property taken into account for purposes of this chapter which results from the application of subsection (1) of this section with respect to any decedent shall not exceed five hundred thousand dollars.

**NEW SECTION.** Sec. 27. (1) For purposes of sections 26 through 34 of this act, the term 'qualified real property' means real property located in the state which is acquired or passed from the decedent to a qualified heir of the decedent and which, on the date of the decedent's death, was being used for a qualified use, but only if:

(a) Fifty percent or more of the adjusted value of the gross estate consists of the adjusted value of real or personal property which:

(i) On the date of the decedent's death, was being used for a qualified use; and

(ii) Was acquired from or passed from the decedent to a qualified heir of the decedent;

(b) Twenty-five percent or more of the adjusted value of the gross estate consists of the adjusted value of real property which meets the requirements of subsection (1)(a)(ii) and (c) of this section;

(c) During the eight-year period ending on the date of the decedent's death there have been periods aggregating five years or more during which:

(i) The real property was owned by the decedent or a member of the decedent's family and used for a qualified use; and

(ii) There was material participation by the decedent or a member of the decedent's family in the operation of the farm or other business; and

(d) The real property is designated in the agreement referred to in section 29(2) of this act.

(2) For purposes of sections 26 through 34 of this act, the term 'qualified use' means the devotion of the property to any of the following:

(a) Use as a farm for farming purposes; or

(b) Use in a trade or business other than the trade or business of farming.

(3) For purposes of subsection (1) of this section, the term 'adjusted value' means:

(a) In the case of the gross estate, the value of the gross estate for purposes of this chapter (determined without regard to sections 26 through 34 of this act), reduced by any unpaid mortgages on or any indebtedness in respect to property where the value of the decedent's interest therein, undiminished by the mortgage or indebtedness, is included in the value of the gross estate; or

(b) In the case of any real or personal property, the value of the property for purposes of this chapter (determined without regard to this section), reduced by any unpaid mortgages on or any indebtedness in respect to property where the value of the decedent's interest therein, undiminished by the mortgage or indebtedness, is included in the value of the gross estate.

(4) For the purposes of this title, 'gross estate' means all property subject to the inheritance tax under this title.

**NEW SECTION.** Sec. 28. (1) If within fifteen years after the decedent's death and before the death of the qualified heir:

(a) The qualified heir disposes of any interest in qualified real property (other than by a disposition to a member of his family); or

(b) The qualified heir ceases to use for the qualified use the qualified real property which was acquired (or passed) from the decedent, then there is hereby imposed an additional inheritance tax.

(2) (a) The amount of the additional tax imposed by subsection (1) of this section with respect to any interest shall be the amount equal to the lesser of:

(i) The adjusted tax difference attributable to the interest; or

(ii) The excess of the amount realized with respect to the interest (or, in any case other than a sale or exchange at arm's length, the fair market value of the interest) over the value of the interest determined under section 26 of this act.

(b) For purposes of subsection (2)(a) of this section, the adjusted tax difference attributable to an interest is the amount which bears the same ratio to the adjusted tax difference with respect to the inheritance (determined under subsection (2)(c) of this section) as:

(i) The excess of the value of the interest for purposes of this chapter (determined without regard to section 26 of this act) over the value of the interest determined under section 26 of this act bears to

(ii) A similar excess determined for all qualified real property.

(c) For purposes of subsection (2)(b) of this section, the term 'adjusted tax difference with respect to the inheritance' means the excess of what would have been the inheritance tax liability but for section 26 of this act over the inheritance tax liability. For purposes of this paragraph, the term 'inheritance tax liability' means the tax imposed by this title.

(d) For purposes of this paragraph, where the qualified heir disposes of a portion of the interest acquired by (or passing to) the heir (or a predecessor qualified heir) or there is a cessation of use of such a portion:

(i) The value determined under section 26 of this act taken into account under subsection (2)(a)(ii) of this section with respect to the portion shall be its pro rata share of the value of the interest; and

(ii) The adjusted tax difference attributable to the interest taken into account with respect to the transaction involving the second or any succeeding portion shall be reduced by the amount of the tax imposed by this section with respect to all prior transactions involving portions of the interest.

(3) If the date of the disposition or cessation referred to in subsection (1) of this section occurs more than one hundred twenty months and less than one hundred eighty months after the date of the death of the decedent, the amount of the tax imposed by this section shall be reduced (but not below zero) by an amount determined by multiplying the amount of the tax (determined without regard to this subsection) by a fraction:

(a) The numerator of which is the number of full months after the death in excess of one hundred twenty; and

(b) The denominator of which is sixty.

(4) In the case of an interest acquired from (or passing from) any decedent, if subsection (1) of this section applies to any portion of an interest, subsection (1)(a) or (b) of this section, as the case may be, shall not apply with respect to the same portion of the interest.

(5) The additional tax imposed by this section shall become due and payable on the day which is six months after the date of the disposition or cessation referred to in subsection (1) of this section. If the additional tax is not paid within the time prescribed by this subsection, interest shall accrue at the rate of eight percent per year on the unpaid amount.

(6) The qualified heir shall be personally liable for the additional tax imposed by this section with respect to his interest unless the heir furnishes a bond which meets the requirements of section 30(9) of this act.

(7) For purposes of subsection (1)(b) of this section, real property shall cease to be used for the qualified use if:

(a) The property ceases to be used for the qualified use set forth in section 27(2)(a) or (b) of this act under which the property qualified under section 27 of this act; or

(b) During any period of eight years ending after the date of the decedent's death and before the date of the death of the qualified heir, there had been periods aggregating three years or more during which:

(i) In the case of periods during which the property was held by the decedent, there was no material participation by the decedent or any member of his family in the operation of the farm or other business; and

(ii) In the case of periods during which the property was held by any qualified heir, there was no material participation by the qualified heir or any member of his family in the operation of the farm or other business.

**NEW SECTION.** Sec. 29. (1) The election under sections 26 through 34 of this act shall be made not later than the time prescribed by RCW 83.44.010 for filing the return of tax imposed by this title (including extensions thereof) and shall be made in such manner as the director shall prescribe by rule.

(2) The election referred to in this section is a written agreement signed by each person in being, or the personal representative of the person, who has an interest (whether or not in possession) in any property designated in the agreement consenting to the application of section 28 of this act with respect to the property.

**NEW SECTION.** Sec. 30. For purposes of sections 26 through 34 of this act:

(1) The term 'qualified heir' means, with respect to any property, a member of the decedent's family who acquired the property (or to whom the property passed) from the decedent. If a qualified heir disposes of any interest in qualified real property to any member of his family, the member shall thereafter be treated as the qualified heir with respect to the interest.

(2) The term 'member of the family' means, with respect to any individual, only the individual's ancestor or lineal descendant, a lineal descendant of a grandparent of the individual, the spouse of the individual, or the spouse of such a descendant. For purposes of the preceding sentence, a legally adopted child of an individual shall be treated as a child of the individual by blood.

(3) In the case of real property which meets the requirements of section 27(1)(c) of this act, residential buildings and related improvements on the real property occupied on a regular basis by the owner or lessee of the real property or by persons employed by the owner or lessee for the purpose of operating or maintaining the real property, and roads, buildings, and other structures and improvements functionally related to the qualified use shall be treated as real property devoted to the qualified use.

(4) The term 'farm' includes stock, dairy, poultry, fruit, furbearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards and woodlands.

(5) The term 'farming purposes' means:

(a) Cultivating the soil or raising or harvesting any agricultural or horticultural commodity (including the raising, shearing, feeding, caring for, training, and management of animals) on a farm;

(b) Handling, drying, packing, grading, or storing on a farm any agricultural or horticultural commodity in its unmanufactured state, but only if the owner, tenant, or operator of the farm regularly produces more than one-half of the commodity so treated; and

(c) (i) The planting, cultivating, caring for, or cutting of trees; or

(ii) The preparation (other than milling) of trees for market.

(6) Material participation shall be determined in a manner similar to the manner used for purposes of section 1402(a) of the Internal Revenue Code of 1954 (relating to net earnings from self-employment).

(7) Property shall be considered to have been acquired or passed from the decedent if:

(a) The property is so considered under RCW 82.04.010 (property subject to inheritance tax);

(b) The property is acquired by any person from decedent's estate in satisfaction of the right of the person to a pecuniary bequest; or

(c) The property is acquired by any person from a trust in satisfaction of a right (which the person has by reason of the death of the decedent) to receive from the trust a specific dollar amount which is the equivalent of a pecuniary bequest.

(8) If the decedent and the surviving spouse at any time held qualified real property as community property, the interest of the surviving spouse in the property shall be taken into account under this section to the extent necessary to provide a result under this section with respect to the property which is consistent with the result which would have been obtained under this section if the property had not been community property.

(9) If the qualified heir makes written application to the director for determination of the maximum amount of the additional tax which may be imposed by section 26 of this act with respect to the qualified heir's interest, the director (as soon as possible and in any event within one year after the making of the application) shall notify the heir of the maximum amount. The qualified heir, on furnishing a bond in such amount and for such period as may be required, shall be discharged from personal liability for any additional tax imposed by section 26 of this act and shall be entitled to a receipt or writing showing the discharge.



**NEW SECTION.** Sec. 31. (1) (a) Except as provided in subsection (1)(b) of this section the value of a farm for farming purposes shall be determined by dividing:

(i) The excess of the average annual gross cash rental for comparable land used for farming purposes and located in the locality of the farm over the average annual state and local real estate taxes for the comparable land by

(ii) The average annual effective interest rate for all new Federal Land Bank loans.

For purposes of the preceding sentence, each average annual computation shall be made on the basis of the five most recent calendar years ending before the date of the decedent's death.

(b) The formula provided by subsection (1)(a) of this section shall not be used:

(i) Where it is established that there is no comparable land from which the average annual gross cash rental may be determined; or

(ii) Where the election under section 29 of this act specifies that the value of the farm for farming purposes is to be determined under subsection (2) of this section.

(2) In any case to which subsection (1)(a) of this section does not apply, the following factors shall apply in determining the value of any qualified real property:

(a) The capitalization of income which the property can be expected to yield for farming or closely held business purposes over a reasonable period of time under prudent management using traditional cropping patterns for the area, taking into account soil capacity, terrain configuration, and similar factors;

(b) The capitalization of the fair rental value of the land for farmland or closely held business purposes;

(c) Assessed land values in the state;

(d) Comparable sales of other farm or closely held business land in the same geographical area far enough removed from a metropolitan or resort area so that nonagricultural use is not a significant factor in the sales price; and

(e) Any other factor which fairly values the farm or closely held business value of the property.

**NEW SECTION.** Sec. 32. If qualified real property is disposed of or ceases to be used for a qualified use, then:

(1) The statutory period for the assessment of any additional tax under section 28 of this act attributable to the disposition or cessation shall not expire before the expiration of three years from the date the director is notified (in such manner as the director may by rule prescribe) of the disposition or cessation; and

(2) The additional tax may be assessed before the expiration of the three-year period notwithstanding the provisions of any other law or rule of law which would otherwise prevent the assessment.

**NEW SECTION.** Sec. 33. (1)(a) If there is an involuntary conversion of an interest in qualified real property and the qualified heir makes an election under this section:

(i) No tax shall be imposed by section 28 of this act on such conversion if the cost of the qualified replacement property equals or exceeds the amount realized on such conversion; or

(ii) If (a)(i) of this subsection does not apply, the amount of the tax imposed by section 28 of this act on such conversion shall be the amount determined under (b) of this subsection.

(b) The amount of the tax with respect to any involuntary conversion is the amount of the tax which (but for this section) would have been imposed on such conversion reduced by an amount which:

(i) Bears the same ratio to such tax, as

(ii) the cost of the qualified replacement property bears to the amount realized on the conversion.

(2) For the purposes of section 28 of this act:

(a) Any qualified replacement property shall be treated in the same manner as if it were a portion of the interest in qualified real property which was involuntarily converted, except that with respect to such qualified replacement property:

(i) The fifteen-year period under section 28(1) of this act shall be extended by any period, beyond the two-year period referred to in subsection (4)(a) of this section during which the qualified heir was allowed to replace the qualified real property; and

(ii) The phaseout period under section 28(3) of this act shall be appropriately adjusted to take into account the extension referred to in (a)(i) of this subsection;

(b) Any tax imposed by section 28 of this act on the involuntary conversion shall be treated as a tax imposed on a partial disposition; and

(c) Section 28(7) of this act shall be applied:

(i) By not taking into account periods after the involuntary conversion and before the acquisition of the qualified replacement property; and

(ii) By treating material participation with respect to the converted property as material participation with respect to the qualified replacement property.

(3) For purposes of this section:

(a) The term 'involuntary conversion' means property that (as a result of its destruction in whole or in part, theft, seizure, or requisition or condemnation or threat or imminence thereof) is compulsorily or involuntarily converted:

(i) Into property similar or related in service or use to the property so converted; or

(ii) Into money or into property not similar or related in service or use to the converted property;

(b) The term 'qualified replacement property' means:

(i) In the case of an involuntary conversion described in (a)(i) of this subsection, any real property into which the qualified real property is converted; or

(ii) In the case of an involuntary conversion described in (a)(ii) of this subsection, any real property purchased by the qualified heir during the period specified in subsection (4) of this section for purposes of

replacing the qualified real property. This term only includes property which is to be used for the qualified use set forth in section 27(2)(a) or (b) of this act under which the qualified real property qualified under section 26 of this act.

(4) The period referred to in subsection (3)(b)(ii) of this section shall be the period beginning with the date of the disposition of the converted property, or the earliest date of the threat or imminence of requisition or condemnation of the converted property, whichever is the earlier, and ending:

(a) Two years after the close of the first taxable year for federal income tax purposes in which any part of the gain upon the conversion is realized; or

(b) Subject to such terms and conditions as may be specified by the director, at the close of such later date as the director may designate on application by the taxpayer. Such application shall be made at such time and in such manner as the director may by rule prescribe.

(5) Any election under this section shall be made at such time and in such manner as the director may by rule prescribe.

**NEW SECTION.** Sec. 34. The director shall prescribe rules setting forth the application of sections 26 through 34 and 36 of this act (relating to tax liens) in the case of an interest in a partnership, corporation, or trust which, with respect to the decedent, is an interest in a closely held business (within the meaning of section 6166(b)(1) of the Internal Revenue Code of 1954).

**NEW SECTION.** Sec. 35. If an election is made to value property at current use for federal but not state purposes, the current use value of the property determined for federal purposes shall not affect the value of the property for purposes of the state inheritance tax.

If an election is made to value the same property at current use for federal and state purposes, then RCW 83.40.040 (federal audit) shall apply to the property. An election to value property at current use under sections 26 through 34 of this act for state inheritance tax purposes may be made whether or not an election is made to value property at current use under section 2032(a) of the Internal Revenue Code of 1954 for federal estate tax purposes.

**NEW SECTION.** Sec. 36. There is added to chapter 83.04 RCW a new section to read as follows:

(1) In the case of any interest in qualified real property (within the meaning of section 27 of this act) an amount equal to the adjusted tax difference attributable to the interest (within the meaning of section 28(2)(b) of this act) shall be a lien in favor of the state on the property in which the interest exists.

(2) The lien imposed by this section shall arise at the time an election is filed under section 29 of this act and shall relate back to the date of death of the decedent and continue with respect to any interest in the qualified real property until:

(a) The liability for tax under section 28 of this act with respect to the interest has been satisfied or has become unenforceable by reason of lapse of time; or

(b) It is established to the satisfaction of the director that no further tax liability may arise under section 28 of this act with respect to the interest.

(3) The notice of the lien imposed by this section shall be filed with the auditor of the county wherein the property is located. The notice of the lien shall not be required to be refiled.

(4) If there is a lien under this section on any property with respect to any estate, there shall not be any lien under RCW 83.04.023.

(5) To the extent provided in rules prescribed by the director, the furnishing of security may be substituted for the lien imposed by this section.

(6) The lien imposed by this section may be subordinated to any subsequent lien if the director determines that the state will be adequately secured after the subordination.

Sec. 37. Section 83.16.010, chapter 15, Laws of 1961 and RCW 83.16.010 are each amended to read as follows:

All property of the estate of a deceased person, for the purposes of computing the inheritance tax, shall be valued and appraised at the fair market value ((thereof)), unless current use valuation is elected under sections 26 through 34 of this 1979 act, on the day of the death of the decedent owner thereof and subsequent sales shall not affect the value so used. The executor, administrator or trustee in preparing the inventory in all probate cases, shall insert at the right of each real estate tract, the assessed valuation of such tract and of the improvements thereon for the information of the appraisers and other interested parties.

Sec. 38. Section 83.40.040, chapter 15, Laws of 1961 as amended by section 12, chapter 28, Laws of 1963 ex. sess. and RCW 83.40.040 are each amended to read as follows:

Except as provided in section 35 of this act, if after the values have been determined under this title for inheritance tax purposes, the same estate is valued under the federal estate tax statute and the date of death value of the property, or any portion thereof, fixed under the federal law, is increased above or decreased below the value theretofore fixed under the inheritance tax provisions of this title, and this valuation under the federal estate tax is accepted by the estate either by agreement or through final determination in the federal court, the value as fixed under the inheritance tax provisions of this title upon such property or portion thereof shall be increased or decreased to this amount.

**NEW SECTION.** Sec. 39. Sections 26 through 35 of this act are each added to chapter 83.16 RCW.\*  
Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Heck and Hastings spoke in favor of the amendment to the amendment, and Ms. Sommers spoke against it.

POINT OF ORDER

Mr. Heck: "Mr. Speaker, Representative Sommers is referencing federal subsidies, not state, and we're dealing with an amendment dealing with the state inheritance tax. I don't think she's speaking to the amendment."

The Speaker (Mr. O'Brien presiding): "I'm sure Representative Sommers intended to speak to the amendment. She's just making a point."

Ms. Sommers continued her remarks in opposition to the amendment.

Representatives Flanagan, Amen, Bauer, Newhouse, Clayton, Van Dyken, Fancher, Smith (C) and Zimmerman spoke in favor of the amendment to the committee amendment, and Representatives Smith (R) and Greengo spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Heck and others to the committee amendment to Substitute Senate Bill No. 2181, and the amendment was adopted by the following vote: Yeas, 75; nays, 18; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Berentson, Brekke, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Knowles, Kreidler, Martinis, May, McGinnis, Mitchell, Monohon, Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Blair, Brown, Burns, Douthwaite, Eng, Greengo, Gruger, Keller, King, Lux, McCormick, McDonald, Nelson D., Nelson G. A., Salatino, Smith R., Sommers, Thompson.

Not voting: Representatives Bagnariol, Bender, Bond, Maxie, Valle.

Mr. Van Dyken moved adoption of the following amendment to the committee amendment:

On page 12 of the amendment, after line 37 insert:

"NEW SECTION. Sec. 36. There is added to chapter 83.16 RCW a new section to read as follows:

Real property used as a farm for farming purposes shall qualify for valuation at farming use value under sections 26 through 35 of this act only if the real property was subject to current use classification under chapter 84.34 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Van Dyken, Douthwaite, Sommers and Becker spoke in favor of the amendment to the committee amendment, and Representatives Barr, Struthers, Houchen, Bauer and Flanagan spoke against it.

Mr. Van Dyken spoke again in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to the committee amendment to Substitute Senate Bill No. 2181, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Garrett, Granlund, Greengo, Gruger, Hurley, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, Pruitt, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Warnke, Williams, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Bauer, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Galloway, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Knowles, McGinnis, Newhouse, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Walk, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bagnariol, Bond.

MOTION FOR RECONSIDERATION

Mr. Smith (R), having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Van Dyken to the committee amendment failed to pass the House.

Representatives Smith (R) and Sommers spoke in favor of the motion, and Representatives Tilly, Newhouse, Dawson and Bauer spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendment by Representative Van Dyken to the committee amendment to Substitute Senate Bill No. 2181 was not adopted, and the motion was carried by the following vote: Yeas, 53; nays, 43; not voting, 2.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Garrett, Granlund, Greengo, Gruger, Hurley, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., Nelson G. A., Nisbet, North, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Warnke, Williams, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Bauer, Berentson, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Galloway, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Knowles, McGinnis, Mitchell, Newhouse, O'Brien, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taylor, Tilly, Walk, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bagnariol, Bond.

#### MOTIONS

On motion of Mr. King, further consideration of Substitute Senate Bill No. 2181 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

On motion of Mr. King, the Committee on Labor was relieved of ENGROSSED SENATE BILL NO. 2402, and the bill was ordered placed at the bottom of the second reading calendar.

#### MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Wednesday, May 9, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FIFTIETH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 9, 1979.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Bond and Hughes, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Diane Durden and Amy Burfiend. Prayer was offered by The Reverend Paul 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 GOVERNOR

May 8, 1979

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. 923, entitled:

"AN ACT Relating to public employee's collective bargaining;"

Section 1 contains a proviso that will allow the Senate to reject gubernatorial appointments to the commission by inaction.

When making an appointment, the Governor is committed publicly. If the law is to require confirmation by the Senate, then its members should also go on record as either confirming or rejecting the appointment. To permit the Senate to refuse an appointment by neglect is not in the interest of the public, the appointee, or the Governor. Open government requires that the public have the right to know who is opposed to an appointment and their reasons. The appointment proviso in Section 1 is contrary to this objective.

Additional compelling reasons are of a pragmatic nature. The Public Employment Relations Commission is a quasi-judicial administrative agency which is involved in the timely response to labor disputes. The state cannot afford the possibility that this crisis-responsive agency be incapacitated by Senate inaction on two or more members of the Commission. Under such circumstances it would increase the difficulty of finding qualified and acceptable persons willing to have their names submitted.

With the exception of Section 1, which I have vetoed, the remainder of House Bill No. 923 is approved.

Respectfully submitted,  
DIXY LEE RAY, Governor.

May 8, 1979

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, 1979, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 781: Relating to shellfish;  
HOUSE BILL NO. 860: Relating to decisions of boundary review boards;  
HOUSE BILL NO. 933: Relating to public hospital districts;  
HOUSE BILL NO. 1175: Relating to claims against the state;  
SUBSTITUTE HOUSE BILL NO. 1347: Relating to mental health.

Sincerely,  
H. B. Hanna, Legal Counsel.

## MESSAGES FROM THE SENATE

May 8, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2010, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 8, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2010,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 8, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2243,  
SUBSTITUTE SENATE BILL NO. 2244,  
SUBSTITUTE SENATE BILL NO. 2250,  
SUBSTITUTE SENATE BILL NO. 2251,  
SUBSTITUTE SENATE BILL NO. 2357,  
SUBSTITUTE SENATE BILL NO. 2964,  
SUBSTITUTE SENATE BILL NO. 3101,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 9, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 491,  
HOUSE BILL NO. 650,  
SUBSTITUTE HOUSE BILL NO. 1013,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2243, by Committee on Ways and Means (originally sponsored by Senators Goltz, Van Hollebeke, Conner, Lee, Jones, Quigg and Benitz - by Executive request):

Authorizing a bond issue for institutions of higher education.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2244, by Committee on Ways and Means (originally sponsored by Senators Peterson, Conner, Talley, Odegaard, Newschwander, Clarke, Rasmussen, Moore, Vognild, Woody, Lee, Jones, Gallagher, Quigg and Benitz - by Executive request):

Authorizing a bond issue for fisheries facilities.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2250, by Committee on Ways and Means (originally sponsored by Senators Goltz, Walgren, Odegaard, Fleming, Van Hollebeke, von Reichbauer, Woody, Talley, Gallagher, Newschwander, Lee, Jones, Morrison, Bluechel, Quigg, Lewis, Wanamaker, Benitz, Sellar and Talmadge - by Executive request):

Authorizing a bond issue to fund community college capital projects.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2251, by Committee on Ways and Means (originally sponsored by Senators Day, Fleming, Conner, Gould, Peterson, Lee, Jones, Hayner and Talmadge - by Executive request):

Authorizing a bond issue for social and health services' facilities.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2357, by Committee on Ways and Means (originally sponsored by Senators Donohue, McDermott, Day, Fleming, von Reichbauer, North, Jones, Lee, Bluechel, Conner, Rasmussen, Hansen, Gaspard, Vognild, Wojahn, Gallagher, Lewis and Quigg - by Executive request):

Authorizing a bond issue for outdoor recreational facilities.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2964, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Authorizing a bond issue for higher education buildings and facilities.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 3101, by Committee on Ways and Means (originally sponsored by Senators Donohue and Newschwander - by Superintendent of Public Instruction request):

Authorizing issuance of bonds for common school plant facilities.

To Committee on Appropriations

#### SENATE AMENDMENTS TO HOUSE BILL

May 4, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1258 with the following amendments:

On page 1, line 9 after ".110;" strike all the material down to and including "RCW;" on line 10

On page 1, line 20 strike "parent" and insert "custodial parent, parents"

On page 1, line 22 strike "parent" and insert "custodial parent, parents"

On page 1, line 26 strike "parent" and insert "custodial parent, parents"

On page 2, line 19 strike "parent" and insert "custodial parent, parents"

On page 5, line 8 after "attorney" and before "shall" insert "or the attorney for the school district"

On page 5, line 11 after ".130" strike all the material down to and including "chapter" on line 12.

On page 5, beginning on line 13 strike all the material down to and including the period on line 31.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Mr. Struthers moved that the House do not concur in the Senate amendment to page 1, line 9 of Engrossed Substitute House Bill No. 1258.

Mr. Kreidler moved that the House do concur in the Senate amendment to page 1, line 9.

Representatives Kreidler, Brekke, Becker and Granlund spoke in favor of the motion, and Representatives Polk, Struthers and Eberle spoke against it.

Mr. Kreidler spoke again in favor of the motion to concur, and Mr. Polk again opposed it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to page 1, line 9 of Engrossed Substitute House Bill No. 1258, and the motion was lost by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Burns, Douthwaite, Ehlers, Erak, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., O'Brien, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Taylor, Thompson, Tilly, Valle, Vrooman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bender, Berentson, Blair, Brown, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Gallagher, Grengo, Haley, Hastings, Hurley, Isaacson, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Smith C. P.,

Sprague, Struthers, Taller, Teutsch, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Eng, Hughes.

On motion of Mr. Struthers, the House concurred in the Senate amendments to page 1, line 20; page 1, line 22; page 1, line 26; page 2, line 19; and page 5, line 8.

Mr. Struthers moved that the House do not concur in the Senate amendments to page 5, line 11 and page 5, line 13.

Mr. Struthers spoke in favor of the motion.

#### MOTION

Mr. Kreidler moved that the House do concur in the Senate amendments to page 5, line 11 and page 5, line 13.

Mr. Kreidler spoke in favor of the motion to concur, and Mr. Polk spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to page 5, line 11 and page 5, line 13 of Engrossed Substitute House Bill No. 1258, and the motion was lost by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Douthwaite, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., O'Brien, Salatino, Sherman, Smith R., Taylor, Thompson, Valle, Vrooman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bender, Berentson, Blair, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Hurley, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sommers, Sprague, Struthers, Taller, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Hughes, Scott.

#### SENATE AMENDMENTS TO HOUSE BILL

May 7, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1241 with the following amendments:

On page 1, line 14 after "resources," insert "or"

On page 1, line 15 strike "or recreational facilities,"

On page 1, beginning on line 18 after "space" strike "or recreational facilities"

On page 1, line 25 strike "or recreational!"

On page 2, line 2 strike "or recreational!"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Fuller, the House concurred in the Senate amendments to House Bill No. 1241.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 1241 as amended by the Senate.

Ms. Hurley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1241 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.



Not voting: Representatives Bond, Hughes, Newhouse, Oliver.

House Bill No. 1241 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 7, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2434 on page 3, line 34 and refuses to concur in the House amendments to page 7, line 12 and page 7, line 14, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Grimm moved that the House do recede from its amendments to page 7, line 12 and line 14 of Substitute Senate Bill No. 2434.

Mr. Grimm spoke in favor of the motion.

### POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Grimm.

Mr. Grimm: "Without an exemption for institutions already licensed by the Department of Licensing, how can we avoid imposing an undue hardship on those institutions by requiring them to pay licensing fees to two separate agencies?"

Mr. Barnes: "The staff of the CVE and CPE have agreed to recommend to their respective councils that the institutions in question (cosmetology and barber schools) be exempt from the registration fee in Senate Bill No. 2434. The agencies have the authority to grant this exemption under section 13 of the bill. Furthermore, it is the intent of the Senate Higher Education Committee to examine the possible problem of overlapping jurisdictions between educational and licensing agencies during the interim. We will have the results of their study before the next regular session."

### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Barnes.

Mr. Barnes: "If I support the motion to recede from the Tupper amendment, what assurance do we have that, at the end of the 1979-81 biennium, we can move toward a fee structure that will allow the registration process to be financially self-sustaining in the future, without imposing an undue hardship on the institutions that are required to register?"

Mr. Grimm: "The Higher Education Committee will ask the Commission for Vocational Education and the Council for Postsecondary Education to maintain a careful record of costs incurred and report to us by September 1980 their analysis of the fees required to fund the registration function on a self-sustaining basis. The committee will make appropriate recommendations to the next legislature concerning this matter."

Mr. Tupper spoke against the motion to recede from the amendments, and Mr. Barnes spoke in favor of it.

### ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendments to page 7 of Substitute Senate Bill No. 2434, and the motion was carried by the following vote: Yeas, 58; nays, 35; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Pruitt, Rohrbach, Salatino, Sherman, Smith C. P., Smith R., Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Berentson, Clayton, Deccio, Dunlap, Eberle, Fancher, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Bond, Craswell, Dawson, Hughes, Scott.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 2434 without the House amendments to page 7.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2434 without the House amendments to page 7, and the bill passed the House by the following vote: Yeas, 87; nays, 9; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Eberle, Hastings, Houchen, Mitchell, Polk, Rohrbach, Sprague, Struthers, Zimmerman.

Not voting: Representatives Bond, Hughes.

Substitute Senate Bill No. 2434 without the House amendments to page 7, having received the 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, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 2957 on page 3, adding a new section 2, and the title amendment to page 1, line 1, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Wilson, the House receded from the amendments to page 3, adding a new section 2, and from the title amendment to page 1, line 1.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 2957 without certain House amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2957 without certain House amendments, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Barnes.

Not voting: Representatives Bond, Hughes, McDonald.

Substitute Senate Bill No. 2957 without certain 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.

## SECOND READING

**SUBSTITUTE SENATE BILL NO. 2181**, by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Marsh, Matson, Shinpoch, Gaspard, Gallagher, von Reichbauer, Lewis, Pullen, Newschwander, Clarke, Bottiger, Day, North, McDermott, Peterson, Walgren, Wilson, Moore, Talmadge, Hansen, Guess, Wojahn, Ridder, Goltz, Conner, Jones, Lee, Benitz, Sellar, Bluechel, Fleming, Talley, Wanamaker, Quigg, Morrison, Hayner, Van Hollebeke, Woody, Bausch and Vognild):

Revising the inheritance and gift tax laws.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal)

The Speaker (Mr. Amen presiding) stated the question before the House to be the reconsideration of the amendment by Representative Van Dyken to page 12 of the committee amendment.

Representatives Hastings, Fancher, Bauer, Schmitt, Clayton, Newhouse and Heck spoke against the amendment, and Representatives Van Dyken and Becker spoke in favor of it.

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

## ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representative Van Dyken to the committee amendment to Substitute Senate Bill No. 2181, and the amendment was not adopted by the following vote: Yeas, 41; nays, 54; not voting, 3.

**Voting yea:** Representatives Adams, Bagnariol, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Garrett, Gruger, Keller, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Taller, Teutsch, Tupper, Valle, Van Dyken, Vrooman, Winsley.

**Voting nay:** Representatives Addison, Amen, Barnes, Barr, Bauer, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Eberle, Fancher, Flanagan, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, King, Knowles, May, McGinnis, Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Struthers, Taylor, Thompson, Tilly, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

**Not voting:** Representatives Bond, Dunlap, Hughes.

Mr. Lux moved adoption of the following amendment to the committee amendment:

On page 5 of the amendment, beginning on line 60 strike all material down to and including line 9 on page 7 and insert the following:

- \*(a) Five thousand dollars of any amount passing to class A;
- (b) Five thousand dollars for the surviving spouse and five thousand dollars for each living child born prior to the death of the decedent, stepchild, or adopted child;
- (c) Five thousand dollars for the living descendants of any deceased child, stepchild, or adopted child per stirpes and not per capita;
- (d) The exemptions fixed by (b) and (c) of this subsection shall be allowed regardless of the amounts passing to the persons named therein;
- (e) If no person in class A as defined in (b) and (c) of this subsection survives the decedent then there shall be allowed as an additional exemption to Class A the sum of five thousand dollars;
- (f) All of the amounts specified in (a), (b), and (c) of this subsection shall be allowed as exemptions to class A as a whole and not to the persons mentioned therein;
- (3) The total of the exemptions under this section shall be applied against that portion of the total amount passing to class A which is taxable at the lowest rates, and the allowable exemptions shall not be increased by the amount of any award or allowance granted under chapter 11.52 RCW.

**NEW SECTION.** Sec. 13. There is added to chapter 83.08 RCW a new section to read as follows:

(1) In addition to the exemptions allowed in this chapter, the following exemption shall apply to community property passing to a surviving spouse: The entire amount of the value of the community property not attributable to the surviving spouse.

(2) The total of the exemptions under this section shall be applied against that portion of the total amount passing to class A which is taxable at the lowest rates, and the allowable exemptions shall not be increased by the amount of any award or allowance granted under chapter 11.52 RCW.

**NEW SECTION.** Sec. 14. There is added to chapter 83.08 RCW a new section to read as follows:

- |  |                        |
|--|------------------------|
| (1) If the amount passing to class B is:               | The tax is the sum of: |
| (a) Up to \$5,000                                      | 3%                     |
| (b) In excess of \$5,000 up to and including \$10,000  | 4%                     |
| (c) In excess of \$10,000 up to and including \$30,000 | 7%                     |
| (d) In excess of \$30,000 up to and including \$50,000 | 10%                    |
| (e) In excess of \$50,000 up to and including          |                        |

- \$100,000 15%
- (f) In excess of \$100,000 20%
- (2) There shall be exempt one thousand dollars of any amount passing to class B.
- NEW SECTION. Sec. 15. There is added to chapter 83.08 RCW a new section to read as follows:
- If the amount passing to class C is: The tax is the sum of:
- (1) Up to \$10,000 10%
- (2) In excess of \$10,000 up to and including \$25,000 15%
- (3) In excess of \$25,000 up to and including \$50,000 20%
- (4) In excess of \$50,000 25%\*
- Remember the remaining sections consecutively and correct internal references accordingly

Mr. Lux spoke in favor of the amendment to the amendment, and Representatives Struthers, Taller and Sanders spoke against it.

Mr. Lux spoke again in favor of the amendment.

The amendment to the committee amendment was not adopted.

Ms. Craswell moved adoption of the following amendment by Representatives Craswell, Sanders, McGinnis, Jovanovich, Owen, Addison and Tilly to the committee amendment:

On page 7, after line 9 strike section 17 and insert the following:  
 \*NEW SECTION. Sec. 17. There is added to chapter 83.08 RCW a new section to read as follows:  
 The rates of tax provided in sections 14 through 16 of this act shall be reduced in future years as follows:

For Decedents Dying in	The Tax Rate Shall Be Reduced By
1981 through 1982	25%
1983 through 1984	50%
1985 through 1986	75%
1987 and thereafter	100%

PROVIDED, That the reduction of rates under this section shall not reduce the tax due on any estate below that which would otherwise be due under RCW 83.40.010 as now or hereafter amended."

Representatives Craswell, Deccio, Addison, Owen and Berentson spoke in favor of the amendment to the committee amendment, and Representatives Sommers, Kreidler, Bagnariol and Blair spoke against it.

Speaker Bagnariol again spoke against the amendment.

**POINT OF ORDER**

Speaker Berentson: "I'd like to point out that I didn't ask Speaker Bagnariol a question. I would be anxious to hear his reply; however, we are addressing an amendment and I suspect what he's about to come forth with has nothing to do with the issue before us."

**MOTION**

On motion of Mr. Polk, 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. Amen presiding). The Clerk called the roll and all members were present except Representative Bond, who was excused.

With the consent of the House, Mr. Berentson withdrew his point of order.

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by Representative Craswell and others to the committee amendment to Substitute Senate Bill No. 2181.

Representatives Bagnariol, Greengo and Smith (R) spoke against the amendment to the amendment, and Representatives Addison and Tilly spoke in favor of it.

Speaker Berentson assumed the Chair.

Mr. Dunlap spoke in favor of the amendment to the amendment, and Representatives Lux and Nelson (D) spoke against it.

## POINT OF ORDER

Mr. Sanders: "Mr. Speaker, Representative Nelson has been talking for five minutes and hasn't even mentioned the amendment."

Speaker Berentson: "Representative Nelson, try to confine your remarks to the amendment."

Mr. Nelson (D) concluded his remarks in opposition to the amendment, and Representatives Schmitten and Owen spoke in favor of it.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Craswell and others to the committee amendment to Substitute Senate Bill No. 2181, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, Hughes, Isaacson, Jovanovich, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Van Dyken, Vrooman, Walk, Zimmerman.

Not voting: Representative Bond.

## MESSAGE FROM THE SENATE

May 8, 1979

Mr. Speaker:

The Senate insists on its position on its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 236, and refuses to recede and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Thompson moved that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

Representatives Thompson and Bagnariol spoke in favor of the motion, and Representatives Blair, Nelson (G.A.) and Haley spoke against it.

Mr. King demanded an oral roll call vote, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and the motion was lost by the following vote: Yeas, 47; nays, 50; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Hurley, Isaacson, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Bond.

## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 235, by Committee on Appropriations (originally sponsored by Representatives Blair and Thompson – by Executive request):

Adopting the capital budget.

## MOTION

Mr. Blair moved that the rules be suspended, and Engrossed Substitute House Bill No. 235 be returned to second reading for the purpose of amendment.

Mr. Blair spoke in favor of the motion.

## POINT OF ORDER

Mr. O'Brien: "The rules provide for one speaker pro and one speaker con on a motion to suspend the rules. The present speaker has gone way beyond what the rules provide; the rules say he should speak briefly."

Speaker Berentson: "Your point is well taken. Representative Blair, please keep your remarks to the motion and be reasonably brief."

Mr. Blair continued his remarks in favor of the motion, and Speaker Bagnariol spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return Engrossed Substitute House Bill No. 235 to second reading, and the motion was lost by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representative Bond.

## MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Thursday, May 10, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

**FIFTY-FIRST DAY**

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**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, May 10, 1979.

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.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Forner and Kent Pearson. Prayer was offered by The Reverend Paul 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.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order at 1:30 p.m.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease for the purpose of caucus.

The Speaker (Mr. O'Brien presiding) called the House to order.

**MOTION**

On motion of Mr. King, the House adjourned until 10:00 a.m., Friday, May 11, 1979.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## FIFTY-SECOND DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 11, 1979.

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.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Schultz and Dan Johnston. Prayer was offered by The Reverend Paul 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 10, 1979

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. 335, entitled:  
"AN ACT Relating to community college districts."

This bill would split the existing Community College District 5 into two autonomous districts, the fifth centered around Everett and the twenty-third centered around Edmonds. A review of this bill's history indicates considerable uncertainty over the wisdom of making this change at this time. It is an uncertainty that I share.

The Community College system was formed in 1967 to bring coordination and efficiency to this state's educational programs at the community college level. It is now time to examine how that system has performed compared with the goals originally laid out for it, and to examine whether the system needs to be altered to meet current needs. This should include a review of all the multicampus districts. I am pleased that the House and Senate intend to sponsor such a study in the coming year.

Moreover, the acrimonious situation that has given rise to this bill appears to have resulted from a centralized district organization that impedes the responsible functioning of each of the two colleges. This is the problem that must be resolved in the 5th district. It is my intention to ask the State Board for Community College Education to undertake an immediate review of the need for a district office. Such review should also consider reducing the size and limiting the activities of such unit to proper service and coordination functions only, thus eliminating all unnecessary overlap and bureaucratic overview.

For this reason, I have determined to veto House Bill No. 335.

Respectfully submitted,  
DIXY LEE RAY, Governor.

### MESSAGES FROM THE SENATE

May 10, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 2434 as amended by the House.

Sidney R. Snyder, Secretary.

May 10, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2434,  
SUBSTITUTE SENATE BILL NO. 2957,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



May 10, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2361,  
SUBSTITUTE SENATE BILL NO. 2639,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

SUBSTITUTE SENATE BILL NO. 2010,  
SUBSTITUTE SENATE BILL NO. 2434,  
SUBSTITUTE SENATE BILL NO. 2957.

## INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2361, by Committee on Ways and Means (originally sponsored by Senators Donohue, Shinpoch, Conner, Rasmussen, Peterson and Jones – by Executive request):

Authorizing a bond issue for state government projects.

To Committee on Appropriations.

SUBSTITUTE SENATE BILL NO. 2639, by Committee on Ways and Means (originally sponsored by Senators Donohue, Morrison, Gaspard and Hansen – by Department of Ecology request):

Authorizing a bond issue for public services.

To Committee on Appropriations.

## REPORTS OF STANDING COMMITTEES

May 8, 1979

HOUSE BILL NO. 574, Prime Sponsor: Representative Valle, authorizing bonds for water supply facilities. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Douthwaite, Grimm, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

May 8, 1979

ENGROSSED SUBSTITUTE SENATE BILL NO. 2336, Prime Sponsor: Senator Fleming, providing for resident care standards in nursing homes. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 18, line 35 after "council" insert "and the board of health"

Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Douthwaite, Grimm, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

May 8, 1979

ENGROSSED SENATE BILL NO. 2338, Prime Sponsor: Senator Fleming, revising laws relating to nursing homes. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Douthwaite, Grimm, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Taller, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

May 8, 1979

ENGROSSED SENATE BILL NO. 2433, Prime Sponsor: Senator Day, revising the definition of unemployable persons. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 6, after line 26 add a new section as follows:

"NEW SECTION. Sec. 2. There is hereby appropriated from the general fund to the department of social and health services the sum of five million eight hundred seventy-one thousand dollars or as much thereof as may be necessary to carry out the purposes of this act."

Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Bauer, Becker, Douthwaite, Grimm, Heck, Hughes, Keller, Maxie, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

April 2, 1979

SUBSTITUTE SENATE BILL NO. 2744, Prime Sponsor: Senator Goltz, implementing law relating to state student financial aid program and making additional appropriation therefor. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 22 add new sections as follows:

"NEW SECTION. Sec. 2. There is hereby appropriated from the state general fund to the council for postsecondary education the sum of seven hundred eight thousand dollars to be added to other appropriations in support of the state student financial aid program for the biennium ending June 30, 1981, to carry out the provisions of RCW 28B.10.800 through 28B.10.824. Of this amount, not more than seventy-five thousand dollars may be used by the council as administrative costs in carrying out the provisions of RCW 28B.10.800 through 28B.10.824.

"NEW SECTION. Sec. 3. 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, 1979."

On page 1, line 1 of the title strike "and" and on line 4 after "28B.10.802" insert "; creating new sections; making an appropriation; and declaring an emergency"

Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, McGinnis, Oliver, Salatino, Teutsch.

Passed to Committee on Rules for second reading.

May 8, 1979

SUBSTITUTE SENATE BILL NO. 2967, Prime Sponsor: Senator Donohue, transferring moneys to the forest development account and the resource management cost account. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Blair, Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Douthwaite, Grimm, Heck, Hughes, Keller, Maxie, McDonald, Nelson (G.A.), Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

#### POINT OF PERSONAL PRIVILEGE

Speaker Berentson: "I thought it might be well, in view of the time we spent yesterday in caucus looking at what we think is a responsible Republican approach to solving our dilemma, to just point out..."

#### POINT OF ORDER

Speaker Bagnariol: "This doesn't appear to me to be a point of personal privilege. I don't believe Speaker Berentson's motives have been impugned or anything of that sort."

#### POINT OF ORDER

Mr. Polk: "Mr. Speaker, I want to draw the attention of the Chair to the fact that a point of personal privilege can relate to the entire House of Representatives. Anything that relates to the body as a whole can be addressed under point of personal privilege, so I would suggest..."

The Speaker (Mr. O'Brien presiding): "Continue your remarks, Speaker Berentson."

Speaker Berentson: "I thought a few remarks might be in order in relation to some of the information we heard on the floor yesterday. I want to point out that our approach to solving

the dilemma in which we find ourselves, we think, is a responsible approach. We heard yesterday that we were taking away from low income, the elderly, and on down the line, and I think I heard a remark about false teeth, and so forth. I think it might be interesting to know that in the important areas, human resources, the overall increase in human resources in the budget that we are now looking at is fourteen percent over the current biennium. I would also like to point out to you that most of the figures that I'll give you right now are very, very close to what we did in the operating budget that we sent out of here a little earlier with better than thirty votes from your Democratic caucus. Adult corrections were twenty-three percent over the current biennium; mental health, an overall increase of thirty-six percent over the current biennium. If you will recall the Governor's budget level was about twenty-eight percent. In income maintenance for those people who need help the most, 17.8 percent over the current biennium; medical assistance, again for people in need, the level is still 13.4 percent higher than the current biennium; in nursing homes, for those people who need assistance in the nursing home area, thirty-five percent higher than the current biennium. I would point out that, unfortunately in the state and across the nation we have about a thirteen percent inflation rate right now, and even taking that into consideration, the approach we have taken is certainly above the current inflation factors that we meet. I would like to close by pointing out that any inference on the part of the Democratic caucus or your Democratic Speaker that we're suddenly taking from those people who need it the most, is absolutely false. We hope sometime today your Democratic colleagues in the Senate will sit down for some meaningful dialogue on this budget we are suggesting. The responsibility for this dilemma has to rest fully with you. You've taken one firm, hard position only, and that's the only thing you've offered. We have offered to sit down and work through the budget at any level you would want to work from and see if we can't come up with a solution. Many of us would like very much today sometime to be able to sit down with the four leaders in this legislative body and see if we can't actually work something out without just stonewalling it. That's what you're guilty of now—you're stonewalling and hoping that something will happen to get you out of here."

#### POINT OF PERSONAL PRIVILEGE

Speaker Bagnariol: "I believe Representative Berentson referred to us as 'stonewalling.' I'm not sure what that means but I think perhaps he's impugned our motives. It's unfortunate we had to sit and listen to this again. It's the same statement that was made at the press conference this morning. It will be well published throughout the state. The budget that is currently before us, and the one that was given to me to look at that is being proposed by the Republican caucus, reduces the funding in the handicapped and K-12 by \$4.7 million; the URRD program by \$3.3 million; vocational and technical institutions, by \$600,000; food services, by \$1.3 million; community and mental health they propose to reduce by \$6.5 million; nursing homes' patient care, \$5.9 million; public and business grants, \$19 million; medical assistance (there's cuts in dental work, that's where the false teeth come out for the senior citizens), \$11 million. These are the kinds of cuts that are being proposed in the budget that we are currently looking at."

Speaker Bagnariol demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present.

#### MESSAGE FROM THE SENATE

May 9, 1979

Mr. Speaker: The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 236 once again, and again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Thompson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

Mr. King demanded an oral roll call vote and the demand was sustained.

Mr. Taller spoke against the motion to concur.

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

The Speaker (Mr. O'Brien presiding): "Rule 49 states in part, 'After the fiftieth day, no member shall speak more than once on the same question without leave of the house: Provided further, that no member shall speak more than three minutes without consent of the house after the fiftieth day.' Representative Taller, you have now spoken three minutes."

Mr. Taller concluded his remarks against the motion.

Ms. Hurley spoke in favor of the motion, and Representatives Nelson (G.A.), Taylor, Isaacson and Rohrbach spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and the motion was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

## MOTION

Mr. Polk moved that the House ask the Senate for a conference on Engrossed Substitute House Bill No. 236.

Representatives Polk, Newhouse, Bagnariol and Berentson spoke in favor of the motion.

## SPEAKER'S ADMONITION

The Speaker (Mr. O'Brien presiding): "I'd like to call your attention to Reed's Rule 224—Reference to Another Legislative Branch. '...such conduct might lead to misunderstanding and ill-will between the two bodies which must cooperate in order to properly serve the people.'"

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

## POINT OF ORDER

Speaker Bagnariol: "I believe the speaker was impugning the motives of the other body."

The Speaker (Mr. O'Brien presiding): "Mr. Berentson, will you kindly confine your remarks to the issue at hand."

Mr. Berentson concluded his remarks in favor of the motion.

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

## ROLL CALL

The Clerk called the roll on the motion to request a conference committee on Engrossed Substitute House Bill No. 236, and the motion was carried by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

May 3, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1121 with the following amendments:

On line 1 of the title after "insurance;" insert "amending section .01.05, chapter 79, Laws of 1947 as amended by section 1, chapter 13, Laws of 1975-'76 2nd ex. sess. and RCW 48.01.050;" and on line 4 of the title after "RCW 48.15.150;" insert "amending section 2, chapter 265, Laws of 1971 ex. sess. as amended by section 2, chapter 109, Laws of 1975-'76 2nd ex. sess. and RCW 48.32.020;"

On page 1, line 17 after the enacting clause insert two new sections as follows:

Section 1. Section .01.05, chapter 79, Laws of 1947 as amended by section 1, chapter 13, Laws of 1975-'76 2nd ex. sess. and RCW 48.01.050 are each amended to read as follows:

'Insurer' as used in this code includes every person engaged in the business of making contracts of insurance, other than a fraternal benefit society. A reciprocal or interinsurance exchange is an 'insurer' as used in this code. Two or more hospitals, as defined in RCW 70.39.020(3), which join and organize as a mutual corporation pursuant to chapter 24.06 RCW for the purpose of insuring or self-insuring against liability claims, including medical liability, through a contributing trust fund shall not be deemed an 'insurer' under this code.

An association or other entity composed of five hundred or more health care professionals or attorneys licensed pursuant to chapters 18.71 or 18.88 RCW, or chapter 2.48 RCW, or an association or other entity composed of at least one-third of the health care professionals licensed pursuant to any of the following chapters: 18.22, 18.25, 18.32, or 18.57 RCW, and, if composed of more than five hundred members, meeting capital and surplus requirements set forth in RCW 48.05.340(1), or, if composed of less than five hundred members, meeting one-half of the capital and surplus requirements set forth in RCW 48.10.070(1), after a written determination by the insurance commissioner that insurance for professional malpractice claims including those brought under chapter 7.70 RCW is either unavailable or cost-prohibitive from an authorized insurance carrier, may join and organize as a mutual corporation pursuant to chapter 24.06 RCW for the purpose of insuring or self-insuring against professional malpractice claims including those brought under chapter 7.70 RCW through a contributing trust fund and shall not be deemed an 'insurer' under this code: PROVIDED, That each such professional mutual corporation shall submit a financial and operational report annually to the legislative budget committee and the insurance commissioner.

Sec. 2. Section 2, chapter 265, Laws of 1971 ex. sess. as amended by section 2, chapter 109, Laws of 1975-'76 2nd ex. sess. and RCW 48.32.020 are each amended to read as follows:

This chapter shall apply to all kinds of direct insurance, except life, title, surety, disability, credit, mortgage guaranty, workmen's compensation (and), ocean marine insurance, and an insurance fund or captive insurer, whether or not holding a certificate of authority, controlled by one or more professional organizations and engaged exclusively in providing professional liability coverage for their members."

Renumber the remaining sections consecutively.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Douthwaite moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1121.

Representatives Douthwaite and Haley spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Douthwaite, for the record, does this bill require that those who form their own insurance companies for their own professions have the same requirements as insurance companies, as far as capital, and are they also under the direct supervision of the Insurance Commissioner?"

Mr. Douthwaite: "The answer to the first question is, essentially, yes. If there are five hundred or more medical practitioners, then their capitalization is one million dollars, which is the same as a stock company. If there are less than five hundred in the organization, for example, podiatry, then they have the same rules as a reciprocal insurance company which requires a capitalization of about three hundred thousand dollars. So the answer is essentially 'yes.' The second question you raised as to whether or not they come under the purview of the Insurance Commissioner's office, is, essentially no, but they do come under it to some extent. The Insurance Commissioner must find that the types of insurance we are talking about is either cost prohibitive or unavailable before he will allow them to go ahead. They do not come under the full review by the Commissioner. That's the reason the Commissioner dislikes the bill."

## POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Rohrbach.

Mr. Rohrbach: "Representative Douthwaite, this act will be put into effect when the Insurance Commissioner determines that professional liability insurance is unavailable. What does that mean, if one or two persons with several claims can't get insurance, should the commissioner then declare that a self-insurance company can be formed?"

Mr. Douthwaite: "The Commissioner should make a judgment on the basis that if this insurance is not generally available to the great majority of the persons in the profession, and the association leadership, such as the Washington State Medical Association, concurs that it is not available, and the Commissioner finds the insurance industry is resisting to open the market to all, or almost all, licensees then he could find the insurance is unavailable."

Mr. Rohrbach: "How will the Insurance Commissioner determine what 'cost prohibitive' means?"

Mr. Douthwaite: "The Commissioner will have to confer with both those in the profession and with the insurance industry and reach a settlement if there is a dispute. Again, he can't make a judgment based on one or two; he'll have to work with the associations, such as the medical and the bar associations, and, of course, use his own good judgment."

Mr. Rohrbach spoke in favor of the motion to concur.

## POINT OF INQUIRY

Mr. Douthwaite again yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Douthwaite, I realize the difficulty in malpractice insurance, but I'm also mindful of the fact that you said this was not under the Insurance Commissioner's Office. Who regulates these companies if we don't have the Insurance Commissioner do that?"

Mr. Douthwaite: "No one would directly regulate the company. The individuals involved, of course, are all professional folks. I would comment also that an analogous situation exists now, and has existed for three years, relative to hospital insurance which is a self-insurance enterprise. They regulate themselves and they've done very well in their three years of experience. They've cut their costs. It's based to some extent on the fact that the professionals involved here are responsible people."

Mr. Deccio spoke against the motion, and Mr. Haley spoke in favor of 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 the final passage of Engrossed Substitute House Bill No. 1121 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1121 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Barr, Deccio, Fancher, Houchen, McDonald, Rosbach.

Not voting: Representatives Bauer, Winsley.

Engrossed Substitute House Bill No. 1121 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 3, 1979

Mr. Speaker:

The Senate has passed HOUSE JOINT RESOLUTION NO. 31 with the following amendment:

On page 1, after line 3 strike the remainder of the resolution and insert the following:

"THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to the Constitution of the state of Washington, by striking all of section 3 from Article II, and inserting in lieu thereof the following:

Article II, section 3. (1) After each decennial census made by the authority of the United States, beginning with the 1980 census, there shall be a reapportionment and redistricting of the state into as many state legislative and congressional districts as are required by law. The house of representatives and the senate shall each be composed of an odd number of members.

(2) A legislative redistricting commission shall be established between May 1st and August 1st of each year ending in one to assist the legislature in accomplishing state legislative redistricting.

(3) The redistricting commission shall be composed of five members. Each leader of the two largest political parties in each house of the legislature shall appoint one member to the commission by July 1st of each year ending in one. If there are more than two political parties in a house, then the leader of the second largest party has no power of appointment, and the members of the political parties, excluding the party with the largest share of legislators, shall elect a legislator who shall appoint a member of the commission. Within thirty days, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member shall be a nonvoting member of the commission and act as its chairperson. No elected official may serve on the commission.

(4) The legislature shall establish by law the method of appointment, qualifications of commissioners, and procedures for filling vacancies. The legislature shall further establish by law the duties and powers of the commission and shall appropriate funds to enable the commission to carry out its duties.

(5) The commission shall select a competent person or persons to prepare a plan dividing the state into legislative districts.

(6) In the commission plan each district shall:

(a) Be of equal population as nearly as is practicable, excluding nonresident military personnel and their dependents;

(b) Be composed of compact, convenient, and contiguous territory;

(c) Be separated from adjoining districts by natural geographic barriers or artificial barriers whenever possible;

(d) Be drawn to coincide with the boundaries of local subdivisions, when not inconsistent with the other criteria; and

(e) Be drawn without purposely favoring any political party, incumbent legislator, or other person or group.

The legislature may establish by law additional standards to guide the commission in preparing the redistricting plan.

(7) Upon approval of a redistricting plan by a majority of the voting members of the commission, and not later than December 1st of the year ending in one, the commission shall submit the plan to the legislature.

(8) After submission of the plan by the commission, the legislature shall have the next thirty days during any regular or special session to amend the commission's plan. If the legislature amends the commission's plan the legislature's amendment must be approved by an affirmative vote in each house of a majority of the members elected or appointed thereto, and may not affect more than five percent of the population of any legislative district contained in the commission's plan.

(9) The plan approved by the commission, with any amendment approved by the legislature, shall be final upon approval of such amendment or after expiration of the time provided for legislative amendment by subsection (8) of this section whichever occurs first, and shall constitute the districting and apportionment law applicable to this state for legislative elections, beginning with the next elections held in an even-numbered year.

(10) If a majority of the voting members of the commission fail to approve and submit a plan within the time limitations provided in subsection (7) of this section, the supreme court shall adopt a plan by January 1st of the year ending in two in conformance with the standards set forth in subsection (6) of this section. The supreme court shall direct the commission to immediately approve and submit this plan to the legislature for amendment in accordance with subsection (8) of this section.

(11) The supreme court shall have original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(12) The commission shall cease to exist ninety days after the date established by subsection (7) of this section for submission of a plan, unless the legislature extends the commission's term by law.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Ms. Erickson moved that the House do not concur in the Senate amendment to House Joint Resolution No. 31 and ask the Senate to recede therefrom.

Representatives Erickson, Oliver, King and Newhouse spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

May 9, 1979

Mr. Speaker:

The Senate refuses to recede from its amendment to SUBSTITUTE HOUSE BILL NO. 76, and once again asks the House to concur therewith, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Charnley moved that the House do concur in the Senate amendment to Substitute House Bill No. 76.

Mr. Charnley spoke in favor of the motion, and Mr. Zimmerman spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to Substitute House Bill No. 76, and the motion was carried by the following vote: Yeas, 64; nays, 33; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Barr, Bauer, Becker, Bender, Bond, Brekke, Burns, Charnley, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Polk, Pruitt, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Blair, Brown, Chandler, Clayton, Dawson, Eberle, Fancher, Haley, Hastings, Houchen, Isaacson, Keller, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Patterson, Rohrbach, Schmitt, Sprague, Struthers, Taller, Tilly, Van Dyken, Vrooman, Whiteside, Williams, Zimmerman.

Not voting: Representative Berentson.

## 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 Substitute House Bill No. 76 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 76 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 69; nays, 28; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pruitt, Rohrbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Wilson.

Voting nay: Representatives Addison, Amen, Barr, Berentson, Blair, Clayton, Craswell, Dawson, Fancher, Fuller, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Patterson, Polk, Rosbach, Schmitt, Sprague, Taller, Tilly, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representative Bond.

Substitute House Bill No. 76 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 9, 1979

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 557, and once again asks the House to concur therewith, and the same is herewith transmitted.



Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, the House insisted on its position with regard to Engrossed Substitute House Bill No. 557, and again asked the Senate to recede therefrom.

## SENATE AMENDMENTS TO HOUSE BILL

May 9, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 768 with the following amendments:

On page 3, line 2 after "shall" insert "be (a) the surviving spouse of the retiree; or (b) with the written consent of such spouse, if any, such other person or persons as shall"

On page 3, line 24 after "other" strike "such employee" and insert "employee designated pursuant to RCW 28B.10.400(1)"

On page 3, line 36 after "amended," strike "shall apply" and insert "the benefit provided pursuant to RCW 28B.10.400(2) shall be determined based upon"

On page 4, line 5 strike "and" and insert "or"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Blair moved that the House do concur in the Senate amendment to page 3, line 2; page 3, line 24; and page 4, line 5; and do not concur in the amendment to page 3, line 36.

Representatives Blair and Thompson spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

May 9, 1979

Mr. Speaker:

The Senate insists on its position on the House amendments to ENGROSSED SENATE BILL NO. 2062, and once again asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Charnley moved that the House do recede from its amendments to Engrossed Senate Bill No. 2062.

Representatives Charnley, Zimmerman, Becker, Dunlap, Heck and Barr spoke in favor of the motion, and Representatives Sommers, Newhouse, Greengo, May and Flanagan spoke against it.

## MOTION

Mr. Tilly moved that the question be divided.

Representatives Tilly and Isaacson spoke in favor of the motion to divide the question, and Mr. Barr spoke against it.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to recede from the House amendments to Engrossed Senate Bill No. 2062.

Mr. Erak spoke in favor of the motion.

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

## ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendments to Engrossed Senate Bill No. 2062, and the motion was lost by the following vote: Yeas, 41; nays, 55; not voting, 2.

Voting yea: Representatives Barr, Bauer, Becker, Brown, Chandler, Charnley, Dawson, Dunlap, Eberle, Erak, Fancher, Fuller, Galloway, Grimm, Heck, Houchen, Isaacson, Keller, Kreidler, Maxie, Mitchell, Monohon, Nelson D., Nelson G. A., O'Brien, Owen, Polk, Salatino, Sanders, Scott, Sherman, Struthers, Taylor, Teutsch, Van Dyken, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bender, Berentson, Blair, Bond, Brekke, Burns, Clayton, Craswell, Deccio, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Granlund, Greengo, Gruger, Haley, Hastings, Hughes, Hurley, Jovanovich, King, Knowles, Lux, Martinis, May, McCormick, McDonald, McGinnis, Newhouse, Nisbet, North, Oliver, Patterson, Pruitt, Rohrbach, Rosbach, Schmitt, Smith C. P., Smith R., Sommers, Sprague, Taller, Thompson, Tilly, Tupper, Valle, Walk, Whiteside.

Not voting: Representatives Gallagher, Garrett.

### SENATE AMENDMENTS TO HOUSE BILL

April 25, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 334 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110 are each amended to read as follows:

There is created the (~~interagency committee for outdoor~~) council of recreation resources consisting of the commissioner of public lands, the director of parks and recreation, the director of game, the director of fisheries, (~~the director of highways, and the director of commerce and economic development, the director of the department of ecology, and, by appointment of the governor, five members from the public at large who have a demonstrated interest in and a general knowledge of outdoor recreation in the state~~) and nine members, who shall be appointed by the governor and confirmed by the senate. Members shall have a demonstrated interest in and a general knowledge of outdoor recreation in the state. One member shall be appointed from the public at large in each of the congressional districts existing in this state on the effective date of this 1979 act. One voting ex officio member shall be appointed from a list of three candidates submitted by the association of Washington cities and shall be an elected official from a city or town in Washington state. One voting ex officio member shall be appointed from a list of three candidates submitted by the Washington state association of counties and shall be an elected official from a county in Washington state. At least three of the nine members shall reside east of the crest of the Cascade mountains. The terms of the members (~~appointed from the public at large~~) shall commence on (~~January~~) July 1st of the year of appointment and shall be for (~~three~~) four years or until a successor is appointed, except in the case of appointments to fill vacancies which shall be for the remainder of the unexpired term; provided the first such members shall be appointed for terms as follows: One member for one year, (~~two~~) three members for two years, and (~~two~~) three members for three years, and two members for four years. The (~~governor~~) council shall (~~appoint~~) elect one of (~~the~~) its members (~~from the public at large to serve~~) as chairman (~~of the committee for the duration of the member's term. Members employed by the state shall serve without additional pay and participation in the work of the committee shall be deemed performance of their employment~~). Members (~~from the public at large~~) shall serve without pay, but shall be entitled to reimbursement individually for travel expenses incurred in performance of their duties as members of the (~~committee~~) council in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 2. Section 2, chapter 5, Laws of 1965 as amended by section 108, chapter 158, Laws of 1979 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, (b) refundable pursuant to chapter 82.36 RCW, and (c) paid to the director of licensing 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.

(5) (~~'Committee'~~) 'Council' means the (~~interagency committee for outdoor~~) council of recreation resources.

NEW SECTION. Sec. 3. There is added to chapter 5, Laws of 1965 and to chapter 43.99 RCW a new section to read as follows:

There is created the state technical advisory committee composed of the directors or the director's designee of the following five agencies:

- (1) The parks and recreation commission;
- (2) The department of natural resources;
- (3) The department of game;
- (4) The department of fisheries; and
- (5) The department of transportation.

The state technical advisory committee shall review agency requests to the council, including projects of the council, which affect the outdoor recreation program of the state and may make recommendations thereon. Members of the state technical advisory committee shall serve without additional pay and participation in the work of the state technical advisory committee shall be deemed performance of their employment. When requested by the council, members of the state technical advisory committee shall furnish assistance to the council from their departments for the analysis and review of proposed plans and projects.

**NEW SECTION.** Sec. 4. There is added to chapter 5, Laws of 1965 and to chapter 43.99 RCW a new section to read as follows:

There is created the local technical advisory committee which shall consist of six members to be selected by the director of the council of recreation resources. Each member shall serve a term of three years. Three members shall be appointed to represent Washington cities, one of whom shall be a resident of a city with a population of over twenty-five thousand persons, one of whom shall be a resident of a city with a population of under twenty-five thousand persons and over seventy-five hundred persons, and one of whom shall be a resident of a city with a population of under seventy-five hundred persons. Two members shall be appointed to represent Washington counties, one of whom shall be a resident of a county with a population of under seventy thousand persons and one of whom shall be a resident of a county with a population of over seventy thousand persons. One member shall be appointed to represent a Washington park and recreation district and shall reside within the boundaries of such a district. Members shall serve without pay but shall be entitled to reimbursement for travel expenses incurred in performance of their duties as members of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

The local technical advisory committee shall review project matters and proposals from the council of recreation resources which affect local outdoor recreation projects and may make recommendations thereon.

Sec. 5. Section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300 are each amended to read as follows:

The department of natural resources is authorized:

(1) To construct, operate, and maintain primitive outdoor recreation facilities on lands under its jurisdiction which are of primitive character when deemed necessary by the department to achieve maximum effective development of such lands and resources consistent with the purposes for which the lands are held. This authority shall be exercised only after review by the (~~interagency committee for outdoor~~) council of recreation resources and determination by the (~~committee~~) council that the department is the most appropriate agency to undertake such construction, operation and maintenance. Such review is not required for authority exercised under the provisions of RCW 76.04.210.

(2) To acquire right of way and develop public access to lands under the jurisdiction of the department of natural resources and suitable for public outdoor recreation.

(3) To receive and expend funds from federal and state outdoor recreation funding measures for the purposes of RCW 43.30.300 and 79.08.109.

Sec. 6. Section 4, chapter 129, Laws of 1972 ex. sess. and RCW 43.83C.040 are each amended to read as follows:

The proceeds from the sale of the bonds deposited in the state and local improvements revolving account of the general fund under the terms of this chapter shall be divided into three shares as follows:

(1) Thirty-five percent of such proceeds shall be administered, subject to legislative appropriation, by the (~~interagency committee for outdoor~~) council of recreation resources through the outdoor recreation account and allocated to the state of Washington, or any agency or department thereof, for the acquisition, preservation, and development of recreation areas and facilities by the state. The (~~committee~~) council may use or permit the use of any portion of such share as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of this chapter.

(2) Thirty-five percent of such proceeds shall be administered, subject to legislative appropriation, by the (~~interagency committee for outdoor~~) council of recreation resources through the outdoor recreation account and allocated to public bodies for the acquisition, preservation, development, and improvement of recreational areas and facilities within the jurisdiction of such bodies. The (~~committee~~) council may use or permit the use of any portion of such share for loans or grants to public bodies including use as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of this chapter.

(3) Thirty percent of such proceeds shall be allocated to the state parks and recreation commission, subject to legislative appropriation, for improvement of existing state parks and the acquisition and preservation of historic sites and buildings. The commission may use or permit the use of any portion of such share as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of this chapter.

In the event that the bonds authorized by this chapter are sold in more than one series the above division into shares shall apply to the total proceeds of the bonds authorized by this chapter and not to the proceeds of each separate series.

Sec. 7. Section 8, chapter 5, Laws of 1965 as last amended by section 1, chapter 140, Laws of 1971 ex. sess. and RCW 43.99.080 are each amended to read as follows:

Moneys transferred to the outdoor recreation account from the marine fuel tax refund account may be used when appropriated by the legislature, as well as any federal or other funds now or hereafter available, to pay the necessary administrative and coordinative costs of the (~~interagency committee for outdoor~~) council of recreation resources established by RCW 43.99.110. All moneys so transferred, except those

appropriated as aforesaid, shall be divided into two equal shares and shall be used to benefit watercraft recreation in this state as follows:

(1) One share by the state for (a) acquisition of title to, or any interests or rights in, marine recreation land, (b) capital improvement of marine recreation land, or (c) matching funds in any case where federal or other funds are made available on a matching basis for purposes described in (a) or (b);

(2) One share as grants to public bodies to help finance (a) acquisition of title to, or any interests or rights in, marine recreation land, or (b) capital improvement of marine recreation land. A public body is authorized to use a grant, together with its own contribution, as matching funds in any case where federal or other funds are made available for purposes described in (a) or (b). The ~~((committee))~~ council may prescribe further terms and conditions for the making of grants in order to carry out the purposes of this chapter.

Sec. 8. Section 7, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.070 are each amended to read as follows:

The proceeds from the sale of bonds deposited in the outdoor recreation account of the general fund under the terms of RCW 43.99A.050 shall be administered by the ~~((interagency committee for outdoor))~~ council of recreation resources. All such proceeds shall be divided into two equal shares. One share shall be allocated for the acquisition and development of outdoor recreation areas and facilities on behalf of the state as the legislature may direct by appropriation. The other share shall be allocated to public bodies as defined in RCW 43.99.020 for the acquisition and development of outdoor recreational areas and facilities within the jurisdiction of such public bodies. The ~~((interagency committee for outdoor))~~ council of recreation resources is authorized to use or permit the use of any funds derived from the sale of bonds authorized under this chapter as matching funds in any case where federal or other funds are made available on a matching basis for projects within the purposes of this chapter.

Sec. 9. Section 7, chapter 47, Laws of 1971 ex. sess. as last amended by section 129, chapter 158, Laws of 1979 and RCW 46.09.020 are each amended to read as follows:

As used in this chapter the following words and phrases shall have the designated meanings unless a different meaning is expressly provided or the context otherwise clearly indicates:

'Person' shall mean any individual, firm, partnership, association or corporation.

'Nonhighway vehicle' shall mean any self-propelled vehicle when used for recreation travel on trails and nonhighway roads or for recreation cross-country travel on any one of the following or a combination thereof: Land, water, snow, ice, marsh, swampland, and other natural terrain. Such vehicles shall include but are not limited to, two or four-wheel drive vehicles, motorcycles, dune buggies, amphibious vehicles, ground effects or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind.

Nonhighway vehicle does not include:

(1) Any vehicle designed primarily for travel on, over, or in the water;

(2) Snowmobiles or any military vehicles; or

(3) Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under chapter 82.36 RCW while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.

'Off-road vehicle' or 'ORV' means any nonhighway vehicle when used for cross-country travel on trails or on any one of the following or a combination thereof: Land, water, snow, ice, marsh, swampland and other natural terrain.

'ORV use permit' shall mean the permit system established for off-road vehicles in this state under this chapter.

'ORV trail' shall mean a corridor designated and maintained for recreational travel by off-road vehicles which is not normally suitable for travel by conventional two-wheel drive vehicles and where it is posted or designated by the managing authority of the property that the trail traverses as permitting ORV travel.

'ORV use area' means the entire area of a parcel of land except for camping and approved buffer areas where it is posted or designated for ORV use in accordance with rules adopted by the managing authority.

'Owner' shall mean the person other than the lienholder, having an interest in or title to a nonhighway vehicle, and entitled to the use or possession thereof.

'Operator' means each person who operates, or is in physical control of, any nonhighway vehicle.

'ORV moneys' shall mean those moneys derived from motor vehicle excise taxes on fuel used and purchased for providing the motive power for nonhighway vehicles as described in RCW 46.09.150, ORV use permit fees, and ORV dealer permit fees, provided these moneys are:

(1) Credited to the outdoor recreation account; or

(2) Credited to the ORV account for user education or for acquisition, planning, development, maintenance, and management of designated off-road vehicle trails and areas.

'Dealer' means a person, partnership, association, or corporation engaged in the business of selling off-road vehicles at wholesale or retail in this state.

'Department' shall mean the department of licensing.

'Director' shall mean the director of licensing.

~~((Committee))~~ 'Council' shall mean the ~~((interagency committee for outdoor))~~ council of recreation resources.

'Hunt' shall mean any effort to kill, injure, capture, or purposely disturb a wild animal or wild bird.

'Nonhighway road' shall mean any road other than a highway generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles and which

are private roads or controlled and maintained by the department of natural resources, the state parks and recreation commission and the state game department: PROVIDED, That such roads are not built or maintained by appropriations from the motor vehicle fund.

'Highway' for the purpose of this chapter only shall mean the entire width between the boundary lines of every way publicly maintained by the state department of transportation or any county or city when any part thereof is generally open to the use of the public for purposes of vehicular travel as a matter of right.

'Organized competitive event' shall mean any competition, advertised in advance through written notice to organized clubs or published in local newspapers, sponsored by recognized clubs, and conducted at a pre-determined time and place.

Sec. 10. Section 16, chapter 47, Laws of 1971 ex. sess. as last amended by section 9, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.110 are each amended to read as follows:

The moneys collected by the department as ORV use permit fees shall be distributed from time to time but at least once a year in the following manner:

(1) The department shall retain enough money to cover expenses incurred in the administration of this chapter: PROVIDED, That such retention shall never exceed eighteen percent of fees collected.

(2) Twenty percent of the moneys shall be placed in the ORV account, which is hereby established, in the general fund and shall be administered by the department of natural resources as ORV moneys. The department of natural resources shall use these moneys to develop a state-wide program of ORV user education and information. Any portion of these moneys not used to develop an ORV user education and information program shall be deposited in the outdoor recreation account and shall be distributed by the (~~interagency committee for outdoor~~) council of recreation resources under RCW 46.09.240.

(3) The remaining moneys shall be credited to the outdoor recreation account of the general fund as ORV moneys and shall be distributed by the (~~interagency committee for outdoor~~) council of recreation resources as specified in RCW 46.09.240.

Sec. 11. Section 22, chapter 47, Laws of 1971 ex. sess. as last amended by section 130, chapter 158, Laws of 1979 and RCW 46.09.170 are each amended to read as follows:

(1) From time to time, but at least once each year, the director of licensing shall request the state treasurer to refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected pursuant to chapter 82.36 RCW, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090. The treasurer shall place these funds in the general fund as follows:

(a) Twenty-five percent shall be credited to the ORV account and administered by the department of natural resources solely for the acquisition, planning, development, maintenance, and management of non-highway roads and recreation facilities;

(b) Three and one-half percent shall be credited to the ORV account and administered by the department of game solely for the acquisition, planning, development, maintenance, and management of nonhighway roads and recreation facilities;

(c) Twenty percent shall be credited to the ORV account and administered by the department of natural resources and shall be designated as ORV moneys to be used only for the acquisition, planning, development, maintenance, and management of designated off-road vehicle trails and areas; to construct campgrounds and trailheads which are necessary for the convenient use of designated ORV trails and areas; and to maintain those campgrounds and trailheads specifically constructed with ORV moneys: PROVIDED, HOWEVER, That the department of natural resources, two months prior to the acquisition and development of such trails, areas, campgrounds and trailheads for off-road vehicles, shall conduct a public hearing at a suitable location in the nearest town of five hundred population or more, and the department shall publish a notice of such hearing on the same day of each week for two consecutive weeks in a legal newspaper of general circulation in the county or counties where the property which is the subject of the proposed facility is located. The department of natural resources shall further file such notice of hearing with the department of ecology at the main office in Olympia and shall comply with the provisions of the state environmental policy act, chapter 43.21C RCW, and regulations promulgated thereunder; and

(d) Fifty-one and one-half percent shall be credited to the outdoor recreation account and designated as ORV moneys to be administered by the (~~interagency committee for outdoor~~) council of recreation resources and distributed in accordance with RCW 46.09.240.

(2) On a yearly basis no agency may expend more than thirteen percent of its share of the above amounts for general administration expenses incurred in carrying out the provisions of this chapter, and not more than fifty percent of its share of said amount for education and law enforcement programs related to nonhighway vehicles.

(3) ORV moneys shall be expended only for the acquisition, planning, development, maintenance, and management of off-road vehicle trails and areas; for education and law enforcement programs related to nonhighway vehicles; to construct campgrounds and trailheads which are necessary for the convenient use of designated ORV trails and areas; and to maintain those campgrounds and trailheads specifically constructed with ORV moneys.

Sec. 12. Section 17, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.240 are each amended to read as follows:

(1) The moneys deposited in the outdoor recreation account of the general fund derived from ORV use permit fees, ORV dealer permit fees, and motor vehicle excise taxes on fuel used and purchased for providing the motive power for nonhighway vehicles shall be administered by the (~~interagency committee for outdoor~~) council of recreation resources and shall be distributed at least once each year to state agencies, counties, and municipalities. The (~~interagency committee for outdoor~~) council of recreation resources may

make intergovernmental agreements with federal agencies for the use of ORV moneys. The agreements shall contain the conditions for the use of these moneys.

The (~~(committee)~~) council shall prescribe methods, rules, and standards by which agencies may apply for and obtain moneys and shall determine the amount of money distributed to each applicant: PROVIDED, That agencies constructing off-road vehicle trails, campgrounds, and recreational areas and facilities shall consider the possibility of contracting with the state parks and recreation commission, the department of natural resources, or other federal, state and local agencies to employ the youth development and conservation corps or other youth crews to construct or assist in construction of such off-road vehicle trails, campgrounds, and recreational areas and facilities.

(2) The (~~(interagency committee)~~) council of recreation resources shall require that each applicant conduct a public hearing in the nearest town of five hundred population or more, and publish notice of such hearing on the same day of each week for two consecutive weeks in a newspaper of general circulation in the county or counties where the property which is subject of the proposed facility is located prior to the submission of its application. A written record and a magnetic tape recording of such hearings shall be included in the application to the committee.

(3) The (~~(interagency committee for outdoor)~~) council of recreation resources shall retain enough money from ORV moneys to cover expenses incurred in the administration of this chapter except that after June 30, 1979, the retention shall not exceed, on a yearly basis, three percent of the ORV moneys deposited in the outdoor recreation account.

Sec. 13. Section 18, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.250 are each amended to read as follows:

Between June 30, 1977 and June 30, 1979 the (~~(interagency committee for outdoor)~~) council of recreation resources shall develop or cause to be developed a state-wide ORV plan which shall determine and reflect user densities and preferences and suitability and availability of designated ORV trails and areas within the state. The plan shall be maintained on a continuing basis with the plan document updated at least once every third biennium and shall be used by all participating agencies to guide distribution and expenditure of nonhighway vehicle funds.

Sec. 14. Section 19, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.260 are each amended to read as follows:

The (~~(interagency committee)~~) council of recreation resources shall establish a committee of ORV recreationists, including representatives of organized ORV recreation groups, to advise in the development of a state-wide ORV plan, the development of a project funding system, the suitability of ORV projects submitted to the (~~(interagency committee)~~) council for funding and other aspects of ORV recreation as the need may arise.

Sec. 15. Section 8, chapter 75, Laws of 1977 ex. sess. and RCW 43.51.953 are each amended to read as follows:

The (~~(interagency committee for outdoor)~~) council of recreation resources is directed to assist the Yakima county commissioners in obtaining state, federal, and private funding for the acquisition, development, and operation of the Yakima river conservation area.

Sec. 16. Section 2, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.020 are each amended to read as follows:

As used in this chapter, (~~(H&E)~~) 'council' means the Washington state (~~(interagency committee for outdoor)~~) council of recreation resources, and 'system' means the Washington state recreation trails system.

Sec. 17. Section 4, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.040 are each amended to read as follows:

(1) The system shall be composed of trails as designated by the (~~(H&E)~~) council. Such trails shall meet the conditions established in this chapter and such supplementary criteria as the (~~(H&E)~~) council may prescribe.

(2) The (~~(H&E)~~) council shall establish a procedure whereby federal, state, and local governmental agencies and/or public and private organizations may propose trails for inclusion within the system. Such proposals will comply with the proposal requirements contained in RCW 67.32.060.

(3) In consultation with appropriate federal, state, and local governmental agencies and public and private organizations, the (~~(H&E)~~) council shall establish a procedure for public review of the proposals considered appropriate for inclusion in the state-wide trails system.

Sec. 18. Section 5, chapter 76, Laws of 1970 ex. sess. as amended by section 1, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.050 are each amended to read as follows:

The (~~(H&E)~~) council shall prepare a state trails plan as part of the state-wide outdoor recreation and open space plan. Included in this plan shall be an inventory of existing trails and potential trail routes on all lands within the state presently being used or with potential for use by all types of trail users. Such trails plan may include general routes or corridors within which specific trails or segments thereof may be considered for designation as state recreation trails.

Sec. 19. Section 6, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.060 are each amended to read as follows:

Before any specific existing or proposed trail is considered for designation as a state recreational trail, a proposal must be submitted to the (~~(H&E)~~) council showing the following:

(1) For existing trails:

(a) The route of such trail, including maps and illustrations, and the recommended mode or modes of travel to be permitted thereon;

(b) The characteristics that, in the judgment of the agency or organization proposing the trail, make it worthy of designation as a component of a state recreation trail or trail system;

(c) A map showing the current status of land ownership and use along the designated route;

(d) The name of the agency or combination of agencies that would be responsible for acquiring additional trail rights-of-way or easements, trail improvement, operation and maintenance, and a statement from those agencies indicating the conditions under which they would be willing to accept those responsibilities;

(e) Any anticipated problems of maintaining and supervising the use of such trail and any anticipated hazards to the use of any land or resource adjacent to such trail;

(f) And such others as deemed necessary by the ((HAC)) council.

(2) In addition, for proposed trails or for existing trails which require additional right-of-way acquisition, easements, and/or development:

(a) The method of acquiring trail rights-of-way or easements;

(b) The estimated cost of acquisition of lands, or interest in land, if any is required;

(c) The plans for developing the trail and the estimated cost thereof;

(d) Proposed sources of funds to accomplish (2)(a) and (2)(b) of this section.

Sec. 20. Section 7, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.070 are each amended to read as follows:

Following designation of a state recreation trail, the ((HAC)) council may coordinate:

(1) The agency or agencies that will acquire (where appropriate), develop and/or maintain the trail;

(2) The most appropriate location for the trail;

(3) Modes of travel to be permitted;

(4) And other functions as appropriate.

Sec. 21. Section 8, chapter 76, Laws of 1970 ex. sess. as last amended by section 21, chapter 220, Laws of 1977 ex. sess. and RCW 67.32.080 are each amended to read as follows:

The following seven categories of trails or areas are hereby established for purposes of this chapter:

(1) Cross-state trails which connect scenic, historical, geological, geographical, or other significant features which are characteristic of the state;

(2) Water-oriented trails which provide a designated path to, on, or along fresh and/or salt water in which the water is the primary point of interest;

(3) Scenic-access trails which give access to quality recreation, scenic, historic or cultural areas of state-wide or national significance;

(4) Urban trails which provide opportunities within an urban setting for walking, bicycling, horseback riding, or other compatible activities. Where appropriate, they will connect parks, scenic areas, historical points, and neighboring communities;

(5) Historical trails which identify and interpret routes which were significant in the historical settlement and development of the state;

(6) ORV vehicle trails which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. Such trails may be included as a part of the trail systems enumerated in subsections (1), (2), (3) and (5) of this section or may be separately designated;

(7) Off-road and off-trail areas which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. ((HAC)) The council shall coordinate an inventory and classification of such areas giving consideration to the type of use such areas will receive from persons operating four-wheel drive vehicles and two-wheel vehicles.

The planning and designation of trails shall take into account and give due regard to the interests of federal agencies, state agencies and bodies, counties, municipalities, private landowners and individuals, and interested recreation organizations. It is not required that the above categories be used to designate specific trails, but the ((HAC)) council will assure that full consideration is given to including trails from all categories within the system. As it relates to all classes of trails and to all types of trail users, it is herein declared as state policy to increase recreational trail access to and within state and federally owned lands and private lands where access may be obtained. It is the intent of the legislature that public recreation facilities be developed as fully as possible to provide greater recreation opportunities for the citizens of the state. The purpose of this 1972 amendatory act is to increase the availability of trails and areas for off-road vehicles by granting authority to state and local governments to maintain a system of ORV trails and areas, and to fund the program to provide for such development. State lands should be used as fully as possible for all public recreation which is compatible with the income-producing requirements of the various trusts.

Sec. 22. Section 10, chapter 76, Laws of 1970 ex. sess. as amended by section 3, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.100 are each amended to read as follows:

With the concurrence of any federal or state agency administering lands through which a state recreation trail may pass, and after consultation with local governments, private organizations and landowners which the ((HAC)) council knows or believes to be concerned, the ((HAC)) council may issue guidelines including, but not limited to: Encouraging the permissive use of volunteer organizations for planning, maintenance or trail construction assistance; trail construction and maintenance standards, a trail use reporting procedure, and a uniform trail mapping system.

Sec. 23. Section 11, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.110 are each amended to read as follows:

The ((HAC)) council is authorized and encouraged to consult and to cooperate with any state, federal or local governmental agency or body, with private landowners, and with any privately owned utility having

jurisdiction or control over or information concerning the use, abandonment or disposition of roadways, utility rights-of-way, or other properties suitable for the purpose of improving or expanding the system in order to assure, to the extent practicable, that any such properties having value for state recreation trail purposes may be made available for such use.

Sec. 24. Section 12, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.120 are each amended to read as follows:

From time to time, the ~~((A€))~~ council shall report to the governor and the legislature on the status of the state recreational trails system.

Sec. 25. Section 7, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.095 are each amended to read as follows:

Interest earned on funds granted or made available by the ~~((committee))~~ council shall not be expended by the recipient but shall be returned to the outdoor recreation account of the general fund for disbursement by the ~~((committee))~~ council in accordance with general budget and accounting procedure.

Sec. 26. Section 10, chapter 5, Laws of 1965 and RCW 43.99.100 are each amended to read as follows:

Marine recreation land with respect to which money has been expended under RCW 43.99.080 shall not, without the approval of the ~~((committee))~~ council, be converted to uses other than those for which such expenditure was originally approved. The ~~((committee))~~ council shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location.

Sec. 27. Section 12, chapter 5, Laws of 1965 and RCW 43.99.120 are each amended to read as follows:

Any public body or any agency of state government authorized to acquire or improve public outdoor recreation land which desires funds from the outdoor recreation account shall submit to the ~~((committee))~~ council a six-year plan for developing outdoor recreation facilities within its authority and detailed plans for the projects sought to be financed from the outdoor recreation account, including estimated cost and such other information as the ~~((committee))~~ council may require. The ~~((committee))~~ council shall analyze all proposed plans and projects, and ~~((except as provided in RCW 43.99.140,))~~ shall recommend to the governor for inclusion in the budget such projects as it may approve and find to be consistent with an orderly plan for the acquisition and improvement of outdoor recreation lands in the state.

Sec. 28. Section 4, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.122 are each amended to read as follows:

The ~~((committee))~~ council, subject to the authority and responsibility of the state planning agency, is authorized to prepare, maintain, and keep up-to-date a comprehensive plan for the development of the outdoor recreation resources of the state.

Sec. 29. Section 5, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.124 are each amended to read as follows:

The ~~((committee))~~ council may apply to any appropriate agency or officer of the United States for participation in or the receipt of aid from any federal program respecting outdoor recreation not specifically designated for another fund or agency. It may enter into contracts and agreements with the United States or any appropriate agency thereof, keep financial and other records relating thereto, and furnish to appropriate officials and agencies of the United States such reports and information as may be reasonably necessary to enable such officials and agencies to perform their duties under such programs.

Sec. 30. Section 6, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.126 are each amended to read as follows:

The ~~((committee-for-outdoor))~~ council of recreation resources shall make no commitment nor enter into any agreement until it has determined that sufficient funds are available to meet project costs. It is the legislative intent that, to such extent as may be necessary to assure the proper operation and maintenance of areas and facilities acquired or developed pursuant to any program participated in by this state under authority of this chapter, such areas and facilities shall be publicly maintained for outdoor recreation purposes. When requested by a state agency or public body, the ~~((committee))~~ council may enter into and administer agreements with the United States or any appropriate agency thereof for planning, acquisition, and development projects involving participating federal-aid funds on behalf of any state agency, public body, or subdivision of this state: PROVIDED, That recipients of funds give necessary assurances to the ~~((committee))~~ council that they have available sufficient matching funds to meet their shares, if any, of the cost of the project and that the acquired or developed areas will be operated and maintained at the expense of such state agency, public body, or subdivision for public outdoor recreation use.

Sec. 31. Section 13, chapter 5, Laws of 1965 as amended by section 3, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.130 are each amended to read as follows:

~~((When requested by the committee, members employed by the state shall furnish assistance to the committee from their departments for the analysis and review of proposed plans and projects, and such assistance shall be a proper charge against the appropriations to the several agencies represented on the committee. Assistance may be in the form of money, personnel, or equipment and supplies, whichever is most suitable to the needs of the committee.))~~

The ~~((committee shall employ an administrator and may employ an assistant administrator to serve at the pleasure of the committee and))~~ council shall ~~((appoint))~~ employ a director who shall serve at the pleasure of the council and such professional, technical, and clerical personnel and other assistants and employees as may be necessary to carry out the work of the ~~((committee))~~ council.

Sec. 32. Section 15, chapter 5, Laws of 1965 and RCW 43.99.150 are each amended to read as follows:



The 1967 and subsequent legislatures shall appropriate funds requested in the budget for state agencies from the outdoor recreation account directly to the state agencies which are to expend such funds, and shall appropriate funds requested in the budget for grants to public bodies from the outdoor recreation account to the ((committee)) council for allocation and disbursement.

Sec. 33. Section 4, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.130 are each amended to read as follows:

Volunteer organizations may assist public agencies, with the agency's approval, in the construction and maintenance of recreational trails in accordance with the guidelines issued by the ((interagency committee)) council of recreation resources. In carrying out such volunteer activities the members of the organizations shall not be considered employees or agents of the public agency administering the trails, and such public agencies shall not be subject to any liability whatsoever arising out of volunteer activities. The liability of public agencies to members of such volunteer organizations shall be limited in the same manner as provided for in RCW 4.24.210.

Sec. 34. Section 5, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.140 are each amended to read as follows:

The state ((highways)) department of transportation shall consider plans for trails along and across all new construction projects, improvement projects, and along or across any existing highways in the state system as deemed desirable by the ((T&E)) council of recreation resources.

Sec. 35. Section 2, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.020 are each amended to read as follows:

The following terms when used in this chapter shall be defined as follows unless the context clearly requires otherwise:

- (1) 'Department' means state parks and recreation commission.
- (2) 'Committee of participating agencies' or 'committee' means a committee composed of the executive head, or such executive's designee, of each of the state departments of ecology, fisheries, game, natural resources, and highways, the state parks and recreation commission, the ((interagency committee for outdoor)) council of recreation resources, the Washington state association of counties, and the association of Washington cities.

When a specific river or river segment of the state's scenic river system is being considered by the committee, a representative of each participating local government associated with that river or river segment shall serve as a member of the committee.

- (3) 'Participating local government' means the legislative authority of any city or county, a portion of whose territorial jurisdiction is bounded by or includes a river or river segment of the state's scenic river system.

(4) 'River' means a flowing body of water or a section, segment, or portion thereof.

(5) 'River area' means a river and the land area in its immediate environs as established by the participating agencies not exceeding a width of one-quarter mile landward from the streamway on either side of the river.

(6) 'Scenic easement' means the negotiated right to control the use of land, including the air space above such land, for the purpose of protecting the scenic view throughout the visual corridor.

(7) 'Streamway' means that stream-dependent corridor of single or multiple, wet or dry, channel or channels within which the usual seasonal or stormwater run-off peaks are contained, and within which environment the flora, fauna, soil, and topography is dependent on or influenced by the height and velocity of the fluctuating river currents.

(8) 'System' means all the rivers and river areas in the state designated by the legislature for inclusion as scenic rivers but does not include tributaries of a designated river unless specifically included by the legislature. The inclusion of a river in the system does not mean that other rivers or tributaries in a drainage basin shall be required to be part of the management program developed for the system unless such rivers and tributaries within the drainage basin are specifically designated for inclusion by the legislature.

(9) 'Visual corridor' means that area which can be seen in a normal summer month by a person of normal vision walking either bank of a river included in the system. Such corridor shall not exceed the river area.

**NEW SECTION.** Sec. 36. This 1979 act shall take effect on July 1, 1979."

On page 1, on line 1 of the title, after "recreation;" strike the remainder of the title and insert "amending section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110; amending section 2, chapter 5, Laws of 1965 as amended by section 108, chapter 158, Laws of 1979 and RCW 43.99.020; amending section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300; amending section 4, chapter 129, Laws of 1972 ex. sess. and RCW 43.83C.040; amending section 8, chapter 5, Laws of 1965 as last amended by section 1, chapter 140, Laws of 1971 ex. sess. and RCW 43.99.080; amending section 7, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.070; amending section 7, chapter 47, Laws of 1971 ex. sess. as last amended by section 129, chapter 158, Laws of 1979 and RCW 46.09.020; amending section 16, chapter 47, Laws of 1971 ex. sess. as last amended by section 9, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.110; amending section 22, chapter 47, Laws of 1971 ex. sess. as last amended by section 130, chapter 158, Laws of 1979 and RCW 46.09.170; amending section 17, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.240; amending section 18, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.250; amending section 19, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.260; amending section 8, chapter 75, Laws of 1977 ex. sess. and RCW 43.51.953; amending section 2, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.020; amending section 4, chapter 76, Laws of

1970 ex. sess. and RCW 67.32.040; amending section 5, chapter 76, Laws of 1970 ex. sess. as amended by section 1, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.050; amending section 6, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.060; amending section 7, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.070; amending section 8, chapter 76, Laws of 1970 ex. sess. as last amended by section 21, chapter 220, Laws of 1977 ex. sess. and RCW 67.32.080; amending section 10, chapter 76, Laws of 1970 ex. sess. as amended by section 3, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.100; amending section 11, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.110; amending section 12, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.120; amending section 7, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.095; amending section 10, chapter 5, Laws of 1965 and RCW 43.99.100; amending section 12, chapter 5, Laws of 1965 and RCW 43.99.120; amending section 4, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.122; amending section 5, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.124; amending section 6, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.126; amending section 13, chapter 5, Laws of 1965 as amended by section 3, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.130; amending section 15, chapter 5, Laws of 1965 and RCW 43.99.150; amending section 4, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.130; amending section 5, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.140; amending section 2, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.020; adding new sections to chapter 5, Laws of 1965 and to chapter 43.99 RCW; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### POINT OF ORDER

Ms. Hurley: "Mr. Speaker, I cite Rule 30, that the Senate amendment to Substitute House Bill No. 334 changes the scope and object of the bill as it left the House. I believe it should be referred back to Parks and Recreation Committee."

#### MOTION

On motion of Mr. Newhouse, further consideration of Substitute House Bill No. 334 was deferred.

#### SECOND READING

#### MOTION

Mr. King moved that the Committee on Social and Health Services be relieved of SUBSTITUTE SENATE BILL NO. 2308, Mr. King moved that the Committee on Social and Health Services be relieved of SUBSTITUTE SENATE BILL NO. 2308, and the bill be placed at the bottom of today's second reading calendar.

Representatives King and Whiteside spoke in favor of the motion, and it was carried.

SUBSTITUTE SENATE BILL NO. 2181, by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Marsh, Matson, Shipoch, Gaspard, Gallagher, von Reichbauer, Lewis, Pullen, Newschwander, Clarke, Bottiger, Day, North, McDermott, Peterson, Walgren, Wilson, Moore, Talmadge, Hansen, Guess, Wojahn, Ridder, Goltz, Conner, Jones, Lee, Benitz, Sellar, Bluechel, Fleming, Talley, Wanamaker, Quigg, Morrison, Hayner, Van Hollebeke, Woody, Bausch and Vognild:

Revising the inheritance and gift tax laws.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 49th and 50th Days, May 8, 9, 1979.)

Ms. Craswell moved adoption of the following amendment to the committee amendment: On page 6, strike lines 55 through 66 and insert:

passing to class B is:	The tax is the sum of:
(a) Up to \$10,000	3%
(b) In excess of \$10,000 up to and including \$20,000	4%
(c) In excess of \$20,000 up to and including \$60,000	7%
(d) In excess of \$60,000 up to and including \$100,000	10%
(e) In excess of \$100,000 up to and including \$200,000	15%
(f) In excess of \$200,000	20%*

Representatives Craswell and Addison spoke in favor of the amendment to the amendment, and Representatives Sommers and Smith (R) spoke against it.

Ms. Craswell spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Craswell to the committee amendment to Substitute Senate Bill No. 2181, and the amendment was adopted by the following vote: Yeas, 53; nays, 45; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Hughes, Isaacson, Jovanovich, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Mr. Gallagher moved adoption of the following amendment by Representatives Gallagher and Douthwaite to the committee amendment:

On page 12 of the amendment after line 37 insert the following:

\*Sec. 36. Section 48, chapter 26, Laws of 1967 ex. sess. as amended by section 3, chapter 158, Laws of 1975 1st ex. sess. and RCW 82.03.190 are each amended to read as follows:

Any person having received notice of a denial of a petition or a notice of determination made under RCW 82.32.160 (and), 82.32.170, section 37 of this 1979 act, or RCW ... (section 12, chapter ... (SB 2182), Laws of 1979) may appeal, within thirty days from the date of the notice of such denial or determination, to the board of tax appeals. In the notice of appeal the taxpayer shall set forth the amount of the tax which he contends should be reduced or refunded and the reasons for such reduction or refund, in accordance with rules of practice and procedure prescribed by the board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department of revenue within the time specified herein and by filing the original thereof with proof of service with the clerk of the board: PROVIDED, HOWEVER, That if the notice of appeal relates to an application made to the department of revenue under chapter 82.34 RCW, the taxpayer shall set forth the amount to which the taxpayer claims the credit or exemption should apply, and the grounds for such contention, in accordance with rules of practice and procedure prescribed by the board. If the taxpayer intends that the hearing before the board be held pursuant to the administrative procedure act (chapter 34.04 RCW), the notice of appeal shall also so state. In the event that the notice of appeal does not so state, the department may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to the administrative procedure act.

NEW SECTION, Sec. 37. There is added to chapter 83.24 RCW a new section to read as follows:

Any person aggrieved by the determination of the tax by the department of revenue pursuant to RCW 83.24.010 may file an appeal with the board of tax appeals as provided in RCW 82.03.190. A person not electing to appeal to the board of tax appeals may file a petition in superior court as provided in RCW 83.24.020.\*

Remember the remaining sections consecutively.

Representatives Gallagher and Douthwaite spoke in favor of the amendment, and it was adopted.

Ms. Craswell moved adoption of the following amendment by Representatives Craswell, Owen, Fancher, McGinnis, Jovanovich, Tilly and Addison to the committee amendment:

On page 7 of the amendment, after line 9 strike section 17 and insert the following:

\*NEW SECTION, Sec. 17. There is added to chapter 83.08 RCW a new section to read as follows:

The rates of tax provided in sections 14 through 16 of this act shall be reduced in future years as follows:

For Decedents	The Tax Rate Shall Be
Dying in	Reduced by
1981 through 1982	20%
1983 through 1984	40%
1985 through 1986	60%
1987 through 1988	80%
1989 and thereafter	100%

PROVIDED, That the reduction of rates under this section shall not reduce the tax due on any estate below that which would otherwise be due under RCW 83.40.010 as now or hereafter amended.\*

POINT OF ORDER

Ms. Sommers: "Mr. Speaker, this amendment, or one having the same effect, was offered and defeated on a prior date."

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

The Speaker (Mr. O'Brien presiding): "Reed's Rule 142 states, 'If the motion to strike out and insert be decided in the negative it cannot be renewed in the same terms; but inasmuch as it is a combination of the motion to strike out and the motion to insert, the negative result does not prevent a great variety of subsequent motions...' So it is not a motion that you can strike out and insert with other words. To this degree, I'm going to rule the amendment is in order. It inserts additional years of time in the phase-out of the tax."

Representatives Craswell, McGinnis and Taller spoke in favor of the amendment to the committee amendment, and Representatives Sommers, King and Douthwaite spoke against it.

Mr. Patterson demanded the previous question, and a division was called.

## ROLL CALL

The Clerk called the roll on the demand for the previous question in the debate of the Craswell amendment, and the demand failed to receive the necessary two-thirds majority by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Bender, Berentson, Blair, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Galloway, Grimm, Hastings, Houchen, Jovanovich, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Schmitt, Sherman, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Douthwaite, Erickson, Fuller, Gallagher, Garrett, Granlund, Greengo, Gruger, Heck, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, May, Nelson D., North, O'Brien, Oliver, Pruitt, Sanders, Scott, Smith R., Sommers, Valle, Van Dyken, Warnke.

Not voting: Representatives Haley, Newhouse.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Craswell and others to the committee amendment to Substitute Senate Bill No. 2181.

Representatives Scott, Greengo, Nelson (D), Charnley and Smith (R) spoke against the amendment to the amendment, and Representatives Flanagan, Addison, Fancher, Bond and Owen spoke in favor of it.

Mr. Patterson demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Craswell and others to the committee amendment to Substitute Senate Bill No. 2181, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, Isaacson, Jovanovich, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Haley, Newhouse.

The committee amendment as amended was adopted.

On motion of Mr. Gallagher, the following amendments to the committee title amendment were adopted:

On page 13 of the amendment, on line 34 after "11.86.070;" insert "amending section 48, chapter 26, Laws of 1967 ex. sess. as amended by section 3, chapter 158, Laws of 1975 1st ex. sess. and RCW 82.03.190;"

On page 13 of the amendment, on line 37 after "83.20 RCW;" insert "adding a new section to chapter 83.24 RCW;"

The committee amendment to the title as amended was adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2181 as amended by the House was placed on final passage.

**MOTION**

On motion of Mr. King, further consideration of Substitute Senate Bill No. 2181 as amended by the House was deferred, and the bill was ordered placed at the top of tomorrow's third reading calendar.

**MOTION**

Mr. King moved that the House adjourn until 10:00 a.m., Saturday, May 12, 1979.

A division was called.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

With the consent of the House, Mr. King withdrew his motion to adjourn.

**MOTION**

On motion of Mr. King, the House adjourned until 9:00 a.m., Saturday, May 12, 1979.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## FIFTY-THIRD DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Saturday, May 12, 1979.

The House was called to order at 9:00 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representatives Adams, Sanders and Wilson. Representative Adams was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erika Anderson and John Shetlan. Prayer was offered by The Reverend Paul 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 GOVERNOR

May 10, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 10, 1979, Governor Ray approved the following House bills, entitled:

HOUSE BILL NO. 196: Relating to motor vehicles;

HOUSE BILL NO. 358: Relating to community colleges.

Sincerely,  
H. B. Hanna, Legal Counsel.

May 11, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 11, 1979, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 80: Relating to state institutions;

SUBSTITUTE HOUSE BILL NO. 249: Relating to health care and implementing The National Health Planning and Resources Development Act of 1974;

SUBSTITUTE HOUSE BILL NO. 262: Relating to vital statistics;

SUBSTITUTE HOUSE BILL NO. 298: Relating to motor vehicle emission control;

SUBSTITUTE HOUSE BILL NO. 311: Relating to bail forfeitures and monetary penalties for motor vehicle offenses;

SUBSTITUTE HOUSE BILL NO. 352: Relating to domestic relations;

SUBSTITUTE HOUSE BILL NO. 446: Relating to water rights;

SUBSTITUTE HOUSE BILL NO. 706: Relating to claims against the state;

SUBSTITUTE HOUSE BILL NO. 871: Relating to transportation;

SUBSTITUTE HOUSE BILL NO. 872: Relating to transportation;

SUBSTITUTE HOUSE BILL NO. 912: Relating to solar easements.

Sincerely,  
H. B. Hanna, Legal Counsel.

### MESSAGES FROM THE SENATE

May 11, 1979

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 100,  
HOUSE BILL NO. 441,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 11, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2388, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 11, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3042,  
SUBSTITUTE SENATE BILL NO. 3129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 11, 1979

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 110,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 3042, by Committee on Labor (originally sponsored by Senator Lysen):

Staggering the terms of the public employment relations commissioners.

To Committee on Labor

SUBSTITUTE SENATE BILL NO. 3129, by Committee on Ways and Means (originally sponsored by Senators Bausch, Conner, Rasmussen and Wojahn):

Providing for the issuance of bonds for the construction of two recreational performing arts' facilities.

To Committee on Appropriations

SENATE CONCURRENT RESOLUTION NO. 110, by Senators Walgren, Odegaard, Matson and Newschwander:

Extending an invitation to the National Conference of State Legislatures to meet in Seattle in 1982.

To Committee on Rules

#### SENATE AMENDMENTS TO HOUSE BILL

May 11, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 31 with the following amendments:

Strike everything after the enacting clause and insert the following:

'Section 1. Section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010 are each amended to read as follows:

((For the purpose of this chapter:)) The definitions set forth in this section shall apply throughout this chapter, unless the context clearly requires otherwise.

(1) 'Agency' means any state board, commission, department, or officer, authorized by law to make rules or to adjudicate contested cases, except those in the legislative or judicial branches.

(2) 'Rule' means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any commercial activity, trade, or profession; or (e) which establishes, alters, or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only

the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to RCW 34.04.080, as now or hereafter amended, or (iii) speed restrictions for motor vehicles established by the state highway commission.

(3) 'Contested case' means a proceeding before an agency in which an opportunity for a hearing before such agency is required by law or constitutional right prior or subsequent to the determination by the agency of the legal rights, duties, or privileges of specific parties. Contested cases shall also include all cases of licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law or agency rules.

(4) 'License' includes the whole or part of any agency permit, certificate, approval, registration, charter, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes.

(5) 'Licensing' includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license.

(6) 'Review committee' means a standing committee of the senate or house of representatives which has been designated by the respective body for the purpose of selectively reviewing proposed and existing rules of a designated state agency or agencies.

Sec. 2. Section 3, chapter 237, Laws of 1967 as last amended by section 7, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.025 are each amended to read as follows:

(1) Prior to the adoption, amendment, or repeal of any rule, each agency shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and with the secretary of the senate, the chief clerk of the house of representatives, and the appropriate review committees, and mail such notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Furnish to the legislature, along with the notice required by subsection (1)(a) of this section, a statement of the reasons supporting the proposed action;

(c) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral hearing must be granted if requested by twenty-five persons, by a governmental subdivision or agency, by the appropriate review committee, or by an association having not less than twenty-five members.

(2) The agency shall make every effort to insure that the information on the proposed rule circulated pursuant to subsection (1)(a) of this section accurately reflects the rule to be presented and discussed at any oral hearing on such rule. Where substantial changes in the draft of the proposed rule are made after publication of notice in the register which would render it difficult for interested persons to properly comment on the rule without further notice, new notice of the agency's intended action as provided in subsection (1)(a) of this section shall be required.

(3) The agency shall consider fully all written and oral submissions respecting the proposed rule including those addressing the question of whether the proposed rule is within the intent of the legislature as expressed by the statute which the rule implements, and may amend the proposed rule at the oral hearing or adopt the proposed rule, if there are no substantial changes, without refileing the notice required by this section. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

((2)) (4) No proceeding ((shall)) may be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an agency giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

((3)) (5) No rule hereafter adopted is valid unless adopted in substantial compliance with this section, ((or, if)) unless it is an emergency rule designated as such((;)) and is adopted in substantial compliance with RCW 34.04.030, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 34.04.030, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

Sec. 3. Section 3, chapter 234, Laws of 1959 as amended by section 8, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.030 are each amended to read as follows:

((+)) If the agency finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, the agency may dispense with such requirements and adopt the rule or amendment as an emergency rule or amendment. The agency's finding and a ((brief)) concise statement of the reasons for its finding shall be incorporated in the emergency rule or amendment as filed with the office of the code reviser under RCW 34.04.040 and with the appropriate review committees. An emergency rule or amendment ((shall)) may not remain in effect for longer than ninety days after filing. This section does not relieve any agency from compliance with any law requiring that its permanent rules be approved by designated persons or bodies before they become effective.



~~((2) The emergency rule published in the register is solely to inform the public of its adoption, and nothing in this section shall be construed to prevent the implementation of the rule upon its filing with the code reviser in accordance with RCW 34.04.040(2);))~~

**NEW SECTION, Sec. 4.** There is added to chapter 34.04 RCW a new section to read as follows:

(1) Notice of the designation of a standing committee of the legislature as a review committee for the rules of any particular agency shall be communicated by the house making such designation to the affected agency.

(2) Whenever a majority of the members of the appropriate senate and house review committees determine that a proposed rule is not within the intent of the legislature as expressed in the statute which the rule implements, the review committees shall give the affected agency written notice of their decisions. The notices shall be given at least seven days prior to any hearing scheduled for consideration of or adoption of the proposed rule pursuant to RCW 34.04.025(1)(a)(iii) as now or hereafter amended. The notices shall include a statement of the review committees' findings and the reasons therefor.

**NEW SECTION, Sec. 5.** There is added to chapter 34.04 RCW a new section to read as follows:

(1) All rules required to be filed pursuant to RCW 34.04.040, and emergency rules adopted pursuant to RCW 34.04.030 as now or hereafter amended, are subject to selective review by the legislature.

(2) If the appropriate house and senate review committees find by majority votes of their members: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, or (b) that the rule has not been adopted in accordance with all applicable provisions of law, the agency affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the review committees' notice the agency shall file notice of a hearing on the rule in question with the code reviser and mail notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings as provided in RCW 34.04.025, as now or hereafter amended. The agency's notice shall include the review committees' findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(3) The agency shall consider fully all written and oral submissions respecting whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements and whether the rule was adopted in accordance with all applicable provisions of law.

**NEW SECTION, Sec. 6.** There is added to chapter 34.04 RCW a new section to read as follows:

(1) Within seven days of an agency hearing held after notification of the agency by the review committees pursuant to section 4 or 5 of this 1979 act, the affected agency shall notify the committees of its action regarding a proposed or existing rule to which the committees objected. If the review committees determine, by majority votes of their members, that the agency has failed to provide for the required hearings or notice of its action to the committees, the committees may file notice of their objections, together with a concise statement of the reasons therefor, with the code reviser within thirty days of such determination.

(2) If the review committees find, by majority votes of their members, that the proposed or existing rule in question has not been modified, amended, withdrawn, or repealed by the agency so as to conform with the intent of the legislature, the review committees may, within thirty days from notification by the agency of its action, file with the code reviser notice of their objections together with a concise statement of the reasons therefor. Such notice and statement shall also be provided to the agency by the review committees.

(3) The code reviser shall publish the review committees' notice of objection and statement of the reasons therefor issued pursuant to subsection (1) or (2) of this section in the Washington state register and shall publish in the next supplement and compilation of the Washington Administrative Code a reference to the committees' objection and to the issue of the Washington state register in which the full text thereof appears.

**NEW SECTION, Sec. 7.** There is added to chapter 34.04 RCW a new section to read as follows:

(1) The committees may recommend to the legislature that the original enabling legislation serving as authority for the promulgation of any rule reviewed by the committees be amended or repealed in such manner as the committees deem advisable.

(2) The review committees shall report on their activities, including findings and recommendations with respect to rule-making procedures of state agencies and institutions of higher education, thirty days prior to the convening of the regular session of the legislature in 1981.

**NEW SECTION, Sec. 8.** There is added to chapter 34.04 RCW a new section to read as follows:

It is the express policy of the legislature that establishment of procedures for review of administrative rules by the legislature and the notice of nonconformance required by sections 5(2) and 6(2) of this 1979 act in no way serves to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.

Sec. 9. Section 2, chapter 57, Laws of 1971 ex. sess. as amended by section 42, chapter 169, Laws of 1977 ex. sess. and RCW 28B.19.020 are each amended to read as follows:

The words used in this chapter shall have the meaning given in this section, unless the context clearly indicates otherwise((:)).

(1) 'Institutions of higher education' are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the institution, all of which are sometimes referred to in this chapter as 'institutions.' The various state community colleges are sometimes referred to in this chapter as 'community colleges.'

(2) 'Rule' means any order, directive, or regulation of any institution of higher education which affects the relationship of the general public with the institution, or the relationship of particular segments of the particular educational community such as students, faculty, or other employees, with the institution or with each other, (a) the violation of which subjects a person to a penalty or administrative sanction; or (b) which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law. The term includes the amendment or repeal of a prior rule but does not include rules, regulations, orders, statements, or policies relating primarily to the following: Standards for admission; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under this chapter unless otherwise required by law.

(3) 'Contested case' means a formal or informal proceeding before an institution of higher education, division, department, office, or designated official or representative thereof in which an opportunity for hearing is required by law, constitutional rights, or institutional policy, prior or subsequent to the determination by the institution of the legal rights, duties, or privileges of specific parties.

(4) 'Review committee' or 'committee' means a standing committee of the senate or house of representatives which has been designated by the respective body for the purpose of selectively reviewing existing and proposed rules of institutions of higher education.

Sec. 10. Section 3, chapter 57, Laws of 1971 ex. sess. as amended by section 10, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.030 are each amended to read as follows:

(1) Prior to the adoption, amendment, or repeal of any rule adopted under this chapter, each institution, college, division, department, or official thereof exercising rule-making authority delegated by the governing board or the president, shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and with the secretary of the senate, the chief clerk of the house of representatives, and the appropriate review committees, and mail the notice to all persons who have made timely request of the institution or related board for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Furnish to the legislature, along with the notice required by subsection (1)(a) of this section, a statement of the reasons supporting the proposed action;

(c) Provide notice to the campus or standard newspaper of the institution involved and to a newspaper of general circulation in the area at least seven days prior to the date of the rule-making proceeding. The notice shall state the time when, place where, and manner in which interested persons may present their views thereon and the general subject matter to be covered;

~~((c))~~ (d) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. An opportunity for oral hearing must be granted if requested by twenty-five persons or by the appropriate review committee.

(2) The institution shall make every effort to insure that the information on the proposed rule circulated pursuant to subsection (1)(a) of this section accurately reflects the rule to be presented and discussed at any oral hearing on such rule. Where substantial changes in the draft of the proposed rule are made after publication of notice in the register which would render it difficult for interested persons to properly comment on the rule without further notice, new notice of the institution's intended action as provided in subsection (1)(a) of this section shall be required.

(3) The institution shall consider fully all written and oral statements respecting the proposed rule including those addressing the question of whether the proposed rule is within the intent of the legislature as expressed by the statute which the rule implements and may amend the proposed rule at the oral hearing or adopt the proposed rule, if there are no substantial changes, without refileing the notice required by this section.

~~((2))~~ (4) No proceeding ~~((shall))~~ may be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an institution of higher education giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

~~((3))~~ (5) No rule adopted under this chapter is valid unless adopted in substantial compliance with this section, ~~((or, if))~~ unless it is an emergency rule designated as such(;) and is adopted in substantial compliance with RCW 28B.19.040, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 28B.19.040, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

~~((4))~~ (6) When twenty days notice of intended action to adopt, amend, or repeal a rule has not been filed with the code reviser, as required by subsection ~~((2))~~ (4) of this section, the code reviser ~~((shall))~~ may not publish such rule, and such rule ~~((shall))~~ may not be effective for any purpose.

Sec. 11. Section 4, chapter 57, Laws of 1971 ex. sess. as last amended by section 11, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.040 are each amended to read as follows:

If the institution of higher education finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and the observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, the institution may dispense with such requirements and adopt the rule or amendment as an emergency rule or amendment. The institution's finding and a ~~((brief))~~ concise statement of the reasons for its finding shall accompany the emergency rule or amendment as filed with the code reviser and with the appropriate review committees. An emergency rule or amendment ~~((shall))~~ may not remain in effect for longer than ninety days after filing.

Emergency rules ~~((shall))~~ become effective upon filing with the code reviser unless an effective date is specified in the rule. ~~((The emergency rule published in the state register is solely to inform the public of its adoption, and nothing in this section shall be construed to prevent the implementation of the rule upon such filing.))~~

NEW SECTION. Sec. 12. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) Notice of the designation of a standing committee of the legislature as a review committee for the rules of any particular institution shall be communicated by the house making such designation to the affected institution.

(2) Whenever a majority of the members of the appropriate senate and house review committees determine that a proposed rule is not within the intent of the legislature as expressed in the statute which the rule implements, the review committees shall give the affected institution written notice of their decisions. The notices shall be given at least seven days prior to any hearing scheduled for consideration of or adoption of the proposed rule pursuant to RCW 28B.19.030(1)(a)(iii) as now or hereafter amended. The notices shall include a statement of the review committees' findings and the reasons therefor.

NEW SECTION. Sec. 13. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) All rules required to be filed pursuant to RCW 28B.19.050, and emergency rules adopted pursuant to RCW 28B.19.040 as now or hereafter amended, are subject to selective review by the legislature.

(2) If the appropriate house and senate review committees find by majority votes of their members: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, or (b) that the rule has not been adopted in accordance with all applicable provisions of law, the institution affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the review committees' notice the institution shall file notice of a hearing on the rule in question with the code reviser and mail notice to all persons who have made timely request of the institution for advance notice of its rule-making proceedings as provided in RCW 28B.19.030 as now or hereafter amended. The institution's notice shall include the review committees' findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(3) The institution shall consider fully all written and oral submissions respecting whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements and whether the rule was adopted in accordance with all applicable provisions of law.

NEW SECTION. Sec. 14. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) Within seven days of an institution hearing held after notification of the institution by the review committees pursuant to section 12 or 13 of this 1979 act, the affected institution shall notify the committees of its action regarding a proposed or existing rule to which the committees objected. If the review committees determine, by majority votes of their members, that the institution has failed to provide for the required hearings or notice of its action to the committees, the committees may file notice of their objections, together with a concise statement of the reasons therefor, with the code reviser within thirty days of such determination.

(2) If the review committees find, by majority votes of their members, that the proposed or existing rule in question has not been modified, amended, withdrawn, or repealed by the institution so as to conform with the intent of the legislature, the review committees may, within thirty days from notification by the institution of its action, file with the code reviser notice of their objections together with a concise statement of the reasons therefor. Such notice and statement shall also be provided to the institution by the review committees.

(3) The code reviser shall publish the review committees' notice of objection and statement of the reasons therefor issued pursuant to subsection (1) or (2) of this section in the Washington state register and shall publish in the next supplement and compilation of the Washington Administrative Code a reference to the committees' objection and to the issue of the Washington state register in which the full text thereof appears.

NEW SECTION. Sec. 15. There is added to chapter 28B.19 RCW a new section to read as follows:

It is the express policy of the legislature that establishment of procedures for review of administrative rules by the legislature and the notice of nonconformance required by sections 13(2) and 14(2) of this 1979 act in no way serves to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.

NEW SECTION. Sec. 16. Section 1, chapter 186, Laws of 1963 and RCW 34.04.160 are each hereby repealed.

NEW SECTION. Sec. 17. If any provision of this 1979 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 "government;" strike the remainder of the title, and insert "amending section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010;

amending section 3, chapter 237, Laws of 1967 as last amended by section 7, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.025; amending section 3, chapter 234, Laws of 1959 as amended by section 8, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.030; amending section 2, chapter 57, Laws of 1971 ex. sess. as amended by section 42, chapter 169, Laws of 1977 ex. sess. and RCW 28B.19.020; amending section 3, chapter 57, Laws of 1971 ex. sess. as amended by section 10, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.030; amending section 4, chapter 57, Laws of 1971 ex. sess. as last amended by section 11, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.040; adding new sections to chapter 28B.19 RCW; adding new sections to chapter 34.04 RCW; and repealing section 1, chapter 186, Laws of 1963 and RCW 34.04.160." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Ehlers moved that the House do not concur in the Senate amendments to House Bill No. 31 and ask the Senate to recede therefrom.

Representatives Ehlers and Taller spoke in favor of the motion, and Representatives Smith (R) and Flanagan spoke against it.

### ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendments to House Bill No. 31, and the motion was carried by the following vote: Yeas, 69; nays, 20; not voting, 9.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Blair, Brekke, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erickson, Fancher, Granlund, Greengo, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, Knowles, Kreidler, Lux, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nisbet, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bender, Bond, Brown, Clayton, Douthwaite, Erak, Flanagan, Fuller, Gallagher, Galloway, Garrett, Hurley, Martinis, Maxie, Nelson G. A., Newhouse, North, O'Brien, Smith C. P., Smith R.

Not voting: Representatives Adams, Eng, Grimm, King, Monohon, Sanders, Valle, Warnke, Wilson.

### MOTION

On motion of Mr. Ehlers, House Bill No. 31, along with a message to the Senate stating the House refused to concur in the Senate amendments, was ordered transmitted immediately to the Senate.

### SECOND READING

SUBSTITUTE SENATE BILL NO. 2504, by Committee on Agriculture (originally sponsored by Senators Morrison, Gaspard, Benitz and Hansen):

Providing for water during drought conditions.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 22nd Day ex. sess., April 12, 1979.)

Mr. Kreidler moved adoption of the committee amendment to page 2, line 21.

Mr. Kreidler spoke in favor of the amendment.

### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Kreidler, this committee amendment lists the Agnew Irrigation District and I see some of the other amendments are adding other districts; is that what is intended here, to be adding specifically the several other districts that were not included in the original bill? If so, what is the ultimate distribution? Will it have to be broken into different figures and have more money?"

Mr. Kreidler: "There is \$16 million left out of \$18 million that was left over from the 1977 emergency drought relief fund that was not all allocated. \$2 million was allocated and \$16 million was not allocated by the Department of Ecology. The Department of Ecology felt they needed some legislative direction with the \$16 million since we were no longer dealing

with an emergency situation. As you can see by this act, they have changed it to an unsatisfactory situation for the allocation of these funds. How much of this will be grant or loan will be up to the Department of Ecology, but we're talking about funds that would be potentially, depending upon the investigation, partly grants, partly loans, from the state. These funds come from bonds that have already been issued and sold and are presently awaiting distribution for the irrigation districts."

Mr. Zimmerman: "Representative Kreidler, I'm wondering if there are perhaps other irrigation districts that haven't had a chance to get their bid in, and if there's some likelihood that we're going to be omitting some significantly worthwhile districts. Is there any latitude for others that won't be listed in this bill?"

Mr. Kreidler: "Representative Zimmerman, those districts still can make application to the Department of Ecology. I believe there will be funds there that they can apply for on a grant and loan basis. In other words, it doesn't necessarily require that they be specified in this act."

Ms. Fancher spoke in favor of the amendment, and it was adopted.

On motion of Mr. Kreidler, the committee amendment to page 2, line 26 was adopted.

On motion of Mr. Nisbet, the following amendment by Representatives Nisbet and Owen was adopted:

On page 2, line 12 after "RCW 43.83B.210," insert "not more than one hundred thousand dollars of the appropriation may be used for a loan or grant, or combination thereof, to the Cline Irrigation District, not more than one hundred thousand dollars of the appropriation may be used for a loan or grant, or a combination thereof, to the Dungeness Irrigation District, not more than one hundred thousand dollars of the appropriation may be used for a loan or grant, or combination thereof, to the Highland Irrigation District,"

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Schmitten:

On page 2, line 21 after "District," insert "not more than four hundred twenty-five thousand dollars of the appropriation may be used for a loan or grant, or combination thereof, to the Icicle Irrigation District,"

Representatives Tilly and Schmitten spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tilly and Schmitten to Substitute Senate Bill No. 2504, and the amendment was adopted by the following vote: Yeas, 81; nays, 8; not voting, 9.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Blair, Bond, Brekke, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bender, Burns, Charnley, Douthwaite, Ehlers, Lux, Nelson D., Sherman.

Not voting: Representatives Adams, Berentson, Eng, Grimm, Polk, Sanders, Valle, Warnke, Wilson.

Mr. Kreidler moved adoption of the following amendment:

On page 2, after line 33 insert a new section as follows:

**"NEW SECTION.** Sec. 4. There is added to chapter 87.03 RCW a new section to read as follows:

There is created for each irrigation district a fund to be known as the upgrading and improvement fund. At least five percent of the revenue of each irrigation district shall annually be placed into its upgrading and improvement fund. Moneys from the upgrading and improvement fund may only be used to modernize, improve or upgrade the irrigation facilities of the irrigation district."

Renumber the remaining sections consecutively.

Representatives Kreidler and Becker spoke in favor of the amendment, and Representatives Clayton, Flanagan, Tilly, Fancher and Barr spoke against it.

Mr. Kreidler spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Kreidler, I'm concerned in that my irrigation districts are not multimillion dollar corporations. They are groups of friends and neighbors who have gathered

together to utilize the waters of our area to irrigate our land. My question is, if we, at the end of a given period of time, determine that the costs of doing that is, say for practical purposes, \$1,000, and each one of us—say there are ten of us in this particular district—put in a tenth of that, have we produced revenue? It cost \$1,000, ten of us put in \$100 to pay for what has been spent. Have we produced revenue and how would that apply to your amendment?"

Mr. Kreidler: "Representative Nisbet, if I understand exactly what you're saying about the \$1,000, you're talking about putting up money for the construction and so forth on each person who would be the recipient of the irrigated water, then we're looking at a different situation. We're talking about the revenues of the irrigation districts. If you're coming from a relatively small irrigation district, you're talking about a very small amount of money that's going to be set aside. All irrigation districts are going to experience, from time to time, the necessity of making some rather substantive improvements in the districts."

Mr. Nisbet spoke against the amendment.

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

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kreidler, adding a new section 4 to Substitute Senate Bill No. 2504, and the amendment was not adopted by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Bagnariol, Becker, Bender, Brekke, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Monohon, Nelson D., North, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bauer, Berentson, Blair, Bond, Brown, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Galloway, Greengo, Haley, Hastings, Houchen, Isaacson, Jovanovich, Maxie, May, McCormick, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taler, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, McDonald, Sanders, Warnke, Wilson.

Mr. Scott moved adoption of the following amendment:

On page 2, following line 33 insert new sections as follows:

**"NEW SECTION, Sec. 4.** There is added to chapter 43.83B RCW a new section to read as follows:

(1) Each time an eligible public body receives funds from the state for construction, rehabilitation, or betterment of agricultural water supply facilities as provided in RCW 43.83B.210, it shall determine for every parcel of real property located within the territorial limits of the eligible public body, the extent of this direct benefit for agricultural purposes that such parcel receives from the construction, rehabilitation, or betterment which is paid in whole or in part by the state funds. The extent of benefit figure for an individual parcel shall constitute that percentage of the total direct benefit for agricultural purposes received from the construction, rehabilitation, or betterment that the parcel receives.

(2) During the effective time period, the owner or owners of any parcel which is determined to have received benefit from such construction, rehabilitation, or betterment shall be liable to pay the state for an amount established in subsection (3) whenever the parcel is converted to nonagricultural uses. The effective time period shall be the term of the loan of state funds to the eligible public body of all or a portion of the state funds were loaned to the eligible public body. Whenever the state funds received by an eligible public body only consist of a grant, the effective time period shall be twenty-five years.

(3) The amount required to be paid pursuant to subsection (2) for a parcel converted to nonagricultural uses shall be the extent of benefit figure for the parcel multiplied by the amount of state funds loaned and/or granted to the eligible public body.

**NEW SECTION, Sec. 5.** There is added to chapter 43.83B RCW a new section as follows:

The amount required to be paid pursuant to section 4 of this act for the conversion of a parcel to non-agricultural uses shall be paid to the state within sixty days of the conversion of the parcel to nonagricultural uses. If not paid within this sixty-day period, this amount shall become a lien sixty-one days after the conversion of the parcel to nonagricultural uses. The lien shall be paramount and superior to any other lien or encumbrance arising before or after the lien except a lien for general taxes. This lien shall bear interest at the same rate as delinquent real property taxes pursuant to RCW 84.56.020 as now or hereafter amended.

**NEW SECTION, Sec. 6.** There is added to chapter 43.83B RCW a new section to read as follows:

The department of ecology shall, pursuant to the provisions of chapter 34.04 RCW, adopt rules necessary to implement the provisions of sections 4 and 5 of this act."

Remember the remaining sections consecutively.

Mr. Scott spoke in favor of the amendment, and Representatives Clayton and Deccio spoke against it.

## POINT OF INQUIRY

Mr. Scott yielded to question by Mr. Amen.

Mr. Amen: "Representative Scott, in your amendment do you mean that even if it's a loan that has been repaid, or what part of the state funds would this cover? I'm asking, does this include both loan and grant or just grant?"

Mr. Scott: "It's as long as the terms of the loan."

Representatives Amen, Struthers, Fancher and Nisbet spoke against the amendment, and Representatives Becker, Lux and Van Dyken spoke in favor of it.

Mr. Tilly demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Scott to Substitute Senate Bill No. 2504, and the amendment was not adopted by the following vote: Yeas, 43; nays, 50; not voting, 5.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Maxie, Monohon, Nelson D., Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Van Dyken, Vrooman, Walk, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Berentson, Bond, Chandler, Clayton, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Greengo, Haley, Hastings, Houchen, Isaacson, Jovanovich, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Craswell, Sanders, Warnke, Wilson.

Mr. Martinis moved adoption of the following amendment:

On page 2, line 33 after "code." insert "The construction and rehabilitation of irrigation water supply facilities shall include reasonable features to protect and enhance fish, wildlife and other natural resources."

Representatives Martinis, Barr and Kreidler spoke in favor of the amendment, and Representatives Smith (C) and Oliver spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Martinis to Substitute Senate Bill No. 2504, and the amendment was adopted by the following vote: Yeas, 67; nays, 25; not voting, 6.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Owen, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Williams, Zimmerman.

Voting nay: Representatives Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Nelson G. A., Oliver, Patterson, Polk, Rohrbach, Rosbach, Smith C. P., Tilly.

Not voting: Representatives Adams, Sanders, Warnke, Whiteside, Wilson, Winsley.

Mr. Kreidler moved adoption of the following amendments by Representatives Kreidler and Sommers:

On page 2, line 11 after "that" strike "notwithstanding" and insert "when consistent with"

On page 2, line 21 after "District" strike ", and" and insert ": PROVIDED FURTHER, That notwithstanding the criteria related to loans and grants contained in RCW 43.83B.210,"

On page 2, line 27 after "section." insert "Notwithstanding any other provisions of this section no grant of funds to an irrigation district, hereinafter made available in this act as eligible for receipt of funds, may exceed the sum of five hundred thousand dollars plus fifteen percent of the remainder of the funds to be provided by the department to said district under this section."

Representatives Kreidler and Sommers spoke in favor of the amendments.

## POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Amen.

Mr. Amen: "On the third amendment, it says 'five hundred thousand plus fifteen percent.' This is more than we're allowing in the present legislation and we'd be giving more grants if we pass this amendment than we have in the past. Is that right?"

Mr. Kreidler: "No, Representative Amen, this isn't correct. In fact, right now the Department of Ecology could have given—let's say to the Yakima/Tieton District—where their grant application was for \$8,200,000 plus, they could have given that money entirely as grant money. The wording of this particular act is loan or grant. The discretion is up to the Department of Ecology. No, it is not more liberal, it is more conservative. It's specifying what portion could be for grant and how much can be loaned. That's defined it in so we have some control, we're not just giving money away here."

## POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Flanagan.

Mr. Flanagan: "In the first part of the amendment you are changing the language from 'notwithstanding' to 'when consistent with,' which indicates to me that you're specifically saying that it has to be an eighty-five percent loan and fifteen percent grant. Is that right?"

Mr. Kreidler: "Representative Flanagan, those particular RCW's that were referenced here, where we want to change 'notwithstanding' to 'when consistent with' does specify that, except under this particular act we're defining it in such a way that we're saying that for this particular act, Substitute Senate Bill No. 2504, these funds shall be allocated in this particular fashion, but it would be consistent with the RCW specified in 85.15. What we're talking about here is the fact that sometimes we're talking about very large sums of money—a small portion of it being matching money from the State of Washington, and the rest of it from the federal government. That particular share of the money that comes from the State of Washington may be entirely grant money and may represent the fifteen percent and then the eighty-five percent may come from the federal government. We're trying to define the difference here between what is the fifteen percent and the eighty-five percent and giving some direction to deal with when we're not dealing with those large matching moneys from the federal government."

Mr. Flanagan: "When you change that from 'notwithstanding' to 'when consistent with' — I read that statute, and it definitely says that they have to be eighty-five percent loan and can't exceed fifteen percent grant — so I think you're changing that to where it cannot be more than fifteen percent grant when you change that language. Isn't that true?"

Mr. Kreidler: "Representative Flanagan, it would under certain circumstances, but as I read this and for the record, it would mean that we are saying that for the purposes of this act, the last part here would specify five hundred thousand dollars and then fifteen percent above that of the application except that when we talk about 'consistent with,' when we get into the larger sums of money. When we're dealing with state and federal matching we're dealing with very large sums of money that go far beyond what the state commitment is to that particular allocation in this program. So there's an exception here for this particular money, but if we're talking about a \$40 million project of which fifteen percent is \$8 million, let's say, the potential of the DOE is to give \$8 million to a specific district, and that's what we're doing here — plying some control in those circumstances."

Mr. Flanagan spoke against the amendments.

## MOTION

Mr. King moved that further consideration of Substitute Senate Bill No. 2504 be deferred and the bill be placed on the second reading calendar following Engrossed Substitute Senate Bill No. 2993.

Mr. Deccio spoke against the motion.

## ROLL CALL

The Clerk called the roll on the motion to defer consideration of Substitute Senate Bill No. 2504, and the motion was carried by the following vote: Yeas, 54; nays, 39; not voting, 5.

Voting yea: Representatives Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie,



McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Valle, Vrooman, Walk, Zimmerman.

Voting nay: Representatives Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Greengo, Haley, Hastings, Houchen, Isaacson, Martinis, May, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Schmitten, Smith C. P., Sprague, Struthers, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley.

Not voting: Representatives Adams, Amen, Sanders, Warnke, Wilson.

**SUBSTITUTE SENATE BILL NO. 2791**, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying the brand inspection of cattle.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 23rd Day ex. sess., April 12, 1979.)

Ms. Fancher moved adoption of the committee amendment striking everything after the enacting clause and inserting a new bill.

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Fancher to the committee amendment:

On page 13, following line 11 insert new sections as follows:

**\*NEW SECTION.** Sec. 19. Washington State University shall design a system to coordinate information needed to ascertain and track lands used for agriculture production in the state. The university shall provide an analysis of causes for land being withdrawn from agricultural use, suggest methods to preserve current agricultural lands, and suggest lands which could reasonably be put into agricultural production and the estimated costs of developing such land for agricultural use. The University shall report to the legislature the results of its study by January 1, 1981.

**NEW SECTION.** Sec. 20. Washington State University shall act as an informational resource for the state and local governments on programs to protect agricultural land.

**NEW SECTION.** Sec. 21. To carry out the provisions of section 19 of this act there is appropriated to the department of natural resources from the general fund for the biennium ending June 30, 1981, the sum of one hundred fifty-five thousand dollars, or so much thereof as may be necessary: **PROVIDED**, That the department of natural resources shall contract with Washington State University to carry out such provision.\*

Mr. Kreidler spoke in favor of the amendment to the committee amendment, and Mr. Flanagan spoke against it.

Mr. Kreidler spoke again in favor of the amendment, and Mr. Flanagan spoke again in opposition to it.

Mr. Hastings spoke against the amendment to the amendment, and Mr. Van Dyken spoke in favor of it.

Mr. Amen demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kreidler and Fancher to the committee amendment to Substitute Senate Bill No. 2791, and the amendment was not adopted by the following vote: Yeas, 31; nays, 63; not voting, 4.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Douthwaite, Ehlers, Eng, Erickson, Galloway, Granlund, Grimm, Gruger, Heck, Houchen, Keller, Knowles, Kreidler, Lux, Mitchell, Nelson D., Scott, Sherman, Sommers, Van Dyken, Vrooman, Walk, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Haley, Hastings, Hughes, Hurley, Isaacson, Jovanovich, King, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Whiteside, Williams.

Not voting: Representatives Adams, Sanders, Warnke, Wilson.

#### MOTION FOR RECONSIDERATION

Mr. Charnley moved that the House immediately reconsider the vote by which the Kreidler/Fancher amendment to the Agriculture Committee amendment to Substitute Senate Bill No. 2791 was not adopted.

Mr. Charnley spoke in favor of the motion.

## POINT OF ORDER

Mr. Deccio: "Mr. Speaker, Representative Charnley is speaking on the issue and not on his motion."

## SPEAKER'S RULING (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "The motion for reconsideration brings the full issue before us, Representative Deccio. Continue, Representative Charnley."

Mr. Charnley concluded his remarks in favor of the motion to reconsider the amendment to the committee amendment.

Representatives Hastings, Barnes and Barr spoke against the motion, and Representatives Becker and Van Dyken spoke in favor of it.

Mr. Deccio 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 the amendment by Representatives Kreidler and Fancher to the committee amendment to Substitute Senate Bill No. 2791 was not adopted, and the motion was lost by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Keller, King, Knowles, Kreidler, Lux, Martinis, Mitchell, Nelson D., O'Brien, Scott, Sherman, Smith R., Sommers, Teutsch, Van Dyken, Vrooman, Walk, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Fancher, Flanagan, Fuller, Gallagher, Greengo, Haley, Hastings, Hughes, Hurley, Isaacson, Jovanovich, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Whiteside, Williams.

Not voting: Representatives Adams, Eng, Sanders, Warnke, Wilson.

On motion of Ms. Fancher, the following amendment by Representatives Fancher, Kreidler and Vrooman to the committee amendment was adopted:

On page 1, after line 6 of the amendment insert the following:

"Section 1. Section 15.44.010, chapter 11, Laws of 1961 and RCW 15.44.010 are each amended to read as follows:

As used in this chapter:

'Commission' means the Washington state dairy products commission;

To 'ship' means to deliver or consign milk or cream to a person dealing in, processing, distributing, or manufacturing dairy products for sale, for human consumption(;) or industrial or medicinal uses;

'Handler' means one who purchases milk, cream, or skimmed milk for processing, manufacturing, sale, or distribution;

'Dealer' means one who handles, ships, buys, and sells dairy products, or who acts as sales or purchasing agent, broker, or factor of dairy products;

'Processor' means a person who uses milk or cream for canning, drying, manufacturing, preparing, or packaging or for use in producing or manufacturing any product therefrom;

'Producer' means a person who produces milk from cows ((or goats)) and sells it for human or animal food, or medicinal or industrial uses.

Sec. 2. Section 15.44.020, chapter 11, Laws of 1961 as last amended by section 1, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.020 are each amended to read as follows:

There is hereby created a Washington state dairy products commission to be thus known and designated: PROVIDED, That the commission may take actions under the name, 'the dairy farmers of Washington'. The commission shall be composed of not more than ten members. There shall be one member from each district who shall be a practical producer of dairy products to be elected by such producers, one member shall be a dealer, and one member shall be a producer who also acts as a dealer, and such dealer and producer who acts as a dealer shall be appointed by the director of agriculture, and the director of agriculture shall be an ex officio member without vote.

Sec. 3. Section 15.44.050, chapter 11, Laws of 1961 and RCW 15.44.050 are each amended to read as follows:

The commission shall elect a manager, who is not a member, and fix his compensation; and shall appoint a secretary-treasurer, who shall sign all vouchers and receipts for all moneys received by the commission. The treasurer shall file with the commission a fidelity bond in the sum of ((twenty)) one hundred thousand dollars, executed by a surety company authorized to do business in the state, in favor of the state and the commission, conditioned for the faithful performance of his duties and strict accounting of all funds to the commission.

Sec. 4. Section 15.44.060, chapter 11, Laws of 1961 and RCW 15.44.060 are each amended to read as follows:

The commission shall have the power and duty to:

- (1) Elect a chairman and such other officers as it deems advisable, and adopt, rescind, and amend rules, regulations, and orders for the exercise of its powers, which shall have the effect of law when not inconsistent with existing laws;
- (2) Administer and enforce the provisions of this chapter and perform all acts and exercise all powers reasonably necessary to effectuate the purpose hereof;
- (3) Employ and discharge advertising counsel, advertising agents, and such attorneys, agents, and employees as it deems necessary, and prescribe their duties and powers and fix their compensation;
- (4) Establish offices, incur expenses, enter into contracts, and create such liabilities as are reasonable and proper for the proper administration of this chapter;
- (5) Investigate and prosecute violations of this chapter;
- (6) Conduct scientific research designed to improve milk production, quality, transportation, processing, and distribution and to develop and discover uses for products of milk and its derivatives;
- (7) Make in its name such advertising contracts and other agreements as are necessary to promote the sale of dairy products on either a state, national, or foreign basis;
- (8) Keep accurate records of all its dealings, which shall be open to public inspection and audit by the regular agencies of the state; and
- (9) Conduct the necessary research to develop more efficient and equitable methods of marketing dairy products, and enter upon, singly or in participation with others, the promotion and development of state, national, or foreign markets.

Sec. 5. Section 5, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.085 are each amended to read as follows:

There is hereby levied on every hundredweight of class I or class II milk, as defined in RCW 15.44.087, sold by a dealer, including any milk sold by a producer who acts as a dealer, an assessment of:

(1) Five-eighths of one cent per hundredweight. Such assessment shall be in addition to the producer assessment paid by any producer who also acts as a dealer.

(2) Any additional assessment, within the power and duty of the commission to levy, such that the total assessment shall not exceed one cent per hundredweight, as required to effectuate the purpose of this section.

Such assessment may be increased by approval of dealers and producers who also act as dealers, subject to the standards set forth in chapter 15.44 RCW ((15.44.130)) for increasing or decreasing assessments. The funds derived from such assessment shall be used for educational programs in institutions of learning and the sum of such funds derived annually from said dealers and producers who act as dealers shall be matched by assessments derived from producers for the purpose of funding said educational purposes in institutions of learning by an amount not less than the moneys collected from dealers and producers who act as dealers.

Sec. 6. Section 6, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.087 are each amended to read as follows:

For the purpose of RCW 15.44.085, class I and class II milk sold means milk from cows ~~((or goats))~~ produced by a producer as defined in RCW 15.44.010 and utilized as follows:

(1) Class I milk shall be all skim milk and butterfat:

(a) Sold in the form of fluid milk product subject to the following limitations and exceptions:

(i) Any products fortified with added nonfat milk solids shall be class I in an amount equal only to the weight of an equal volume of like unmodified product of the same butterfat content.

(ii) Fluid milk products in concentrated form shall be class I in an amount equal to the skim milk and butterfat used to produce the quantity of such products sold.

(iii) Products classified as class II pursuant to subsection (2) of this section are exempted.

(b) Packaged fluid milk products in inventory at the end of the month.

(2) Class II milk shall be all skim milk and butterfat:

(a) Used to produce ice cream, ice cream mix, frozen desserts, aerated cream products, plastic cream, soured cream dressing, yogurt, eggnog, cottage cheese, pot cheese, bakers cheese, cream cheese, neufchatel cheese, or starter; or

(b) Any milk or milk product, sterilized and either (i) packaged in hermetically sealed metal, plastic, foil, paper, or glass containers and used to produce condensed milk and condensed skim milk, or (ii) in fluid milk products disposed of in bulk to commercial food processing establishments or producer milk sold to a commercial food processing establishment.

Sec. 7. Section 15.44.090, chapter 11, Laws of 1961 as amended by section 4, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.090 are each amended to read as follows:

All assessments shall be collected by the first dealer and deducted from the amount due the producer, and all moneys so collected shall be paid to the treasurer of the commission on or before the twentieth day of the succeeding month for the previous month's collections, and deposited by him in banks designated by the commission to the credit of the commission fund. If a dealer or a producer who acts as a dealer fails to remit any ~~((moneys so collected))~~ assessments, or fails to make deductions for assessments, such sum shall, in addition to penalties provided in this chapter, be a lien on any property owned by him, and shall be reported to the county auditor by the commission, supported by proper and conclusive evidence, and collected in the manner and with the same priority over other creditors as prescribed for the collection of delinquent taxes.

NEW SECTION. Sec. 8. (1) Section 15.44.120, chapter 11, Laws of 1961 and RCW 15.44.120 are each repealed.

(2) Such repeal shall not be construed as affecting any existing right acquired under the statute repealed; nor as affecting any proceeding instituted thereunder, nor any rule, regulation, or order promulgated thereunder; nor any administrative action taken thereunder."

Remember the remaining sections consecutively

Mr. Van Dyken moved adoption of the following amendments by Representatives Van Dyken and Becker to the committee amendment:

On page 3, line 1 after "exceed" strike "seventy-five" and insert "one hundred fifty"

On page 3, line 2 after "per animal:" insert "AND PROVIDED FURTHER, That the department shall adopt rules and regulations allowing for retroactive brucellosis indemnity payments for dairy breed females and purebred registered bulls slaughtered pursuant to this section after July 31, 1978, and before June 8, 1979, in an amount that shall not exceed seventy-five dollars per animal:"

On page 3, line 26 after "of" strike "sixty-five" and insert "two hundred sixty"

Representative Van Dyken spoke in favor of the amendments to the committee amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Becker and Van Dyken to the committee amendment to Substitute Senate Bill No. 2791, and the amendments were adopted by the following vote: Yeas, 55; nays, 38; not voting, 5.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Brekke, Brown, Burns, Charnley, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Hughes, Hurley, King, Knowles, Kreidler, Lux, May, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Polk, Pruitt, Rohrbach, Salatino, Scott, Sherman, Sommers, Taylor, Teutsch, Thompson, Tilly, Van Dyken, Vrooman, Warnke, Williams, Zimmerman.

Voting nay: Representatives Bender, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Eng, Fancher, Flanagan, Greengo, Grimm, Haley, Hastings, Houchen, Isaacson, Jovanovich, Keller, Martinis, McCormick, McDonald, McGinnis, Nelson G. A., Owen, Rosbach, Schmitt, Smith C. P., Smith R., Sprague, Struthers, Taller, Tupper, Valle, Walk, Whiteside, Winsley.

Not voting: Representatives Adams, Maxie, Patterson, Sanders, Wilson.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the committee amendment as amended.

Mr. Kreidler spoke in favor of the amendment.

### POINT OF INQUIRY

Mr. Kreidler yielded to question by Ms. Valle.

Ms. Valle: "What is the fiscal impact of this amendment?"

Mr. Kreidler: "Representative Valle, there was \$265,000 added by the amendment, and it was \$65,000 in there previously."

Mr. Blair spoke against adoption of the amendment.

The committee amendment as amended was adopted.

Mr. Kreidler moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Fancher, the following amendments to the title amendment were adopted:

On page 20, line 21 of the title amendment after "insert" and before "amending" insert "amending section 15.44.010, chapter 11, Laws of 1961 and RCW 15.44.010; amending section 15.44.020, chapter 11, Laws of 1961 as last amended by section 1, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.020; amending section 15.44.050, chapter 11, Laws of 1961 and RCW 15.44.050; amending section 15.44.060, chapter 11, Laws of 1961 and RCW 15.44.060; amending section 5, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.085; amending section 6, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.087; amending section 15.44.090, chapter 11, Laws of 1961 as amended by section 4, chapter 136, Laws of 1975 1st ex. sess. and RCW 15.44.090;"

On page 21, line 25 of the title amendment strike "and"

On page 21, line 25 of the title amendment after "69.25.260" insert "; and repealing section 15.44.120, chapter 11, Laws of 1961 and RCW 15.44.120;"

On page 21, line 25 of the title amendment after "22.09 RCW;" and before "making" insert "repealing section 15.44.120, chapter 11, Laws of 1961 and RCW 15.44.120;"

The committee amendment to the title as amended was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2791 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2791 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 11; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bauer, Becker, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Jovanovich, Keller, Knowles, Kreidler, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bender, Blair, Eng, Greengo, Gruger, Hurley, Isaacson, Lux, May, Sommers, Valle.

Not voting: Representatives Adams, Bagnariol, King, Nelson G. A., Sanders, Wilson.

Substitute Senate Bill No. 2791 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. 2993, by Committee on Energy and Utilities (originally sponsored by Senators Bottiger, Hayner, Lewis and Bausch):

Revising laws relating to public utility districts.

The bill was read the second time.

Mr. Nelson (D) moved adoption of the following amendment:

On page 1, line 12 strike "~~(may, or)~~" and insert "may, or"

Mr. Nelson (D) spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (D) to Engrossed Substitute Senate Bill No. 2993, and the amendment was not adopted by the following vote: Yeas, 47; nays, 43; not voting, 8.

Voting yea: Representatives Addison, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Tupper, Valle, Van Dyken, Vrooman, Warnke.

Voting nay: Representatives Amen, Barr, Berentson, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Flanagan, Fuller, Gallagher, Greengo, Grimm, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Walk, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Barnes, Bond, Fancher, Nelson G. A., Sanders, Whiteside, Wilson.

Mr. Jovanovich moved adoption of the following amendments:

On page 1, line 11 strike "ten" and insert "~~(ten)~~ five"

On page 4, line 10 strike "ten" and insert "five"

Mr. Jovanovich spoke in favor of the amendments, and Mr. Scott spoke against them.

The amendments were not adopted.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease until 1:30 p.m.

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

#### MOTION FOR RECONSIDERATION

On motion of Mr. Brown, the House voted to reconsider the vote by which the amendment by Representative Nelson (D) was not adopted.

The amendment was reconsidered and adopted.

Mr. Nelson (D) moved adoption of the following amendment:

On page 1, line 16 after "district" strike "which shall be coextensive with the limits of such county as now or hereafter established" and insert "~~((which shall be coextensive with the limits of such county as now or hereafter established))~~"

Representatives Nelson (D) and Jovanovich spoke in favor of the amendment, and Representatives Martinis and Scott spoke against it.

Mr. Nelson (D) spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Owen.

Mr. Owen: "Representative Martinis, would you please explain your position? Representative Nelson brought some shadow over it that I don't quite understand."

Mr. Martinis: "Representative Owen, under existing law if you are going to form lesser than countywide PUD districts, you have to go through the public hearing process, not the election process, but before you go to the ballot the county commissioners are required to hold public hearings. That is existing law. What this amendment is doing, in my estimation, is saying that you are circumventing the existing law by allowing the county commissioners to displace the lesser districts from the ballot rather than the requirement of them having to go to public hearings."

Mr. Douthwaite spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (D) to Engrossed Substitute Senate Bill No. 2993, and the amendment was not adopted by the following vote: Yeas, 26; nays, 67; not voting, 5.

Voting yea: Representatives Barnes, Bauer, Becker, Brekke, Burns, Charnley, Douthwaite, Eng, Galloway, Granlund, Gruger, Heck, Jovanovich, King, Knowles, Kreidler, Lux, Maxie, Nelson D., O'Brien, Pruitt, Sherman, Sommers, Teutsch, Valle, Winsley.

Voting nay: Representatives Addison, Amen, Bagnariol, Barr, Bender, Berentson, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Grimm, Haley, Hastings, Houchen, Hurley, Isaacson, Keller, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Adams, Blair, Hughes, Sanders, Warnke.

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

On page 1, line 23 strike "fifteen" and insert "(fifteen) thirty"

On page 1, beginning on line 25 beginning with ", and" strike all the matter down to and including "county" on line 27 and insert "(; and for such purpose the county auditor shall have access to all registration books in the possession of election officers within such county))"

On page 2, line 11 beginning with ", which" strike all the matter down to and including "election" on line 14 and insert "(; which shall thereupon immediately transmit such proposition to the election board of such county, and it shall be the duty of such county election board to submit such proposition to the voters at the next general election)) which shall submit such proposition to the voters of said county at the next general election in an even-numbered year occurring forty-five days after submission of the proposition to said legislative authority"

On page 4, line 20 strike "fifteen" and insert "thirty"

On page 4, line 21 beginning with "and for" strike all the material down to and including "county" on line 24

On page 5, line 1 beginning with "which" strike all the material down to and including "election" on line 5 and insert "which shall submit such proposition to the voters of said district at the next general election in an even-numbered year occurring forty-five days after submission of the proposition to said legislative authority"

The Clerk read the following amendment by Representative Jovanovich:

On page 3, line 19 after "formation" insert "or activation"

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

Mr. Jovanovich moved adoption of the following amendment by Representatives Jovanovich, Williams, McCormick and Haley:

On page 4, line 12 strike "county" and insert "district"

Representatives Jovanovich and Scott spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment by Representative Jovanovich:

On page 5, after line 22 insert "PROVIDED, That nothing in this 1979 act shall be applicable to any public utility district already in existence on the effective date of this act."

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

Mr. Jovanovich moved adoption of the following amendment:

On page 5, after line 22 insert:

"NEW SECTION, Sec. 3. This 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 Article II, section 1 of the State Constitution, as amended and the laws adopted to facilitate the operation thereof."

Mr. Jovanovich spoke in favor of the amendment, and Mr. Scott spoke against it.

The amendment was not adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2993 as amended by the House was placed on final passage.

Representatives McCormick and Haley spoke in favor of the bill.

#### POINT OF INQUIRY

Ms. McCormick yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative McCormick, what effect does this bill have upon the authority of PUD's that presently own or operate electric facilities to serve their existing electric customers and to take on new electric customers within and without their boundaries?"

Ms. McCormick: "Representative Nisbet, this bill does not affect or alter existing law with regard to the authority of PUD's to provide electric service to their customers. The PUD's will be able to serve existing and new electric customers within or without their boundaries to the same extent they may now do so under existing law."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2993 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 6; not voting, 7.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hurley, Isaacson, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Douthwaite, Eng, Jovanovich, Lux, Sommers.

Not voting: Representatives Adams, Blair, Hastings, Hughes, Keller, Sanders, Whiteside.

Engrossed Substitute Senate Bill No. 2993 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 10, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 376 with the following amendments:

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

"NEW SECTION, Section 1. The legislature finds that expansion of cultural tourism would attract new visitors to our state and aid the development of a nonpolluting industry. The construction of the facility provided for in sections 2 through 9 of this act would enhance the industry's ability to attract such new visitors. The additional income and employment would strengthen the economic base of the state.

It is declared that the creation and development of a multi-theatre international performing arts facility will enhance the progress and economic growth of this state. The continued growth and development of this recreational industry provides for the general welfare and is an appropriate matter of concern to the people of the state of Washington.

NEW SECTION, Sec. 2. For the purpose of providing a matching grant for the planning, design, construction, furnishing, and landscaping of a multi-theatre international performing arts facility designated as 'the Pacific northwest festival facility' and located in south King county in the vicinity of Federal Way, the

state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of five million dollars, or so much thereof as may be required to finance that portion of the grant by the state for the project as provided by law. No bonds authorized by this section shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

No bonds may be issued until the director of the department of commerce and economic development certifies to the state finance committee that not less than fifteen million dollars in additional federal and private funding has been provided or secured as matching money for the purposes of sections 2 through 9 of this act.

The state finance committee is authorized to prescribe the form of the bonds, the time of sale of all or any portion or portions of the bonds, and the conditions of sale and issuance thereof.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

**NEW SECTION.** Sec. 3. At the time the state finance committee determines to issue the bonds authorized in section 2 of this act, or a portion thereof, it may, pending the issuance thereof, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as 'bond anticipation notes.' The proceeds from the sale of bonds and notes authorized by section 2 of this act and this section shall be deposited in the Pacific northwest festival facility construction account, hereby created in the general fund in the state treasury, and shall be used exclusively for the purposes specified in sections 2 through 9 of this act and for the payment of expenses incurred in the issuance and sale of the bonds and notes: **PROVIDED**, That such portion of the proceeds of the sale of such bonds as may be required for the payment of the principal and interest on such anticipation notes as have been issued, shall be deposited in the Pacific northwest festival facility bond redemption fund of 1979 in the state treasury created by section 5 of this act.

**NEW SECTION.** Sec. 4. The principal proceeds from the sale of the bonds authorized in section 2 of this act shall be administered by the director of the department of commerce and economic development.

**NEW SECTION.** Sec. 5. The Pacific northwest festival facility bond redemption fund of 1979, hereby created in the state treasury, shall be used for the purpose of the payment of interest on and retirement of the bonds and notes authorized to be issued by sections 2 and 3 of this act. The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount needed in the ensuing twelve months to meet bond retirement and interest requirements. Not less than thirty days prior to the date on which any such interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the Pacific northwest festival facility bond redemption fund of 1979 an amount equal to the amount certified by the state finance committee to be due on such payment date.

If a state general obligation bond retirement fund is created in the state treasury by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess. and becomes effective by statute prior to the issuance of any of the bonds authorized by sections 2 through 9 of this act, the state general obligation bond retirement fund shall be used for purposes of sections 2 through 9 of this act in lieu of the Pacific northwest festival facility bond redemption fund of 1979, and the Pacific northwest festival facility bond redemption fund of 1979 shall cease to exist.

The owner and holder of each of the bonds or the trustee for any of the bonds, by mandamus or other appropriate proceeding, may require and compel the transfer and payment of funds as directed in this section.

**NEW SECTION.** Sec. 6. The bonds authorized by section 2 of this act shall be a legal investment for all state funds under state control and all funds of municipal corporations.

**NEW SECTION.** Sec. 7. The legislature finds that the forty-third and forty-fourth legislatures conducted studies relating to the feasibility and desirability of an international performing arts festival as an aid to the growth of the cultural tourism industry. The favorable results of those studies mandate that a steering commission be established to advise the director of the department of commerce and economic development in carrying out the provisions of sections 2 through 9 of this act.

The international performing festival arts steering commission is hereby created and shall consist of twelve members selected as follows:

- (1) Five members shall be appointed by the governor, one of whom shall be designated by the governor as chairperson of the commission;
- (2) Two members of the senate shall be appointed by the president of the senate;
- (3) Two members of the house of representatives shall be appointed by the speakers of the house of representatives;
- (4) One member of the King county council who shall be appointed by the council;
- (5) One member of the Tacoma city council who shall be appointed by the council; and
- (6) One member appointed by the Pierce county board of commissioners who may or may not be a board member.

The members of the commission shall serve without compensation. Meetings of the commission shall be at the call of the governor or the chairperson.

The commission shall terminate its duties on July 31, 1982, unless such termination date be removed or extended by law.



**NEW SECTION.** Sec. 8. The state of Washington is authorized to accept a gift from a private donor of thirty acres of unimproved real estate located in south King county in the vicinity of Federal Way for the location of a multi-theatre international performing arts facility as a facility for the people of the state of Washington.

**NEW SECTION.** Sec. 9. The members of the international performing festival arts steering commission are empowered to form a nonprofit corporation under chapter 24.03 RCW. The members of the corporation shall be members as long as they are members of the commission or until their successors are appointed and qualify.

**NEW SECTION.** Sec. 10. Sections 2 through 9 of this act shall be added to chapter 43.31 RCW.

**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."

On page 1, on line 9 of the title, after "RCW" insert "; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Warnke moved that the House do concur in the Senate amendments to Engrossed House Bill No. 376.

Mr. Warnke spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Warnke, I just looked through the language and the makeup of the new commission. It's my understanding that this new facility will be built in South King County, and I note one member of the commission is a member of the Tacoma City Council. I wondered if you would explain to me why. I can understand having a member of King County City Council and maybe I could understand why one would be from the Pierce County Board of Commissioners, but I don't understand why the City of Tacoma is involved."

Mr. Warnke: "The City of Tacoma boundary line runs right up to the very edge of the Pierce County line that is next to the Federal Way Festival. They have been long time supporters of the Festival. The facility is in Federal Way so we have placed one of those people on the commission."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Charnley: "How many votes are necessary to pass this bill?"

The Speaker (Mr. Newhouse presiding): "Sixty percent of the ninety-eight would be fifty-nine votes."

Mr. Nelson (G.A.) spoke against the motion to concur, and Representatives O'Brien and Greengo spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed House Bill No. 376, and the motion was carried by the following vote: Yeas, 77; nays, 14; not voting, 7.

Voting yea: Representatives Addison, Bagnariol, Barnes, Bauer, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bender, Bond, Clayton, Craswell, Douthwaite, Fancher, Flanagan, Gruger, Nelson G. A., Newhouse, Patterson, Sprague.

Not voting: Representatives Adams, Becker, Blair, Hastings, Hughes, Sanders, Whiteside.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 376 as amended by the Senate.

Representatives O'Brien, Eberle and 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. 376 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; nays, 21; not voting, 5.

Voting yea: Representatives Addison, Bagnariol, Barnes, Bauer, Becker, Berentson, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bender, Bond, Brekke, Clayton, Craswell, Douthwaite, Fancher, Flanagan, Gruger, King, Nelson G. A., Newhouse, Nisbet, Owen, Patterson, Smith C. P., Sprague, Taylor, Williams.

Not voting: Representatives Adams, Blair, Hastings, Hughes, Sanders.

Engrossed House Bill No. 376 as amended by the Senate, 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.

#### SECOND READING

##### SUBSTITUTE SENATE BILL NO. 2504:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the amendments by Representatives Kreidler and Sommers to page 2.

With the consent of the House, Mr. Kreidler withdrew the amendments.

Mr. Kreidler moved adoption of the following amendment:

On page 2, line 27 after "section." insert "Notwithstanding any other provisions of this section, no more than fifteen percent of the total state funds provided to any irrigation district by this 1979 act may be a grant, except that no more than fifty percent of the total state funds provided to the Wenas Irrigation District by this 1979 act may be a grant."

Mr. Kreidler spoke in favor of the amendment, and Mr. Oliver spoke against it.

#### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Kreidler, has the department asked for this amendment?"

Mr. Kreidler: "No."

Mr. Deccio: "Has the Wenas Irrigation District asked for this amendment?"

Mr. Kreidler: "No."

Mr. Deccio: "This is in my district and I haven't been contacted and I guess I'm rather curious as to why you're offering this amendment?"

Mr. Kreidler: "Perhaps, Representative Deccio, we're in a different situation than we've been in the past. State employees asked for a great deal and we didn't accede to everything they wanted; the Washington Education Association asked for a great deal and we didn't accede to everything they wanted, and perhaps, in the same situation, we don't accede to everything the people want in the state pocket book. We have to draw the line someplace and I think that's this issue."

Mr. Deccio: "Then I would assume by what you are telling me, that this is really an amendment that's not going to help the Wenas Irrigation District?"

Mr. Kreidler: "It would help them as much as this bill would with or without the amendment. This would give them the potential of going up to fifty percent of grant. They are going to get as much out of this as they had ever hoped for. There is absolutely nothing in this that would hurt the Wenas Irrigation District. In fact, I'm sure if you asked them they would tell you they are pleased with this amendment for at least having something written down so they have guarantee that when they walk into the Department of Ecology and ask what percentage,

they will have at least a chance at getting fifty percent of the million dollars. They will at least have an opportunity to get that much."

Representatives Clayton, Nisbet, Flanagan, Smith (C) and Deccio spoke against the amendment, and Representatives Sommers, Lux and Valle spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Kreidler to page 2, line 27 of Substitute Senate Bill No. 2504, and the amendment was adopted by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., Newhouse, North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Valle, Vrooman, Walk, Winsley.

Voting nay: Representatives Addison, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Galloway, Haley, Houchen, Isaacson, Jovanovich, May, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitten, Smith C. P., Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Adams, Blair, Hastings, Hughes, Sanders, Warnke.

On motion of Mr. Kreidler, the following amendments by Representatives Kreidler and Fancher were adopted:

On page 2, after line 33 insert a new section as follows:

\*NEW SECTION, Sec. 4. There is added to chapter 87.03 RCW a new section to read as follows:

There may be created for each irrigation district a fund to be known as the upgrading and improvement fund. At least five percent of the revenue of each irrigation district may annually be placed into its upgrading and improvement fund. Moneys from the upgrading and improvement fund may only be used to modernize, improve or upgrade the irrigation facilities of the irrigation district or to respond to an emergency affecting such facilities."

Renumber the remaining sections consecutively.

On page 1, line 3 of the title after "creating" strike all the material down to and including "section;" on line 4 and insert "new sections; adding a new section to chapter 87.03 RCW;"

#### MOTION

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2504 as amended by the House be placed on final passage.

Mr. Scott spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 2504 as amended by the House to final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 53; nays, 40; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Heck, Houchen, Hurley, Isaacson, Kreidler, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitten, Smith C. P., Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Thompson, Vrooman, Walk.

Not voting: Representatives Adams, Blair, Hastings, Hughes, Sanders.

Substitute Senate Bill No. 2504 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2744, by Committee on Ways and Means (originally sponsored by Senators Goltz, Shinpoch and Benitz):

Implementing law relating to the state student financial aid program and making additional appropriation therefor.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 37th Day ex. sess. April 26, 1979.)

On motion of Mr. Grimm, the committee amendment was adopted.

**SIGNED BY THE SPEAKERS**

The Speaker (Mr. Newhouse presiding) announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1031,

SUBSTITUTE HOUSE BILL NO. 1075,

HOUSE BILL NO. 1241.

**MOTIONS**

On motion of Mr. Polk, the House advanced to the eleventh order of business.

On motion of Mr. Polk, the House adjourned until 12:00 noon, Monday, April 14, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk

VITO T. CHIECHI, Chief Clerk

## FIFTY-FIFTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 14, 1979.

The House was called to order at 12:00 noon by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Adams, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ginie Regan and Sherri Moore. Prayer was offered by The Reverend Robert Keller of the Lutheran Church of the Good Shepherd 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 12, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2095, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 12, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1031,  
SUBSTITUTE HOUSE BILL NO. 1075,  
HOUSE BILL NO. 1241,  
SUBSTITUTE SENATE BILL NO. 2095,  
SUBSTITUTE SENATE BILL NO. 2388,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 12, 1979

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2249,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 12, 1979

Mr. Speaker:

The Senate has passed:

SENATE RESOLUTION NO. 79-120,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2249, by Committee on Ways and Means (originally sponsored by Senators Peterson, Goltz, Conner, Clarke, Benitz, Bluechel, Vognild, Talley, Lee, Jones, Morrison, Gallagher, Quigg, Guess and Lewis - by Executive request):

Authorizing a bond issue for the commission for vocational education.

To Committee on Appropriations

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

May 11, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1239 with the following amendments:

On page 1, beginning on line 9 after "fire protection district" strike all of the material down to and including "ambulance" on line 13.

On page 2, line 2 after "only for" strike "emergency medical care or emergency medical services" and insert "The provision of emergency medical care or emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles and structures needed for the provision of emergency medical care or emergency medical services"

On page 2, line 17 after "county" insert ": PROVIDED FURTHER, That this 1979 amendatory act shall not prohibit any city or town from levying an annual excess levy to fund emergency medical services"

On page 2, line 20 after "to" strike the remainder of the subsection and insert "the first levy imposed pursuant to this section following the approval of such levy by the voters pursuant to subsection (2) of this section"

On page 2, line 17 after "county" insert ": PROVIDED FURTHER, That this 1979 amendatory act shall not prohibit any city or town from levying an annual excess levy to fund emergency medical services" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendments to Engrossed Second Substitute House Bill No. 1239.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1239 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1239 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 7; not voting, 9.

Voting yea: Representatives Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Blair, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bond, Clayton, Flanagan, Hastings, Newhouse, Smith C. P.

Not voting: Representatives Adams, Bender, Chandler, Eng, Hughes, Smith R., Thompson, Valle, Vrooman.

Engrossed Second Substitute House Bill No. 1239 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 11, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 302 with the following amendments:

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

"Section 1. 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 are each amended to read as follows:

Upon every person except persons taxable under subsections (2), (3), (4), (5), (6), ((or)) (8), (9), or (10) of RCW 82.04.260 engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of forty-four one-hundredths of one percent.

The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 2. Section 82.04.260, chapter 15, Laws of 1961 as last amended by section 7, chapter 291, Laws of 1975 1st 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, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil 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.

(12) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of thirty-three one-hundredths of one percent.

(13) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of thirty-three one hundredths of one percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

Sec. 3. Section 82.02.020, chapter 15, Laws of 1961, section 16, chapter 236, Laws of 1967, and section 8, chapter 94, Laws of 1970, 1st ex. sess., and RCW 82.02.020 are each amended to read as follows:

Except only as expressly provided in RCW 67.28.180 and 67.28.190 and the provisions of chapter 82.14 RCW, the state preempts the field of imposing taxes upon retail sales of tangible personal property, the use

of tangible personal property, parimutuel wagering authorized pursuant to RCW 67.16.060, conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature.

Sec. 4. Section 82.04.300, chapter 15, Laws of 1961 as last amended by section 41, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.300 are each amended to read as follows:

This chapter shall apply to any person engaging in any business activity taxable under RCW 82.04.230, 82.04.240, 82.04.250, 82.04.260, 82.04.270, 82.04.275, 82.04.280 and 82.04.290 other than those whose value of products, gross proceeds of sales, or gross income of the business is less than ((three-hundred)) one thousand dollars per month: PROVIDED, That where one person engages in more than one business activity and the combined measures of the tax applicable to such businesses equal or exceed ((three-hundred)) one thousand dollars per month, no exemption or deduction from the amount of tax is allowed by this section.

Any person claiming exemption under the provisions of this section may be required to file returns even though no tax may be due: PROVIDED, FURTHER, That the department of revenue may allow exemptions, by general rule or regulation, in those instances in which quarterly, semiannual, or annual returns are permitted. Exemptions for such periods shall be equivalent in amount to the total of exemptions for each month of a reporting period.

Sec. 5. Section 82.04.430, chapter 15, Laws of 1961 as last amended by section 1, chapter 105, Laws of 1977 ex. sess. and RCW 82.04.430 are each amended to read as follows:

In computing tax there may be deducted from the measure of tax the following items:

(1) Amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses, from investments or the use of money as such, and also amounts derived as dividends by a parent from its subsidiary corporations;

(2) Amounts derived from bona fide initiation fees, dues, contributions, donations, tuition fees, charges made for operation of privately operated kindergartens, and endowment funds. This paragraph shall not be construed to exempt any person, association, or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others. ((Dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder:)) If dues are in exchange for any significant amount of goods or services rendered by the recipient thereof to members without any additional charge to the member, or if the dues are graduated upon the amount of goods or services rendered, the value of such goods or services shall not be considered as a deduction hereunder;

(3) The amount of cash discount actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extractive or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the provisions of RCW 82.04.450;

(4) The amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis;

(5) So much of the sale price of motor vehicle fuel as constitutes the amount of tax imposed by the state or the United States government upon the sale thereof;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived by any person as compensation for the receiving, washing, sorting, and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in RCW 82.04.330, either as agent or as independent contractor;

(8) Amounts derived as compensation for services rendered or to be rendered to patients or from sales of prescription drugs as defined in RCW 82.08.030 furnished as an integral part of services rendered to patients by a hospital, as defined in chapter 70.41 RCW, devoted to the care of human beings with respect to the prevention or treatment of disease, sickness, or suffering, when such hospital is operated by the United States or any of its instrumentalities, or by the state, or any of its political subdivisions;

(9) Amounts derived as compensation for services rendered to patients or from sales of prescription drugs as defined in RCW 82.08.030 furnished as an integral part of services rendered to patients by a hospital, as defined in chapter 70.41 RCW, which is operated as a nonprofit corporation, nursing homes and homes for unwed mothers operated as religious or charitable organizations, but only if no part of the net earnings received by such an institution inures directly or indirectly, to any person other than the institution entitled to deduction hereunder. In no event shall any such deduction be allowed, unless the hospital building is entitled to exemption from taxation under the property tax laws of this state;

(10) Amounts derived by a political subdivision of the state of Washington from another political subdivision of the state of Washington as compensation for services which are within the purview of RCW 82.04.290;

(11) By those engaged in banking, loan, security or other financial businesses, amounts derived from interest received on investments or loans primarily secured by first mortgages or trust deeds on nontransient residential properties;

(12) By those engaged in banking, loan, security or other financial businesses, amounts derived from interest paid on all obligations of the state of Washington, its political subdivisions, and municipal corporations organized pursuant to the laws thereof;

(13) Amounts derived as interest on loans to bona fide farmers and ranchers, producers or harvesters of aquatic products, or their cooperatives by a lending institution which is owned exclusively by its borrowers or members and which is engaged solely in the business of making loans ((for agricultural production)) and



providing finance-related services to bona fide farmers and ranchers, producers or harvesters of aquatic products, their cooperatives, rural residents for housing, or persons engaged in furnishing farm-related or aquatic-related services to these individuals or entities;

(14) By persons subject to payment of the tax on manufacturers pursuant to RCW 82.04.240, the value of articles to the extent of manufacturing activities completed outside the United States, if

(a) any additional processing of such articles in this state consists of minor final assembly only, and  
(b) in the case of domestic manufacture of such articles, can be and normally is done at the place of initial manufacture, and

(c) the total cost of the minor final assembly does not exceed two percent of the value of the articles, and

(d) the articles are sold and shipped outside the state;

(15) That portion of amounts received by any funeral home licensed to do business in this state which is received as reimbursements for expenditures (for goods supplied or services rendered by a person not employed by or affiliated or associated with the funeral home) and advanced by such funeral home as an accommodation to the persons paying for a funeral, so long as such expenditures and advances are billed to the persons paying for the funeral at only the exact cost thereof and are separately itemized in the billing statement delivered to such persons.

(16) Amounts received from the United States or any instrumentality thereof or from the state of Washington or any municipal corporation or political subdivision thereof as compensation for, or to support, health or social welfare services rendered by a health or social welfare organization or by a municipal corporation or political subdivision.

(17) Amounts used solely for repair, maintenance, replacement, management, or improvement of the residential structures and commonly held property, but excluding property where fees or charges are made for use by the public who are not guests accompanied by a member, which are derived by:

(a) A cooperative housing association, corporation, or partnership from a person who resides in a structure owned by the cooperative housing association, corporation, or partnership;

(b) An association of owners of property as defined in RCW 64.32.010, as now or hereafter amended, from a person who is an apartment owner as defined in RCW 64.32.010; or

(c) An association of owners of residential property from a person who is a member of the association. 'Association of owners of residential property' means any organization of all the owners of residential property in a defined area who all hold the same property in common within the area.

For the purposes of this subsection 'commonly held property' includes areas required for common access such as reception areas, halls, stairways, parking, etc., and may include recreation rooms, swimming pools and small parks or recreation areas; but is not intended to include more grounds than are normally required in a residential area, or to include such extensive areas as required for golf courses, campgrounds, hiking and riding areas, boating areas, etc.

To qualify for the deductions under this section:

(a) The salary or compensation paid to officers, managers, or employees must be only for actual services rendered and at levels comparable to the salary or compensation of like positions within the county wherein the property is located;

(b) Dues, fees, or assessments in excess of amounts needed for the purposes for which the deduction is allowed must be rebated to the members of the association;

(c) Assets of the association or organization must be distributable to all members and must not inure to the benefit of any single member or group of members.

NEW SECTION. Sec. 6. There is added to chapter 82.04 RCW a new section to read as follows:

(1) For the purposes of RCW 82.04.430(16), the term 'health or social welfare organization' means an organization which renders health or social welfare services as defined in subsection (2) of this section, which is a not-for-profit corporation under chapter 24.03 RCW and which is managed by a governing board of not less than eight individuals none of whom is a paid employee of the organization or which is a corporation sole under chapter 24.12 RCW. In addition a corporation in order to be exempt under RCW 82.04.430(16) shall satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the public service of the state;

(c) Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a nonprofit organization, association, or corporation which also would be entitled to the exemption;

(d) The corporation must be duly licensed or certified where licensing or certification is required by law or regulation;

(e) The amounts received qualifying for exemption must be used for the activities for which the exemption is granted;

(f) Services must be available regardless of race, color, national origin, or ancestry; and

(g) The director of revenue shall have access to its books in order to determine whether the corporation is exempt from taxes within the intent of RCW 82.04.430(16) and this section.

(2) The term 'health or social welfare services' includes and is limited to:

- (a) Mental health, drug, or alcoholism counseling or treatment;
- (b) Family counseling;
- (c) Health care services;
- (d) Therapeutic, diagnostic, rehabilitative, or restorative services for the care of the sick, aged, or physically, developmentally, or emotionally-disabled individuals;
- (e) Activities which are for the purpose of preventing or ameliorating juvenile delinquency or child abuse, including recreational activities for those purposes;
- (f) Care of orphans or foster children;
- (g) Day care of children;
- (h) Employment development, training, and placement; and
- (i) Legal services to the indigent.

**NEW SECTION, Sec. 7.** There is added to chapter 82.04 RCW a new section to read as follows:

(1) This chapter does not apply to amounts derived by a nonprofit organization as a result of conducting or participating in a bazaar or rummage sale if:

- (a) The organization does not conduct or participate in more than two bazaars or rummage sales per year; and
- (b) Each bazaar or rummage sale does not extend over a period of more than two days; and
- (c) The gross income received by each organization from each bazaar or rummage sale does not exceed one thousand dollars.

(2) For purposes of this section, 'nonprofit organization' means an organization that meets all of the following criteria:

- (a) The members, stockholders, officers, directors, or trustees of the organization do not receive any part of the organization's gross income, except as payment for services rendered;
- (b) The compensation received by any person for services rendered to the organization does not exceed an amount reasonable under the circumstances; and
- (c) The activities of the organization do not include a substantial amount of political activity, including but not limited to influencing legislation and participation in any campaign on behalf of any candidate for political office.

Sec. 8. 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 or paid after delinquency under extenuating circumstances if approved by the department of revenue 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:

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. 9. Section 7, chapter 37, Laws of 1974 ex. sess. as amended by section 1, chapter 35, Laws of 1977 ex. sess. and RCW 35.21.755 are each amended to read as follows:

A public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660 shall receive the same immunity or exemption from taxation as that of the city, town, or county creating the same: **PROVIDED**, That, except for any property listed on, or which is within a district listed on any federal or state register of historical sites, any such public corporation, commission, or authority shall pay to the county treasurer an annual excise tax equal to the amounts which would be paid upon real property and personal property devoted to the purposes of such public corporation, commission, or authority were it in private ownership, and such real property and personal property is acquired and/or operated under RCW 35.21.725 through 35.21.755, and the proceeds of such excise tax shall be allocated by the county treasurer to the various taxing authorities in which such property is situated, in the same manner as though the property were in private ownership: **PROVIDED FURTHER**, That the provisions of chapter 82.29A RCW (~~and RCW 84.36.451 and 84.40.175~~) shall not apply to property within a district listed on any federal or state register of historical sites and which is controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660, which was in existence prior to January 1, 1976 (~~and the exemption set forth in this proviso shall be allowed in accordance with the following schedule:~~

Year	Percentage Exemption of Tax Otherwise Due
1977 to 1981	100 percent
1982 to 1985	66 2/3 percent
1986 to 1989	33 1/3 percent

and shall expire on December 31, 1989).

Sec. 10. Section 14, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.451 are each amended 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:

(1) The United States, the state of Washington, or any political subdivision or municipal corporation of the state of Washington(;;); or

(2) A public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 if the property is listed on or is within a district listed on any federal or state register of historical sites; and

(3) Including any leasehold interest arising from ((such)) the property identified in subsections (1) and (2) of this section as defined in RCW 82.29A.020: PROVIDED, That ((this)) the exemption under this section 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. 11. Section 2, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.020 are each amended to read as follows:

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 (excluding land or buildings) 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 include the rights of use or occupancy by others of property which is owned in fee or held in trust by a public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 if the property is listed on or is within a district listed on any federal or state register of historical sites. The term 'leasehold interest' shall not include road or utility easements or rights of access, occupancy or use granted solely for the purpose of removing materials or products purchased from a public owner or the lessee of a public owner.

(2) 'Taxable rent' shall mean contract rent as defined in subsection (a) of this subsection in all cases where the lease or agreement has been established or renegotiated through competitive bidding, or negotiated or renegotiated in accordance with statutory requirements regarding the rent payable, or negotiated or renegotiated 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. All other leasehold interests shall be subject to the determination of taxable rent under the terms of subsection (b) of this subsection.

(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, and such improvements shall be taxable to the sublessee as personal property; (iv) improvements added to publicly owned property if such improvements are being taxed as personal property to any person.

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. 12. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to school districts and educational service districts as defined in Title 28A RCW, in respect to materials printed in the school district and educational service districts printing facilities when said materials are used solely for school district and educational service district purposes.

**NEW SECTION.** Sec. 13. There is added to chapter 82.04 RCW a new section to read as follows:

The tax imposed by RCW 82.04.270(1) does not apply to any person who manufactures alcohol with respect to sales of said alcohol to be used in the production of gasohol for use as motor vehicle fuel. As used in this section, 'motor vehicle fuel' has the meaning given in RCW 82.36.010(2), and 'gasohol' means motor vehicle fuel which contains more than nine and one-half percent alcohol by volume.

**NEW SECTION.** Sec. 14. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter does not apply to any county, city or town as defined in Title 35 RCW and Title 36 RCW, in respect to materials printed in the county, city or town printing facilities when said materials are used solely for said county, city or town purposes.

**NEW SECTION.** Sec. 15. 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, 1979."

On page 1, on line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 82.02.020, chapter 15, Laws of 1961, section 16, chapter 236, Laws of 1967, and section 8, chapter 94, Laws of 1970, 1st ex. sess., and RCW 82.02.020; 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 82.04.260, chapter 15, Laws of 1961 as last amended by section 7, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.260; amending section 82.04.300, chapter 15, Laws of 1961 as last amended by section 41, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.300; amending section 82.04.430, chapter 15, Laws of 1961 as last amended by section 1, chapter 105, Laws of 1977 ex. sess. and RCW 82.04.430; amending section 2, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.442; amending section 7, chapter 37, Laws of 1974 ex. sess. as amended by section 1, chapter 35, Laws of 1977 ex. sess. and RCW 35.21.755; amending section 14, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.451; amending section 2, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.020; adding new sections to chapter 82.04 RCW; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Ms. Craswell moved that the House do concur in the Senate amendments to Substitute House Bill No. 302.

Ms. Craswell spoke in favor of the motion, and Ms. Sommers spoke against it.

#### POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Haley.

Mr. Haley: "Representative Craswell, did the Senate take the sales tax from birth control pills? In this strange and bizarre situation they are the only prescription drugs in the drug store with sales tax on. I hope they did."

Ms. Craswell: "No, Representative Haley. This bill only has to do with B&O tax so they could not take the sales tax off prescription drugs in this legislation."

Mr. Whiteside spoke in favor of the Senate amendments.

#### POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Lux.

Mr. Lux: "Representative Craswell, I wonder if you could tell us what the fiscal impact of these taxes is going to be? How much are we losing? What do all these losses amount to?"

Ms. Craswell: "If you mean how much savings to the taxpayer, I don't happen to have that figure here with me now, but I could probably get it for you."

Mr. Polk spoke in favor of the motion to concur, and the motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 302 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 302 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 7; not voting, 6.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Douthwaite, Eng, Jovanovich, Nelson D., Sherman, Sommers, Tilly.

Not voting: Representatives Adams, Chandler, Clayton, Hughes, Smith R., Thompson.

Substitute House Bill No. 302 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 Bagnariol called on Mr. O'Brien to preside.

#### SENATE AMENDMENTS TO HOUSE BILL

May 11, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1 with the following amendments:

On page 1, line 20 before "to take" strike "sixteen years of age or older"

On page 1, lines 24 and 25 strike "Residents seventy years of age and older and exempt from this section."

On page 2, line 8 after "license," strike "five" and insert "ten"

On page 2, after line 8 insert:

"(2) Any person sixty-five years of age or older or under sixteen years of age shall be issued, upon making an affidavit to such effect and upon payment of the dealer fee established in section 3 of this act, a personal use razor clam license at no cost."

Remember remaining subsections consecutively.

On page 2, line 13 after "state" insert ": PROVIDED, That any person who is a resident of another state who owns real property located in a Washington county in which razor clams are harvested shall be deemed to be a resident of this state for the purpose of obtaining a resident razor clam license"

On page 3, after line 8 strike everything through line 19 and insert:

"**NEW SECTION.** Sec. 7. The department shall report annually prior to December 31 to the legislature on the number of licenses sold, revenues received, the results of the programs initiated under this chapter, and the status of the resource to enable the legislature to determine if the provisions of this chapter have proved beneficial to the utilization and conservation of the resource."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Schmitt moved that the House concur in all the Senate amendments except the amendment to page 2, line 13, and ask the Senate to recede therefrom.

Representatives Schmitt and Charnley spoke in favor of the motion, and it was carried.

## POINT OF INFORMATION

Mr. Amen: "I notice in the Senate resolution that they say they have completed the business of the state of Washington. If we send these bills back to the Senate, and do not concur with them, does that mean they will be dead then?"

The Speaker (Mr. O'Brien presiding): "Representative Amen, I wouldn't be too deeply concerned about the Senate. They are a responsible body and I'm sure these messages will be acted upon."

Mr. Amen: "Mr. Speaker, I don't think I quite understand your answer to this. Are you saying we should not believe what the Senate is saying in their resolution?"

The Speaker (Mr. O'Brien presiding): "Patience is a virtue."

## MESSAGE FROM THE SENATE

May 10, 1979

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1258 on page 1, line 9, and page 5, lines 11 and 13, and once again asks the House to concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Ms. Becker moved that the House concur with the Senate amendments to Engrossed Substitute House Bill No. 1258.

Representatives Becker, Polk and Taylor 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 the final passage of Engrossed Substitute House Bill No. 1258 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1258 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Hughes.

Engrossed Substitute House Bill No. 1258 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

SUBSTITUTE SENATE BILL NO. 2182 by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Walgren, Matson, Shinpoch, Gaspard, Conner, Jones, Lewis, Van Hollebeke, Woody, Hayner, Morrison, Lec, Sellar, Bluechel, Goltz, Hansen, Talley, Fleming, Wanamaker, Guess, Talmadge, Wilson, Quigg, Benitz, Wojahn, Ridder, Day, Gallagher, Newschwander, Pullen, Clarke, McDermott, North, Bottiger, von Reichbauer, Moore, Peterson, Bausch and Vogniold):

Revising the gift tax.

The bill was read the second time.

(For previous action, see Journal, 49th and 50th Days 1st ex. sess., May 8 and 9, 1979.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment striking everything after the enacting clause and inserting new material.

Mr. Sanders moved adoption of the following amendment to the committee amendment:  
On page 22 after line 5 insert:

\*NEW SECTION. Sec. 25. Sections 2 through 7 of this 1979 act shall terminate on January 1, 1981.\*

Mr. Sanders spoke in favor of the amendment to the amendment, and Representatives Sommers, Brown and Lux spoke against it.

Mr. Sanders again spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to the committee amendment to Substitute Senate Bill No. 2182, and the amendment was not adopted by the following vote: Yeas, 48; nays, 47; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, Jovanovich, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside, Williams, Wilson.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hurley, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley, Zimmerman.

Not voting: Representatives Adams, Hughes, Salatino.

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2182 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 Substitute Senate Bill No. 2182 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 Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Lux.

Not voting: Representatives Adams, Hughes.

Substitute Senate Bill No. 2182 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. 2901 by Senators Bausch and Clarke (by Insurance Commissioner request):

Changing the laws on service of process against an unauthorized insurer.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 20th Day ex. sess., April 9, 1979.)

On motion of Mr. Rohrbach, the committee amendments were not adopted.

Mr. Rohrbach moved adoption of the following amendment:

Strike everything after the enacting clause and insert:

\*Section 1. Section 27, chapter 150, Laws of 1967 and RCW 48.22.030 are each amended to read as follows:

(1) 'Underinsured motor vehicle' means a motor vehicle with respect to the ownership, maintenance, or use of which either no bodily injury liability bond or insurance policy applies at the time of an accident, or with respect to which the sum of the limits of liability under all bodily injury liability bonds and insurance policies applicable to a covered person after an accident is less than the applicable limits of liability afforded by the insured's own policy.

(2) ((On and after January 1, 1968,)) No new policy or renewal of an existing policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle shall be ((delivered or)) issued ((for delivery in this state)) with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto((, in limits for bodily injury or death set forth in RCW 46.29-490,)) for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of ((uninsured)) underinsured motor vehicles and hit-and-run motor vehicles because of bodily injury((, sickness or disease, including)) or death, resulting therefrom, except ((that the named insured may be given the right to reject such coverage, and except that, unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with a policy previously issued to him by the same insurer)) while operating or occupying a motorcycle or motor-driven cycle, and except while operating or occupying a motor vehicle owned by the insured which is not insured under the liability coverage of the policy.

(3) Coverage required under subsection (2) of this section must be in amounts at least equal to the limits for bodily injury or death set forth in RCW 46.29.490. At the purchaser's option, such coverage may be increased up to the limits of the purchaser's liability coverage provided against loss from bodily injury or death.

(4) The insured may reject underinsured coverage and the requirements of subsections (2) and (3) of this section shall not apply. If the insured has rejected underinsured coverage, such coverage shall not be included in any supplemental or renewal policy unless the insured subsequently requests such coverage in writing.

(5) The limit of liability under the policy coverage may be defined as the maximum limits of liability for all damages resulting from any one accident regardless of the number of covered persons, claims made, or vehicles or premiums shown on the policy, or vehicles involved in an accident, or premiums paid.

(6) The policy may provide that if an injured person has other similar insurance available to him under other policies, the total limits of liability of all coverages shall not exceed the higher of the applicable limits of the respective coverages.

Sec. 2. Section 3, chapter 95, Laws of 1967 ex. sess. and RCW 48.22.040 are each amended to read as follows:

(1) The term '((uninsured)) underinsured motor vehicles' with reference to coverage offered under any insurance policy regulated under this chapter shall, subject to the terms and conditions of such coverage, be deemed to include an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency.

(2) An insurer's insolvency protection shall be applicable only to accidents occurring during a policy period in which its insured's ((uninsured)) underinsured motorist coverage is in effect where the liability insurer of the tort-feasor becomes insolvent within three years after such an accident. Nothing herein contained shall be construed to prevent any insurer from affording insolvency protection under terms and conditions more favorable to its insureds than is provided hereunder.

(3) In the event of payment to an insured under the coverage required by this chapter and subject to the terms and conditions of such coverage, the insurer making such payment shall, to the extent thereof, be entitled to the proceeds of any settlement or judgment resulting from the exercise of any rights of recovery of such insured against any person or organization legally responsible for the bodily injury for which such payment is made, including the proceeds recoverable from the assets of the insolvent insurer. Whenever an insurer shall make payment under the coverage required by this section and which payment is occasioned by an insolvency, such insurer's right of recovery or reimbursement shall not include any rights against the insured of said insolvent insurer, but such paying insurer shall have the right to proceed directly against the insolvent insurer or its receiver, and in pursuance of such right such paying insurer shall possess any rights which the insured of the insolvent company might otherwise have had, if the insured of the insolvent insurer had personally made the payment."

Ms. Becker moved adoption of the following amendment by Representatives Becker, Struthers, Douthwaite and Rohrbach to the Rohrbach amendment:

On page 5, line 15 insert:

**\*NEW SECTION.** Sec. 3. There is added to chapter 51.12 RCW a new section to read as follows:

Juveniles performing community services pursuant to chapter 13.40 RCW may be deemed employees and/or workers for all purposes relating to medical aid benefits under chapter 51.36 RCW at the option of the county under whose authorization the services are performed. Any and all premiums or assessments due under this title on account of such community services shall be the obligation of and be paid for by the county in which the juvenile was required to perform such community services from the fund created in section 4(2) of this act or from any other source. Coverage under this section commences when a county has given notice to the director that it wishes to cover juveniles performing community service prior to the occurrence of an injury or contraction of an occupational disease.



**NEW SECTION.** Sec. 4. There is added to chapter 291, Laws of 1977 ex. sess. and to chapter 13.40 RCW a new section to read as follows:

(1) The legislative authority of any county may purchase liability insurance in an amount it deems reasonable to protect the county and its officers and employees against liability for the wrongful acts of any juvenile in the course of community service agreed to or ordered under chapter 13.40 RCW.

(2) The legislative authority of any county desiring to purchase insurance under subsection (1) of this section shall, by ordinance, establish a cumulative reserve fund to be used for purchasing and maintaining such insurance. The fund shall be known as the community service insurance fund and shall be administered by the county treasurer. Only moneys from fines imposed upon juveniles sentenced under chapter 13.40 RCW may be deposited in the fund: **PROVIDED**, That moneys may be transferred to the fund from the county's current expense fund to provide initial moneys for the community service insurance fund. Moneys which are deposited in the community service insurance fund, as a result of fines collected, which are in excess of those funds necessary to pay the required insurance premiums may be used to replace such moneys as were transferred from the current expense fund for the purpose of initiating the community service insurance fund.

Sec. 5. Section 1, chapter 20, Laws of 1971 as last amended by section 17, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.035 are each amended to read as follows:

(1) Volunteers shall be deemed employees and/or workers, as the case may be, for all purposes relating to medical aid benefits under chapter 51.36 RCW.

A 'volunteer' shall mean a person who performs any assigned or authorized duties for the state or any agency thereof, except emergency services workers as described by chapter 38.52 RCW, brought about by one's own free choice, receives no wages, and is registered and accepted as a volunteer by the state or any agency thereof, prior to the occurrence of the injury or the contraction of an occupational disease, for the purpose of engaging in authorized volunteer service: **PROVIDED**, That such person shall be deemed to be a volunteer although he or she may be granted maintenance and reimbursement for actual expenses necessarily incurred in performing his or her assigned or authorized duties.

Any and all premiums or assessments due under this title on account of such volunteer service shall be the obligation of and be paid by the state or any agency thereof which has registered and accepted the services of volunteers.

(2) Volunteers may be deemed employees and/or workers, as the case may be, for all purposes relating to medical aid benefits under chapter 51.36 RCW at the option of any city, county, town, special district, municipal corporation, or political subdivision of any type, or any private nonprofit charitable organization, when any such unit of local government or any such nonprofit organization has given notice of covering all of its volunteers to the director prior to the occurrence of the injury or contraction of an occupational disease.

A 'volunteer' shall mean a person who performs any assigned or authorized duties for any such unit of local government, or any such organization, except emergency services workers as described by chapter 38.52 RCW, or fire fighters covered by chapter 41.24 RCW, brought about by one's own free choice, receives no wages, and is registered and accepted as a volunteer by any such unit of local government, or any such organization which has given such notice, for the purpose of engaging in authorized volunteer services: **PROVIDED**, That such person shall be deemed to be a volunteer although he or she may be granted maintenance and reimbursement for actual expenses necessarily incurred in performing his or her assigned or authorized duties: **PROVIDED FURTHER**, That juveniles performing community services pursuant to chapter 13.40 RCW may not be granted coverage as volunteers under this section.

Any and all premiums or assessments due under this title on account of such volunteer service for any such unit of local government, or any such organization shall be the obligation of and be paid by such organization which has registered and accepted the services of volunteers and exercised its option to secure the medical aid benefits under chapter 51.36 RCW for such volunteers.

**NEW SECTION.** Sec. 6. Sections 1 through 84 of chapter 155, Laws of 1979 shall control over any other provision of law in conflict therewith.

The amendment to the amendment was adopted.

#### MOTION

On motion of Mr. King, further consideration of Senate Bill No. 2901 was deferred, and the bill was ordered placed on the second reading calendar following Engrossed Senate Bill No. 2176.

SENATE BILL NO. 2952, by Senator Henry:

Relating to marine transportation.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 2952 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 Senate Bill No. 2952, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Eberle, Eng, Jovanovich, Nelson D.

Not voting: Representatives Adams, Hughes.

Senate Bill No. 2952, having received the 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 McDermott, Lysen, Woody and Tally:

Providing for annual adjustments for disability and death benefits under the industrial insurance act.

The bill was read the second time.

Mr. Clayton moved adoption of the following amendments by Representatives Clayton and Lux:

Strike everything after the enacting clause and insert:

\*Section 1. Section 3, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter ... (SSB 2317), Laws of 1979 1st ex. sess. and RCW 51.32.220 are each amended to read as follows:

(1) For persons under the age of sixty-two receiving compensation for temporary or permanent total disability pursuant to the provisions of chapter 51.32 RCW, such compensation shall be reduced by an amount equal to the benefits payable under the federal old-age, survivors and disability insurance act as now or hereafter amended not to exceed the amount of the reduction established pursuant to 42 USC 424a. However, such reduction shall not apply when the combined compensation provided pursuant to chapter 51.32 RCW and the federal old-age, survivors and disability insurance act is less than the total benefits to which the federal reduction would apply, pursuant to 42 USC 424a. Where any person described in this section refuses to authorize the release of information concerning the amount of benefits payable under said federal act the department's estimate of said amount shall be deemed to be correct unless and until the actual amount is established and no adjustment shall be made for any period of time covered by any such refusal.

(2) Any reduction under subsection (1) of this section shall be effective the month following the month in which the department or self-insurer is notified by the federal social security administration that the person is receiving disability benefits under the federal old-age, survivors and disability insurance act: **PROVIDED**, That in the event of an overpayment of benefits the department or self-insurer may not recover more than the overpayments for the six months immediately preceding the date the department or self-insurer notifies the worker that an overpayment has occurred: **PROVIDED FURTHER**, That upon determining that there has been an overpayment, the department or self-insurer shall immediately notify the person who received the overpayment that he or she shall be required to make repayment pursuant to **((this act))** this section and RCW 51.32... (section 2, chapter ... (SSB 2317), Laws of 1979 1st ex. sess.).

(3) Recovery of any overpayment must be taken from future ((monthly)) temporary or permanent total disability benefits or permanent partial disability benefits provided by this title ((and may)). In the case of temporary or permanent total disability benefits, the recovery shall not exceed twenty-five percent of the monthly amount due from the department or self-insurer or one-sixth of the total overpayment, whichever is the lesser.

(4) No reduction may be made unless the worker receives notice of the reduction prior to the month in which the reduction is made.

(5) In no event shall the reduction reduce total benefits to less than the greater amount the worker may be entitled to under this title or the federal old-age, survivors and disability insurance act.

(6) The director, pursuant to rules adopted in accordance with the procedures provided in the administrative procedure act, chapter 34.04 RCW, may exercise his discretion to waive, in whole or in part, the amount of any overpayment where the recovery would be against equity and good conscience.

**NEW SECTION.** Sec. 2. This 1979 act applies to all cases in which notification of the first reduction in compensation pursuant to RCW 51.32.220 is mailed after the effective date of this 1979 act, regardless of when the basis, authority, or cause for such reduction may have arisen. To such extent, this 1979 act applies retrospectively, but in all other respects it applies prospectively.

**NEW SECTION.** Sec. 3. If any provision of this 1979 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. 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."

On page 1, line 1 of the title after "insurance;" strike the remainder of the title and insert "amending section 3, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter ... (SSB 2317), Laws of 1979 1st ex. sess. and RCW 51.32.220; creating a new section; and declaring an emergency."

Representatives Clayton and Lux spoke in favor of the amendments, and they were adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2402 as amended by the House was placed on final passage.

Mr. Lux 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 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Erak, Jovanovich, Monohon.

Not voting: Representatives Adams, Grimm, Hughes, Walk.

Engrossed Senate Bill No. 2402 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. 2176, by Senators Donohue, Shinpoch and Scott (by State Treasurer request):

Revising the law relating to state debts.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2176 was placed on final passage.

Representatives Thompson and Blair spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2176, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Hughes, Newhouse.

Engrossed Senate Bill No. 2176, having received the 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. 2901:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the amendment by Representative Rohrbach as amended.

Mr. Rohrbach spoke in favor of the amendment as amended, and Mr. Douthwaite spoke against it.

Mr. Rohrbach spoke again in favor of the amendment, and Mr. Smith (R) spoke against it.

Mr. Newhouse spoke in favor of the amendment as amended.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Smith (R).

Mr. Lux: "Representative Smith, would you tell me what would be a good consumer vote on this amendment, a yes or a no?"

Mr. Smith (R): "In my judgment, it would be a no vote because this bill makes the situation worse than it is."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Douthwaite: "If the Rohrbach amendment should fail, will the Becker amendment be available to be offered at the present time?"

The Speaker (Mr. O'Brien presiding): "The Speaker will rule on that question when confronted with it."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Rohrbach as amended to Senate Bill No. 2901, and the amendment was adopted by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Hurley, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Adams, Hughes.

On motion of Mr. Rohrbach the committee amendment to the title was not adopted.

On motion of Mr. Rohrbach, the following amendment to the title was adopted:

On page 1, line 1 of the title strike everything after "insurance;" and insert "amending section 27, chapter 150, Laws of 1967 and RCW 48.22.030; and amending section 3, chapter 95, Laws of 1967 ex. sess. and RCW 48.22.040"

On motion of Ms. Becker, the following amendment to the title was adopted:

On page 1, line 1 of the title after "insurance;" strike the remainder of the title and insert "amending section 1, chapter 20, Laws of 1971 as last amended by section 17, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.035; adding a new section to chapter 291, Laws of 1977 ex. sess. and to chapter 13.40 RCW; adding a new section to chapter 51.12 RCW; and creating a new section."

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 2901 as amended by the House be placed on final passage.

Mr. Douthwaite spoke against the motion, and Mr. Rohrbach spoke in favor of it.

#### MOTION FOR RECONSIDERATION

Ms. Hurley moved that the House reconsider the vote by which the Rohrbach amendment as amended was adopted.

Representatives Hurley and Douthwaite spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Rohrbach amendment as amended to Senate Bill No. 2901 was adopted, and the motion was lost by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Hughes.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to suspend the rules and place Senate Bill No. 2901 as amended by the House on final passage.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Senate Bill No. 2901 on final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 49; nays, 44; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, Keller, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Adams, Bagnariol, Blair, Hughes, Owen.

Senate Bill No. 2901 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2709, by Committee on Education (originally sponsored by Senator McDermott):

Implementing law relating to funding for basic education and pupil transportation.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 30th Day ex. sess., April 19, 1979.)

Mr. Heck moved adoption of the committee amendment to page 2, beginning on line 29.

Mr. Chandler moved adoption of the following amendment by Representatives Chandler, Vrooman and Heck to the committee amendment:

On page 7, line 25 after "districts" strike everything through "compliance" on line 28 and insert "are in compliance with those basic education program requirements enumerated in section 1 of this amendatory act as of the effective date of this act"

Representatives Chandler and Vrooman spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Tupper, Heck, Bender, Sherman, Chandler and Thompson to the committee amendment:

On page 9, line 13 after "associate," insert "learning resources specialist,"

Representatives Ehlers and Tupper spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Eberle moved adoption of the following amendment to the committee amendment:

On page 14, after line 32 insert "PROVIDED FURTHER, That the mere presence of a parent in the classroom shall not be deemed disruptive"

Mr. Eberle spoke in favor of the amendment to the committee amendment, and Mr. Chandler spoke against it.

Mr. Eberle spoke again in favor of the amendment to the amendment, and Mr. Heck spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eberle to the committee amendment to Engrossed Substitute Senate Bill No. 2709, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Addison, Bagnariol, Barnes, Becker, Berentson, Bond, Brown, Craswell, Dawson, Deccio, Dunlap, Eberle, Flanagan, Garrett, Greengo, Grimm, Hastings, Houchen, Hurley, Isaacson, Jovanovich, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Polk, Rohrbach, Salatino, Sanders, Schmitt, Sherman, Smith C. P., Sprague, Struthers, Tilly, Van Dyken, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barr, Bauer, Bender, Blair, Brekke, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Granlund, Gruger, Haley, Heck, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Nelson D., O'Brien, Patterson, Pruitt, Rosbach, Scott, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Clayton, Hughes.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended.

Mr. Heck spoke in favor of the amendment, and it was adopted.

On motion of Mr. Heck the committee amendments to the title were adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2902 as amended by the House was placed on final passage.

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Chandler.

Mr. Chandler: "This legislation gives school districts some additional flexibility in the method used to compute the course mix requirements. It allows a five percent variation. I think it is clear how this variation would work in all of the grade categories except for grades nine through twelve. We have been shown four different ways to compute the maximum requirements for these grade levels. Three of them result in an eighty-five percent requirement for basic and work skills and a fifteen percent requirement for other things. One of them would result in an eighty percent requirement for basic and work skills and twenty percent for other. Is it your intention that all of these possible methods of computation shall be allowable to school districts?"

Mr. Heck: "Yes. The intention is to provide some additional flexibility to the school districts. It is not the intention, however, to permit the school districts to have a smaller basic and work skills requirement than eighty percent. That would be the minimum, but it would be possible under the language of the bill to have an eighty-twenty percent split in this respect for grades nine through twelve."

Mr. Chandler spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Chandler, for the benefit of some of our senior citizens or those who have grown children, could you confirm that a learning resource center is, in fact, a library, and that a learning resource specialist could possibly be a librarian?"

Mr. Chandler: "That is correct."

Mr. Taylor spoke against passage of the bill, and Mr. Heck spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2709 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 Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Taylor.

Not voting: Representatives Adams, Houchen, Hughes.

Engrossed Substitute Senate Bill No. 2709 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. Bauer moved that the Ecology Committee be relieved of HOUSE BILL NO. 675, and that the bill be placed on today's second reading calendar.

Mr. Bauer spoke in favor of the motion.

#### POINT OF ORDER

Mr. Oliver: "Mr. Speaker, we're talking about relieving the committee of House Bill No. 675, not the merits of the bill itself. I wish he would confine his remarks."

The Speaker (Mr. O'Brien presiding): "Representative Bauer, could you hold your remarks to why you feel the Committee on Ecology should be relieved of House Bill No. 675."

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

#### POINT OF ORDER

Mr. Isaacson: "Mr. Speaker, I believe the Representative is wandering away from the merits of the question of whether or not we should bring this bill out. He's discussing some of the merits of the bill."

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

The Speaker (Mr. O'Brien presiding): "Reed's Rule 120 states, 'The motion to commit is debatable, but the merits of the main question are not open to discussion on this motion, since that discussion will be in order when the committee reports.' Representative Bauer, it appears that you are going into the merits of the bill."

Mr. Bauer concluded his remarks in favor of the motion, and Mr. Isaacson spoke against it.

#### POINT OF ORDER

Mr. Heck: "It seems to me Representative Isaacson ought to meet the same standards of the House Rules that he expects of Representative Bauer, and he ought to contain his remarks to the motion."

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Representative Heck. Continue, Representative Isaacson."

Mr. Isaacson continued his remarks against the motion, and Ms. Valle spoke in favor of it.

#### POINT OF ORDER

Mr. Oliver: "Mr. Speaker, Three-Mile doesn't have anything to do with whether or not this bill should come from committee."

The Speaker (Mr. O'Brien presiding): "Representative Valle, hold your comments to the motion to relieve the committee of the bill."

Ms. Valle continued her remarks in favor of the motion.

#### POINT OF ORDER

Mr. Oliver: "Mr. Speaker, I believe you did rule that the speaker was using broad prerogative, beyond what you intended, and she has ignored that and continued on. I would appreciate it if you would recognize that point and she would, as well."

The Speaker (Mr. O'Brien presiding): "I know it's rather difficult to hold your remarks to the motion to relieve the committee of the bill without going into the merits of the bill. The Speaker is always very tolerant on discussions of this nature. I wish you would hold your comments to a limited degree, Representative Valle."

Ms. Valle concluded her remarks in favor of the motion, and Mr. Nisbet spoke against it.

Mr. King demanded an electric roll call vote on the motion, and the demand was sustained.

Mr. Tupper spoke in favor of the motion, and Mr. Nelson (D) also spoke in favor of the motion.

#### POINT OF ORDER

Mr. Oliver: "Mr. Speaker, the gentleman is talking about federal government having a repository and other matters which are not before us. The question before us is the question of whether or not to relieve the committee of House Bill No. 675."

The Speaker (Mr. O'Brien presiding): "Representative Nelson, will you please confine your remarks to the question."

Mr. Nelson (D) concluded his remarks in favor of the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Ecology of House Bill No. 675 and place it on the second reading calendar, and the motion was carried by the following vote: Yeas, 58; nays, 36; not voting, 4.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rosbach, Salatino, Scott, Sherman, Smith R., Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Greengo, Haley, Hastings, Isaacson, McDonald, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Tilly, Whiteside, Williams, Wilson.

Not voting: Representatives Adams, Craswell, Houchen, Hughes.

#### MOTION

On motion of Mr. King, the House adjourned until 9:00 a.m., Tuesday, May 15, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk



## FIFTY-SIXTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 15, 1979.

The House was called to order at 9:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representative Adams, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dawn Tandberg and Jeff Bradley. Prayer was offered by The Reverend Robert Keller of the Lutheran Church of the Good Shepherd of Olympia.

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

### MESSAGES FROM THE GOVERNOR

May 14, 1979

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. 194, entitled:

"AN ACT Relating to institutions of higher education."

I strongly support the position that students should have the responsibility and authority to allocate their service and activity fee revenue among the various student programs. Since the institutions of higher education do indeed have procedures in place which in effect comply with the spirit and intent of this position legislation is not necessary. Substitute House Bill No. 194 duplicates administrative procedures which are already working satisfactorily, given the requirement for the institution to serve as fiduciary agent for student fee money.

Moreover, this bill requires that all programs receiving any service and activity fee support shall be evaluated by the student committee as part of the annual budget process. This requirement extends the scope of the bill beyond its original intent and expands student involvement in budgeting beyond a role that is appropriate.

For these reasons, I have vetoed Substitute House Bill No. 194.

Respectfully submitted,  
DIXY LEE RAY, Governor.

May 14, 1979

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. 1281, entitled:

"AN ACT Relating to snowmobiles; amending section 1, chapter 29, Laws of 1971 ex. sess., as amended by section 131, chapter ... (HB 849), Laws of 1971 and RCW 46.10.010;..."

Section 7 creates the "Snowmobile Account" within the General Fund and section 9 provides that the unused money shall be "invested in a manner as provided by law" and that all interest earnings "shall be considered moneys in the snowmobile account." At present, there are 71 accounts in the State General Fund, only eight of which receive interest earnings on their balances. In all other instances, account earnings are credited to the State's basic General Fund. To credit interest to the newly-created snowmobile account would be to directly contradict past policy concerning funds administered by the State Treasurer and would encourage other encroachments on the revenue derived from these sources to the State General Fund.

With the exception of Section 9, which I have vetoed, the remainder of Substitute House Bill No. 1281 is approved.

Sincerely,  
DIXY LEE RAY, Governor.

## SENATE AMENDMENTS TO HOUSE BILL

May 10, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 320 with the following amendments:

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

\*Section 1. Section 1, chapter 133, Laws of 1967 ex. sess. as last amended by section 106, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.065 are each amended to read as follows:

Subject to the limitations in RCW 84.55.010, in each year the state shall levy for collection in the following year for the support of common schools of the state a tax of three dollars and sixty cents per thousand dollars of assessed value upon the assessed valuation of all taxable property within the state adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue.

Sec. 2. 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~~) this chapter, the levy (~~(in 1973 and years subsequent thereto)~~) for a taxing district (~~(other than the state or a school 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, and any increase in the assessed value of state-assessed property by the regular property tax levy rate of that district for the preceding year.

Sec. 3. Section 24, chapter 288, Laws of 1971 ex. sess. as amended by section 109, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.55.050 are each amended to read as follows:

Subject to any otherwise applicable statutory dollar rate limitations, regular property taxes may be levied by or for a taxing district in an amount exceeding the limitations provided for in (~~RCW 84.55.040 through 84.55.040~~) this chapter if such levy is authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters. Any election held pursuant to this section shall be held not more than twelve months prior to the date on which the proposed levy is to be made. The ballot of the proposition shall state the dollar rate proposed.

After a levy authorized pursuant to this section is made, the dollar amount of such levy shall be used for the purpose of computing the limitations for subsequent levies provided for in this chapter.

NEW SECTION. Sec. 4. There is added to chapter 84.55 RCW a new section to read as follows:

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.

NEW SECTION. Sec. 5. There is added to chapter 84.55 RCW a new section to read as follows:

RCW 84.55.010 shall not apply to the first levy by or for a newly-formed taxing district created other than by consolidation or annexation.

This section shall be retroactive in effect and shall be deemed to validate any levy within its scope, even though the levy has been made prior to the effective date of this act.

NEW SECTION. Sec. 6. There is added to chapter 84.55 RCW a new section to read as follows:

The department of revenue shall adopt rules relating to the calculation of tax rates and the limitation in RCW 84.55.010, conduct an educational program on this subject, and take any other action necessary to insure compliance with the statutes and rules on this subject.

NEW SECTION. Sec. 7. There is added to chapter 43.09 RCW a new section to read as follows:

The state auditor, through the division of municipal corporations, shall review the tax levies of all municipal corporations in the regular examinations under RCW 43.09.260.

NEW SECTION. Sec. 8. 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: PROVIDED, That the amendment to RCW 84.55.010 by section 2 of this act shall be effective for 1979 levies for taxes collected in 1980, and for subsequent years."

On page 1, on line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 1, chapter 133, Laws of 1967 ex. sess. as last amended by section 106, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.065; 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; amending section 24, chapter 288, Laws of 1971 ex. sess. as amended by section 109, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.55.050; adding a new section to chapter 43.09 RCW; adding new sections to chapter 84.55 RCW; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Ms. Craswell, the House concurred in the Senate amendments to House Bill No. 320.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 320 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 320 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brown, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tallor, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Brekke, Burns, Lux, Nelson D.

Not voting: Representatives Adams, Chandler, Douthwaite.

House Bill No. 320 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 10, 1979

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 418 with the following amendments:

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

**\*NEW SECTION.** Section 1. This chapter may be known and cited as the Victims of Sexual Assault Act.

**NEW SECTION.** Sec. 2. (1) The legislature hereby finds and declares that:

- (a) Sexual assault has become one of the most rapidly increasing violent crimes over the last decade;
- (b) There is a lack of essential information and data concerning sexual assault;
- (c) There is a lack of adequate training for law enforcement officers concerning sexual assault, the victim, the offender, and the investigation;
- (d) There is a lack of community awareness and knowledge concerning sexual assault and the physical and psychological impact upon the victim;
- (e) There is a lack of public information concerning sexual assault prevention and personal self-protection;
- (f) Because of the lack of information, training, and services, the victims of sexual assault are not receiving the assistance they require in dealing with the physical and psychological trauma of a sexual assault;
- (g) The criminal justice system and health care system should maintain close contact and cooperation with each other and with community rape crisis centers to expedite the disposition of sexual assault cases; and
- (h) Persons who are victims of sexual assault will benefit directly from increased public awareness and education, increased prosecutions, and a criminal justice system which treats them in a humane manner.

(2) Therefore, a state-wide sexual assault education, training, and consultation program should be developed. Such a state-wide program should seek to improve treatment of victims through information-gathering, education, training, community awareness programs, and by increasing the efficiency of the criminal justice and health care systems as they relate to sexual assault. Such a program should serve a consultative and facilitative function for organizations which provide services to victims and potential victims of sexual assault.

**NEW SECTION.** Sec. 3. As used in this chapter and unless the context indicates otherwise:

- (1) 'Department' means the department of social and health services.
- (2) 'Law enforcement agencies' means police and sheriff's departments of this state.
- (3) 'Personal representative' means a friend, relative, attorney, or employee or volunteer from a rape crisis center.

(4) 'Rape crisis center' means a community-based social service agency which provides services to victims of sexual assault.

(5) 'Secretary' means the secretary of the department of social and health services.

(6) 'Sexual assault' means one or more of the following:

(a) Rape or statutory rape;

(b) Assault with intent to commit rape;

(c) Incest or indecent liberties; or

(d) An attempt to commit any of the aforementioned offenses.

(7) 'Victim' means any person who suffers physical and/or mental anguish as a proximate result of a sexual assault.

**NEW SECTION.** Sec. 4. The department shall establish a centralized office within the department to coordinate activities of programs relating to sexual assault and to facilitate coordination and dissemination of information to personnel in fields relating to sexual assault.

The department shall develop, with the cooperation of the criminal justice training commission, the attorney general's office, the medical profession, and existing rape crisis centers, a state-wide plan to aid organizations which provide services to victims of sexual assault.

**NEW SECTION.** Sec. 5. The state-wide program established under section 4 of this act shall include but not be limited to provision of the following services: PROVIDED, That the department shall utilize existing rape crisis centers and contract, where appropriate, with these centers to provide the services identified in this section:

(1) Assistance to the criminal justice training commission in developing and offering training and education programs for criminal justice personnel on the scope and nature of the sexual assault problem;

(2) Assistance to health care personnel in training for the sensitive handling and correct legal procedures of sexual assault cases;

(3) Development of public education programs to increase public awareness concerning sexual assault in coordination with the activities of the attorney general's crime prevention efforts; and

(4) Technical assistance and advice to rape crisis centers, including the organization of existing community resources, volunteer training, identification of potential funding sources, evaluation, and education. Assistance shall be given for the development of additional programs in areas of the state where such services do not exist.

**NEW SECTION.** Sec. 6. If the victim of a sexual assault so desires, a personal representative of the victim's choice may accompany the victim to the hospital or other health care facility, and to proceedings concerning the alleged assault, including police and prosecution interviews and court proceedings.

**NEW SECTION.** Sec. 7. The Victims of Sexual Assault Act shall terminate on June 30, 1985, and shall be subject to all of the processes provided in RCW 43.131.010 through 43.131.110 as now existing or hereafter amended.

**NEW SECTION.** Sec. 8. To carry out the provisions of this act there is appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1981, the sum of three hundred fifty thousand dollars, or so much thereof as may be necessary to carry out the purposes of this act.

**NEW SECTION.** Sec. 9. Sections 1 through 7 of this act shall constitute a new chapter in Title 70 RCW.

Sec. 10. Section 9, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.065 are each amended to read as follows:

Each law enforcement agency to which a criminal act has been reported and which criminal act results in physical injury or death to a victim shall make a reasonable effort to inform the known victim or his surviving dependent(s) of the existence of this chapter and the procedure for making application for benefits provided by this chapter. In any criminal case wherein the victim has sustained physical, emotional, or financial trauma, the law enforcement agency shall make a reasonable effort to inform the known victim of the existence and method of contacting agencies which may be able to assist the victim. Such list of agencies shall include public or private organizations that provide support for victims of crime: PROVIDED, That the failure to so act (with) under this section shall not stay the operation of RCW 7.68.060.

**NEW SECTION.** Sec. 11. There is added to chapter 7.68 RCW a new section to read as follows:

No costs incurred by a hospital or other emergency medical facility for the examination of the victim of a sexual assault, when such examination is performed for the purposes of gathering evidence for possible prosecution, shall be billed or charged directly or indirectly to the victim of such assault. Such costs shall be paid by the state pursuant to this chapter.

**NEW SECTION.** Sec. 12. The prosecutor or the department may, at any time after the person's arraignment petition any superior court for an order, following notice and hearing, directing that any contract described in section 13 shall be paid in accordance with sections 12 through 20 of this 1979 act.

**NEW SECTION.** Sec. 13. After hearing, as provided in section 12 of this act, every person, firm, corporation, partnership, association or other legal entity contracting with any person or the representative or assignee of any person, accused or convicted of a crime in this state, with respect to the reenactment of such crime, by way of a movie, book, magazine article, tape recording, phonograph record, radio or television presentation, live entertainment of any kind, or from the expression of such accused or convicted person's thoughts, feelings, opinion or emotions regarding such crime, shall submit a copy of such contract to the department and pay over to the department any moneys which would otherwise, by terms of such contract, be owing to the person so accused or convicted or his representatives. The department shall deposit such moneys in an escrow account for the benefit of and payable to any victim or the legal representative of any

victim of crimes committed by: (i) such convicted person; or (ii) such accused person, but only if such accused person is eventually convicted of the crime and provided that such victim, within five years of the date of the establishment of such escrow account, brings a civil action in a court of competent jurisdiction and recovers a money judgment for damages against such person or his representatives.

**NEW SECTION. Sec. 14.** The department, at least once every six months for five years from the date it receives such moneys, shall cause to have published a legal notice in newspapers of general circulation in the county wherein the crime was committed and in counties contiguous to such county advising such victims that such escrow moneys are available to satisfy money judgments pursuant to this section. For crimes committed in a city located within a county having a population of one million or more, the notice provided for in this section shall be in newspapers having general circulation in such city. The department may, in its discretion, provide for such additional notice as it deems necessary.

**NEW SECTION. Sec. 15.** Upon dismissal of charges or acquittal of any accused person the department shall immediately pay over to such accused person the moneys in the escrow account established on behalf of such accused person.

**NEW SECTION. Sec. 16.** Upon a showing by any convicted person that five years have elapsed from the establishment of such escrow account and further that no actions are pending against such convicted person pursuant to this act, the department shall immediately pay over any moneys in the escrow account to such person or his legal representatives.

**NEW SECTION. Sec. 17.** For purposes of this act, a person found not guilty as a result of the defense of mental disease or defect shall be deemed to be a convicted person.

**NEW SECTION. Sec. 18.** Notwithstanding any inconsistent provision of the civil practice and rules with respect to the timely bringing of an action, the five year period provided for in section 13 of this act shall not begin to run until an escrow account has been established.

**NEW SECTION. Sec. 19.** Notwithstanding the foregoing provisions of this act the department shall make payments from an escrow account to any person accused or convicted of a crime upon the order of a court of competent jurisdiction after a showing by such person that such moneys shall be used for the exclusive purpose of retaining legal representation at any stage of the proceedings against such person, including the appeals process.

**NEW SECTION. Sec. 20.** Any action taken by any person accused or convicted of a crime, whether by way of execution of a power of attorney, creation of corporate entities or otherwise, to defeat the purpose of this act shall be null and void as against the public policy of this state.

**NEW SECTION. Sec. 21.** Sections 12 through 20 of this act are each added to chapter 7.68 RCW.

**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 1 of the title, after "victims of" strike "sexual assault" and insert "crime; amending section 9, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.065; adding a new section to chapter 7.68 RCW"

and the the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Blair, the House concurred in the Senate amendments to Second Substitute House Bill No. 418.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) declared the question before the House to be the final passage of Second Substitute House Bill No. 418 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 418 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Newhouse, Struthers, Williams.

Not voting: Representatives Adams, Chandler, Martinis, Tilly.

Second Substitute House Bill No. 418 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. 2794, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying the law on water and water rights.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day ex. sess., May 3, 1979.)

Ms. Valle moved adoption of the committee amendment.

Mr. Flanagan moved adoption of the following amendment to the committee amendment: On page 6, line 2 of subsection (8) strike "artificially stored"

Representatives Flanagan, Newhouse, Barr and Valle spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Douthwaite moved adoption of the following amendment to the committee amendment:

On page 11, beginning on line 7 strike all of section 11 and renumber the remaining sections consecutively.

Representatives Douthwaite, Ehlers, McDonald and Flanagan spoke in favor of the amendment to the amendment, and Representatives Valle, Barr, North and Zimmerman spoke against it.

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

Mr. Douthwaite spoke again in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Barr yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Barr, I'm concerned and I know all members are, about accountability of state funds, and I'm wondering what kind of report is the Legislature going to get back if these funds are provided?"

Mr. Barr: "This will be a joint study between the Conservation Commission, which is the body that has responsibility for any and all funds that the districts use, and the committee. It is the official state body that will be responsible to the Legislature, and it will be working with the committee staff. It will be reported back this way. The purpose of the study is to report to the Legislature."

Mr. Tilly spoke against the amendment.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Vrooman.

Mr. Vrooman: "You sent, to the members of the Appropriations Committee, a memo concerning this subject. Would you clarify that memo?"

Mr. Ehlers: "After the Appropriations Committee hearing in which we did defeat a different bill than the one that is before us now, I was concerned about the cost to the Commission and what we were asking them to do. I did get a memo back that indicated the Commission receives \$106,000 now for direct general fund program; almost \$37,000 for indirect costs for administrative support and services from the Department of Ecology; about \$143,000 during fiscal year 1980—one year. In addition, the Commission will receive an estimated \$200,000 during fiscal year 1980 in Federal Water Quality Conservation funds to provide assistance to conservation districts for water pollution control connected with agricultural uses. In addition, the federal government provides over one-third percent formula for administrative support. What I guess I'm saying here, and I'm not opposed to the Commission, I think they are doing good work, we're not exactly sure what they are doing. We know one thing, there is money in the budget, at least \$350,000 during fiscal year 1980 alone, or more than that for this program."

Mr. Patterson demanded the previous question and the demand was sustained.

The amendment to the committee amendment was not adopted.

The Speaker (Mr. Amen presiding) stated the question before the House to be the committee amendment as amended.

Representatives Valle and Barr spoke in favor of the amendment and it was adopted.

On motion of Ms. Valle, the committee amendment to the title was adopted.

On motion of Mr. Patterson, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2794 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2794 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 Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Ehlers.

Not voting: Representative Adams.

Engrossed Substitute Senate Bill No. 2794 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. 3034, by Committee on Transportation (originally sponsored by Senators Benitz and Morrison):

Giving the department of transportation authority to construct a third bridge across the Columbia in the Tri-Cities area.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day ex. sess., May 2, 1979.)

On motion of Mr. Wilson, the committee amendment was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3034 as amended by the House was placed on final passage.

Representatives Isaacson and King 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. 3034 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 Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Adams.

Engrossed Substitute Senate Bill No. 3034 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 JOINT MEMORIAL NO. 107, by Senator Bottiger:

Requesting that the Bonneville Power Administration be authorized to support pilot developmental plants.

The memorial was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 107 was placed on final passage.

Ms. McCormick spoke in favor of passage of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 107, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmiten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Haley.

Senate Joint Memorial No. 107, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2929, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Bausch, Donohue, Bottiger and Shinpoch):

Revising laws relating to taxation of mobile homes.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day ex. sess., May 3, 1979.)

On motion of Ms. Sommers, the committee amendments were adopted.

On motion of Ms. Sommers, the following amendment by Representatives Sommers, Nelson (G.A.) and Erickson was adopted:

On page 11, after line 36 of the engrossed bill, being page 11, line 33 of the printed bill, insert the following new section:

**\*NEW SECTION.** Sec. 7. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter does not apply to any county as defined in Title 36 RCW, any city or town as defined in Title 35 RCW, any school district or educational service district as defined in Title .28A RCW, or any library, or library district as defined in Title 27 RCW, in respect to materials printed in the county, city, town, school district, educational district, library or library district facilities when the materials are used solely for county, city, town, school district, educational district, library, or library district purposes.\*

Remember the remaining sections consecutively.

Mr. Wilson moved adoption of the following amendment by Representatives Wilson, Smith (R), Houchen and Granlund:

On page 11, after line 36 of the engrossed bill, being page 11, line 33 of the printed bill, insert the following:

**\*NEW SECTION.** Sec. 7. There is added to chapter 84.36 RCW a new section to read as follows:

The following property shall be exempt from taxation:

Real or personal property owned by a nonprofit organization, association, or corporation in connection with the operation of a public assembly hall or meeting place. The area exempt under this section shall include the building or buildings and such additional area as may be necessary for parking, but shall not exceed one acre.

To qualify the property shall be used exclusively for public gatherings and be available to all organizations or persons desiring to utilize the property, but the owner may impose such conditions and restrictions as are necessary for the safekeeping of the property and to promote the purposes of this exemption. Membership shall not be a requirement or a prerequisite for the use of the property.

The exemption shall not be nullified by the collection of rent or donations if the income is reasonable and does not exceed maintenance and operation expenses created by the user.

The use of the property for pecuniary gain or to promote business activities, except fund raising activities conducted by a nonprofit organization, shall nullify the exemption otherwise available for the property for the assessment year under this section.



If such real property interests are sold or otherwise transferred to any nonpublic entity, all taxes which would have been collected if the property interests were subject to taxation shall become due and payable, together with the interest at the rate charged on delinquent property taxes, by the buyer or transferee.

Organizations applying for exemption under this section are subject to the provisions of RCW 84.36.805."

Renumber the remaining sections consecutively.

Mr. Wilson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Lux.

Mr. Lux: "I'm very serious about this, Representative Wilson. We have some community clubs in the 35th District and I know some of the rents are quite high now because of the taxes. I'm not sure this would lower taxes, but I'm just wondering what would happen in the case of a political fund raiser in one of these clubs? We pay one hundred dollars for the rent of the club for an evening. When you say minimal rent, would that mean we would get that club for less? How would you work that out?"

Mr. Wilson: "This says, 'The exemption shall not be nullified by the collection of rent or donations if the income is reasonable and does not exceed maintenance and operation expenses created by the use.' I would suggest that the person who wants to rent could ask for an accounting. I would expect the rate would be reduced, yes. As for a political fund raiser, that's a public gathering. We hope that neither party closes membership; we try to get everyone. I think that applies to the square dance clubs or any other public organization that wants to use it. I would expect the rent, as it says here, would be just enough to cover the wear and tear and janitorial services that are required to clean up for that particular use."

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. McGinnis.

Mr. McGinnis: "Representative Wilson, the paragraph that starts, 'If such real property interests are sold or otherwise transferred to any nonpublic entity...' goes on to describe a situation that I interpret as, if that property is sold at a future time, back taxes would be due on that property. Is that what you're saying?"

Mr. Wilson: "That's what it says. You are asking for a tax forgiveness. If it's going to revert to private use, just like the current open space law, it requires the same sort of thing."

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Wilson, two years ago the Legislature repealed a provision requiring the payment of back taxes for private schools and colleges that had to close and dispose of their property. Would this amendment affect that?"

Mr. Wilson: "Not if those schools were sectarian or had closed membership. I might add further that there are, in the law already, exemptions for other clubs with closed membership. I believe the granges have the exemptions, the Elks Clubs enjoy property exemptions. This particular use, open to the public with no restrictions, I believe, deserves the same kind of consideration."

Mr. Smith (R) spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Wilson yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Wilson, does this require the County Assessor to keep a double set of books ongoing over a period of years for the difference they would have paid if they had been on the tax rolls, similar to the current use law that we now have?"

Mr. Wilson: "I cannot answer that."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Wilson and others to Engrossed Substitute Senate Bill No. 2929, and the amendment was adopted by the following vote: Yeas, 83; nays, 10; not voting, 5.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Decchio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Granlund, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Toller, Taylor, Teutsch, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Dawson, Douthwaite, Eng, Flanagan, Galloway, Garrett, Gruger, Jovanovich, Maxie, Van Dyken.

Not voting: Representatives Adams, Blair, Haley, Salatino, Thompson.

On motion of Mr. Sprague, the following amendment was adopted:

On page 11, after line 36 insert the following:

"Sec. 7. Section 82.32.060, chapter 15, Laws of 1961, as last amended by chapter 95, Laws of 1979 1st ex. sess. and RCW 82.32.060 are each amended to read as follows:

If, upon receipt of an application by a taxpayer for a refund or for an audit of his records, or upon an examination of the returns or records of any taxpayer, it is determined by the department that within the statutory period for assessment of taxes prescribed by RCW 82.32.050 a tax has been paid in excess of that properly due, the excess amount paid within such period shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at his option. No refund or credit shall be made for taxes paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or subcontracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the department within one year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four years of the date on which the tax was paid: PROVIDED, That no interest shall be allowed on such refund.

Any such refunds shall be made by means of vouchers approved by the department and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer shall be paid in like manner, upon the filing with the department of a certified copy of the order or judgment of the court. Except as to the credits in computing tax authorized by RCW 82.04.435, interest at the rate of ((three)) nine percent per annum shall be allowed by the department and by any court on the amount of any refund or recovery allowed to a taxpayer for taxes, penalties, or interest paid by him after May 1, 1949, and interest at the same rate shall be allowed on any judgment recovered by a taxpayer for taxes, penalties, or interest paid after such date."

Renumber the remaining sections consecutively.

Ms. Sommers moved adoption of the following amendment by Representatives Nelson (G.A.), Sommers and Flanagan:

On page 11, after line 36 of the engrossed bill, being page 11, line 33 of the printed bill, insert the following:

"Sec. 7. Section 6, chapter 91, Laws of 1947 as last amended by section 43, chapter 195, Laws of 1973 1st ex. sess. and RCW 41.16.060 are each amended to read as follows:

It shall be the duty of the legislative authority of each municipality, each year as a part of its annual tax levy, to levy and place in the fund a tax of twenty-two and one-half cents per thousand dollars of assessed value against all the taxable property of such municipality: PROVIDED, That if a report by a qualified actuary on the condition of the fund establishes that the whole or any part of said dollar rate is not necessary to maintain the actuarial soundness of the fund, the levy of said twenty-two and one-half cents per thousand dollars of assessed value may be omitted, or the whole or any part of said dollar rate may be levied and used for any other municipal purpose.

It shall be the duty of the legislative authority of each municipality, each year as a part of its annual tax levy and in addition to the city levy limit set forth in RCW 84.52.050, as now or hereafter amended, to levy and place in the fund an additional tax of twenty-two and one-half cents per thousand dollars of assessed value against all taxable property of such municipality: PROVIDED, That if a report by a qualified actuary establishes that all or any part of the additional twenty-two and one-half cents per thousand dollars of assessed value levy is unnecessary to meet the estimated demands on the fund under this chapter for the ensuing budget year, the levy of said additional twenty-two and one-half cents per thousand dollars of assessed value may be omitted, or the whole or any part of such dollar rate may be levied and used for any other municipal purpose.

The amount of a levy under this section allocated to the pension fund may be reduced in the same proportion as the regular property tax levy of the municipality is reduced by chapter 84.55 RCW.

Sec. 8. Section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 8, chapter 71, Laws of 1974 ex. sess. and RCW 71.20.110 are each amended to read as follows:

In order to provide additional funds for the coordination of community mental retardation and other developmental disability services and to provide community mental retardation, other developmental disability, or mental health services, the board of county commissioners of each county in the state shall budget and levy annually a tax in a sum equal to the amount which would be raised by a levy of two and one-half cents per thousand dollars of assessed value against the taxable property in the county to be used for such purposes: PROVIDED, That all or part of the funds collected from the tax levied for the purposes of this section may be transferred to the state of Washington, department of social and health services, for the purpose of obtaining federal matching funds to provide and coordinate community mental retardation, other developmental disability, and mental health services. In the event a county elects to transfer such tax funds to the state for this purpose, the state shall grant these moneys and the additional funds received as matching funds to service-providing community agencies or community boards in the county which has made such transfer, pursuant to the plan approved by the county, as provided by chapters 71.16, 71.20, 71.24, and 71.28 RCW, all as now or hereafter amended.

The amount of a levy allocated to the purposes specified in this section may be reduced in the same proportion as the regular property tax levy of the county is reduced by chapter 84.55 RCW.

Sec. 9. Section 7, page 210, Laws of 1888 as last amended by section 5, chapter 4, Laws of 1973 2nd ex. sess. and RCW 73.08.080 are each amended to read as follows:

The boards of county commissioners of the several counties in this state shall levy, in addition to the taxes now levied by law, a tax in a sum equal to the amount which would be raised by not less than one and one-eighth cents per thousand dollars of assessed value, and not greater than twenty-seven cents per thousand dollars of assessed value against the taxable property of their respective counties, to be levied and collected as now prescribed by law for the assessment and collection of taxes, for the purpose of creating the veteran's relief fund for the relief of honorably discharged veterans who served in the armed forces of the United States in the Civil War, in the war of Mexico or in any of the Indian wars, or the Spanish-American war or the Philippine insurrection, in the First World War, or Second World War or Korean conflict, or Viet Nam conflict, and the indigent wives, husbands, widows, widowers and minor children of such indigent or deceased veterans, to be disbursed for such relief by such board of county commissioners: PROVIDED, That if the funds on deposit, less outstanding warrants, residing in the veteran's relief fund on the first Tuesday in September exceed the expected yield of one and one-eighth cents per thousand dollars of assessed value against the taxable property of the county, the county commissioners may levy a lesser amount: PROVIDED FURTHER, That the costs incurred in the administration of said veteran's relief fund shall be computed by the county treasurer not less than annually and such amount may then be transferred from the veteran's relief fund as herein provided for to the county current expense fund.

The amount of a levy allocated to the purposes specified in this section may be reduced in the same proportion as the regular property tax levy of the county is reduced by chapter 84.55 RCW.

Renumber the remaining sections consecutively.

Ms. Sommers spoke in favor of the amendment, and it was adopted.

#### MOTION

On motion of Mr. Polk, further consideration of Engrossed Substitute Senate Bill No. 2929 was deferred, and the bill was ordered placed on the second reading calendar following Engrossed Substitute Senate Bill No. 2415.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2415, by Committee on Judiciary (originally sponsored by Senators Talmadge, Sellar and Hayner):

Revising procedures relating to civil commitment.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 45th Day ex. sess., May 4, 1979.)

Ms. Becker moved adoption of the committee amendment.

Ms. Becker moved adoption of the following amendment to the committee amendment:

On page 2 of the amendment, beginning on line 2 after "guardian," strike all the material down to and including "witness" on line 8 and insert "nor to a proceeding pursuant to chapter 71.05 RCW as now existing or hereafter amended, in which the allegation is one of 'grave disability' or in which the allegation is that the spouse sought to be detained presents a likelihood of serious harm to his/her spouse or to a child of whom the person sought to be detained is the parent or guardian: PROVIDED, That the spouse of the person sought to be detained under chapter 71.05 RCW may not be compelled to testify in any such proceeding and shall be so informed by the court before being called and sworn as a witness"

Ms. Becker spoke in favor of the amendment to the committee amendment.

## POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Becker, I'm sure this is the first time most of us have had a chance to look at this amendment. Is the intent of your amendment here regarding spousal privilege, to narrow it down to make it more difficult for a spouse to testify, or to broaden it to allow further chances for a spouse to testify?"

Ms. Becker: "The intention of the committee amendment is to broaden it over existing law. The intent of my amendment is to narrow that broadening, but my amendment is broader than existing law, but narrower than the committee amendment."

Mr. Tilly spoke against the amendment to the amendment.

## POINT OF ORDER

Ms. Becker: "I think Representative Tilly is making remarks that are more appropriate to final passage than for the amendment."

The Speaker (Mr. Amen presiding): "Representative Tilly, will you confine your remarks to the amendment please."

Mr. Tilly continued his remarks against the amendment, and Representatives Pruitt and Smith (R) spoke in favor of it.

Ms. Becker spoke again in favor of the amendment to the committee amendment, and Mr. Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to the committee amendment to Engrossed Substitute Senate Bill No. 2415, and the amendment was adopted by the following vote: Yeas, 50; nays, 42; not voting, 6.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patterson, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Hurley, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Polk, Rohrbach, Rosbach, Sanders, Schmittsen, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson.

Not voting: Representatives Adams, Blair, Bond, Haley, Nelson G. A., Winsley.

Ms. Becker moved adoption of the following amendments to the committee amendment:

On page 8, line 10 after "either" strike "(a) A" and insert "(a)"

On page 8, at the beginning of line 16 strike "((or))" and insert "or"

On page 8, line 22 after "harm" strike all material down to and including "others" on line 28

On page 22, line 7 after "person" strike "after having been taken into custody for evaluation and treatment"

On page 22, at the beginning of line 11 strike "(a)"

On page 22, line 12 after "himself" strike "((after having been taken into custody for evaluation and treatment)) or substantial damage to the property of another and ((:)) (b)" and insert "after having been taken into custody for evaluation and treatment, and,"

On page 24, line 33 after "(a)" strike "During the current period of court ordered treatment: (i)"

On page 24, line 37 after "another" strike "((during the current period of court ordered treatment and)) or substantial damage to the property of another, and (ii)" and insert "during the current period of court ordered treatment and"

Ms. Becker spoke in favor of the amendments, and Mr. Newhouse spoke against them.

Ms. Becker spoke again in favor of the amendments to the committee amendment, and Representatives Zimmerman and Smith (R) spoke against them.

Mr. Patterson demanded an electric roll call vote on the amendments, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Becker to the committee amendment to Engrossed Substitute Senate Bill No. 2415, and the amendments were not adopted by the following vote: Yeas, 7; nays, 87; not voting, 4.

Voting yea: Representatives Becker, Brekke, Gruger, King, Lux, Nelson D., Salatino.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Bagnariol, Fuller, Martinis.

The Speaker (Mr. Amen presiding) declared the House to be at ease until 1:30 p.m.

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

The House resumed consideration of Engrossed Substitute Senate Bill No. 2415 on second reading.

Ms. Becker moved adoption of the following amendment to the committee amendment:

On page 19, following line 12 insert a new section to read as follows:

**"NEW SECTION.** Sec. 10. There is added to chapter 71.05 RCW the following new section:

When a mental health professional is requested by a representative of a law enforcement agency, including a police officer, sheriff, a municipal attorney, or prosecuting attorney to undertake an investigation under RCW 71.05.150, as now or hereafter amended, the mental health professional shall, if requested to do so, advise said representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. Such written report shall be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement representative, whichever occurs later."

Renumber the remaining sections consecutively.

Ms. Becker spoke in favor of the amendment to the committee amendment.

## POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Newhouse.

Mr. Newhouse: "Would the mental health professionals referred to normally be employed by the Department of Social and Health Services or the community mental health agencies?"

Ms. Becker: "My understanding, Representative Newhouse, is that they are currently county employees, although they may sometimes be employees of the community mental health centers, but they are not employees of Social and Health Services."

Mr. Tilly spoke in favor of the amendment to the committee amendment, and it was adopted.

## MOTION FOR RECONSIDERATION

Mr. Patterson, having voted on the prevailing side, moved that the House reconsider the vote by which the Becker amendment to page 2, line 2 of the committee amendment was adopted.

Mr. Tilly spoke in favor of the motion, and Mr. Knowles spoke against it.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Knowles, I think you are arguing for the preservation of this amendment, but wouldn't the effects of striking the amendment be to allow the judge, in more instances, to hear from the spouse of the person who may be mentally unbalanced?"

Mr. Knowles: "Absolutely not, because it is a statutory privilege that if any attorney who represents one of these parties comes in and says this is a privilege that we have to recognize—bear in mind, a lot of attorneys who come into these kinds of situations are intent upon getting that individual out of any kind of incarceration and they have to follow the law, so they have to argue the law. I've often felt they really aren't doing those people all that much good following the law. My answer to you, Representative Newhouse, would be that if they bring it properly, without this amendment, that spouse could not testify against her husband and vice versa."

Mr. Newhouse spoke in favor of the motion for reconsideration, and Mr. Smith (R) spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the Becker amendment to page 2, line 2 of the committee amendment to Engrossed Substitute Senate Bill No. 2415, and the motion was carried by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Adams, Fuller, Owen.

The Speaker (Mr. Amen presiding) stated the question before the House to be reconsideration of the Becker amendment to page 2, line 2 of the committee amendment.

#### ROLL CALL

The Clerk called the roll on the reconsideration of the Becker amendment to page 2, line 2 of the committee amendment to Engrossed Substitute Senate Bill No. 2415, and the amendment was lost by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Garrett, Greengo, Haley, Hastings, Houchen, Isaacson, Keller, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Fuller, Owen.

On motion of Ms. Becker, the following amendment to the committee amendment was adopted:

On page 26, line 36 after "commitment," strike all material down to and including "days" on line 5, page 27 and insert "then such outpatient care may be required as a condition for early release for a period which, when added to the inpatient treatment period, shall not exceed the period of commitment"

The Committee on Appropriations amendment as amended was adopted.

On motion of Ms. Becker, the committee amendment to the title was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2415 as amended by the House was placed on final passage.

Mr. Newhouse 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. 2415 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 Addison, Amen, Bagnariol, Barnes, Barr, \*Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Fuller.

Engrossed Substitute Senate Bill No. 2415 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. 2929:

The House resumed consideration of the bill on second reading.

Mr. Dunlap moved adoption of the following amendment by Representatives Dunlap, Struthers, Taylor, Rohrbach, Sanders, McGinnis, Mitchell, Houchen, Bond, Craswell, Hastings, Clayton, Williams, Tupper, Nisbet, Addison, Schmitt, Greengo, Eberle, Patterson, Dawson, Toller, Blair, McDonald and Polk:

On page 11, following line 36 insert the following:

"Sec. 7. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 324, Laws of 1977 ex. sess. and RCW 82.08.020 are each amended to read as follows:

There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-tenths ((half)) percent of the selling price(~~(-PROVIDED, That from and after the first day of June, 1976, until the thirtieth day of June, 1979, such tax shall be levied and collected in an amount equal to four and six-tenths percent of the selling price)~~). The tax imposed under this chapter shall apply to successive retail sales of the same property.

Sec. 8. Section 82.12.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 324, Laws of 1977 ex. sess. and RCW 82.12.020 are each amended to read as follows:

There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any article of tangible personal property purchased at retail, or acquired by lease, gift, repossession, or bailment, or extracted or produced or manufactured by the person so using the same, or otherwise furnished to a person engaged in any business taxable under RCW 82.04.280, subsections (2) or (7). This tax will not apply with respect to the use of any article of tangible personal property purchased, extracted, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property in this state. This tax shall apply to the use of every article of tangible personal property, including byproducts used by the manufacturer thereof, except as hereinafter provided, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state. Except as provided in subdivision (2) of RCW 82.12.030, payment by one purchaser or user of tangible personal property of the tax imposed by chapter 82.08 or 82.12 RCW shall not have the effect of exempting any other purchaser or user of the same property from the taxes imposed by such chapters. The tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of four and one-tenths ((half)) percent(~~(-PROVIDED, That from and after the first day of June, 1976, until the thirtieth day of June, 1979, such tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of four and six-tenths percent)~~).

Renumber remaining sections consecutively.

#### POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I challenge this amendment on scope and object."

The Speaker (Mr. Amen presiding) declared the House to be at ease.

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

#### MOTION

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

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 2181, as amended by the House, by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Marsh, Matson, Shinpoch, Gaspard, Gallagher, von Reichbauer, Lewis, Pullen, Newschwander, Clarke, Bottiger, Day, North, McDermott, Peterson, Walgren, Wilson, Moore, Talmadge, Hansen, Guess, Wojahn, Ridder, Goltz, Conner, Jones, Lee, Benitz, Sellar, Bluechel, Fleming, Talley, Wanamaker, Quigg, Morrison, Hayner, Van Hollebeke, Woody, Bausch and Vogniid):

Revising the inheritance and gift tax laws.

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

Representatives Sommers, Craswell, Sanders and Lux spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2181 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 Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Faucher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Adams.

Substitute Senate Bill No. 2181 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. Polk, the House adjourned until 9:00 a.m., Wednesday, May 16, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk



## FIFTY-SEVENTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 16, 1979.

The House was called to order at 9:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Adams and Smith (R), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Lee and Gina DeKruyf. Prayer was offered by The Reverend Robert Keller of the Lutheran Church of the Good Shepherd of Olympia.

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

### MESSAGES FROM THE GOVERNOR

May 15, 1979

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. 1308, entitled:

"AN ACT Relating to landlords and tenants;"

I am in support of Sections 1-15 of this act that consist of revisions and additions to the mobile home landlord-tenant act.

Sections 16-29 of Substitute House Bill No. 1308 would establish a floating home landlord-tenant act and is modeled after the 1977 mobile home act. Nearly all of the floating homes covered by the act are in Seattle. There, the demand for moorage sites and the difficulties in obtaining new sites have created a situation that Seattle brought under control by ordinance in 1977. Two major objectives of that ordinance are to protect tenants from exorbitant rent increases and arbitrary evictions. The floating home act portion of Substitute House Bill No. 1308 would preempt certain portions of the Seattle ordinance and would remove the controls on evictions. As a result, tenants with no alternative sites for their homes could be evicted at the termination or conclusion of a rental agreement; this is specifically contrary to the intent of the Seattle ordinance and inappropriate in this act whose purpose is to refine and clarify the rights of both landlords and tenants of mobile homes. Consequently, I think a decision to decontrol this uniquely local situation is an inappropriate action for the state to take. It may be that some redress for the landlord is in order, but if changes need to be made in the Seattle ordinance, they should be undertaken by the City of Seattle.

For the foregoing reasons, I have chosen to veto sections 16-29 of Substitute House Bill No. 1308. The remainder of the bill is approved.

Respectfully submitted,  
DIXY LEE RAY, Governor.

May 15, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 14, 1979, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 125: Relating to social and health services;

SUBSTITUTE HOUSE BILL NO. 227: Relating to revenue and taxation;

SUBSTITUTE HOUSE BILL NO. 367: Relating to the powers and duties of the state board of education;

SUBSTITUTE HOUSE BILL NO. 437: Relating to educational clinics;

HOUSE BILL NO. 622: Relating to motor vehicle excise taxes;

SUBSTITUTE HOUSE BILL NO. 665: Relating to motor vehicle offenses involving alcohol or drugs;

HOUSE BILL NO. 668: Relating to the employment security department records;

SUBSTITUTE HOUSE BILL NO. 755: Relating to motor vehicles;

SUBSTITUTE HOUSE BILL NO. 972: Relating to fire protection;

SUBSTITUTE HOUSE BILL NO. 1032: Relating to state highway bonds;

SUBSTITUTE HOUSE BILL NO. 1034: Relating to transportation funding.

Sincerely,  
H.B. Hanna, Legal Counsel.

Speaker Bagnariol declared the House to be at ease until 2:30 p.m.  
The Speaker (Mr. O'Brien presiding) called the House to order.

### SENATE AMENDMENTS TO HOUSE BILL

May 10, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 628 with the following amendments:

On page 1, line 1 of the title after "higher education;" strike the remainder of the title and insert "and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW."

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 28B.10 RCW a new section to read as follows:

The duty-related benefits authorized by RCW 28B.10.567, as now or hereafter amended, for police officers employed on or after the effective date of this act by the governing boards of the respective universities and The Evergreen State College shall in no event be greater than the benefits authorized on October 1, 1977, for duty-related death, disability, or injury of a law enforcement officer under chapter 41.26 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Barnes moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 628, and ask the Senate to recede therefrom.

Representatives Barnes and Charnley spoke in favor of the motion, and it was carried.

### SECOND READING

ENGROSSED SENATE BILL NO. 2378, by Senators Wojahn, Jones, Ridder and Talmadge:

Authorizing the payment of certain pension benefits to spouses and ex-spouses.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2378 was placed on final passage.

Representatives Salatino and Blair spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2378, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Chandler, Eng, Martinis, Scott, Smith R.

Engrossed Senate Bill No. 2378, having received the 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. 3117, by Senators Odegaard, Morrison and Gaspard (by Superintendent of Public Instruction request):

Providing for programs of education for residents in certain institutions under jurisdiction of department of social and health services.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 37th Day ex. sess., April 26, 1979.)

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

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3117 as amended by the House was placed on final passage.

Representatives Heck and Taylor spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3117 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 Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Chandler, Dunlap, Eng, Martinis, Nisbet, Oliver, Scott, Smith R.

Engrossed Senate Bill No. 3117 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. 3019, by Committee on Ecology (originally sponsored by Senators Goltz and Williams):

Revising laws relating to shoreline management.

The bill was read the second time.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 3019 to third reading, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 49; nays, 43; not voting, 6.

Voting yea: Representatives Amen, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Clayton, Dunlap, Ehlers, Erickson, Flanagan, Gallagher, Galloway, Granlund, Grimm, Gruger, Haley, Heck, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Nelson D., Newhouse, North, O'Brien, Pruitt, Salatino, Sanders, Sherman, Smith C. P., Sommers, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Addison, Barnes, Barr, Berentson, Blair, Bond, Craswell, Dawson, Deccio, Douthwaite, Eberle, Erak, Fancher, Fuller, Garrett, Greengo, Hastings, Houchen, Isaacson, Jovanovich, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Williams, Wilson, Zimmerman.

Not voting: Representatives Adams, Chandler, Eng, Martinis, Scott, Smith R.

Substitute Senate Bill No. 3019 was passed to Committee on Rules for third reading.

**SUBSTITUTE SENATE BILL NO. 2685, by Committee on Constitution and Elections (originally sponsored by Senator Bottiger):**

**Simplifying financial reporting requirements for public officials.**

The bill was read the second time.

**Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 22nd Day ex. sess., April 11, 1979.)**

On motion of Mr. Oliver, the committee amendment was adopted.

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

Speaker Berentson moved that the House adjourn until 10:00 a.m., Saturday, May 19, 1979.

#### MOTION

Mr. King moved that the House adjourn.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. King that the House adjourn, and the motion was lost by the following vote: Yeas, 44; nays, 49; not voting, 5.

**Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sherman, Sommers, Thompson, Valle, Vrooman, Walk, Warnke.**

**Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G.A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C.P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.**

**Not voting: Representatives Adams, Eng, Martinis, Scott, Smith R.**

Mr. King demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, Martinis, Scott and Smith (R).

#### MOTION

On motion of Speaker Bagnariol, the House dispensed with further business under the Call of the House.

With the consent of the House, Speaker Berentson withdrew his motion to adjourn.

#### MOTION

On motion of Speaker Bagnariol, the House adjourned until 10:00 a.m., Thursday, May 17, 1979.

**JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**

**VITO T. CHIECHI, Chief Clerk**

**FIFTY-EIGHTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, May 17, 1979.

The House was called to order at 10:00 a.m. by The Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representatives Adams, Amen, Barr, Chandler, Clayton, Flanagan and Smith (R), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Brenda Hudeon and Emito Mito. Prayer was offered by The Reverend Robert Keller of the Lutheran Church of the Good Shepherd of Olympia.

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

**SECOND READING****MOTION**

Mr. Schmitten moved that the Rules Committee be relieved of Substitute Senate Bill No. 2967, and the bill be placed at the top of the second reading calendar.

Representatives Schmitten, Polk and Thompson spoke in favor of the motion, and it was carried.

**SUBSTITUTE SENATE BILL NO. 2967**, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Transferring moneys to the forest development account and the resource management cost account.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2967 was placed on final passage.

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

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2967, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sommers, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Amen, Barr, Chandler, Clayton, Eng, Flanagan, Lux, Martinis, McDonald, Smith R., Sprague, Tilly.

Substitute Senate Bill No. 2967, having received the 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. Polk moved that the Appropriations Committee be relieved of **SENATE BILL NO. 2944**, and the bill be placed on today's second reading calendar.

Mr. Polk spoke in favor of the motion.

## POINT OF ORDER

Mr. O'Brien: "According to our rules on a motion to recommit or refer, the speaker is not allowed to go into the merits or demerits of the issue. Mr. Polk should hold his remarks to why we should relieve the committee of the bill."

The Speaker (Mr. Newhouse presiding): "Mr. Polk, the point of order is well taken."

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

## POINT OF ORDER

Mr. O'Brien: "If Mr. Polk wants to make a Republican dialogue and tell us about his party I think he should do it in his caucus and not on the floor of the House."

The Speaker (Mr. Newhouse presiding): "Mr. O'Brien your remarks could be considered somewhat inflammatory, too."

## POINT OF ORDER

Speaker Berentson: "I think it should be pointed out here that we don't need an outburst of this nature when we're trying to debate a very important bill and get it before this body. I've been listening to the same speech you've been listening to and I think he's doing a very good job of pointing out to the body why this bill is necessary."

The motion was carried.

SECOND SUBSTITUTE SENATE BILL NO. 2944, by Committee on Ways and Means (originally sponsored by Senator Rasmussen - by Office of Financial Management request):

Modifying allocation of certain funds under the 1977 appropriations act.

The bill was read the second time.

Mr. Blair moved adoption of the following amendment:

On page 1, line 15 following "sources" insert ": PROVIDED FURTHER, That no more than seven million dollars may be provided from state sources to cover federal funding shortages"

Mr. Blair spoke in favor of the amendment, and Mr. Thompson spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Blair to Second Substitute Senate Bill No. 2944, and the amendment was not adopted by the following vote: Yeas, 44; nays, 45; not voting, 9.

Voting yea: Representatives Addison, Barnes, Berentson, Blair, Bond, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Adams, Amen, Barr, Chandler, Clayton, Flanagan, Lux, Martinis, Smith R.

Mr. Nelson (G.A.) moved adoption of the following amendment:

On page 7, line 2 after "districts" strike everything through "section" on line 3 and insert "to provide increases in accordance with section 1(e) and (g) of this section"

Mr. Nelson (G.A.) spoke in favor of the amendment, and Mr. Thompson spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (G.A.) to Second Substitute Senate Bill No. 2944, and the amendment was not adopted by the following vote: Yeas, 44; nays, 45; not voting, 9.

Voting yea: Representatives Addison, Barnes, Berentson, Blair, Bond, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Adams, Amen, Barr, Chandler, Clayton, Flanagan, Lux, Martinis, Smith R.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 2944 was placed on final passage.

Mr. Thompson spoke in favor of the bill, and Mr. Nelson (G.A.) spoke against it.

Mr. Thompson again spoke in favor of the bill.

#### POINT OF ORDER

Mr. Polk: Mr. Speaker, Representative Thompson has spoken once and we are past the fiftieth day."

The Speaker (Mr. Newhouse presiding): "As Chairman of the committee, I suppose Representative Thompson should be afforded the opportunity to close debate."

Mr. Polk: "Mr. Speaker, I don't believe the rules allow the Chairman of the committee the prerogative of speaking twice. The bill was not worked in committee, but was worked on the floor. I don't think Representative Thompson should have that privilege."

#### SPEAKER'S RULING (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "As Chairman of the committee, Representative Thompson will be allowed to continue."

Mr. Thompson concluded his remarks in favor of the bill, and Mr. Blair also spoke in favor of it.

#### POINT OF INFORMATION

Mr. Dunlap: "Mr. Speaker, much has been said about the emergency nature of this legislation. In light of the fact that the Senate has apparently scattered to the four corners of the country and no quorum is anticipated in the Senate before May 29th, I would like to ask the Speaker to rule on the question of..."

#### POINT OF ORDER

Mr. King: "Mr. Dunlap is in violation of Reed's Rule 224—References to Another Legislative Branch."

The Speaker (Mr. Newhouse presiding): "Reed's Rule 224 says it is not permissible to refer to action of the other house of a legislative body. The Speaker really cannot rule on that issue until the question is presented. I guess we would request that Representative Dunlap ask the question first."

Mr. Dunlap: "My question is: In light of the fact there is no quorum in the Senate before May 29th, can the passage of this bill be effectuated?"

#### SPEAKER'S RULING (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "The responsibility of the House will end with the transmittal of the bill as passed by the House to the Senate. The procedures of the Senate are not open to question of this body. That question, if raised, would obviously have to be raised in the Senate."

Mr. Bond spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2944, and the bill passed the House by the following vote: Yeas, 79; nays, 9; not voting, 10.

Voting yea: Representatives Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor,

Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Eberle, Hastings, Isaacson, McGinnis, Oliver, Polk, Rohrbach, Sanders.

Not voting: Representatives Adams, Amen, Barr, Chandler, Clayton, Craswell, Flanagan, Lux, Martinis, Smith R.

Second Substitute 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.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease.

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

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. Newhouse presiding) announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 76,  
HOUSE BILL NO. 100,  
SUBSTITUTE HOUSE BILL NO. 302,  
HOUSE BILL NO. 376,  
HOUSE BILL NO. 441,  
SUBSTITUTE HOUSE BILL NO. 1121,  
SECOND SUBSTITUTE HOUSE BILL NO. 1239,  
SUBSTITUTE HOUSE BILL NO. 1258,  
SUBSTITUTE SENATE BILL NO. 2095,  
SUBSTITUTE SENATE BILL NO. 2388.

#### MOTION

On motion of Mr. Polk, the House adjourned until 11:00 a.m., Friday, May 18, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk



**FIFTY-NINTH DAY**

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**MORNING SESSION**

House Chamber, Olympia, Wash., Friday, May 18, 1979.

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 Amen, Barr, Chandler, Clayton, Fancher, Flanagan, Haley, Hastings, Newhouse, Rosbach, Smith (R), Van Dyken and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Syson and Russ Broyles. Prayer was offered by The Reverend Robert Keller of the Lutheran Church of the Good Shepherd of Olympia.

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

**MOTION**

On motion of Mr. King, the House recessed until 1:30 p.m.

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**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 Amen, Barr, Chandler, Clayton, Eberle, Fancher, Flanagan, Haley, Hastings, Newhouse, Rosbach, Smith (R), Van Dyken, and Williams. Representatives Amen, Barr, Chandler, Clayton, Fancher, Flanagan, Hastings, Newhouse, Rosbach, Smith (R), Van Dyken and Williams were excused.

**MOTION**

Mr. Bagnariol moved that the House immediately consider the Senate Message concerning ENGROSSED SUBSTITUTE HOUSE BILL NO. 236.

Mr. Bagnariol spoke in favor of the motion.

Mr. Polk demanded a Call of the House and the demand was sustained.

**CALL OF THE HOUSE**

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Amen, Barr, Bond, Chandler, Clayton, Douthwaite, Eberle, Fancher, Flanagan, Haley, Hastings, Newhouse, Rosbach, Van Dyken, Williams and Winsley.

**MOTION**

On motion of Speaker Bagnariol, 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 to immediately consider the Senate message on Engrossed Substitute House Bill No. 236.

The motion was carried.

**MESSAGE FROM THE SENATE**

May 11, 1979

Mr. Speaker:

The Senate insists on its position on ENGROSSED SUBSTITUTE HOUSE BILL NO. 236, and refuses to grant a conference thereon, and once again asks the House to concur in the Senate amendments thereto, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Speaker Bagnariol moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

Speaker Bagnariol spoke in favor of the motion, and Mr. Taller spoke against it.

Representatives Oliver and Dawson spoke against the motion, and Representatives Thompson and King spoke in favor of it.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, the gentleman who is currently speaking is impugning the motives of the Republican members of this House, I think quite unfairly, and I think he should be called to order on that account."

The Speaker (Mr. O'Brien presiding): "Representative King, all remarks should be kept at a high level. We do not impugn the motives of any member. We should not use the word 'impossible,' because, of course, everything is possible."

Mr. King continued his remarks in favor of the motion, and Mr. McGinnis spoke against it.

## POINT OF ORDER

Speaker Bagnariol: "Mr. Speaker, Mr. McGinnis is impugning the motives of every member of this body to insinuate they could be bought."

The Speaker (Mr. O'Brien presiding): "Representative McGinnis, when you impugn the motives of the members, you are violating our House rules. I think all of us should adhere to the rules."

Mr. Salatino spoke in favor of the motion, and Mr. Taylor spoke against it.

## MOTIONS

On motion of Speaker Bagnariol, the House dispensed with further business under the Call of the House.

On motion of Speaker Bagnariol, the House adjourned until 10:00 a.m., Monday, May 21, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## SIXTY-SECOND DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 21, 1979.

The House was called to order at 10:00 a.m. by The Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Barr and Smith (R), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laurie Winebrenner and Brent Edwards. Prayer was offered by The Reverend Stanley J. Workman of The Evergreen Christian Reformed 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 17, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 17, 1979, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 650: Relating to unemployment compensation penalties;  
SUBSTITUTE HOUSE BILL NO. 1013: Relating to energy and utilities regulation;  
SUBSTITUTE HOUSE BILL NO. 1031: Relating to transportation;  
HOUSE BILL NO. 1241: Relating to property taxation of park lands.

Sincerely,  
H. B. Hanna, Legal Counsel.

### MESSAGE FROM THE SENATE

May 18, 1979

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2176,  
SENATE BILL NO. 2378,  
SECOND SUBSTITUTE SENATE BILL NO. 2944,  
SUBSTITUTE SENATE BILL NO. 2952,  
SUBSTITUTE SENATE BILL NO. 2967,  
SENATE JOINT MEMORIAL NO. 107,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### SIGNED BY THE SPEAKERS

The Speaker (Mr. Amen presiding) announced the Speakers were signing:

SENATE BILL NO. 2176,  
SENATE BILL NO. 2378,  
SECOND SUBSTITUTE SENATE BILL NO. 2944,  
SUBSTITUTE SENATE BILL NO. 2952,  
SUBSTITUTE SENATE BILL NO. 2967,  
SENATE JOINT MEMORIAL NO. 107.

The Speaker (Mr. Amen presiding) declared the House to be at ease until 1:30 p.m. Speaker Berentson called the House to order.

Speaker Bagnariol demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Barr and Schmitten.

On motion of Speaker Bagnariol, the absent members were excused and the House proceeded with business under the Call of the House.

Speaker Berentson stated the question before the House to be the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

Mr. Salatino demanded an oral roll call and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute Senate Bill No. 236, and the motion was lost by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Schmitten.

## MOTION FOR RECONSIDERATION

Mr. Thompson moved to reconsider the vote by which the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

The motion was carried.

## MOTION

On motion of Mr. Polk, the House dispensed with further business under the Call of the House.

## MOTION

Mr. Polk moved that the House adjourn until 11:00 a.m., Thursday, May 24, 1979.

Mr. Polk spoke in favor of the motion.

## POINT OF ORDER

Mr. O'Brien: "The motion to adjourn is not debatable."

## SPEAKER BERENTSON'S RULING

Speaker Berentson: "We are making a motion to adjourn to a time certain. Please keep your remarks to the time certain element of the motion, Representative Polk."

Mr. Polk continued speaking in favor of the motion, and Speaker Bagnariol spoke against it.

## MOTION

Mr. King moved that the House adjourn.

## POINT OF ORDER

Speaker Berentson: "The motion to adjourn is of higher rank than the motion to adjourn to a time certain. Under Rule 38 the motion to adjourn, not being debatable, we will put that motion. Rule 38 states under the motion to adjourn the House would automatically come back at 10:30 a.m. on the next day."

The motion was carried.

The House adjourned until 10:30 a.m., Tuesday, May 22, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

**SIXTY-THIRD DAY**

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**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, May 22, 1979.

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 Haley, Smith (R) and Taylor, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Linda Hick and Dana Lindquist. Prayer was offered by The Reverend Robert Keller of the Lutheran Church of The Good Shepherd of Olympia.

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

**MOTION**

On motion of Mr. King, the House recessed until 1:30 p.m.

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**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 Hughes, Taylor and Tupper, who were excused.

**MOTION**

On motion of Speaker Bagnariol, consideration of Engrossed Substitute House Bill No. 236 was made a Special Order of Business for 3:30 p.m.

**MOTION**

On motion of Mr. King, the House advanced to the sixth order of business.

**SECOND READING**

Ms. Valle moved that the Rules Committee be relieved of HOUSE BILL NO. 49 and the bill be placed on today's second reading calendar.

Representatives Valle, Knowles and Pruitt spoke in favor of the motion, and Representatives Barr and Dunlap spoke against it.

**POINT OF ORDER**

Speaker Bagnariol: "We have worked in agreement, between the Co-Speakers, in ruling on points of order. We have agreed consistently throughout this session. That is what the Co-Speakers prior to this action agreed to and Representative Dunlap's comments are completely out of line."

The Speaker (Mr. O'Brien presiding): "Representative Dunlap, hold your remarks only to the motion and not to the main question."

Mr. Dunlap concluded his remarks in opposition to the motion.

**POINT OF INQUIRY**

Ms. Valle yielded to question by Ms. North.

Ms. North: "Representative Valle, there's a great deal of confusion about this bill, and I'm wondering if the body realizes what role the Corps of Engineers would play in the inspection of dams and what role this bill would encompass in the inspection of dams?"

Ms. Valle: "First of all, the federal government did not fund the Corps of Engineers' program for many, many years and then the Grand Teton Dam burst and the—"

## POINT OF ORDER

Mr. Dunlap: "Mr. Speaker, you have said that speakers should confine their remarks to the question of relieving the Rules Committee of the bill and I think a discussion of the problems, the merits and demerits that surround this bill, are really not appropriate at this time."

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

The Speaker (Mr. O'Brien presiding): "The question really doesn't open the main question for discussion. The question before us is the motion to relieve the committee of House Bill No. 49. If the committee is relieved of the bill, then that kind of question would be in order."

Mr. Oliver spoke against the motion, and Mr. Charnley spoke in favor of it.

## POINT OF ORDER

Mr. Dunlap: "Mr. Speaker, would you please ask the Representative now speaking to restrict his remarks to the question of whether we should pull this bill from the Rules Committee?"

The Speaker (Mr. O'Brien presiding): "Representative Charnley, the merits of the bill aren't open for discussion at this time. The question before us is why the House should consider House Bill No. 49 and the Rules Committee should be relieved of it."

Mr. Charnley concluded his remarks.

Representatives Bagnariol and Douthwaite spoke in favor of the motion.

## POINT OF ORDER

Mr. Dunlap: "Mr. Speaker, please ask the Representative now speaking to restrict his remarks to the merits of pulling the bill from the Rules Committee. The question of liability of the dams and other bills is not before us."

The Speaker (Mr. O'Brien presiding): "Representative Douthwaite, you understand the motion; go ahead."

Mr. Douthwaite concluded his remarks in favor of the motion.

Mr. Polk spoke against the motion, and Representatives Valle, Tilly and Teutsch spoke in favor of it.

Mr. Salatino demanded an electric roll call vote on the motion, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of House Bill No. 49 and place it on the second reading calendar, and the motion was carried by the following vote: Yeas, 62; nays, 31; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rohrbach, Salatino, Sanders, Schmiten, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barr, Berentson, Bond, Clayton, Craswell, Decchio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Oliver, Patterson, Polk, Rosbach, Smith C. P., Sprague, Struthers, Van Dyken, Whiteside, Wilson.

Not voting: Representatives Blair, Chandler, Hughes, Taylor, Tupper.

## MOTION

Mr. Williams moved that the Rules Committee be relieved of SUBSTITUTE SENATE JOINT RESOLUTION NO. 120 and ENGROSSED SUBSTITUTE SENATE BILL NO. 2976, and the bills be placed on the second reading calendar.

Representatives Williams, Haley, King, Nelson (D) and McCormick spoke in favor of the motion, and it was carried.

HOUSE BILL NO. 49, by Representatives Valle, Douthwaite, Charnley, Pruitt, Nelson (D), North, Galloway and Sherman (by Committee on Ecology of the 45th Legislature request):

Establishing a regulatory program with the department of ecology for dam safety.

The bill was read the second time.

On motion of Ms. Valle, Second Substitute House Bill No. 49 was substituted for House Bill No. 49, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 49 was read the second time.

#### MOTION

Mr. Eberle moved that further consideration of Second Substitute House Bill No. 49 be deferred, and the bill be placed at the bottom of the second reading calendar.

Mr. King spoke against the motion, and Mr. Patterson spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion to defer consideration of Second Substitute House Bill No. 49, and the motion was lost by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taller, Teutsch, Tilly, Van Dyke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Hughes, Taylor, Tupper.

Mr. Barr moved adoption of the following amendment:

On page 2, beginning on line 26 strike all of section 6, and renumber the remaining sections consecutively.

Representatives Barr and Hastings spoke in favor of the amendment, and Representatives Valle and Charnley spoke against it.

Ms. Valle spoke again in favor of the amendment.

#### POINT OF ORDER

Mr. Newhouse: "The person who can close debate is the maker of the amendment."

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

The Speaker (Mr. O'Brien presiding): "Representative Newhouse's point is well taken. The amendment was offered by Representative Barr and you've already spoken once on this, Representative Valle."

Mr. Kreidler spoke in favor of the amendment, and Mr. Pruitt spoke against it.

#### POINT OF INQUIRY

Mr. Isaacson: "Representative Valle, could you explain to me how the Department of Ecology is going to work with the various dam operators on the Columbia River to control their fluctuations, particularly during high water situations?"

Ms. Valle: "My understanding is that the Department of Ecology may require an owner of a dam to submit an operational safety plan which identifies the means of protecting life and property from the potential hazards of rapid water level fluctuations. Notice that such a plan is available for review and shall be published at least four weeks prior to approval."

Mr. Isaacson: "I don't believe you answered my question of how the operators, and particularly Bonneville Power Administration, Grant County PUD, and others up and down the Columbia River, including the Canadian government, who have dams in Canada, are going to interact with the Department of Ecology on this matter?"

Ms. Valle: "Representative Isaacson, federally owned and licensed dams are exempted. That's one very clear definition in this bill. I did not want there to be any arguments about



which was a state dam and which was a federal dam such as there was at Tacola, Georgia, and whose responsibility the inspection was after that accident."

Representatives Isaacson, Nisbet, Fancher and Barr spoke in favor of the amendment, and Representatives King and Barnes spoke against it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Patterson: "Wasn't there a motion that there would be a Special Order of Business at 3:30 on House Bill No. 236?"

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. King, further consideration of Engrossed Substitute House Bill No. 236 was deferred until after consideration of Engrossed Substitute Senate Bill No. 2976.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment to Second Substitute House Bill No. 49 by Representative Barr.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barr to Second Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Addison, Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McCormick, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Tilly, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charney, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Zimmerman.

Not voting: Representatives Hughes, McDonald, Taylor, Tupper.

Mr. Smith (R) moved adoption of the following amendment by Representatives Smith (R) and Douthwaite:

On page 3, line 33 after "Sec. 9." strike all the material down to and including "chapter" on page 4, line 3 and insert the following: "In any action for damages against the state or a political subdivision thereof, or against its officers, agents or employees, the following affirmative defenses shall be applicable, but nothing contained herein shall create any cause of action or be held or interpreted as altering or diminishing any other existing defenses. In any action involving inspections, or failure to inspect, made for the purpose of determining compliance with applicable laws, it shall be an affirmative defense that the governmental agency:

(1) Was not aware of the noncompliance; or

(2) Has made a reasonable attempt to notify the owner, operator, or agent responsible for compliance of the noncompliance.

Neither affirmative defense shall apply where the property inspected is owned by the governmental agency."

Representatives Smith (R) and Newhouse spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Newhouse, I have to assume the way this bill is drafted that once you have inspected a dam there must be some kind of a letter or certificate or something issued that this dam is safe. If there isn't something to that effect, then would the language in Representative Smith's amendment protect the state from liability because we said the dam was safe and then something went wrong?"

Mr. Newhouse: "Representative Patterson, I would not want to make such a statement. To infer that a dam is entirely safe because it has been inspected, would be, I think, beyond the purposes we can achieve. I think if we have a state agency which inspects dams, the certificate which the owner will receive will say that it either has or has not met the standards the state established. They will establish those standards by rule and regulation."

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Smith, my concern deals with the fact that, in a dam inspection where the owner of the dam is told to make his dam in compliance with the state inspection procedures, he does something to the dam to make it safe—with your amendment, would the state then be relieved of its responsibility in that agents of the state had told the owner of the dam to make corrections that later are the result of a failure—does this mean the state is completely free or would the state, in that case, be responsible in that their agents had directed the owner to make certain modifications that later resulted in a tragedy?"

Mr. Smith (R): "I'm not sure I understand your question."

Mr. Nisbet: "We have a bill that says the state will inspect dams and determine if they are safe or how they will be made safe. That is the thrust of this bill. The state is going to look at an owner's dam and say if it's not safe certain things must be done to make it safe. My question to you, with reference to your amendment, is: As a dam owner I make the corrections that the state of Washington has told me to make; I've complied as directed, and the next day there's a flood because of some correction I've made and the town below is wiped out. Does your amendment relieve the state of that responsibility? Is the owner stuck or can the owner turn back to the state and say, 'I did what you told me and that caused a failure of my dam; therefore the state is responsible.' Would your amendment still allow that to happen or would it preclude the owner from going back to the state?"

Mr. Smith (R): "This is the language that was adopted by the House in the product liability bill. I don't believe the state would be creating a hazardous procedure. The amendment would read, 'In any action involving inspections, or failure to inspect, made for the purpose of determining compliance with applicable laws...' It is an absolute defense to the state if the state has inspected and notified the owner the dam is out of compliance."

Mr. Nisbet: "My question does not deal with out of compliance or failure to inspect. My question deals with the responsibility of the state where they have directed a specific action on the part of the owner in order to qualify with state standards. In that act, (and it can happen) that I am forced to comply with, do I, through your amendment, have no recourse through the state? I've done what I was told and it caused my dam to fail; am I going to be solely responsible or will the state, as a result of your amendment?"

Mr. Smith (R): "An affirmative defense is absolute exemption from liability, so the answer is the state would not be liable either to the owner or to the people injured if they had inspected the dam and advised that it was out of compliance."

Mr. Nisbet spoke against the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smith (R) and Douthwaite to Second Substitute House Bill No. 49, and the amendment was adopted by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., Newhouse, North, O'Brien, Patterson, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Zimmerman.

Voting nay: Representatives Addison, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Owen, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Tilly, Williams, Wilson, Winsley.

Not voting: Representatives Blair, Hughes, Taylor, Tupper.

Mr. Eberle moved adoption of the following amendment:

On page 2, line 30 strike all of line 30 and "approval" on line 31, and insert "to the department"

Mr. Eberle spoke in favor of the amendment, and Representatives Valle, Douthwaite and Nisbet spoke against it.

Mr. Eberle spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Haley moved adoption of the following amendment:

On page 2, beginning on line 12 following "Sec. 4." strike all language down through "dam." on line 20 and insert:

"Private or public entities that are recognized by the department as dam safety authorities shall carry out a dam safety inspection program and shall make periodic inspections and conduct investigations pursuant thereto. However, if no such inspection is made, or if the department elects not to accept such an inspection and report, then the department shall carry out such inspection and investigations."

Representatives Haley, Valle and Barr spoke in favor of the amendment, and it was adopted.

Mr. Smith (C) moved adoption of the following amendments:

On page 1, line 28 following "than" strike "ten" and insert "twelve"

On page 2, line 2 before "acre" strike "twenty" and insert "fifty"

Representatives Smith (C) and Barr spoke in favor of the amendments, and Representatives Valle, Pruitt, Charnley and Douthwaite spoke against them.

Mr. Smith (C) spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Smith (C) to Second Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Teutsch, Tilly, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Hughes, Taylor, Tupper.

Second Substitute House Bill No. 49 was ordered engrossed.

Mr. Salatino moved that the rules be suspended, and Engrossed Second Substitute House Bill No. 49 be advanced to third reading and final passage.

Mr. Dunlap spoke against the motion, and the motion was lost.

Engrossed Second Substitute House Bill No. 49 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 120, by Committee on Energy and Utilities (originally sponsored by Senators Bottiger and Lewis):

Authorizing government utilities to loan money for energy conservation purposes.

The resolution was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 42nd Day ex. sess., May 1, 1979.)

On motion of Mr. Williams, the committee amendment was adopted.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and the resolution be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute Senate Joint Resolution No. 120 as amended by the House to final passage, and the motion received the required two-thirds majority by the following vote: Yeas, 72; nays, 20; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Salatino, Sanders, Schmitten, Scott,

Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, McGinnis, Nelson G. A., Newhouse, Rohrbach, Rosbach, Smith C. P., Sprague, Struthers, Wilson.

Not voting: Representatives Berentson, Hughes, Isaacson, Polk, Taylor, Tupper.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Joint Resolution No. 120 as amended by the House.

Representatives Haley, McCormick, Isaacson, Nelson (D) and Oliver spoke in favor of the resolution, and Mr. McGinnis spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 120 as amended by the House, and the resolution was passed by the following vote: Yeas, 70; nays, 25; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Taller, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Hastings, Houchen, Hurley, McDonald, McGinnis, Nelson G. A., Newhouse, Patterson, Polk, Rohrbach, Smith C. P., Sprague, Struthers, Wilson.

Not voting: Representatives Hughes, Taylor, Tupper.

Engrossed Substitute Senate Joint Resolution No. 120 as amended by the House, having received the two-thirds constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2976**, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Permitting local governments to use public funds to promote conservation of energy.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day ex. sess., May 2, 1979.)

Ms. McCormick moved adoption of the committee amendment to page 2.

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 1 of the amendment to page 2, lines 16-26 of the bill, in subsection (4), line 2 before "of" strike "and installation"

Mr. Addison spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Addison, in my copy of the House committee amendment to this bill which you are amending, in the last sentence it says, '...such services and materials shall be purchased from a private contractor and shall be installed by a private contractor or the owner.' Would that language cover what you are attempting to do in your amendment?"

Mr. Addison: "That's a good point, Representative Nelson. The way the amendment reads is that you have to take out of section 4, the installation. Understand this would not preclude the private contractor from putting in the insulation; it would only preclude the use of local moneys to be paid to a private contractor to do that."

Representatives Nelson (D), Williams and Douthwaite spoke against the amendment to the amendment, and Mr. Addison spoke again in favor of it.

The amendment to the committee amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment.

POINT OF INQUIRY

Ms. McCormick yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative McCormick, in subparagraph (4) of the committee amendment there is a reference to contractors and private contractors. Does this mean that a person would be limited to buying insulating material from one who contracted for the installation of that or could I, for instance, go to a retail outlet and purchase the insulation and install it myself?"

Ms. McCormick: "Yes, you could purchase it yourself and install it yourself, or have a private contractor install it for you."

MOTION

On motion of Speaker Bagnariol, the House adjourned until 10:00 a.m., Wednesday, May 23, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## SIXTY-FOURTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 23, 1979.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Newhouse 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 Kim Giskin and Laurie Crosby. Prayer was offered by The Reverend Stanley J. Workman of the Evergreen Christian Reformed 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, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 76,  
                                   HOUSE BILL NO. 100,  
 SUBSTITUTE HOUSE BILL NO. 302,  
                                   HOUSE BILL NO. 376,  
                                   HOUSE BILL NO. 441,  
                                   SUBSTITUTE HOUSE BILL NO. 1121,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1239,  
                                   SUBSTITUTE HOUSE BILL NO. 1258,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Speaker Bagnariol demanded a Call of the House and the demand was sustained.

### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Polk, the House proceeded with business under the Call of the House.

### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2976 by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Permitting local governments to use public funds to promote conservation of energy.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the committee amendment to page 2.

On motion of Mr. Van Dyken, the following amendments to the committee amendment were adopted:

On page 1 of the committee amendment to page 2, lines 16-26 of the bill, beginning on line 3 of the amendment, make the following changes:

On line 3 following "of" strike "contractors" and insert "businesses"

On line 6 following "which" strike "contractors" and insert "businesses"

On line 16 following "private" strike "contractor" and insert "business"

On line 18 following "private" strike "contractor" and insert "business"

The committee amendment as amended was adopted.

Mr. Haley moved adoption of the committee amendment to page 3.

Mr. Addison moved adoption of the following amendment by Representatives Addison and Brown to the committee amendment:

On page 1 of the amendment to page 3, lines 13-23 of the bill, in subsection (4), line 2 before "of" strike "and installation"

Representatives Addison and Brown spoke in favor of the amendment to the committee amendment, and Representatives Nelson (D) and Charnley spoke against it.

Mr. Addison spoke again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Addison and Brown to the committee amendment to Engrossed Substitute Senate Bill No. 2976, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; not voting, 0.

Voting yea: Representatives Addison, Amen, Barr, Berentson, Blair, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Keller, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Vrooman, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Pruitt, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Valle, Van Dyken, Walk, Warnke, Williams, Zimmerman.

On motion of Mr. Van Dyken, the following amendments by Representatives Van Dyken and Smith (R) to the committee amendment were adopted:

On page 1 of the committee amendment to page 3, lines 13-23 of the bill, beginning on line 3 of the amendment, make the following changes:

On line 3 following "of" strike "contractors" and insert "businesses"

On line 6 following "which" strike "contractors" and insert "businesses"

On line 16 following "private" strike "contractor" and insert "business"

On line 18 following "private" strike "contractor" and insert "business"

The committee amendment as amended was adopted.

Mr. Eberle moved adoption of the following amendment:

On page 2, line 6 after "demand" strike the period and insert ", and where the life cycle cost of the energy saved is equal to or greater than the cost of acquisition and installation of the materials and equipment involved."

Mr. Eberle spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Eberle yielded to question by Mr. Jovanovich.

Mr. Jovanovich: "Representative Eberle, can you tell me who will determine whether or not this is cost-effective?"

Mr. Eberle: "It would be up to the utility itself to make that analysis, because they are the ones who are in control of loaning the money."

Mr. Jovanovich: "Does this mean they are going to hire an engineer to come up with these conclusions? Who in the utility is qualified to do this?"

Mr. Eberle: "Probably an engineer would be most qualified, however, the American Society of Heating and Refrigeration Engineers have put out a handbook called The ASHRE Handbook and it has a lot of data in it. There have been some extensive tests performed on insulation and insulation materials. As a matter of fact, a Dr. McGraw who heads the Applied Sciences Engineering Association in Colorado has done some extensive testing just over the previous two years, and his data, which is fairly instructive, points up some interesting facts. He points out that most of the heat loss from a house is done through lifestyle, meaning that if you walk in and don't shut the door right away a lot of cold air comes in; if you sleep with the furnace on and the windows open, a lot of cold air comes in; if you run the range hood on your range, there's a tremendous amount of cold air brought in. It turns out that fifty to sixty percent of all heat loss in a house is that way so when we talk about saving, we are only talking about forty percent because the rest depends on your lifestyle. Insulation could only save forty to fifty percent and, of that forty to fifty percent, sixty percent of that is lost through the ceilings, about thirty percent is lost through the walls and ten percent through the floors, so the

analysis clearly says if you spend a lot of money to insulate the floor of your house, you are really throwing money out the door because you will never get that back in energy. You can spend a moderate amount in insulating the walls and you can maybe make a payback on that, but if you spend a great deal of money—if you spend \$500 to have the walls foamed, for example—you'll never get that back in energy. However, putting insulation in the ceiling of your house is a good deal."

Representatives Jovanovich, King, Barnes, Nelson (D) and Charnley spoke against the amendment, and Representatives McDonald, Eberle, Oliver and Rohrbach spoke in favor of it.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eberle to Engrossed Substitute Senate Bill No. 2976, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; not voting, 0.

Voting yea: Representatives Addison, Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Haley, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Salatino, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley.

Mr. Isaacson moved adoption of the following amendment:

On page 2, following line 26 and on page 3, following line 23 insert a new subsection as follows:

"(5) Pay back shall be in the form of incremental additions to the utility bill, billed either together with use charge or separately. Loans shall not exceed 120 months in length."

Representatives Isaacson, Fuller and Eberle spoke in favor of the amendment, and Representatives Nelson (D) and Douthwaite spoke against it.

Mr. Isaacson spoke again in favor of the amendment, and it was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2976 as amended by the House was placed on final passage.

Mr. Haley 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. 2976 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Clayton, Craswell, Dunlap, Flanagan, Newhouse.

Engrossed Substitute Senate Bill No. 2976 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. Polk, Representative Haley was excused from the Call of the House.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease until 1:30 p.m. Speaker Berentson called the House to order.



Speaker Berentson stated the question before the House to be the motion that the House do concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 236.

Mr. King demanded an oral roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and the motion was lost by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Haley.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2374, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Donohue, Talley, Woody, Shipoch, Van Hollebeke, McDermott, Wilson, von Reichbauer, Benitz, Sellar, Gallagher, North, Guess, Wanamaker, Lee, Peterson, Day, Moore, Marsh, Talmadge, Vognild, Bausch, Goltz, Williams, Scott, Quigg, Morrison, Lewis and Gaspard - by Executive request):

Revising the property tax treatment of retired owners.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 49th Day ex. sess., May 8, 1979.)

Ms. Craswell moved adoption of the committee amendment to page 1, beginning on line 24.

On motion of Ms. Craswell, the following amendments to the committee amendment by Representatives Craswell and Sommers were adopted:

On page 4 of the amendment, line 3 strike "six" and insert "two"

On page 4 of the amendment, line 31 strike "nine" and insert "eleven"

On page 6 of the amendment, beginning on line 38 strike all the material through line 3 on page 7 and insert:

"Claims under RCW 84.36.381 through 84.36.389, as now or hereafter amended in ((+977)) 1979 shall be filed between January 2 and October 1, ((+977)) 1979. Persons who filed claims after January 2, 1979 and who would have been eligible for an exemption in 1980 under the law amended by this 1979 act are eligible for an exemption under sections 1 through 4 of this 1979 act without necessity of reapplication."

On page 12 of the amendment, line 27 strike "exemption" and insert "deferral"

On page 12 of the amendment, line 32 strike "under this subsection"

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the committee amendment to page 14 was not adopted.

On motion of Ms. Sommers, the committee amendment to page 1, line 16 of the title of the bill was adopted, and the committee amendment to page 1, line 20 was not adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2374 as amended by the House was placed on final passage.

Representatives Sommers and Craswell spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill 2374 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Decchio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Haley.

Substitute Senate Bill No. 2374 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. 2308, by Committee on Social and Health Services (originally sponsored by Senators Day and Vognild):

Revising laws relating to emergency medical services.

The bill was read the second time.

Mr. King moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 3, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.030 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as used in this chapter shall have the ((following)) meanings((:)) indicated.

- (1) 'Secretary' means the secretary of the department of social and health services.
- (2) 'Department' means the department of social and health services.
- (3) 'Committee' means the emergency medical ((and ambulance review)) services committee.
- (4) 'Ambulance' means ((an emergency)) a vehicle designed and used to transport the ill and injured and to provide personnel, facilities, and equipment to treat patients before and during transportation.
- (5) 'First aid vehicle' means a vehicle ((primarily designed and)) used to carry first aid equipment and individuals trained in first aid or emergency medical procedure.
- (6) 'Emergency medical technician' means a person who ((has successfully completed a prescribed course of instruction and who has achieved a demonstrable level of performance and competence to treat victims of severe injury or other emergent condition)) is authorized by the secretary to render emergency medical care pursuant to RCW 18.73.110 as now or hereafter amended.
- (7) 'Ambulance operator' means a person who owns one or more ambulances and operates them as a private business.
- (8) 'Ambulance director' means a person who is a director of a service which operates one or more ambulances provided by a volunteer organization or governmental agency.
- (9) 'First aid vehicle operator' means a person who owns one or more first aid vehicles and operates them as a private business.
- (10) 'First aid director' means a person who is a director of a service which operates one or more first aid vehicles provided by a volunteer organization or governmental agency.
- (11) 'Emergency medical care' or 'emergency medical service' means such medical treatment and care which may be rendered to persons injured, sick, or incapacitated ((at the scene of such injury, sickness, or incapacitation or in the ambulance)) in order to reduce the risk of loss of life or aggravation of illness or injury, including care rendered while transporting a patient from an ambulance or other vehicle to an appropriate location within a hospital or other medical facility.
- (12) (('Medical equipment' means such facilities and equipment to be used in the treatment of persons injured, sick or incapacitated carried by ambulance or first aid vehicle.
- ((+))) 'Communications system' means a radio or landline network ((connected with a dispatch center which makes possible the alerting and coordination of personnel, equipment, and facilities)) which provides rapid public access, coordinated central dispatching of services, and coordination of personnel, equipment, and facilities in an emergency medical services system.
- (13) 'Emergency medical services region' means a region established by the secretary of the department of social and health services pursuant to RCW 18.73.060, as now or hereafter amended.
- (14) 'Patient care guidelines' mean the written guidelines adopted by the regional emergency medical services council under section 7 of this 1979 act which direct the care of the emergency patient. These guidelines shall be based upon the assessment of the patient's medical needs and his geographic location, and shall address which medical care vehicles will be dispatched to the scene, what treatment will be provided for

serious conditions, which hospital will first receive the patient, and which hospitals are appropriate for transfer if necessary.

Sec. 2. Section 4, chapter 208, Laws of 1973 1st ex. sess. as amended by section 43, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.73.040 are each amended to read as follows:

There is created an emergency medical (~~and ambulance review~~) services committee of nine members to be appointed by the governor with the advice and consent of the senate. Members of the committee shall be persons knowledgeable in specific and general aspects of emergency medical services. Members shall be appointed for a period of three years; except, that the first appointees shall serve for terms as follows: Five for three years, two for two years, and two for one year. Further, the terms of those members representing the same field shall not expire at the same time.

The committee shall elect a chairman and a vice chairman whose terms of office shall be for one year each. The chairman shall be ineligible for reelection after serving two consecutive terms.

The committee shall meet on call by the governor, the secretary or the chairman.

All appointive members of the committee, in the performance of their duties, may be entitled to receive travel expenses as provided in RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 3. Section 5, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.050 are each amended to read as follows:

The committee shall (~~advise and assist the secretary on the identification of the requirements for pre-hospital emergency medical and ambulance services and practices and the formulation of implementation planning:~~

The secretary shall submit in writing to each member of the committee all the rules and regulations, other than procedural matters, proposed by him for adoption in accordance with the procedures of chapter 34.04 RCW. Unless, within thirty days of such notification, five of the members of the committee notify the secretary in writing of their disapproval of such proposed rules and regulations and their reasons therefor, such rules and regulations shall be adopted by the secretary in accordance with the procedures of chapter 34.04 RCW);

(1) Advise the secretary regarding emergency medical care needs throughout the state.

(2) Review all administrative rules proposed for adoption by the secretary under this chapter or under RCW 18.71.205. The secretary shall submit all such rules to the committee in writing. The committee shall, within forty-five days of receiving the proposed rules, advise the secretary of its recommendations. If the committee fails to notify the secretary within forty-five days of receipt of a proposed rule it shall be deemed to be approved by the committee.

(3) Assist the secretary, at the secretary's request, to fulfill any duty or exercise any power under this chapter.

Sec. 4. Section 6, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.060 are each amended to read as follows:

(1) The secretary shall designate at least (~~eight planning and service areas~~) six emergency medical service regions so that all parts of the state are within such (~~an area. These designations are to be made on the basis of convenience and efficiency of delivery of needed emergency medical services.~~

(2) The secretary shall conduct a public hearing in a major city of each planning and service area at least sixty days prior to the formulation of a comprehensive plan for prehospital emergency medical services. Such hearing shall (a) afford an opportunity for participation by those interested in the determination of the need for, and the location of ambulances and first aid vehicles and (b) provide a public forum that affords a full opportunity for presenting views on any relevant aspect of prehospital emergency medical services) a region.

(2) Each emergency medical service region shall be governed by a council composed of no more than eighteen members. The council members shall be persons knowledgeable in the field of emergency medicine, who shall be appointed by the legislative authority(s) of the county(s) included in the region, representing county medical societies, the American college of emergency physicians, the emergency department of the nurses association, regional hospital councils, public and private prehospital providers, elected officials, and representatives of the public at large and public safety. No county may be divided between two or more regions. In any region which encompasses more than one county, each county shall have equal member representation.

Sec. 5. Section 7, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.070 are each amended to read as follows:

(The secretary shall prepare and adopt a comprehensive plan for prehospital emergency medical services in the state for persons injured as a result of motor vehicle accidents, suspected coronary victims, or persons suffering other acute illnesses or trauma. This plan shall include, but not be limited to the following: (1) The training of individuals in cardiopulmonary resuscitation, basic and advanced first aid, emergency medical technician, paramedic, and other programs for the development of prehospital emergency medical services personnel in the major city of each planning and service area; (2) the future development of rules and regulations for certification and licensure of prehospital emergency medical services personnel; and, (3) the study of prehospital emergency medical services needs, such as facilities, vehicles, equipment, communications and personnel in the state.

The secretary shall encourage communities to support the care and services required to meet the provisions of this plan or to develop such care and service. If any community is unable to provide the facilities, vehicles, equipment and personnel required, the secretary shall inform the committee thereof and the committee shall take such further action as it deems advisable consistent with the provisions of this chapter)

After conducting a public hearing in one or more major cities in each emergency medical service region, affording all interested persons an opportunity to present their views on any relevant aspect of emergency medicine, the secretary shall adopt a state-wide comprehensive plan for the development and implementation of emergency medical care systems based upon the regional plans. The hearings shall be held at least sixty days before adoption or revision of the plan. Components of this plan shall include but not be limited to: Facilities, vehicles, medical and communications equipment, personnel and training, transportation, public information and education, and coordination of services.

The secretary shall encourage communities and medical care providers to implement the regional plan.

Sec. 6. Section 8, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.080 are each amended to read as follows:

In addition to other duties prescribed by law the secretary shall:

(1) ~~((It shall be the duty of the secretary, pursuant to the policy set forth in this chapter, to))~~ Prescribe minimum requirements for:

- (a) Ambulances;
- (b) First aid vehicles; and
- (c) Communication equipment~~((:));~~

~~((These requirements shall be reviewed regularly.))~~

(2) ~~((The secretary shall also))~~ Prescribe~~((, pursuant to the policy set forth in this chapter,))~~ minimum ~~((requirements for training of all first aid and ambulance personnel rendering emergency medical care or first aid:~~

~~((3) The secretary shall also))~~ standards governing the authorization and conduct of all training programs for emergency medical personnel authorized by this chapter;

(3) Review and approve or disapprove all applications for the conduct of emergency medical training courses authorized by this chapter;

(4) Establish and operate or contract with other qualified institutions or organizations for the operation of training programs for emergency medical personnel authorized by this chapter;

(5) Establish standards governing the establishment and operation of emergency medical care services and systems;

(6) Review the budgets prepared by the regional councils pursuant to section 7 of this 1979 act, and prepare a single budget for submission to the governor;

(7) Establish procedures for evaluating the effectiveness of emergency medical care throughout the state;

(8) Adopt a format for submission of annual regional plans;

(9) Cooperate with and assist ~~((the))~~ other agencies of state government and political subdivisions of the state of Washington who provide first aid ~~((and))~~ or emergency medical training to ensure that this training is available ~~((in each planning and service area of))~~ throughout the state ~~((pursuant to the policy set forth in this chapter:));~~

~~((4) The secretary shall also))~~ (10) Prescribe minimum requirements for liability insurance to be carried by ambulance operators except that this requirement shall not apply to self-insured public bodies; and

(11) Assist in the coordination of medical air evacuation and poison control services.

NEW SECTION. Sec. 7. There is added to chapter 18.73 RCW a new section to read as follows:

In addition to any other duties provided by law, each regional emergency medical services council shall:

(1) At the request of the secretary, assist in the fulfillment of any duty or the exercise of any power prescribed by this chapter;

(2) Adopt and annually revise a regional plan, in the manner and form prescribed by the secretary, for the development and implementation of emergency medical care systems, including facilities, vehicles, medical and communication equipment, training, public information and education, and coordination of services; the plan shall be submitted to the secretary;

(3) Establish patient care guidelines for use within the region as approved by the secretary;

(4) Prepare a regional biennial budget request for the operation of the council and the development of emergency medicine within the region which corresponds to the regional plan, and submit the budget request to the secretary;

(5) Disburse grant funds received from the secretary for the development of emergency medicine in accordance with the regional plan;

(6) Assist emergency medical providers throughout the region in coordinating their services;

(7) Advise units of local government within the region, and the secretary, regarding emergency medical needs within the region; and

(8) Establish local emergency medical councils within the region when, in the judgment of the regional council, such local councils would facilitate the development of emergency medicine within the region. Any local councils established pursuant to this section shall have such duties as the regional council shall prescribe. The members of any local council shall be appointed by the county legislative authority(s) of the county(s) within the local council, on the same basis used to appoint members of the regional council.

NEW SECTION. Sec. 8. There is added to chapter 18.73 RCW a new section to read as follows:

(1) The secretary, with the assistance of the regional emergency medical services councils, shall adopt a program for the disbursement of funds for the development of emergency medical care. Under the program, the secretary shall disburse funds to each regional council, stipulating the purpose for which the funds shall be expended. The regional council shall use such funds to make available matching grants in an amount not to exceed fifty percent of the cost of the proposal for which the grant is made. Grants shall be made to any

public or private nonprofit agency which, in the judgment of the regional council, will best fulfill the purpose of the grant.

(2) Grants may be awarded for any of the following purposes:

- (a) Establishment and initial development of an emergency medical service program;
- (b) Expansion and improvement of an emergency medical service program;
- (c) Purchase of equipment for the operation of an emergency medical service program; and
- (d) Training and continuing education of emergency medical personnel.

(3) Any emergency medical service program which receives a grant shall stipulate that it will:

- (a) Operate in accordance with patient care guidelines adopted by the regional council; and
- (b) Provide, without prior inquiry as to ability to pay, emergency medical care to all patients requiring such care.

Sec. 9. Section 9, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.090 are each amended to read as follows:

The secretary shall establish standards for emergency medical communications for use in connection with the delivery of emergency medical services systems. He shall, in conjunction with other agencies of state government and political subdivisions of the state of Washington, encourage establishment of a state-wide communication system utilizing presently available facilities and such additional facilities as they become available; except, that each ambulance and first aid vehicle licensed under provisions of this chapter shall be equipped with transmitting and receiving equipment.

Sec. 10. Section 10, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.100 are each amended to read as follows:

Upon the establishment of this chapter, the secretary may grant variance from standards (~~only~~) when compliance can be expected to create prohibitive costs or cause substantial reduction or loss of existing service. Variance may be granted for a period of not more than one year. The variance may be renewed upon approval of the committee.

Sec. 11. Section 11, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.110 are each amended to read as follows:

The secretary shall specify the level of knowledge required to qualify as an emergency medical technician and shall issue a certificate of qualification to those eligible applicants who pass a written and practical examination given under the secretary's direction, or who provide proof of having graduated, with satisfactory performance, from a course of instruction, of not less than eighty hours, approved by the secretary. Reciprocity may be arranged, in granting emergency medical technician certificates, with a national certifying organization whose standards are at least equal to those established by the secretary.

~~((A fee shall be established, except, that no fee shall be required of active volunteer personnel for such certificate:))~~

The certificate shall be valid for a period of ~~((three))~~ two years and may be renewed at expiration upon proof that the holder has ~~((attended a refresher course recognized by the department, or))~~ met postcertification, continuing education requirements adopted by the secretary and upon passing an examination ((such as given to new applicants)) approved by the secretary.

Sec. 12. Section 12, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.120 are each amended to read as follows:

The secretary shall ~~((issue a))~~ recognize a current certificate of advanced first aid qualification ~~((to))~~ for those ((applicants)) who provide proof of advanced Red Cross training or its equivalent. ~~((The certificate shall be valid for a period of three years, and may be renewed at expiration upon proof that the holder has received a recognized Red Cross refresher course or its equivalent, or upon passing an examination such as that given new applicants:))~~

~~A fee shall be established for such certificate, except, that law enforcement officers, fire fighting personnel, or other governmental personnel required to have advanced first aid qualification as a qualification for employment shall be exempt from this fee:))~~

Sec. 13. Section 13, chapter 208, Laws of 1973 1st ex. sess. as amended by section 61, chapter 158, Laws of 1979 and RCW 18.73.130 are each amended to read as follows:

An ambulance operator, ambulance director, first aid vehicle operator or first aid director may not operate a service in the state of Washington without holding a license for such operation, issued by the secretary when such operation is consistent with the comprehensive plan established pursuant to RCW 18.73-.070, indicating the general area to be served and the number of vehicles to be used, with the following exceptions:

- (1) The United States government;
- (2) Ambulance operators and ambulance directors providing service in other states when bringing patients into this state;
- (3) Owners of businesses in which ambulance or first aid vehicles are used exclusively on company property but occasionally in emergencies may bring patients to hospitals not on company property;
- (4) Operators of vehicles pressed into service for transportation of patients in emergencies when licensed ambulances are not available or cannot meet overwhelming demand.

The license shall be valid for a period of three years and shall be renewed on request provided the holder has consistently complied with the regulations of the department and the department of licensing and provided also that the needs of the area served have been met satisfactorily. The license shall not be transferable.

~~((A license fee shall be required for ambulance operators and first aid operators:))~~

Sec. 14. Section 14, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.140 are each amended to read as follows:

The secretary shall approve the issuance of an ambulance license for each vehicle so designated. The license shall be for a period of one year and may be reissued on expiration if the vehicle and its operation meet requirements in force at the time of expiration of the license period. The license may be revoked if the ambulance is found to be operating in violation of the regulations promulgated by the department or without required equipment. The license shall be terminated automatically if the vehicle is sold or transferred to the control of anyone not currently licensed as an ambulance operator or ambulance director. The ambulance license number shall be prominently displayed on each vehicle.

~~((A fee shall be established for vehicles operated by an ambulance operator.))~~

Licensed ambulances shall be inspected periodically by the secretary at the location of the ambulance station. Inspection shall include adequacy and maintenance of medical equipment and supplies and the mechanical condition of the vehicle including its mechanical and electrical equipment.

Sec. 15. Section 15, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.150 are each amended to read as follows:

Any ambulance operated as such shall operate with sufficient personnel for adequate patient care, at least one of whom shall be an emergency medical technician under standards promulgated by the secretary. The emergency medical technician shall have responsibility for its operation and for the care of patients both before they are placed aboard the vehicle and during transit. If there are two or more emergency medical technicians operating the ambulance, a nondriving medical technician shall be in command of the vehicle. The emergency medical technician in command of the vehicle shall be in the patient compartment and in attendance to the patient.

The driver of the ambulance shall have at least a certificate of advance first aid qualification (~~issued~~) recognized by the secretary pursuant to RCW 18.73.120.

Sec. 16. Section 16, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.160 are each amended to read as follows:

The secretary shall approve the issuance of a first aid vehicle license for each vehicle so designated. The license shall be for a period of one year and may be reissued on expiration if the vehicle meets requirements in force at the time of expiration of the license period. The license may be revoked if the vehicle is found to be operating in violation of regulations promulgated by the department or without required equipment. The license shall be terminated automatically if the vehicle is sold or transferred to the control of anyone not currently licensed as a first aid vehicle operator or first aid director. The first aid vehicle license number shall be prominently displayed on each vehicle.

~~((A fee shall be established for vehicles operated by a first aid vehicle operator.))~~

Licensed first aid vehicles shall be inspected periodically by the secretary at the location of the first aid vehicle station. Inspection shall include adequacy and maintenance of medical equipment and supplies and the mechanical condition of the vehicle, including mechanical and electrical equipment.

Sec. 17. Section 17, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.170 are each amended to read as follows:

The first aid vehicle shall be operated in accordance with standards promulgated by the secretary, by at least one person (~~certificated pursuant to~~) holding a certificate recognized under RCW 18.73.120 (~~and under standards promulgated by the secretary~~).

The first aid vehicle may be used for transportation of patients only when it is impossible or impractical to obtain an ambulance or when a wait for arrival of an ambulance would place the life of the patient in jeopardy (~~;- except, that~~). If so used, the vehicle shall be under the command of a person (~~certificated~~) holding a certificate recognized pursuant to RCW (~~(+8-73+20)~~) 18.73.110 other than the driver (~~and~~) who shall be in attendance to the patient.

Sec. 18. Section 18, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.180 are each amended to read as follows:

Other vehicles not herein defined by this chapter shall not be used commercially or by public services for transportation of patients who must be carried on a stretcher and who (~~required~~) may require attention en route, except that such transportation may be used when (~~directed by a physician, or when~~) a disaster creates (~~casualties in numbers~~) a situation that cannot be served by licensed ambulances (~~;- or when any casual transportation of the infirm from his home or a health facility for routine medical treatment or care or for recreational and social purposes is desired~~).

NEW SECTION. Sec. 19. There is hereby appropriated from the general fund to the department of social and health services for the 1979-81 biennium, the sum of one million six hundred twenty-two thousand dollars or so much thereof as may be necessary to carry out the purposes of RCW 18.71.200 through 18.71.210 and chapter 18.73 RCW.

No less than sixty percent of the appropriated funds shall be disbursed in the form of grants under section 8 of this act.

Mr. Pruitt moved adoption of the following amendment to the King amendment:

On page 16 of the amendment, line 5 after "secretary" insert "PROVIDED, That in cities having a population of four hundred thousand or more such certificates shall be valid for a period of three years".

Representatives Pruitt and King spoke in favor of the amendment to the amendment, and Representatives Struthers and Schmitt spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pruitt to the King amendment to Substitute Senate Bill No. 2308, and the amendment was adopted by the following vote: Yeas, 56; nays, 40; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., O'Brien, Pruitt, Salatin, Sanders, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Van Dyken, Whiteside, Williams, Wilson.

Not voting: Representatives Haley, Rohrbach.

Mr. King moved adoption of the following amendment to the King amendment:

On page 22, line 2 of the amendment after "of" strike "one million six hundred twenty-two thousand dollars" and insert "two million two hundred twenty-nine thousand dollars and twelve additional FTE staff years"

Mr. King spoke in favor of the amendment to the amendment, and Mr. Deccio spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. King to the King amendment to Substitute Senate Bill No. 2308, and the amendment to the amendment was adopted by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatin, Schmitt, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley.

Not voting: Representative Haley.

The King amendment as amended was adopted.

On motion of Mr. King, the following amendment to the title was adopted:

On page 1, line 1 of the title after "emergency medical services;" strike the remainder of the title and insert "amending section 3, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.030; amending section 4, chapter 208, Laws of 1973 1st ex. sess. as amended by section 43, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.73.040; amending section 5, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.050; amending section 6, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.060; amending section 7, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.070; amending section 8, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.080; amending section 9, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.090; amending section 10, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.100; amending section 11, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.110; amending section 12, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.120; amending section 13, chapter 208, Laws of 1973 1st ex. sess. as amended by section 61, chapter 158, Laws of 1979 and RCW 18.73.130; amending section 14, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.140; amending section 15, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.150; amending section 16, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.160; amending section 17, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.170; amending section 18, chapter 208, Laws of 1973 1st ex. sess. and RCW 18.73.180; adding new sections to chapter 18.73 RCW; and making an appropriation."

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2308 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2308 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak,

Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Clayton, Craswell, Deccio, Flanagan.

Not voting: Representatives Blair, Haley, Nelson G. A., Patterson.

Substitute Senate Bill No. 2308 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. King, HOUSE BILL NO. 1155 was rereferred to Committee on Rules.

ENGROSSED SENATE BILL NO. 2338, by Senators Fleming, Jones, North, McDermott, Ridder, Morrison and Day (by Senate Select Committee on Nursing Homes):

Revising laws relating to nursing homes.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 59th Day, March 7, 1979.)

On motion of Mr. Adams, the committee amendment was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2338 as amended by the House 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 Engrossed Senate Bill No. 2338 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Haley.

Engrossed Senate Bill No. 2338 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. 2336, by Committee on Social and Health Services (originally sponsored by Senators Fleming, Jones, McDermott, Morrison, Ridder, Day and North - by Select Committee on Nursing Homes request):

Providing for resident care standards in nursing homes.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 59th Day, March 7, 1979.)

On motion of Mr. Whiteside, the Committee on Social and Health Services' amendments were adopted.

Committee on Appropriations recommendation: Do pass as amended. (For amendment, see Journal, 52nd Day ex. sess., May 11, 1979.)

On motion of Mr. Thompson, the Committee on Appropriations' amendment was adopted.



On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2336 as amended by the House was placed on final passage.

Mr. Whiteside 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. 2336 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Haley.

Engrossed Substitute Senate Bill No. 2336 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. Polk, the House adjourned until 10:30 a.m., Thursday, May 24, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## SIXTY-FIFTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 24, 1979.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Knowles presiding). The Clerk called the roll and all members were present except Representatives Chandler and Haley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Keija Jensen and Cyndi Tharrett. Prayer was offered by The Reverend Stanley J. Workman of the Evergreen Christian Reformed Church of Olympia.

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

The Speaker (Mr. Knowles presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Speaker Bagnariol demanded a Call of the House and the demand was sustained.

### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond, Chandler, Fancher and Haley.

On motion of Speaker Bagnariol, the absent members were excused, and the House proceeded with business under the Call of the House.

### SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

HOUSE BILL NO. 320,

SECOND SUBSTITUTE HOUSE BILL NO. 418.

### MESSAGE FROM THE SENATE

May 24, 1979

Mr. Speaker:

The Senate insists on its position on ENGROSSED SUBSTITUTE HOUSE BILL NO. 236, and once again refuses to grant a conference thereon, and asks the House to concur in the Senate amendments thereto, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Speaker Bagnariol moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

Mr. Salatino demanded an oral roll call and the demand was sustained.

Representatives Newhouse, Berentson and Blair spoke against the motion, and Speaker Bagnariol spoke in favor of it.

### POINT OF INQUIRY

Mr. Blair yielded to question by Mr. King.

Mr. King: "Have you allowed any Democratic House member or staff member an opportunity to look at the budget you have in your hand?"

Mr. Blair: "Yes, I have."

Mr. King: "Who?"

Mr. Blair: "I think it's up to you to talk to your caucus to find out. I think there are several of them on the floor."

Mr. King: Do they have a copy of your budget?"

Mr. Blair: "No, they do not have a copy of it; they have come to my desk and looked at it. You haven't asked to do that."

Mr. King: "May I have a copy?"

Mr. Blair: "In conference, you may have as many copies as you wish."

Representatives King and Salatino spoke in favor of the motion to concur, and Representatives Polk and Nelson (G.A.) spoke against it.

Mr. Knowles demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 236, and the motion was lost by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Flanagan, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Chandler, Fancher, Haley.

#### MOTION FOR RECONSIDERATION

Speaker Bagnariol moved that the House reconsider the vote by which the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 236.

The motion was carried.

#### MOTIONS

On motion of Speaker Bagnariol, the House dispensed with further business under the Call of the House.

On motion of Speaker Bagnariol, the House adjourned until 10:00 a.m., Friday, May 25, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## SIXTY-SIXTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 25, 1979.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representative Hughes, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jill Leitzke and Jeff Hovenier. Prayer was offered by The Reverend Stanley J. Workman of the Evergreen Christian Reformed 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

May 24, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to advise that on May 24, 1979, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 76: Relating to local government;  
HOUSE BILL NO. 100: Relating to state highway routes;  
SUBSTITUTE HOUSE BILL NO. 302: Relating to business and occupation taxation;  
HOUSE BILL NO. 376: Relating to commerce and economic development;  
HOUSE BILL NO. 441: Relating to regulatory fees;  
SECOND SUBSTITUTE HOUSE BILL NO. 1239: Relating to local government;  
SUBSTITUTE HOUSE BILL NO. 1258: Relating to juvenile truancy.

Sincerely,  
H. B. Hanna, Legal Counsel.

May 24, 1979

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have this day signed HOUSE BILL NO. 376 authorizing the sale of up to five million dollars in state bond funds to be sold only on condition that an additional fifteen million dollars in nonstate money becomes available for design and construction of an international performing arts' facility. I understand that it is the intention of the legislature that this facility will become a major focal point for cultural activities to serve all of the people of our state and, indeed, the entire Pacific Northwest. I further understand that the enhanced economic activity that this facility is expected to generate, especially through increased cultural tourism, will provide an additional increment of state revenue sufficient to retire the bond debt. Finally, I understand that the Federal Way site location specified in the bill was selected based upon an independent professional study of alternative sites and that it was selected to optimize accessibility to a maximum number of our state's citizens and tourists from out of state.

Since this is a facility designed to serve all of our citizens, my approval should not be interpreted as an endorsement of the use of state financing to support local cultural resource projects. The citizens of the State of Washington have, many times, amply demonstrated their interest and support for the arts. I sincerely share this interest. I do not, however, believe that it should be the state's responsibility to finance local capital projects of any kind. It should be clear that my approval of this bill is no exception to that principle.

Respectfully submitted,  
DIXY LEE RAY, Governor.

May 24, 1979

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. 1121**, entitled:

"AN ACT Relating to insurance."

Sections 1 and 2 of this bill would allow the members of six occupations — attorneys, medical doctors, osteopaths, chiropractors, podiatrists, and dentists — to form mutual corporations under certain circumstances for the purpose of insuring against professional malpractice claims.

Although these sections specify some rather stringent limitations on the formation of such corporations, they do not provide the full protection of the public which the insurance laws are designed to provide. If these professional groups desire to establish such corporations, this can be done under existing statutes and be subject to the normal procedures of the insurance commissioner which protect the public welfare.

With the exception of Sections 1 and 2, which I have vetoed, the remainder of Substitute House Bill No. 1121 is approved.

Respectfully submitted,  
DIXY LEE RAY, Governor.

The Speaker (Mr. Amen presiding) declared the House to be at ease until 1:30 p.m.

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

MESSAGES FROM THE SENATE

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to **SUBSTITUTE SENATE BILL NO. 2181**, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 24, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to **SUBSTITUTE SENATE BILL NO. 2182**, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 24, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to **ENGROSSED SUBSTITUTE SENATE BILL NO. 2336**, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 24, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to **ENGROSSED SUBSTITUTE SENATE BILL NO. 3034**, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The President has signed:

**SUBSTITUTE SENATE BILL NO. 2181,**  
**SUBSTITUTE SENATE BILL NO. 2182,**  
**SUBSTITUTE SENATE BILL NO. 2336,**  
**SUBSTITUTE SENATE BILL NO. 3034,**

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to **SUBSTITUTE SENATE BILL NO. 2097**, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2374, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2415, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2794, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3117, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. Amen presiding) announced the Speakers were signing:

SUBSTITUTE SENATE BILL NO. 2181,  
 SUBSTITUTE SENATE BILL NO. 2182,  
 SUBSTITUTE SENATE BILL NO. 2336,  
 SUBSTITUTE SENATE BILL NO. 3034.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 20, by Representatives Polk and King:

BE IT RESOLVED, By the House of Representatives, the Senate concurring, that in accordance with the authority given in Article II, Section 11 of the Constitution of the State of Washington, the legislature shall recess until 1:30 p.m., Tuesday, May 29, 1979.

#### MOTIONS

On motion of Mr. Polk, the rules were suspended, and House Concurrent Resolution No. 20 was advanced to second reading and read the second time in full.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 20 was placed on final passage.

Mr. Polk spoke in favor of the resolution.

House Concurrent Resolution No. 20 was adopted.

#### MOTION

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

## RESOLUTIONS

HOUSE RESOLUTION NO. 79-92, by Representatives Keller, Kreidler and Grimm:

WHEREAS, The State of Washington promotes fair, just, and equitable treatment of all of its residents; and

WHEREAS, Stephen and Janice Dean, citizens of Scotland, but residents of the State of Washington for almost a decade, desire to remain in the United States and specifically in Washington State; and

WHEREAS, Stephen and Janice Dean have contributed to the economic community of the City of Olympia with special energy and enthusiasm; and

WHEREAS, The permanent visas have not yet been ordered because certain immigration quotas have already been filled which will mean the deportation of the Deans and their two children on June 6, 1979; and

THEREFORE, BE IT RESOLVED, By the House of Representatives, That the U.S. Congress is requested to pass a special bill permitting the Dean family to be issued permanent visas which would allow them to remain in the State of Washington.

Mr. Keller moved adoption of the resolution.

Representatives Keller and Kreidler spoke in favor of the resolution and it was adopted.

HOUSE RESOLUTION NO. 79-96, by Representatives Tupper, Barnes, Bender, Dawson, McDonald, Nisbet, Schmitt, Scott and Van Dyken.

WHEREAS, We, the undersigned, having served in the United States Armed Services in Vietnam during the military conflict there; and

WHEREAS, This nation's moral debt to Vietnam era veterans still remains outstanding; and

WHEREAS, We and thousands of other veterans served our country during a painful time in a bitter war and returned home to a country divided by that war; and

WHEREAS, Vietnam veterans have never received the appreciation given to returning veterans of past wars and have never been fully recognized for their service and sacrifice;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives takes this opportunity to convey its respect and appreciation of Vietnam era veterans for their service to America, both in the military and in their communities as returned civilians; and

BE IT FURTHER RESOLVED, That the week of May 28 to June 3 be recognized as Vietnam Veterans' Week 1979 in conjunction with federal proclamations.

Mr. Tupper moved adoption of the resolution.

Representatives Tupper and Schmitt spoke in favor of the resolution, and it was adopted.

## MESSAGE FROM THE SENATE

May 25, 1979

Mr. Speaker:

The Senate has receded from its amendments to HOUSE BILL NO. 307, on page 7, after line 32, adding sections 15 and 16 (by Senator Gaspard), and on page 7, after line 32, adding a section 14 (by Senator von Reichbauer), together with the title amendments thereto; and has passed the bill with the remaining Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENTS

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 307 without certain Senate amendments.

Mr. Newhouse spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 307 without certain Senate amendments, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Hughes.

House Bill No. 307 without certain Senate 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

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

## SECOND READING

On motion of Mr. Polk, the Rules Committee was relieved of House Bill No. 516, and the bill was ordered placed at the top of today's second reading calendar.

HOUSE BILL NO. 516, by Representatives Blair and Thompson:

Making appropriations.

The bill was read the second time.

Mr. Blair moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

**\*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, reappropriated, and authorized to be disbursed for salaries, wages, capital projects, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION.** Sec. 2. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation ..... \$ 15,728,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the house ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

**NEW SECTION.** Sec. 3. FOR THE SENATE

General Fund Appropriation ..... \$ 13,300,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the senate ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

**NEW SECTION.** Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation ..... \$ 1,147,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$70,000 shall be expended for the specific purpose of conducting a management survey, program review, and/or a performance audit, as defined in RCW 44.28.085 and 44.28.086, of the Washington public power supply system and any other joint operating agencies established pursuant to chapter 43.52 RCW.

**NEW SECTION.** Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation ..... \$ 1,295,000

**NEW SECTION.** Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation ..... \$ 301,000



**NEW SECTION, Sec. 7. FOR THE STATUTE LAW COMMITTEE**

General Fund Appropriation .....	\$	3,626,000
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**NEW SECTION, Sec. 8. FOR THE SUPREME COURT**

General Fund Appropriation .....	\$	5,061,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,568,000 shall be expended for indigent appeal cases.

**NEW SECTION, Sec. 9. FOR THE LAW LIBRARY**

General Fund Appropriation .....	\$	1,386,000
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The appropriation contained in this section shall be subject to the following condition or limitation: All nonstate agency users of the WestLaw system shall be charged a service fee sufficient to cover the costs of their usage.

**NEW SECTION, Sec. 10. FOR THE COURT OF APPEALS**

General Fund Appropriation .....	\$	6,130,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$328,000 shall be expended for costs associated with a long-term lease for the division I court.

**NEW SECTION, Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation .....	\$	10,313,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$106,000 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (2) Not more than \$5,635,000 shall be for superior court judges.
- (3) Not more than \$100,000 shall be expended for criminal cost bills, including prior claims.
- (4) The administrator for the courts together with the county and city users of the judicial information system shall prepare a report delineating a feasible plan to convert funding of the judicial information system to a user fee schedule. Such report shall be presented to the senate ways and means committee and the house appropriations committee by January 1, 1981.

**NEW SECTION, Sec. 12. FOR THE JUDICIAL COUNCIL**

General Fund Appropriation .....	\$	225,000
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**NEW SECTION, Sec. 13. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation .....	\$	2,704,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$2,392,000 shall be used for executive operations.
- (2) Not more than \$200,000 shall be used for investigations and emergency purposes.
- (3) Not more than \$184,000 shall be used for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.
- (4) Not more than \$108,000 shall be used for mansion maintenance.

**NEW SECTION, Sec. 14. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State .....	\$	470,728,000
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General Fund Appropriation—Federal .....	\$	23,743,000
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Special Fund Salary and Insurance Contribution Increase Revolving Fund		
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Appropriation .....	\$	61,024,000
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Total Appropriation .....	\$	555,495,000
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The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

- (1) \$1,400,000 shall be for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency, of which not more than \$600,000 may be allocated by the governor for surveys and installations.
- (2) It is the intent of the legislature to comply with the Presidential guidelines on compensation. To this end:

(a) Not more than \$82,916,000 of general fund moneys (including \$21,837,000 in federal funds) shall be expended to effect salary increases for state classified employees and for state employees exempt from the classified service. Not more than \$30,945,000 of this amount (including \$8,150,000 in federal funds) shall be expended to effect, beginning July 1, 1979, a 5.0% salary increase for these employees. Not more than \$36,397,000 of this amount (including \$9,586,000 in federal funds) shall be expended to implement salary increases based on the percentage increases adopted by the state personnel board resulting from the 1978 salary survey for state classified employees and to effect comparable salary increases for state employees exempt from the classified service. These adjustments shall take effect beginning October 1, 1979. Not more than \$15,574,000 of this amount (including \$4,101,000 in federal funds) shall be expended to effect, beginning October 1, 1980, a 6.0% salary increase for these employees.

(b) Not more than \$36,924,000 of general fund moneys shall be expended to effect salary increases for state higher education classified employees excluding student employees not under the jurisdiction of the state personnel board or the higher education personnel board. Not more than \$11,649,000 of this amount shall be expended to effect, beginning July 1, 1979, a 5.0% salary increase for these employees. Not more than \$19,269,000 of this amount shall be expended to implement salary increases based on the percentage increases adopted by the higher education personnel board resulting from the 1978 salary survey. These adjustments shall take effect beginning October 1, 1979. Not more than \$6,006,000 of this amount shall be expended to effect, beginning October 1, 1980, a 6.0% salary increase for these employees.

(c) Not more than \$63,194,000 of general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and administrative exempt employees of the four-year units of higher education and community colleges. Not more than \$24,990,000 of this amount shall be expended to effect a 5.0% increase for faculty and administrative exempt employees effective September 1, 1979. Not more than \$25,720,000 of this amount shall be expended to effect an average 5.6% increase for faculty and administrative exempt employees, effective October 1, 1979. Not more than \$12,484,000 of this amount shall be expended to effect a 6.0% salary increase for faculty and administrative exempt employees effective October 1, 1980. Notwithstanding any other provision of this subsection (c), a portion of each institution's other budgeted funds may be expended to fund additional actual increments or their equivalents in an amount not more than 1 and 1/2% of their respective average salary levels for each year of the biennium and no institution may grant from any fund source whatsoever any salary increase greater than that provided in this act for faculty and exempt employees.

(d) Not more than \$229,000 of general fund moneys shall be expended to effect salary increases for commissioned officers of the Washington State Patrol. Not more than \$88,000 of this amount shall be expended to effect, beginning July 1, 1979, an average 5.0% salary increase. Not more than \$97,000 of this amount shall be expended to effect, beginning October 1, 1979, an average of 6.0% salary increase. Not more than \$44,000 of this amount shall be expended to effect, beginning October 1, 1980, an average of 6.0% salary increase: PROVIDED, That no additional salary increases may be granted from any fund source greater than those authorized by this act.

(e) Not more than \$13,202,000 of general fund moneys (including \$1,906,000 in federal funds) shall be expended to effect increases in the state's maximum contribution for employee insurance benefits. Not more than \$9,241,000 of this amount (including \$1,334,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$83.00 per month per eligible employee. Not more than \$3,961,000 of this amount (including \$572,000 in federal funds) shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$83.00 per month to \$92.00 per month per eligible employee.

(f) Not more than \$56,688,000 of special fund salary and insurance contribution increase revolving fund moneys shall be expended to effect salary increases for state classified employees, state employees exempt from the classified service, higher education classified employees, higher education faculty, higher education exempt employees, and commissioned members of the Washington State Patrol.

Increases for state classified employees and for state employees exempt from the classified service shall be calculated in accordance with the procedures outlined in subsection (2)(a) of this section. Increases for higher education classified employees shall be calculated in accordance with the procedures outlined in subsection (2)(b) of this section. Increases for higher education faculty and higher education exempt employees shall be calculated in accordance with the procedures outlined in subsection (2)(c) of this section. Increases for the commissioned officers of the Washington State Patrol shall be calculated in accordance with the procedures outlined in subsection (2)(d) of this section.

(g) Not more than \$4,336,000 of special fund salary and insurance contribution increase revolving fund moneys shall be expended to effect increases in the state's maximum contributions for employee insurance benefits. Not more than \$3,035,000 of this amount shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$83.00 per month per eligible employee. Not more than \$1,301,000 of this amount shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$83.00 per month to \$92.00 per month per eligible employee.

(h) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is hereby directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(i) The state employees' insurance board's authority and practice of expending funds in the state employees' insurance revolving fund generated by dividends and refunds to provide increased benefits or to allow reduced employee contributions is recognized, and the average contribution per employee in subsections (e) and (g) of this section shall not be construed as a restriction on such expenditures. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(3) Not more than \$296,606,000 of general fund moneys shall be expended to effect salary increases and for insurance benefits for state-funded certificated and classified employees in the common school system for the 1979-80 school year and the 1980-81 school year: PROVIDED, That the distribution of these

funds to individual school districts and educational service districts shall be in accordance with the procedures outlined in sections 99 through 104 of this act.

**NEW SECTION, Sec. 15. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation ..... \$ 204,000

**NEW SECTION, Sec. 16. FOR THE SECRETARY OF STATE**

General Fund Appropriation ..... \$ 3,705,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,080,000 shall be used solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) Not more than \$624,000 shall be used solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) Not more than \$20,000 shall be expended to establish working capital for the publication-revolving fund.

(4) Not more than \$157,000 shall be expended for precinct census mapping.

**NEW SECTION, Sec. 17. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation ..... \$ 147,000

**NEW SECTION, Sec. 18. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 121,000

**NEW SECTION, Sec. 19. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 124,000

**NEW SECTION, Sec. 20. FOR THE STATE TREASURER**

General Fund Appropriation ..... \$ 10,000

Motor Vehicle Fund—State Appropriation ..... \$ 31,000

State Treasurer's Service Fund Appropriation ..... \$ 3,807,000

Total Appropriation ..... \$ 3,848,000

The appropriations contained in this section shall be subject to the following condition or limitation: The general fund appropriation shall be distributed as provided in RCW 84.38.120 to the appropriate county and city finance officers for senior citizen and disabled property tax and special assessment deferrals authorized by chapter 84.38 RCW.

**NEW SECTION, Sec. 21. FOR THE STATE AUDITOR**

General Fund Appropriation—State ..... \$ 6,041,000

General Fund Appropriation—Federal ..... \$ 300,000

Motor Vehicle Fund Appropriation ..... \$ 232,000

Total Appropriation ..... \$ 6,573,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The state auditor shall continue supplemental security income state supplementation audits according to a priority schedule established by the department of social and health services and the office of financial management.

(2) 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. 22. FOR THE ATTORNEY GENERAL**

General Fund Appropriation ..... \$ 3,355,000

Legal Services Revolving Fund Appropriation ..... \$ 15,034,000

Total Appropriation ..... \$ 18,389,000

**NEW SECTION, Sec. 23. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State ..... \$ 10,949,000

General Fund Appropriation—Federal ..... \$ 24,081,000

Total Appropriation ..... \$ 35,030,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,174,000 of this appropriation shall be expended to develop a common payroll/personnel system for higher education: PROVIDED, That the four-year institutions and the community college system: (a) Establish a common core of data elements; and (b) adopt procedures to maintain commonality of the system that are acceptable to the office of financial management, the house appropriations committee, and the senate ways and means committee: PROVIDED FURTHER, That the establishment of the common core of data elements does not preclude the introduction of additional data elements at individual institutions: PROVIDED FURTHER, That a central site will process all payroll calculations and the necessary edits to ensure the commonality of data elements including personnel data, position data, and payroll data.

(2) Not more than \$75,000 shall be used for payment of assessments against state-owned land.

(3) Not more than \$1,000,000 shall be used exclusively for state budget and accounting systems development above the recurring level of system development activities funded in the base budget.

(4) Not more than \$525,000 shall be used for payment of supplies and services furnished in previous biennia.

(5) Not more than \$26,000 shall be expended to acquire 1980 bureau of the census Washington state data.

(6) Not more than \$4,000 shall be expended to acquire 1979 and 1980 bureau of the census maps and transparencies of municipal boundaries.

(7) The office shall study and report to the next regular session of the legislature on the work orientation program.

(8) Of the law and justice federal funds included for distribution to state agencies, there shall be made available to the attorney general's office for the crime watch program \$370,000.

(9) The office of financial management shall institute procedures to abolish positions identified by the department of personnel through the retirement/vacancy program, and shall cause to be reverted the salaries and fringe benefits associated with the abolishment of such positions.

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

General Fund Appropriation .....	\$	263,000
Department of Personnel Service Fund Appropriation .....	\$	7,136,000
State Employees' Insurance Fund Appropriation .....	\$	1,229,000
Total Appropriation .....	\$	8,628,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$225,000 of the General Fund Appropriation shall be used to provide working capital for the personnel payroll system costs incurred through the department of personnel service fund.

(2) Not more than \$211,000 of the personnel service fund and 8 FTE's shall be expended for continuation of the cooperative staff utilization review program.

(3) Not more than \$50,000 shall be expended for a point-factor evaluation (generally called comparable worth) of all employee classifications under the jurisdiction of the state personnel board and the higher education personnel board. This evaluation and a recommendation for a phased-in implementation plan shall be submitted to the governor, the senate ways and means committee and the house appropriations committee not later than May 15, 1980.

(4) The department shall annually allocate five staff years to establish a program to randomly audit position classifications.

(5) Not more than \$38,000 from the general fund shall be expended for a study by the state employees' insurance board to evaluate the effects of including common school employees within the jurisdiction of the board. The report shall be submitted to the governor and the legislature by October 1, 1980.

**NEW SECTION. Sec. 25. FOR THE STATE CAPITOL COMMITTEE**

General Fund—Capital Building Construction Account Appropriation .....	\$	20,000
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**NEW SECTION. Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	1,023,000
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**NEW SECTION. Sec. 27. FOR THE DEFERRED COMPENSATION COMMITTEE**

General Fund Appropriation .....	\$	35,000
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**NEW SECTION. Sec. 28. FOR THE STATE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation .....	\$	991,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$200,000 shall be expended exclusively for the purpose of a computerized investment management and accounting system.

**NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$	29,154,000
State Timber Reserve Account Appropriation .....	\$	2,339,000
Motor Vehicle Fund Appropriation .....	\$	93,000
Total Appropriation .....	\$	31,710,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$400,000 of the appropriation from the state timber reserve account shall be expended exclusively to reimburse counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land: PROVIDED, That the assessor of each timbered county has provided the department of revenue with a complete listing of designated and classified land acreage and assessed value by taxing district by December 31, 1979, to qualify for reimbursement for listing of the values of forest land under RCW 84.33.117, as now or hereafter amended. Such information shall be made available to the legislature.

(2) The department shall maintain current services including advisory appraisals as required by RCW 84.41.060.

**NEW SECTION. Sec. 30. FOR THE TAX APPEALS BOARD**

General Fund Appropriation .....	\$	710,000
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**NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation .....	\$	9,526,000
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Motor Transport Account Appropriation .....	\$	3,653,000
General Administration Facilities and Services Revolving Fund Appropriation .....	\$	10,996,000
Total Appropriation .....	\$	24,175,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$871,000 of the General Fund Appropriation shall only be used for replacement of motor transport division vehicles.

(2) Not more than \$1,734,000 of the General Fund Appropriation shall only be expended for the banking program and \$700,000 for the savings and loan program, and that revenues generated from fees and charges in these programs must equal or exceed expenditures.

(3) The department shall discontinue transferring agency-owned vehicles to the motor transport division until a cost benefit analysis has been prepared and approved by the senate ways and means committee and the house appropriations committee. Such analysis shall be completed by October 1, 1980, and shall identify those agency-owned vehicles that should be transferred to the motor transport division effective July 1, 1981, and a proposed method of funding the motor transport account for their depreciated value.

(4) The department of agriculture shall transfer \$8,225 from its local fund accounts to the motor transport account and the state treasurer shall transfer to the motor transport account \$4,100 from the fertilizer, agricultural, mineral and lime fund, \$4,100 from the commercial feed fund, \$34,160 from the grain and hay inspection fund, \$4,100 from the community college capital projects account, \$4,100 from the highway safety fund, and \$4,100 from the higher education personnel board service fund. These transfers shall be in accordance with schedules provided by the office of financial management.

(5) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft, whether piloted by a state employee or by an employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(6) The department of general administration, through the department of purchasing, shall analyze and review the establishment, maintenance, and operation of its central stores in relationship to inflationary trends, economies of scale, effectiveness in meeting agency needs, and financial and accounting control and report its findings and recommendation to the legislature by July, 1980.

#### NEW SECTION. Sec. 32. FOR THE PRESIDENTIAL ELECTORS

General Fund Appropriation .....	\$	1,000
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#### NEW SECTION. Sec. 33. FOR THE INSURANCE COMMISSIONER

General Fund Appropriation .....	\$	6,023,000
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#### NEW SECTION. Sec. 34. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution .....	\$	4,025,000
General Fund Appropriation for snowmobile registration fee distribution .....	\$	59,000
General Fund Appropriation for public utility district excise tax distribution .....	\$	16,243,000
General Fund Appropriation for prosecuting attorneys' salaries .....	\$	1,172,000
General Fund Appropriation for motor vehicle excise tax distribution .....	\$	44,138,000
General Fund Appropriation for local mass transit assistance .....	\$	66,602,000
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$	2,053,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$	399,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$	19,159,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$	180,969,000
Liquor Board Revolving Fund Appropriation for liquor profits distribution .....	\$	49,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties .....	\$	23,540,000
State Timber Reserve Account Appropriation for distribution to 'Timber' counties .....	\$	29,620,000
Total Appropriation .....	\$	436,979,000

#### NEW SECTION. Sec. 35. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution .....	\$	64,498,000
General Fund Appropriation for federal flood control funds distribution .....	\$	26,000
General Fund Appropriation for federal grazing fees distribution .....	\$	50,000
Total Appropriation .....	\$	64,574,000

#### NEW SECTION. Sec. 36. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST

Fisheries Bond Redemption Fund 1977 Appropriation .....	\$	1,004,000
Salmon Enhancement Bond Redemption Fund 1977 Appropriation .....	\$	3,940,000
Higher Education Refunding Bond Retirement Fund 1977 Appropriation .....	\$	8,782,000

Fire Service Training Center Bond Retirement Fund 1977 Appropriation .....	\$	76,000
Highway Bond Retirement Fund Appropriation .....	\$	66,952,000
State Building Construction Bond Redemption Fund Appropriation .....	\$	4,226,000
State Higher Education Bond Redemption Fund 1977 Appropriation .....	\$	2,504,000
Public School Building Bond Redemption Fund 1959 Appropriation .....	\$	4,800,000
Emergency Water Projects Bond Retirement Fund 1977 Appropriation .....	\$	2,568,000
Public School Building Bond Redemption Fund 1961 Appropriation .....	\$	7,455,000
General Administration Building Bond Redemption Fund Appropriation .....	\$	671,000
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Approp- riation .....	\$	631,000
Outdoor Recreational Bond Redemption Fund Appropriation .....	\$	2,335,000
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,456,000
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	5,890,000
Outdoor Recreational Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,712,000
Social and Health Services Bond Redemption Fund 1979 Appropriation .....	\$	2,673,000
Higher Education Bond Redemption Fund 1979 Appropriation .....	\$	1,054,000
Fisheries Bond Redemption Fund 1976 Appropriation .....	\$	767,000
Indian Cultural Center Bond Redemption Fund 1976 Appropriation .....	\$	76,000
State Building Bond Redemption Fund 1967 Appropriation .....	\$	654,000
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation .....	\$	9,510,000
Common School Building Bond Redemption Fund 1976 Appropriation .....	\$	6,879,000
Outdoor Recreational Bond Redemption Fund 1967 Appropriation .....	\$	6,255,000
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,871,000
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	9,840,000
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,453,000
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	12,558,000
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	8,902,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropria- tion .....	\$	3,737,000
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	6,002,000
Community College Capital Improvement Bond Redemption Fund 1972 Approp- riation .....	\$	7,498,000
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,842,000
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	276,000
University of Washington Hospital Bond Retirement Fund 1975 Appropriation .....	\$	1,156,000
Washington State University Bond Redemption Fund 1977 Appropriation .....	\$	511,000
Higher Education Bond Redemption Fund 1975-76 Appropriation .....	\$	2,168,000
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,914,000
State Building Bond Retirement Fund 1975 Appropriation .....	\$	693,000
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,396,000
Social and Health Services Bond Redemption Fund 1975-76 Appropriation .....	\$	6,800,000
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	387,000
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,641,000
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,227,000
Pacific Northwest Festival Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Jail Renovation Bond Retirement Fund Appropriation .....	\$	1,680,000
Common School Building Bond Retirement Fund 1979 Appropriation .....	\$	382,000
General Obligation Bond Retirement Fund Appropriation .....	\$	288,000
Total Appropriation .....	\$	249,856,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the state general obligation bond retirement fund is created by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess., any appropriation to a bond retirement or redemption fund affected by the provisions of such act shall be deemed to be appropriated to the state general obligation bond retirement fund.

**NEW SECTION. Sec. 37. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$	892,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$5,000, or so much thereof as may be necessary, is provided for the lobbyists' booklet revolving fund to implement RCW 42.17.155.

**NEW SECTION. Sec. 38. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS**

General Fund Appropriation .....	\$	409,353,000
Motor Vehicle Fund Appropriation .....	\$	27,000
Retirement System Expense Fund Appropriation .....	\$	4,694,000

Teachers' Retirement Fund Appropriation .....	\$	1,889,000
Total Appropriation .....	\$	415,963,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) Not more than \$4,694,000 shall be expended from the retirement system expense fund for the administration of the law enforcement officers' and fire fighters' retirement system and the public employees' retirement system.

(2) Not more than \$6,000 from the general fund shall be expended for the administration of the judges' retirement system and the judicial retirement system.

(3) Not more than \$27,000 from the motor vehicle fund shall be expended for administration of the state patrol retirement system.

(4) Not more than \$1,889,000 shall be expended from the teachers' retirement fund for the administration of the teachers' retirement system.

(5) Not more than \$243,600,000 from the general fund (\$67,500,000 of which shall be from general revenue sharing funds received during the 1979-81 biennium) shall be expended for contributions to the teachers' retirement system.

(6) Not more than \$493,000 from the general fund shall be expended for contributions to the judicial retirement system.

(7) Not more than \$554,000 from the general fund shall be expended for contributions to the judges' retirement system.

(8) Not more than \$164,700,000 from the general fund shall be expended for contributions to the law enforcement officers' and fire fighters' retirement system.

NEW SECTION. Sec. 39. FOR THE MUNICIPAL RESEARCH COUNCIL

General Fund Appropriation .....	\$	880,000
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NEW SECTION. Sec. 40. UNIFORM LEGISLATION COMMISSION

General Fund Appropriation .....	\$	21,000
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NEW SECTION. Sec. 41. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation .....	\$	517,000
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NEW SECTION. Sec. 42. FOR THE ATHLETIC COMMISSION

General Fund Appropriation .....	\$	56,000
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NEW SECTION. Sec. 43. FOR THE CEMETERY BOARD

General Fund—Cemetery Account Appropriation .....	\$	68,000
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NEW SECTION. Sec. 44. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Fund Appropriation .....	\$	1,752,000
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The appropriation contained in this section shall be subject to the following condition or limitation: If there are more than five hundred sixty-seven racing days during the 1979-81 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

NEW SECTION. Sec. 45. FOR THE LIQUOR CONTROL BOARD

Liquor Board Revolving Fund Appropriation .....	\$	57,350,000
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NEW SECTION. Sec. 46. FOR THE PHARMACY BOARD

General Fund Appropriation .....	\$	828,000
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NEW SECTION. Sec. 47. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—State .....	\$	11,904,000
Public Service Revolving Fund Appropriation—Federal .....	\$	338,000
Grade Crossing Protective Fund Appropriation .....	\$	1,457,000
Total Appropriation .....	\$	13,699,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) Not more than \$865,000 from the grade crossing protective fund shall be used solely for obligations incurred in prior biennia.

(2) Not more than \$68,000 from the public service revolving fund—state shall be expended for railroad inspectors contingent upon receipt of federal matching funds.

NEW SECTION. Sec. 48. FOR THE BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund Appropriation .....	\$	102,000
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NEW SECTION. Sec. 49. FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State .....	\$	537,000
General Fund Appropriation—Federal .....	\$	2,019,000
Total Appropriation .....	\$	2,556,000

NEW SECTION. Sec. 50. FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State .....	\$	5,333,000
General Fund Appropriation—Federal .....	\$	605,000
Total Appropriation .....	\$	5,938,000

**NEW SECTION, Sec. 51. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation .....	\$ 1,284,000
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**NEW SECTION, Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

State Funding Sources .....	\$ 1,211,784,000
Federal Funding Sources .....	\$ 838,783,000
Other Funding Sources .....	\$ 13,433,000
Total of all Funding Sources .....	\$ 2,064,000,000

The appropriations contained in sections 53 through 64 of this act shall be subject to the following conditions and limitations:

(1) The department shall not initiate any new services beyond those authorized by appropriation in this act without approval of the office of financial management. The senate ways and means committee and the house appropriations committee of the legislature shall be advised of any approvals prior to their implementation.

(2) Funds appropriated to programs in sections 53 through 64 of this act may be transferred between programs by way of the allotment amendment process, provided that the initial allotment plan reflects the fiscal assumptions and legislative intent of this appropriation act. Notification of the approved amendments to this plan shall be conveyed by the office of financial management to the senate ways and means committee and the house appropriations committee of the legislature. This notification shall include, but not be limited to, an analysis of the programmatic impacts and a justification of the approved amendments.

(3) The department of social and health services shall develop a revised mental health master plan by September 1, 1980, to include but not be limited to the following items:

- Definition of services and clientele;
- Delineation of need for type of mental health service distinguished by type of clientele;
- Delineation of mental health services available to meet identified needs;
- Definition of proper roles of public and private sectors to meet identified needs;
- Delineation of the role the state should play at the community level to provide mental health care;

and  
(f) Development of a current and a five-year projection of services to be provided through the public mental health system.

(4) Any funds derived from settlement of litigation against the United States government shall be deposited in the state general fund by the state treasurer and no expenditure shall be made therefrom without specific legislative appropriation pursuant to law.

(5) All program savings realized by the department in moneys or FTE staff years shall be placed in allotment reserve quarterly by the office of financial management.

(6) The office of financial management shall report semiannually to the house appropriations committee and the senate ways and means committee the status of the department of social and health services' compliance with legislative provisos and programmatic legislative intent.

**NEW SECTION, Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

General Fund Appropriation .....	\$ 112,969,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) It is the intent of the legislature that the department of social and health services maximize use of adult corrections honor camps.

(2) \$1,236,000 is provided for the July 1, 1979, opening of an adult corrections honor camp. Should this camp not be opened on schedule, funds may be used in existing institutional programs.

(3) By March 1, 1980, the department shall report to the legislature its plans for reducing idleness in the state prisons. Such plans shall address proposed utilization of training and work programs.

(4) A contingency fund limited to \$683,000 and 20 FTE staff years shall be available to the adult corrections program if case work units per probation or parole officer exceed an average of one hundred fifty.

(5) Not more than \$920,000 is provided for the corporate task force.

(6) Not more than 100 FTE staff years and \$3,000,000 is provided as a contingency for the adult corrections program to deal with costs associated with overcrowding and institutional population growth. It is the intent of the legislature that this appropriation shall not be expended or encumbered without the specific approval of the department's programmatic and fiscal plan for these funds by the senate ways and means and house appropriations committees.

(7) Not more than \$100,000 shall be expended to implement chapter 108, Laws of 1979 1st ex. sess.

**NEW SECTION, Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$ 53,189,000
General Fund Appropriation—Federal .....	\$ 747,000
Total Appropriation .....	\$ 53,936,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$600,000 from the general fund and 50 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing within the institutions and to allow residence units not currently being utilized



to be opened and staffed. Staffing patterns within the residence units will provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(2) Within existing community funding, not more than \$2,000,000 shall be expended for coordinated state and local programs for juvenile offenders.

(3) Not more than \$2,900,000 within existing community funding shall be allocated for community diversion.

(4) The department shall not transfer staffing and funding to juvenile rehabilitation group homes from any section of the budget. Existing institutional bed space shall be maximized in lieu of further expansion of juvenile rehabilitation group homes.

**NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund Appropriation—State.....	\$	92,815,000
General Fund Appropriation—Federal.....	\$	16,482,000
General Fund Appropriation—Local.....	\$	2,119,000
Total Appropriation.....	\$	111,416,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$27,122,000 (of which \$9,884,000 shall be from federal funds) shall be expended to maintain the present level of community mental health services, except that, of this amount, \$187,000 from state funds shall be expended to partially continue the 'grandfathered' level of support through the 1979-81 biennium at which time this level of support shall be terminated.

(2) Not more than \$5,054,000 (of which \$810,000 is to be from federal funds) shall be given by the bureau of mental health to community mental health centers in the form of a series of direct pilot project grants for transitional care. Such grants shall be for the provision of mental health family homes, children's services, clustered apartment living support, home finding services, mental health consultation to skilled nursing facilities, case management services, and state hospital preadmission screening. Not more than ten percent of this amount shall be expended for administration and evaluation: PROVIDED, That the department conduct an on-going evaluation of each of these projects and submit an interim report by March 1, 1980 to the legislature containing a comparative analysis of the projects, and a final report by December 1, 1980 containing specific options and recommendations for the legislature to consider during the forty-seventh session.

(3) Not more than \$984,000 (of which \$49,000 shall be from federal funds) and 60 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing with the state hospitals.

(4) Not more than \$250,000 shall be expended for a demonstration project to reduce the number of hospitalizations of children assessed by mental health professionals as needing hospital care, provided that the project will involve intensive in-home family crisis and education services conducted by highly-trained individuals and shall include an evaluation component to compare the outcomes with those of similar children who are hospitalized. The department shall submit this evaluation to the legislature by January 5, 1981.

(5) It is the intent of the legislature that not more than seven percent of the funds distributed to counties through the state's community mental health centers program shall be used for county administrative costs.

(6) It is the intent of the legislature that by July 1, 1980, the department shall fully implement its mental health management information system. The department shall submit to the legislature a progress report on implementing this system by January 7, 1980.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

General Fund Appropriation—State.....	\$	97,495,000
General Fund Appropriation—Federal.....	\$	61,404,000
Total Appropriation.....	\$	158,899,000

The appropriations contained in this section are subject to the following conditions and limitations:

(1) Not more than \$1,718,000 (at least \$605,000 of which is to be from federal funds) shall be expended in the home aid program. The department of social and health services shall provide to the house standing committees on appropriations, social and health services, and institutions and the senate standing committees on ways and means and social and health services an analysis of the home aid program by November 1 of each year.

(2) Not more than \$2,946,000 shall be expended exclusively to increase compensation for group home resident care and support staff, excluding administrative staff.

(3) It is the intent of the legislature that the department of social and health services shall provide a seven percent per year vendor rate increase to the developmental centers.

(4) Not more than \$728,000 (of which \$46,000 shall be from federal funds) shall be expended to increase the personal needs allowance of clients in group homes and institutions to \$32.50 per month.

(5) Extended sheltered employment will be provided in the vocational rehabilitation program and none of the appropriations contained in this section shall be expended for such services.

(6) Not more than \$344,000 shall be allocated for a pilot project for disturbed youth to develop a treatment program for certain youth with multiple problems that do not fit within the specific eligibility criteria of the various service programs of the department of social and health services. The department shall

provide the appropriate legislative committees an evaluation and monitoring report semiannually regarding the effectiveness of this pilot project, and shall provide to the forty-seventh legislature, no later than January 5, 1981, an evaluation report containing recommendations for future programming.

(7) Not more than \$120,000 shall be used to provide protection and advocacy services for the handicapped.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State.....	\$ 123,587,000
General Fund Appropriation—Federal.....	\$ 123,407,000
Total Appropriation.....	\$ 246,994,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$17,974,000 (of which \$9,023,000 is to be from federal funds) shall be expended exclusively to increase compensation for nursing home employees involved in direct and indirect patient care. Nursing home employees to receive compensation increases shall include nurses aids, licensed practical nurses, registered nurses, and support staff. Administrative employees shall be excluded.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM**

General Fund Appropriation—State.....	\$ 300,773,000
General Fund Appropriation—Federal.....	\$ 200,866,000
Total Appropriation.....	\$ 501,639,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,869,000 (all state funds) shall be expended exclusively to increase compensation for employees of congregate care facilities, excluding administrative staff.

(2) Not more than \$288,000 shall be expended to increase the vendor rate for adult family homes.

(3) Not more than \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM**

General Fund Appropriation—State.....	\$ 79,514,000
General Fund Appropriation—Federal.....	\$ 66,907,000
General Fund Appropriation—Local.....	\$ 100,000
Total Appropriation.....	\$ 146,521,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$161,000 shall be expended to expand the department of personnel alcoholism program for state employees stationed in eastern Washington.

(2) Not more than two million dollars, in addition to the \$1.1 million appropriated in section 87, chapter 155, Laws of 1979, shall be expended for crisis residential centers. Of the \$3.1 million total appropriated, \$875,000 shall be from federal funds.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State.....	\$ 201,000,000
General Fund Appropriation—Federal.....	\$ 148,435,000
Total Appropriation.....	\$ 349,435,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$23,743,000 (of which \$9,628,000 shall be from federal funds) shall be expended solely for inflationary increases for hospitals.

(2) \$23,236,000 (of which \$10,307,000 shall be from federal funds) shall be expended solely for inflationary increases for medical vendors other than hospitals.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State.....	\$ 19,647,000
General Fund Appropriation—Federal.....	\$ 47,897,000
General Fund Appropriation—Local.....	\$ 400,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)—Reappropriation.....	\$ 10,814,000
Total Appropriation.....	\$ 78,758,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$400,000 from state funds will be used solely to continue the contract for the purchase of cancer research.

(2) Not more than \$11,848,000 (of which \$10,644,000 is to be from federal funds) shall be expended for the family planning program.

**NEW SECTION, Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State	\$	6,951,000
General Fund Appropriation—Federal	\$	34,978,000
Total Appropriation	\$	41,929,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$1,893,000 shall be expended on the extended sheltered employment program. The legislative budget committee shall conduct a performance audit of the extended sheltered employment program, which shall include an investigation of those clients transferred to more appropriate rehabilitative service settings within the department of social and health services.

**NEW SECTION, Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State	\$	53,654,000
General Fund Appropriation—Federal	\$	32,674,000
Total Appropriation	\$	86,328,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Cost pool (telephone, postage, printing, and miscellaneous supplies) shall be directly charged to each program based on its use of such items.

(2) The secretary shall first use support payments collected from a responsible parent to meet the current needs of the child or children. Each month only the amount of the support payments collected from the responsible parent which exceed the support obligation established by court order or under RCW 74.20A-.055 may be used by the secretary to satisfy any debts existing under RCW 74.20A.030 or from an assignment by the custodial parent. The secretary may take an assignment of support rights from the custodial parent of such child to protect the state's right to collect under RCW 74.20A.030 or under a previous assignment from the custodial parent.

(3) Not more than \$14,654,000 of which \$8,718,000 shall be federal funds, and 740 FTE's shall be expended for support enforcement.

(4) Not more than \$115,000, of which \$23,000 shall be federal funds, shall be expended for administrative costs related to the increase in the personal needs allowance.

**NEW SECTION, Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State	\$	70,190,000
General Fund Appropriation—Federal	\$	104,986,000
Total Appropriation	\$	175,176,000

The appropriations contained in this section shall be subject to the following condition or limitation: Within the total appropriation of this section, funds shall be provided to carry out the state-operated Delinquency Prevention Services, except that where there are contracting agencies available, the DPS program shall be phased out by staff attrition.

**NEW SECTION, Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund Appropriation—State	\$	21,357,000
General Fund Appropriation—Federal	\$	15,343,000
Total Appropriation	\$	36,700,000

The appropriations contained in this section shall be subject to the following condition or limitation: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balance of the 1977-1979 allotments for such purpose.

**NEW SECTION, Sec. 66. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State	\$	13,386,000
General Fund Appropriation—Local	\$	1,593,000
Total Appropriation	\$	14,979,000

**NEW SECTION, Sec. 67. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State	\$	3,623,000
General Fund Appropriation—Federal	\$	9,988,000
Total Appropriation	\$	13,611,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Up to \$250,000 of the appropriation shall be used exclusively for the provision of the assistance of a special prosecutor on the investigation of indictments linking local government officials to criminal operations: PROVIDED, That the total assistance provided pursuant to this section and section 11, chapter 15, Laws of 1979 shall not exceed \$300,000. To the extent possible, this appropriation shall be used to match available federal and local funds for this purpose.

(2) Not more than \$380,000 from the state general fund shall be expended exclusively to provide a fifty percent state match for federal funds in the community services program. In the event the federal government requires a lesser state matching rate, an appropriate amount of state general funds shall be placed in allotment reserve for the remainder of the biennium.

(3) \$140,000 of the state general fund appropriation shall be expended exclusively for the continuation of programs of the Washington association of sheriffs and police chiefs.

**NEW SECTION. Sec. 68. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State	\$	2,808,000
General Fund Appropriation—Federal	\$	340,000
Total Appropriation	\$	3,148,000

**NEW SECTION. Sec. 69. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund Appropriation	\$	81,000
Accident Fund Appropriation	\$	1,526,000
Medical Aid Fund Appropriation	\$	1,526,000
Total Appropriation	\$	3,133,000

**NEW SECTION. Sec. 70. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation	\$	4,082,000
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**NEW SECTION. Sec. 71. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State	\$	7,778,000
General Fund Appropriation—Federal	\$	110,000
General Fund—Crime Victims' Compensation Account Appropriation	\$	10,000
Electrical License Fund Appropriation	\$	5,888,000
Accident Fund Appropriation—State	\$	27,825,000
Accident Fund Appropriation—Federal	\$	365,000
Medical Aid Fund Appropriation	\$	24,496,000
Plumbing Certificate Fund	\$	199,000
Pressure Systems Safety Fund	\$	499,000
Total Appropriation	\$	67,170,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) State general fund expenditures, including associated indirect and salary/benefit increase costs, for the building and construction safety program shall not exceed state general fund revenue realized from the program.

(2) Not more than \$2,839,000 of the state general fund appropriation shall be expended exclusively for the crime victims' program.

(3) The department shall provide a written report to the house appropriations and senate ways and means committees by December 1, 1980, showing total savings generated through implementation of the claims cost reduction plan.

(4) Expenditures may be made from the general fund electrical license account in lieu of the electrical license fund until chapter 67, Laws of 1979 1st ex. sess. (ESB 2295) takes effect.

**NEW SECTION. Sec. 72. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation	\$	1,984,000
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**NEW SECTION. Sec. 73. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State	\$	326,000
General Fund Appropriation—Federal	\$	528,000
General Fund—Hospital Commission Account Appropriation	\$	557,000
Total Appropriation	\$	1,411,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the federally funded prospective reimbursement project is extended beyond September 30, 1980, state general funds shall be placed in reserve to the extent that state funds can be replaced by federal funds.

**NEW SECTION. Sec. 74. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State	\$	3,083,000
General Fund Appropriation—Federal	\$	173,441,000
General Fund Appropriation—Local	\$	684,000
Administrative Contingency Fund Appropriation—Federal	\$	428,000
Unemployment Compensation Administration Fund Appropriation	\$	81,180,000
Total Appropriation	\$	258,816,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$133,000 of the general fund appropriation shall be expended for support of the Washington occupational information system.

(2) Not more than \$68,000 shall be expended for the operation and maintenance of the Buena migrant housing camp.

NEW SECTION, Sec. 75. FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State .....	\$	2,463,000
General Fund Appropriation—Federal .....	\$	5,090,000
Total Appropriation .....	\$	7,553,000

NEW SECTION, Sec. 76. FOR THE JAIL COMMISSION

General Fund Appropriation .....	\$	360,000
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The appropriation contained in this section shall be subject to the following condition or limitation: If operating funds are appropriated for the jail commission by chapter ... (Substitute Senate Bill No. 2505), Laws of 1979 1st ex. sess., this appropriation shall be void.

NEW SECTION, Sec. 77. FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State .....	\$	1,021,000
General Fund Appropriation—Federal .....	\$	5,140,000
Total Appropriation .....	\$	6,161,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$1,167,000 of the general fund—federal appropriation shall be expended exclusively by schools, hospitals, units of local governments, and public care institutions for energy conservation programs pursuant to the provisions of the National Energy Conservation Policy Act.

NEW SECTION, Sec. 78. FOR THE OCEANOGRAPHIC COMMISSION

General Fund Appropriation .....	\$	259,000
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NEW SECTION, Sec. 79. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation—State .....	\$	5,000
General Fund Appropriation—Federal .....	\$	26,000
Total Appropriation .....	\$	31,000

NEW SECTION, Sec. 80. FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State .....	\$	18,212,000
General Fund Appropriation—Federal .....	\$	8,907,000
General Fund—Special Grass Seed Burning Research Account Appropriation .....	\$	15,000
General Fund—Reclamation Revolving Account Appropriation .....	\$	874,000
General Fund—Litter Control Account Appropriation .....	\$	3,344,000
Stream Gaging Basic Data Fund Appropriation .....	\$	197,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26) .....	\$	100,918,000
General Fund—Water Pollution Control Facilities Account Appropriation .....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	14,146,000
General Fund—Emergency Water Project Revolving Account Appropriation (These funds will be a reappropriation of projects approved in the 1977-79 operating budget) .....	\$	200,000
Total Appropriation .....	\$	146,863,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,142,000 in state funds from this appropriation shall be expended by the department of ecology for matching purposes for activated air pollution control authorities, and if such authorities do not expend an equal amount to match these funds during the 1979-81 biennium, such unmatched unexpended state funds shall be available to the department.

(2) Not more than \$1,464,000 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 \$235,000 of the general fund appropriation—state shall be expended within the field operations program for the Washington state conservation commission for ongoing commission staff functions, including those responsibilities related to the implementation phase of section 208, P.L. 92-500, the federal clean water act.

(4) On or before October 1, 1979, the department of ecology shall file with the ways and means committee of the senate and the appropriations committee of the house of representatives a master compilation by project type of those projects proposed for funding during the 1979-81 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 such committees at six month intervals during the 1979-81 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering such projects. If the department proposes to change or modify any project list on the master compilation, it shall give the senate ways and means committee and the house appropriations committee ten 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 such committees as soon as practicable of emergent federal action which has any effect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(5) 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.

(6) 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 provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) Not more than \$500,000 of the state general fund appropriations shall be expended for an auto emissions inspection program, contingent upon the passage of House Bill No. 298.

**NEW SECTION, Sec. 81. FOR THE POLLUTION CONTROL HEARINGS BOARD**

General Fund Appropriation .....	\$	542,000
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**NEW SECTION, Sec. 82. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund Appropriation—State .....	\$	505,000
General Fund Appropriation—Private/Local .....	\$	863,000
Total Appropriation .....	\$	1,368,000

**NEW SECTION, Sec. 83. FOR THE SHORELINES HEARING BOARD**

General Fund Appropriation .....	\$	41,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$19,000 is to be used exclusively for court reporting costs.

**NEW SECTION, Sec. 84. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State .....	\$	24,463,000
General Fund Appropriation—Federal .....	\$	108,000
General Fund Appropriation—Private/Local .....	\$	258,000
General Fund—Trust Land Purchase Account Appropriation .....	\$	2,954,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	70,000
Motor Vehicle Fund Appropriation .....	\$	800,000
Total Appropriation .....	\$	28,653,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The commission is authorized to transfer up to \$100,000 of the trust land purchase account appropriation to the department of natural resources to acquire replacement forest lands in Cowlitz county. These lands shall replace approximately 147 acres of state forest lands, including timber, adjacent to Sequest state park which shall be transferred to the commission.

(2) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase Heart Lake property.

(3) Up to \$104,000 of the state general fund appropriation shall be expended for the operation of a marine science interpretive program at Fort Worden State Park.

(4) Not more than \$80,000 shall be expended for operation of the Goldendale observatory.

**NEW SECTION, Sec. 85. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund Appropriation—State .....	\$	78,000
General Fund Appropriation—Federal .....	\$	2,340,000
General Fund—State and Local Improvements Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. ....	\$	432,000
Total Appropriation .....	\$	2,850,000

**NEW SECTION, Sec. 86. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation .....	\$	27,994,000
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**NEW SECTION, Sec. 87. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$	3,543,000
General Fund Appropriation—Federal .....	\$	269,000
Motor Vehicle Fund Appropriation .....	\$	380,000
Total Appropriation .....	\$	4,192,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$120,000 of the general fund—state appropriation is intended exclusively for minority business development.

**NEW SECTION. Sec. 88. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State	\$	34,253,000
General Fund Appropriation—Federal	\$	4,087,000
General Fund Appropriation—Private/Local	\$	1,241,000
General Fund—Lewis River Hatchery Account Appropriation	\$	28,000
Vessel, Gear, License, and Permit Reduction Fund Appropriation	\$	756,000
Total Appropriation	\$	40,365,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$348,000 of the general fund—state appropriation may be used for renovation of the Olympia office.

(2) The appropriations contained in this section shall include \$300,000 directed to a volunteer cooperative salmon enhancement program. No compensation shall be given by the department to volunteer participants in the program: PROVIDED, That fertilized salmon eggs and other necessary materials shall be furnished at no cost.

**NEW SECTION. Sec. 89. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation—State	\$	29,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	101,000
Game Fund Appropriation—State	\$	27,151,000
Game Fund Appropriation—Federal	\$	6,483,000
Game Fund Appropriation—Private/Local	\$	686,000
Game Special Wildlife Account Appropriation	\$	163,000
Total Appropriation	\$	34,613,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$42,000 of the state game fund—state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.

(2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.

(3) The department shall make no contractual agreements or receive any donation of real property or an interest therein which commits the department 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 senate ways and means committee and house appropriations committee.

**NEW SECTION. Sec. 90. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State	\$	21,583,000
General Fund Appropriation—Federal	\$	232,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	2,583,000
General Fund—Forest Development Account Appropriation	\$	10,016,000
General Fund—State Timber Reserve Account Appropriation	\$	2,338,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,000,000
General Fund—Resource Management Cost Account Appropriation	\$	36,994,000
Total Appropriation	\$	74,746,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,842,000 of the general fund—state appropriation shall be expended exclusively for emergency forest fire suppression. Such funds shall also be available for interfund loans with the landowners forest fire suppression account.

(2) Not more than \$250,000 of the general fund—state appropriation shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*), knapweed (*centaurea L.*), and bindweed (*convolvulus*). The department shall provide a one-third state share for problem areas to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares, and not to exceed \$30,000 for cooperative studies for control, demonstration plots, application rates, and timing, with the department of forestry and range management at Washington State University.

(3) Not more than \$1,443,000 of the general fund—state appropriation, \$89,000 of the forest development account appropriation, and \$1,215,000 of the resource management cost account appropriation shall be expended within the forest rehabilitation program for the operation of Clearwater, Larch Mountain, Indian Ridge, and Skagit county honor camps. However, \$264,000 of the general fund—state appropriation, \$15,000 of the forest development account appropriation, \$219,000 of the resource management cost account appropriation and 9 FTE staff years shall not be expended until the Skagit county honor camp is fully constructed and operating in conjunction with the department of social and health services.

(4) Not more than \$2,000,000 of the forest development account appropriation shall be used as available in place of the resource management cost account appropriation with the replaced resource management cost account reverting to reserve not to be expended for any purpose.

(5) Not more than \$1,700 shall be expended for costs associated with the state board of geographic names.

(6) The department shall submit a report to the legislature detailing the findings of the mineral resource inventory no later than January 1, 1981.

**NEW SECTION. Sec. 91. FOR THE FOREST PRACTICES APPEALS BOARD**

General Fund Appropriation .....	\$	68,000
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**NEW SECTION. Sec. 92. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State .....	\$	7,732,000
General Fund Appropriation—Federal .....	\$	498,000
General Fund—Feed and Fertilizer Account Appropriation .....	\$	24,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation .....	\$	324,000
Commercial Feed Fund Appropriation—State .....	\$	314,000
Commercial Feed Fund Appropriation—Federal .....	\$	24,000
Seed Fund Appropriation .....	\$	763,000
Nursery Inspection Fund Appropriation .....	\$	266,000
Grain and Hay Inspection Fund Appropriation .....	\$	7,352,000
Total Appropriation .....	\$	17,297,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$110,000 of the general fund appropriation—state shall be expended by the department for its one-third share for the special tansy ragwort control program in conjunction with those county noxious weed control boards which have placed tansy ragwort on their noxious weed list. 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 landowners 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 the conservation.

(2) Not more than \$10,000 of the general fund appropriation—state shall be expended for the continued implementation of the starling control program.

(3) Not more than \$460,000 of the general fund appropriation—state shall be expended to provide for brucellosis vaccinations, by veterinarians in private practice, to beef and dairy cattle in order to suppress the disease. Not more than \$40,000 of the general fund appropriation—state shall be expended for administration of this program. The department of agriculture shall make known the program and shall encourage beef and dairy cattle operations to participate. The department shall supply necessary vaccine and other materials certifying vaccination. The department shall adopt rules, including a schedule of costs, which shall not allow separate reimbursement to veterinarians of 'trip' fees or mileage expense nor injection paraphernalia. Maximum reimbursement shall be \$2 per vaccination.

**NEW SECTION. Sec. 93. FOR THE STATE PATROL**

General Fund Appropriation .....	\$	9,750,000
Motor Vehicle Fund Appropriation .....	\$	70,385,000
Total Appropriation .....	\$	80,135,000

**NEW SECTION. Sec. 94. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION**

Highway Safety Fund Appropriation .....	\$	8,000
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**NEW SECTION. Sec. 95. FOR THE TRAFFIC SAFETY COMMISSION**

Highway Safety Fund Appropriation—State .....	\$	369,000
Highway Safety Fund Appropriation—Federal .....	\$	7,980,000
Total Appropriation .....	\$	8,349,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$200,000 shall be expended exclusively for grants to cities or towns which are located within five miles of the Canadian-Washington border and which are the nearest towns to the nearest international border point of entry. Grants to each eligible border town shall be proportional to the share of international-border traffic, as measured by the United States immigration service, passing through the international point of entry nearest that town. The grants shall be used exclusively for law enforcement purposes.

**NEW SECTION. Sec. 96. FOR THE DEPARTMENT OF LICENSING**

General Fund Appropriation .....	\$	9,434,000
General Fund—Architects' License Account Appropriation .....	\$	149,000
General Fund—Commercial Automobile Driver Training School Account Appropriation .....	\$	4,000
General Fund—Opticians' Account Appropriation .....	\$	28,000
General Fund—Optometry Account Appropriation .....	\$	74,000
General Fund—Professional Engineers' Account Appropriation .....	\$	418,000
General Fund—Real Estate Commission Account Appropriation .....	\$	2,312,000
General Fund—Sanitarians' Licensing Account Appropriation .....	\$	16,000
General Fund—Board of Psychological Examiners Account Appropriation .....	\$	36,000
Game Fund Appropriation .....	\$	85,000
Highway Safety Fund Appropriation .....	\$	24,508,000
Motor Vehicle Fund Appropriation .....	\$	21,058,000
Motor Vehicle Fund—Vehicle Title Guarantee Account Appropriation .....	\$	12,000
Total Appropriation .....	\$	58,134,000



The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$3,000,000 shall be expended for the business licensing center.

**NEW SECTION. Sec. 97. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund Appropriation ..... \$ 190,000

**NEW SECTION. Sec. 98. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State ..... \$ 11,530,000  
 General Fund Appropriation—Federal ..... \$ 6,288,000  
 General Fund—Traffic Safety Education Account Appropriation ..... \$ 378,000  
 Total Appropriation ..... \$ 18,196,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$378,000 shall be expended for the state office administration of the traffic safety education program.

(2) Not more than \$1,150,000 shall be expended to contract for services by educational clinics: PROVIDED, That not more than \$50,000 shall be expended by the superintendent for associated administrative costs.

(3) No district may grant from any fund source whatsoever any percentage salary increase greater than those provided or authorized in sections 14(3) and 99 through 104 of this act.

(4) The superintendent, in consultation with the legislative evaluation and accountability program committee, shall develop a classified data base for use in the 1981-83 budgeting process.

(5) Local school districts may use funds appropriated pursuant to section 99 of this act for the support of instructional and public broadcasting.

(6) Not more than \$600,000 from the appropriation contained in section 99 of this act shall be used exclusively to match federal funds allocated to the state under the provisions of sections 120 and 130 of Public Law 94-482 for the purpose of providing special vocational programs for the disadvantaged.

**NEW SECTION. Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION ALLOCATION FOR FISCAL YEARS 1980 AND 1981**

General Fund Appropriation ..... \$ 1,710,089,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) No district may grant from any fund source any percentage salary increase greater than that provided in sections 99, 101, and 102 of this act.

(2) The allocation of moneys for a basic education allocation per annual average full time equivalent student for the 1979-80 school year shall be at 92% of formula and 100% of formula in the 1980-81 school year. One hundred percent of formula for each school district shall be determined by the superintendent of public instruction as follows:

(a) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts enrolling not more than one hundred average annual full time equivalent students and for small school plants within any school district, which such districts or small plants have been judged to be remote and necessary by the state board of education as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students.

(d) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts operating high schools with total district enrollments of not more than three hundred average annual full time equivalent students as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) Total certificated compensation entitlement for school year 1979-80 shall be the sum of the following subsections:

(i) Maintenance of compensation shall be calculated using each district's 1978-79 base salary established in section 100 of this act times the number of certificated staff units generated in subsection (2)(a) through (d) of this section in each district times each district's particular 1979-80 average staff mix factor improved by seven and forty-three hundredths percent;

(ii) Total salary increase compensation for each district shall be calculated by multiplying the 1978-79 base salary times the total number of staff units generated in subsection (2)(a) through (d) of this section times the 1979-80 average staff mix factor, times the percentage salary increase for each district pursuant to section 101 of this act improved by six and thirteen hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$83 per month per certificated full time equivalent staff units generated in subsection (2)(a) through (d) of this section.

(f) Total certificated compensation entitlement for school year 1980-81 shall be equal to the sum of the following subsections:

(i) Maintenance of compensation shall be calculated by using each district's 1978-79 base salary established in section 100 of this act improved by the percentage salary increase for each district pursuant to section 101 of this act, times the number of staff units generated in subsection (2)(a) through (d) of this section times each district's particular 1980-81 average staff mix factor improved by seven and seventy-eight hundredths percent;

(ii) Total salary increase compensation for each district shall be calculated by multiplying the 1978-79 base salary times the total number of staff units generated in subsection (2)(a) through (d) of this section times the 1980-81 average staff mix factor, improved by the percentage salary increase pursuant to section 101 of this act, times the percentage salary increase pursuant to section 102 of this act improved by six and forty-eight hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$92 per month per certificated full time equivalent staff units generated in subsection (2)(a) through (d) of this section.

(g) Respecting classified employees: A numerical allocation of one classified staff unit for each three certificated staff units as computed for the purposes of subsections (2) (a), (c) and (d) of this section, and one classified staff unit for each sixty vocational full time equivalent students, for each school district shall be established.

(h) Total 1979-80 basic education classified compensation entitlement for each district shall be equal to the sum of the following:

(i) Maintenance of classified compensation shall be equal to the staff units generated in subsection (2)(g) of this section times the 1978-79 average classified salary established in section 103 of this act improved by nineteen and thirty-one hundredths percent;

(ii) Total salary increase compensation shall be equal to the 1978-79 average classified salary established in section 103 of this act times the classified units established in subsection (2)(g) of this section times eight percent salary increase improved by thirteen and thirteen hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$83 per month per classified full time equivalent staff units generated in subsection (2)(g) of this section.

(i) Total 1980-81 basic education classified compensation entitlement for each district shall be equal to the sum of the following:

(i) Maintenance of classified compensation shall be equal to the staff units generated in subsection (2)(g) of this section times the 1978-79 average classified salary established in section 103 of this act for each district improved by eight percent improved by nineteen and sixty-six hundredths percent;

(ii) Total salary increase compensation shall be equal to the 1978-79 average classified salary for each district improved by eight percent times the number of staff units established in subsection (2)(g) of this section, times six percent salary increase improved by thirteen and forty-eight hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$92 per month per classified full time equivalent staff units generated in subsection (2)(g) of this section.

(j) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1979-80 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (2) (a), (c), and (d) of this section, multiplied by \$3,910 for each such certificated staff unit and shall utilize the number of certificated staff units computed for the purposes of subsection (2)(b) of this section, multiplied by \$6,893 for each such certificated staff unit.

(k) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1980-81 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (2) (a), (c), and (d) of this section, multiplied by \$4,184 for each such certificated unit and shall utilize the number of certificated staff units computed for the purposes of subsection (2)(b) of this section multiplied by \$7,375 for each such certificated staff unit.

(3) Respecting districts experiencing enrollment declines: For districts which experience an enrollment decline in the 1979-80 school year from the 1978-79 base enrollment level and in the 1980-81 school year from the 1979-80 base enrollment level, the superintendent of public instruction shall distribute funds based on certificated staff units in the 1979-80 and 1980-81 school years to such districts on the basis of current school year enrollment plus one-half the amount of the enrollment decline from the prior school year level. The superintendent of public instruction in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from the previous school year.

(4) The superintendent of public instruction shall distribute not more than \$25,860,000 of the funds appropriated by this section, outside of the basic education allocation to school districts as follows:

(a) For school district emergencies, not more than \$500,000.

(b) For 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 RCW 52.36.020; not more than \$280,000 for the 1979-80 school year and not more than \$280,000 for the 1980-81 school year.

(c) Not more than \$12,491,000 shall be expended for extracurricular and extended duty pay to be distributed on the basis of \$173 per certificated staff per year in the following programs: Basic education, general support, handicapped, gifted and urban, rural and racial disadvantaged.

(d) For substitute teachers, to be distributed to districts on the basis of the number of state supported employees who are classroom teachers; for fiscal year 1980, an amount not to exceed \$5,447,000 and for fiscal year 1981, an amount not to exceed \$6,562,000: PROVIDED, That such distribution shall be for not more than five days per classroom teacher and shall be reimbursable at a rate of forty dollars per day exclusively for sick leave days taken.

(e) Not more than \$300,000 for nonhigh school district billings for documented shortages caused by application of the levy lid act, chapter 325, Laws of 1977 ex. sess.

**NEW SECTION.** Sec. 100. For purposes of determining the 1978-79, 1979-80, and 1980-81 school year base certificated salary by district, the following definitions shall apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

(a) Basic education (program 00);

(b) Secondary vocational education (program 30);

(c) General support (program 97).

(2) Average 1978-79 basic education certificated staff salaries means the total 1978-79 actual salaries reimbursed such staff divided by the total number of such full time equivalent basic education certificated staff.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1978-79, 1979-80, and 1980-81 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

(5) Each district's particular 1978-79 certificated base salary shall be calculated by dividing each district's average basic education certificated staff salaries by each district's particular average staff mix factor.

**NEW SECTION.** Sec. 101. (1) Certificated base salary increases for the 1979-80 school year shall be calculated on the basis of each district's 1978-79 certificated base salaries as defined in section 100 of this act.

(2) The superintendent shall establish a 1978-79 state average certificated base salary.

(3) Those school districts whose certificated 1978-79 base salary is below the state average base salary shall be entitled to receive an eight and one-half percent increase.

(4) Those school districts having 1978-79 base certificated salaries above the state average base salary shall be entitled to a six percent increase.

**NEW SECTION.** Sec. 102. (1) Certificated base salary increases for the 1980-81 school year shall be calculated on the basis of each district's 1979-80 base salaries as defined in subsection (3) of this section.

(2) The 1979-80 average state certificated base salary shall equal the 1978-79 state average certificated base salary improved by 7.07%.

(3) The 1979-80 base salaries shall be derived using the 1978-79 certificated base salaries adjusted by salary increases authorized by section 101 of this act.

(4) Those school districts whose certificated 1979-80 base salary is below the state average base salary shall be entitled to receive an eight and one-half percent increase.

(5) Those school districts having 1979-80 base certificated salaries above the 1979-80 state base average salary shall be entitled to a six percent increase.

**NEW SECTION.** Sec. 103. For purposes of determining 1979-80 and 1980-81 school year classified salary by district, the following shall apply: School year 1978-79 basic education average classified salaries in each district shall be equal to the sum of each district's full time equivalent staff's classified salaries divided by the total number of such full time equivalent staff in the following programs:

(1) Basic education (program 00);

(2) General support (program 97);

(3) Secondary vocational education (program 30).

**NEW SECTION.** Sec. 104. State funded certificated and classified staff of a district not funded through the basic education allocation of section 99 of this act shall be eligible for the same percentage salary and fringe benefit increases and health benefit rates specified in this act for certificated and classified staff in a particular district funded through the basic education allocation: PROVIDED, That staff employed by an educational service district shall be entitled to salary and fringe benefit increases based on a 7% salary increase in each year and insurance benefits for each state supported full time equivalent employee at a rate of \$83 per month in the 1979-80 school year and \$92 per month in the 1980-81 school year.

**NEW SECTION. Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR PUPIL TRANSPORTATION**

General Fund Appropriation . . . . . \$ 145,847,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) The superintendent shall not distribute more than \$70,237,000 to local school districts for pupil transportation during the 1979-80 school year.

(2) Not more than \$534,000 shall be expended for regional transportation coordinators.

(3) Not more than \$77,000 shall be expended for driver training.

**NEW SECTION. Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation . . . . . \$ 34,120,000

**NEW SECTION. Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State . . . . . \$ 6,497,000

General Fund Appropriation—Federal . . . . . \$ 60,893,000

Total Appropriation . . . . . \$ 67,390,000

**NEW SECTION. Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR HANDICAPPED EXCESS COSTS**

General Fund Appropriation—State . . . . . \$ 120,160,000

General Fund Appropriation—Federal . . . . . \$ 26,250,000

Total Appropriation . . . . . \$ 146,410,000

The appropriations contained in this section shall be subject to the following condition or limitation: The superintendent of public instruction shall implement for the 1980-81 school year a new full cost allocation model to fulfill the provisions of P.L. 94-142 on a pilot basis.

**NEW SECTION. Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation . . . . . \$ 13,614,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$392,000 shall be expended for traffic safety education coordinators.

**NEW SECTION. Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation . . . . . \$ 8,994,000

**NEW SECTION. Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE SPECIAL NEEDS PROGRAM**

General Fund Appropriation—State . . . . . \$ 20,500,000

General Fund Appropriation—Federal . . . . . \$ 6,000,000

Total Appropriation . . . . . \$ 26,500,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,500,000 shall be expended for pupils whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning when taught only in English, but shall not include pupils who are equally or almost equally competent in English.

(2) Not more than \$12,000,000 of state general funds shall be expended for the implementation of Substitute House Bill No. 663.

(3) Not more than \$4,000,000 shall be expended to implement the provisions of RCW 28A.41.270 through 28A.41.290: PROVIDED, That not more than \$750,000 from this appropriation may be used for Project Excel community involvement pilot projects in selected school districts.

**NEW SECTION. Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State . . . . . \$ 13,162,000

General Fund Appropriation—Federal . . . . . \$ 3,317,000

Total Appropriation . . . . . \$ 16,479,000

**NEW SECTION. Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation . . . . . \$ 1,277,000

**NEW SECTION. Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER**

General Fund Appropriation . . . . . \$ 300,000

**NEW SECTION. Sec. 115. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE GIFTED PROGRAM**

General Fund Appropriation . . . . . \$ 2,500,000

The appropriation contained in this section shall be subject to the following condition or limitation: For the 1979-81 biennium, the superintendent shall contract \$230,000 of this appropriation for services to support an approved gifted program to be conducted at Fort Worden state park.

**NEW SECTION. Sec. 116. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR COMPREHENSIVE PLANNING AND DEVELOPMENT**

General Fund Appropriation . . . . . \$ 144,000

**NEW SECTION. Sec. 117. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal . . . . . \$ 97,443,000  
 Elementary and Secondary  
 Education Act of 1965 . . . . . \$ 93,338,000  
 Education of Indian Children . . . . . \$ 1,625,000  
 Adult Basic Education . . . . . \$ 2,480,000

**NEW SECTION. Sec. 118. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENVIRONMENTAL EDUCATION PROGRAM**

General Fund Appropriation . . . . . \$ 576,000

The appropriation contained in this section shall be subject to the following condition or limitation: The revenue from fees received in conjunction with this program shall be retained by educational service district No. 113 for the exclusive support of the Cispus Environmental Education Center.

**NEW SECTION. Sec. 119. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal . . . . . \$ 24,221,000

**NEW SECTION. Sec. 120.** In accordance with this section, the office of financial management shall use the allotment process during the 1979-81 biennium to control the funding of the formula portion of the instruction and departmental research program of all 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 four-year institutions of higher education, while full time equivalent student enrollment will be the controlling factor for the community college system. The provisions of the contract enrollment process will apply to the community college system as a whole. Allocation of the contract enrollment totals to the individual districts is the responsibility of the state board for community college education. For the purpose of this section, the 'contract level' is defined as the level upon which the budget is based, and the 'base level' is defined as the formula entitlement level corresponding to the prior year's actual enrollment level.

The contract enrollment procedure proposed for use during the 1979-81 biennium is:

**PLACEMENT OF GROWTH FUNDS IN RESERVE.** All growth funds for the four-year institutions 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 financial management's population studies section projections of full year enrollments based on fall quarter actual experience. If growth fails to materialize, the school is required to revert all unearned growth funds prior to the end of that fiscal year. All growth funds for the community college system shall be controlled by the state board for community college education. Unearned growth funds will be reverted by the state board for community college education to the state general fund prior to the end of the fiscal year in which such growth fails to materialize.

**SECOND YEAR CONTRACT RENEGOTIATION.** Contract enrollments for the second year of a biennium will be renegotiated in the event the first year's actual faculty entitlement, or FTE student enrollment in the community colleges, falls below the tolerance band.

**VARIABLE TOLERANCE BAND FOR UNDER-ENROLLMENT.** No fiscal penalty will be assessed if the faculty entitlement generated by a four-year institution, or FTE student enrollment in the community college system, falls within the following tolerance bands:

Institution	Tolerance Band
University of Washington	0.5%
Washington State University	0.5%
Western Washington University	1.0%
Eastern Washington University	1.0%
Central Washington University	1.0%
Community Colleges	0.5%
The Evergreen State College	1.0%

**NEW SECTION. Sec. 121. COMMUNITY COLLEGE EDUCATION**

The appropriations contained in sections 123 through 127 of this act shall be subject to the following conditions and limitations:

- (1) The formula funding levels for each year of the biennium are:
  - (a) Instruction program:
  - (i) 72% of formula entitlement for faculty staffing;

- (ii) 51.5% of formula entitlement for support staff and operations;
  - (b) Library program:
    - (i) 52.4% of formula entitlement for staffing;
    - (ii) 52.5% of formula entitlement for collections for the first year of the 1979-81 biennium and 54.5% of formula entitlement for the second year of the 1979-81 biennium;
  - (c) Student services program 55.8% of formula entitlements; and
  - (d) Plant operation and maintenance program:
    - (i) 100% of formula entitlement for fixed costs; and
    - (ii) 60% of formula entitlement for variable costs.
- (2) The state board for community college education is authorized to transfer up to 5% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs, upon review and approval by the office of financial management.
- (3) The state board for community college education is authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.
- (4) The community college system may provide student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 122. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation..... \$ 2,428,000

**NEW SECTION. Sec. 123. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation..... \$ 196,299,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not less than \$7,019,000 shall be expended for the purchase and repair of instructional equipment.

(2) Not more than \$2,196,851 shall be expended for the small school adjustment to Olympia Technical, Centralia, Whatcom, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, and Lower Columbia 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.

**NEW SECTION. Sec. 124. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation..... \$ 16,732,000

**NEW SECTION. Sec. 125. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation..... \$ 31,621,000

**NEW SECTION. Sec. 126. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation..... \$ 45,688,000

**NEW SECTION. Sec. 127. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation..... \$ 34,227,000

Community College Capital Projects Account Appropriation..... \$ 4,900,000

Total Appropriation..... \$ 39,127,000

**NEW SECTION. Sec. 128. HIGHER EDUCATION**

The appropriations contained in sections 129 through 159 of this act shall be subject to the following conditions and limitations:

(1) The formula funding levels, unless otherwise provided for, for each year of the biennium are:

(a) 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 regional universities and The Evergreen State College; and

(iii) 85% of formula entitlement for faculty support at the University of Washington and Washington State University and 80% of formula entitlement for faculty support at the regional universities and state college.

(b) Student services program—75% of formula entitlement;

(c) Plant operations and maintenance program:

(i) 60% of formula entitlement for variable costs; and

(ii) 100% of formula entitlement for fixed costs.

(2) The four-year institutions of higher education are authorized to transfer up to 5% of the amount appropriated for any specific program or programs upon review and approval by the office of financial management.

(3) No funds shall be used for the inauguration or operation of any new degree program until such program has been reviewed and favorably recommended by the council for postsecondary education.

(4) The boards of regents of all institutions of higher education are authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.

(5) The four-year institutions may provide graduate assistance, teaching assistance, and student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 129. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	175,574,000
Accident Fund Appropriation .....	\$	839,000
Medical Aid Fund Appropriation .....	\$	839,000
Total Appropriation .....	\$	177,252,000

**NEW SECTION. Sec. 130. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	19,586,000
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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 78.92% of such formula entitlement for collections for the first year of the 1979-81 biennium and is at 79.76% of such formula entitlement for collections for the second year of the 1979-81 biennium and is at 75% of such formula entitlement for staffing for the 1979-81 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 131. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	12,055,000
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**NEW SECTION. Sec. 132. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation .....	\$	18,645,000
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**NEW SECTION. Sec. 133. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	25,425,000
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**NEW SECTION. Sec. 134. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	25,066,000
University of Washington Building Account Appropriation .....	\$	9,000,000
Total Appropriation .....	\$	34,066,000

**NEW SECTION. Sec. 135. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	109,359,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$300,000, or so much thereof as may be necessary, shall be expended for equipment and improvement to the southwestern Washington agricultural research unit.

(2) \$800,000, or so much thereof as may be necessary, shall be expended exclusively for the public service function of the Washington animal disease diagnostic laboratory: PROVIDED, That user fee support shall be not less than one-eighth of the state support amount.

(3) Not more than \$200,000 shall be expended to establish an equine research center to study the health-related problems of racing and performing horses in the state of Washington.

**NEW SECTION. Sec. 136. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 8,735,000

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 71.18% of such formula entitlement for collections for the first year of the 1979–81 biennium and is at 72.38% of such formula entitlement for collections for the second year of the 1979–81 biennium and is at 60% of such formula entitlement for staffing for the 1979–81 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 137. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 7,245,000

**NEW SECTION. Sec. 138. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 13,818,000

**NEW SECTION. Sec. 139. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 21,391,000  
 Washington State University Building Account Appropriation . . . . . \$ 1,750,000  
 Total Appropriation . . . . . \$ 23,141,000

**NEW SECTION. Sec. 140. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 26,897,000

**NEW SECTION. Sec. 141. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 2,785,000

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 90.39% of such formula entitlement for collections in the first year of the 1979–81 biennium and is at 90.75% of such formula entitlement for collections in the second year of the 1979–81 biennium and is at 55% of such formula entitlement for staffing for the 1979–81 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 142. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 3,085,000

**NEW SECTION. Sec. 143. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation . . . . . \$ 5,121,000

**NEW SECTION. Sec. 144. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation . . . . . \$ 8,508,000  
 Eastern Washington University Capital Projects Account Appropriation . . . . . \$ 350,000  
 Total Appropriation . . . . . \$ 8,858,000

**NEW SECTION. Sec. 145. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation . . . . . \$ 22,775,000

**NEW SECTION. Sec. 146. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation . . . . . \$ 3,379,000



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 97.41% of such formula entitlement for collections in the first year of the 1979-81 biennium and is at 97.41% of such formula entitlement for collections in the second year of the 1979-81 biennium and is at 55% of such formula entitlement for staffing for the 1979-81 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 147. FOR CENTRAL WASHINGTON UNIVERSITY—  
FOR THE STUDENT SERVICES PROGRAM**  
General Fund Appropriation..... \$ 3,031,000

**NEW SECTION. Sec. 148. FOR CENTRAL WASHINGTON UNIVERSITY—  
FOR THE INSTITUTIONAL SUPPORT PROGRAM**  
General Fund Appropriation..... \$ 5,758,000

**NEW SECTION. Sec. 149. FOR CENTRAL WASHINGTON UNIVERSITY—  
FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**  
General Fund Appropriation..... \$ 7,009,000

**NEW SECTION. Sec. 150. FOR THE EVERGREEN STATE COLLEGE—FOR  
THE INSTRUCTIONAL SERVICES PROGRAM**  
General Fund Appropriation..... \$ 8,646,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$296,000 appropriated by this section is for the purpose of implementing a graduate degree program. This appropriation is contingent upon passage of Substitute House Bill No. 568. Not less than \$253,000 of this amount shall be held in allotment reserve and shall be allotted only upon review and program approval by the council for postsecondary education.

**NEW SECTION. Sec. 151. FOR THE EVERGREEN STATE COLLEGE—FOR  
THE LIBRARIES PROGRAM**  
General Fund Appropriation..... \$ 2,383,000

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 104.15% of such formula entitlement for collections in the first year of the 1979-81 biennium and is at 103.9% of such formula entitlement for collections in the second year of the 1979-81 biennium and is at 55% of such formula entitlement for staffing for the 1979-81 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 152. FOR THE EVERGREEN STATE COLLEGE—FOR  
THE STUDENT SERVICES PROGRAM**  
General Fund Appropriation..... \$ 1,324,000

**NEW SECTION. Sec. 153. FOR THE EVERGREEN STATE COLLEGE—FOR  
THE INSTITUTIONAL SUPPORT PROGRAM**  
General Fund Appropriation..... \$ 3,105,000

**NEW SECTION. Sec. 154. FOR THE EVERGREEN STATE COLLEGE—FOR  
THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**  
General Fund Appropriation..... \$ 4,589,000

**NEW SECTION. Sec. 155. FOR WESTERN WASHINGTON UNIVERSITY—  
FOR THE INSTRUCTIONAL SERVICES PROGRAM**  
General Fund Appropriation..... \$ 31,979,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$49,000, or so much thereof as may be necessary, shall be expended for the implementation of a bachelor of science in nursing program, provided that a positive recommendation is received from the council for postsecondary education.

**NEW SECTION. Sec. 156. FOR WESTERN WASHINGTON UNIVERSITY—  
FOR THE LIBRARIES PROGRAM**  
General Fund Appropriation..... \$ 3,788,000

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 88.16% of such formula entitlement for collections in the first year of the 1979-81 biennium and is at 88.80% of such formula entitlement for collections in the second year of the 1979-81

biennium and is at 55% of such formula entitlement for staffing for the 1979-81 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 157. FOR WESTERN WASHINGTON UNIVERSITY—  
FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation..... \$ 4,228,000

**NEW SECTION. Sec. 158. FOR WESTERN WASHINGTON UNIVERSITY—  
FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation..... \$ 6,922,000

**NEW SECTION. Sec. 159. FOR WESTERN WASHINGTON UNIVERSITY—  
FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation..... \$ 6,829,000

Western Washington University Capital Projects Account Approp-  
riation..... \$ 700,000  
Total Appropriation..... \$ 7,529,000

**NEW SECTION. Sec. 160. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation..... \$ 53,000

**NEW SECTION. Sec. 161. FOR THE COUNCIL FOR POSTSECONDARY  
EDUCATION**

General Fund Appropriation—State..... \$ 13,836,000  
General Fund Appropriation—Federal..... \$ 3,515,000  
Total Appropriation..... \$ 17,351,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) The council shall make the largest possible distribution of financial aid funds to the state work study program consistent with student employment opportunities.
- (2) \$350,000 of the general fund appropriation shall be expended solely to implement a displaced homemakers program.
- (3) The council shall develop a faculty salary schedule or schedules accommodating the full time regular faculty members of the public universities and The Evergreen State College, taking into consideration periodic longevity increments and traditional faculty rank differences. The proposal shall be submitted to the house and senate higher education committees and the house appropriation and senate ways and means committees for review and consideration by June 1, 1980.
- (4) The council shall review the compensation policy for students and graduate assistant employees at the state's higher education institutions. The council shall develop recommendations for uniform compensation policy at the respective institutions and shall report back to the senate ways and means and house appropriations committees no later than November 1, 1980.
- (5) From such funds as are included for policy analysis, the council shall prepare a manual explaining, documenting, and defining current formula procedures in the institutions of higher education for the instruction, libraries, student services, and plant operation and maintenance programs.

**NEW SECTION. Sec. 162. FOR THE COMMISSION FOR VOCATIONAL  
EDUCATION**

General Fund Appropriation—State..... \$ 3,243,000  
General Fund Appropriation—Federal..... \$ 21,416,000  
Total Appropriation..... \$ 24,659,000

The appropriations contained in this section shall be subject to the following condition or limitation: No state funds shall be expended by the advisory council for vocational education.

**NEW SECTION. Sec. 163. FOR THE HIGHER EDUCATION PERSONNEL  
BOARD**

Higher Education Personnel Board Service Fund Appropriation..... \$ 1,151,000

**NEW SECTION. Sec. 164. FOR THE STATE LIBRARY**

General Fund Appropriation—State..... \$ 6,323,000  
General Fund Appropriation—Federal..... \$ 2,057,000  
General Fund Appropriation—Private/Local..... \$ 876,000  
Washington Library Network Computer System Revolving Fund  
Appropriation—Private/Local..... \$ 7,460,000

Total Appropriation..... \$ 16,716,000

**NEW SECTION. Sec. 165. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State ..... \$ 1,013,000  
 General Fund Appropriation—Federal ..... \$ 907,000  
 General Fund—Indian Cultural Center Construction Account  
 Appropriation—State ..... \$ 1,000,000  
 Total Appropriation..... \$ 2,920,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Of this appropriation, \$1,412,000 shall be expended for grants and subsidies: PROVIDED, That this condition is predicated on receipt of at least \$907,000 in federal funds for the biennium.

(2) Not more than \$10,000 shall be expended for a portrait of former governor Daniel J. Evans.

(3) The \$1,000,000 Indian cultural center construction appropriation shall be subject to the following conditions and limitations:

(a) The Indian cultural center construction account appropriation contained in this section shall be expended exclusively for a grant to the city of Seattle for the development of a regional Indian cultural, educational, tourist, and economic development facility by the United Indians of All Tribes Foundation designated as the 'People's Lodge.'

(b) If \$2,700,000 or more in additional federal and/or private funding is not secured within five years and applied towards the completion of the 'People's Lodge,' ownership of the property and/or facility developed with this appropriation shall be transferred to the state.

(c) Funds appropriated under this section shall not be expended for a 'People's Lodge' at Discovery Park, Seattle, Washington.

**NEW SECTION. Sec. 166. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation..... \$ 531,000

**NEW SECTION. Sec. 167. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation..... \$ 495,000

**NEW SECTION. Sec. 168. FOR THE STATE CAPITAL HISTORICAL ASSOCIATION**

General Fund Appropriation..... \$ 434,000  
 General Fund—State Capital Historical Association Museum  
 Account Appropriation ..... \$ 49,000  
 Total Appropriation..... \$ 483,000

**NEW SECTION. Sec. 169. FOR THE STATE TREASURER—TRANSFERS**

General Fund Appropriation: For transfer to the Reserve for Accrued Revenue Account pursuant to chapter 70, Laws of 1975-'76 2nd ex. sess. .... \$ 45,978,000

General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$1,800,000 in excess of the cash requirements in the trust land purchase account, as determined by the office of financial management ..... \$ 1,800,000

General Fund Appropriation: For transfer to the Salmon Enhancement Construction Account to allow for the completion of approved projects ..... \$ 600,000

General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$22,000,000 pursuant to chapter 50, Laws of 1969 ..... \$ 22,000,000

Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Transportation and the Washington State Patrol during the period July 1, 1979, through June 30, 1981 ..... \$ 3,000,000

State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1981, an amount up to \$6,000,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1982, for credit to the fiscal year in which earned . . . . . \$ 6,000,000

**NEW SECTION. Sec. 170. FOR BELATED CLAIMS**

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, 1981, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Electrical License Account . . . . .	\$ 1,209.30
General Fund—State Timber Reserve Account . . . . .	\$ 44,448.93
General Fund—Optometry Account . . . . .	\$ 391.55
General Fund—Public Facilities Construction Loan and Grant Revolving Account . . . . .	\$ 1,148.00
General Fund—Real Estate Commission Account . . . . .	\$ 1,640.73
General Fund—Reclamation Revolving Account . . . . .	\$ 10,602.30
General Fund—Sanitations Licensing Account . . . . .	\$ 560.35
General Fund—Landowners' Forest Fire Suppression Account . . . . .	\$ 18,173.52
General Fund—Motor Transport Account . . . . .	\$ 1,494.41
General Fund—Aeronautics Account . . . . .	\$ 72,609.00
General Fund—Resource Management Cost Account . . . . .	\$ 12,500.53
General Fund—Litter Control Account . . . . .	\$ 1,207.35
General Fund—Traffic Safety Education Account . . . . .	\$ 483.77
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities . . . . .	\$ 28.15
General Fund—Outdoor Recreation Account . . . . .	\$ 5,381.57
General Fund—State Building Authority Construction Account . . . . .	\$ 1,475.00
General Fund—Vehicle Title Guarantee Account . . . . .	\$ 3,300.00
Fertilizer, Agriculture, Mineral and Lime Fund . . . . .	\$ 74.00
Seed Fund . . . . .	\$ 16.00
Seattle Armory Fund . . . . .	\$ 1,372.84
State Game Fund . . . . .	\$ 22,762.36
Grain and Hay Inspection Fund . . . . .	\$ 54.00
Highway Safety Fund . . . . .	\$ 1,490.51
Motor Vehicle Fund . . . . .	\$ 31,683.91
Public Service Revolving Fund . . . . .	\$ 4,009.25
Unemployment Compensation Administration Fund . . . . .	\$ 41,775.63
Clark—McNary Fund . . . . .	\$ 25,338.83
State Treasurer's Service Fund . . . . .	\$ 1,070.59
State Coastal Protection Fund . . . . .	\$ 262.98
General Administration Facilities and Services Revolving Fund . . . . .	\$ 9,946.27
Liquor Revolving Fund . . . . .	\$ 2,282.93
Accident Fund . . . . .	\$ 6,999.73
Medical Aid Fund . . . . .	\$ 2,497.78
Retirement System Expense Fund . . . . .	\$ 1,641.30
Teachers' Retirement Fund . . . . .	\$ 413.42
The Retirement System Fund . . . . .	\$ 587.21
Total Appropriation . . . . .	\$ 330,934.00

**NEW SECTION. Sec. 171.** 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 July 1, 1979, to June 30, 1981.

**SUNDRY CLAIMS**

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

(1) HAROLD GIVENS, CARL KASZYCKI, Judgment against the state in Residents for a Planned Peninsula et al. vs. DSHS .....	\$	15,770.00
(2) ARCHITECTURAL WOODS, INC., Judgment against the state in Architectural Woods vs. the State: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Architectural Woods, Inc. or by its directors prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims, except that the state may become liable for interest payment accruing from October 27, 1977, if, and only if, it is so ordered by the Supreme Court of Washington.' .....	\$	36,615.23
(3) DAVID PARKER AND DENTON P. ANDREWS, Payment of writ of mandate for costs assessed against the state in State vs. David C. Parker .....	\$	616.23
(4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT CORP., Judgment against the state in Evergreen Plaza Investors vs. Washington State Higher Education Assistance Authority, et al., for breach of contract .....	\$	7,937.70
(5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart .....	\$	24.74
(6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Seeze vs. Thomas Marion Wright .....	\$	92.00
(7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka .....	\$	200.00
(8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge .....	\$	774.70
(9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account .....	\$	204,120.00
(10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman .....	\$	522.94
(11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges .....	\$	33,940.00
(12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	211.27
(13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	90.39
(14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU.' .....	\$	44,771.68

(15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment.' .....	\$	20,000.00
(16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch .....	\$	110.00
(17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board .....	\$	107.00
(18) BURRELL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: 'By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department' .....	\$	13,000.00
(19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit .....	\$	1,100,000.00
(20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	167.84
(21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	421.77
(22) MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund .....	\$	1,488.99
(23) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief. ....	\$	10,290.00
(24) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief. ....	\$	1,182.00
(25) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment entered on December 28, 1978: PROVIDED, That the department shall seek reimbursement of not less than \$4,100,000 from federal matching funds .....	\$	8,200,000.00

NEW SECTION. Sec. 172. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) For design and construction of a building to provide industrial space for the state printer. State-owned land shall be given first consideration for site selection.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	7,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	7,000,000	7/80

(2) Complete remodeling and renovation of Old Capitol Building and provide for increased costs due to delays.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		3,558,000	713,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	4,271,000	9/82

(3) Complete remodeling and renovation of Insurance Building—Phase II.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		986,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	—0—	1,000,000	1/82

(4) Provide for increased costs due to delays in remodeling and renovation of Insurance Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		554,000	834,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	1,388,000	1/82

(5) Complete air conditioning of west campus buildings.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		687,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	—0—	1,087,000	6/81

(6) Complete capitol campus safety circulation and master plan implementation and provide for cost increases: PROVIDED, That the department of general administration shall insure in the demolition of the courthouse that the artwork in the front of the building (the eagles) is not destroyed or damaged and such items shall be made available to the city of Tenino.

Reappropriation	Appropriation
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GF, Cap Bldg Constr Acct—State		532,000	277,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
43,000	-0-	852,000	6/81

(7) Install hardware to monitor energy consumption in state offices.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		300,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
655,000	-0-	955,000	6/81

(8) Replace power house equipment.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	126,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	126,000	6/81

(9) Miscellaneous repairs and renovations on the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		300,000	885,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
157,150	-0-	1,342,150	6/81

(10) Various mechanical and electrical repairs on the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	951,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	951,000	6/81

(11) Major electrical—rewire old buildings, rebalance and install new panels, and revise campus loop system.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		-0-	2,722,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,722,000	6/81

(12) Elevator and escalator repairs and modifications.



		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		—0—	506,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	506,000	7/82

(13) Correct garage and plaza leaks—Phase I.

		Reappropriation	Appropriation
GF, Cap Purch & Dev Acct—State		—0—	590,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	220,000	810,000	6/85

(14) Clean and seal exterior of Legislative Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		—0—	357,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	357,000	6/80

(15) Complete construction of Office Building No. 2.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		35,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
171,700	—0—	207,000	6/80

(16) Rehabilitate Capitol Lake by dredging lake bottom, disposing of sediment, and constructing settling basin and waterway improvements.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		65,000	—0—
General Fund—ORA (Int. 215)		56,000	—0—
General Fund—ORA (LWCF)		55,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,845,300	—0—	2,022,000	6/80

(17) Install central chiller plant, air conditioning, and remodel legislative facilities.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		12,000	—0—
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
41,000	-0-	53,000	6/80

(18) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		60,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
140,000	-0-	200,000	6/80

(19) To provide minor building alterations or renovations for section 504 handicapped access compliance to existing facilities on or surrounding the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000	6/81

(20) To construct visitor parking facilities and an information center on the west capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	266,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	266,000	6/81

**NEW SECTION. Sec. 173. FOR THE MILITARY DEPARTMENT**

(1) Construct and equip a 600-man armory at Camp Murray.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		225,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	-0-	525,000	7/79

(2) Acquire land for 400-man armory in Vancouver.

		Reappropriation	Appropriation
General Fund—State		50,000	-0-
GF, State Bldg Constr Acct—State		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	563,000	6/81

(3) Provide preconstruction funds to plan for federally funded or partial federally funded projects state-wide.

		Reappropriation	Appropriation
General Fund—State		10,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
29,000	20,000	59,000	6/85

(4) Acquire land for 200-man armory in Walla Walla.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	138,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	622,000	770,000	9/83

(5) Replace furnace fire units at various armories.

		Reappropriation	Appropriation
General Fund—State		—0—	59,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	59,000	6/81

(6) Schematic planning for future projects.

		Reappropriation	Appropriation
General Fund—State		—0—	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	30,000	70,000	6/85

(7) Provide for minor construction and site improvement projects.

		Reappropriation	Appropriation
General Fund—State		56,000	70,000
GF, State Bldg Constr Acct—State		36,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,330	85,000	248,230	6/85

**NEW SECTION, Sec. 174. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE AND SUPPORT SERVICES PROGRAM (HEADQUARTERS)**

(1) To construct and equip community social and health services facilities (Referendum 29).

Reappropriation	Appropriation
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GF, LIRA, DSHS Fac		4,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,800,000	-0-	25,000,000	7/81

(2) To repair and improve utilities and facilities—Omnibus.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,900,000	-0-	300,000	2,458,000
		4,658,000	6/81

(3) To provide contingency expenses on department of social and health services construction projects.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
497,000	-0-	5,000	-0-
		502,000	9/79

(4) To provide for preplanning funds on future construction projects.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
80,000	-0-	103,000	750,000
		933,000	6/81

(5) To provide for demonstration design and testing for solar heating and energy conservation in department of social and health services construction.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
586,000	-0-	130,000	-0-
		716,000	1/80

(6) To provide for renovation at the Northern State facility to permit use for mental health programs.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
500,000	-0-	1,000,000	-0-
		1,500,000	9/79

(7) To provide new water supply facilities for Medical Lake institutions.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	520,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	520,000	4/80

(8) To provide funding for department of social and health services compliance with section 504 relating to handicapped access to facilities.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	562,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	562,000	6/81

**NEW SECTION. Sec. 175. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM**

(1) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility.

This appropriation is subject to the following conditions and limitations:

(a) The office of financial management, in consultation with the department of social and health services, senate ways and means, senate social and health services, house appropriations, and house institutions committees shall conduct a study to ascertain the desirability and feasibility of establishing an adult corrections facility on the site of the United States penitentiary on McNeil Island in lieu of the construction of a 500 bed facility. This study shall address:

- (i) site acquisition;
- (ii) survey of physical plant, including the honor camp;
- (iii) needed repairs and renovations and related costs;
- (iv) site compatibility with state needs;
- (v) potential for prison industries, education, and training programs;
- (vi) projected operating costs and staff needs; and
- (vii) comparison of the costs of utilizing the McNeil Island site versus the establishment of a new 500 bed facility;

(b) The office of financial management shall report its findings to the legislative budget committee no later than October 1, 1979.

(c) Funds appropriated in this subsection shall be expended in the following manner: No more than \$500,000 shall be allotted for site evaluation and architectural programming. Within this \$500,000 allotment, not more than \$50,000 shall be expended to conduct the required study of McNeil Island. The remainder of this appropriation shall not be expended until the legislative budget committee has reviewed the McNeil Island feasibility report and approved of the site selected by the department of social and health services.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	5,429,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	27,126,000	32,555,000	6/83

(2) To construct and equip one 100-bed honor camp.

		Reappropriation	Appropriation
DSHS Constr Acct		3,275,000	-0-

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
25,000	-0-	3,300,000	7/80

(3) To renovate and open work training release facility, Geiger Field.

		Reappropriation	Appropriation
DSHS Constr Acct		600,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	620,000	1/80

(4) To remodel food service area and replace obsolete equipment, Washington State Penitentiary.

		Reappropriation	Appropriation
DSHS Constr Acct		1,993,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,993,000	1/81

(5) For remodeling of dental areas, Washington State Penitentiary.

		Reappropriation	Appropriation
CEP & RI Acct		145,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	145,000	6/80

(6) To improve security, facilities, and utilities, Washington State Penitentiary.

		Reappropriation	Appropriation
DSHS Constr Acct		101,000	5,924,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
57,000	6,966,000	13,048,000	6/84

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility.

		Reappropriation	Appropriation
DSHS Constr Acct		100,000	5,275,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
53,000	1,690,000	7,119,000	6/83

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary.

		Reappropriation	Appropriation
DSHS Constr Acct		321,000	1,073,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	1,412,000	3/81

(9) To provide fire and safety improvements, Washington State Penitentiary.

		Reappropriation	Appropriation
General Fund—State DSHS Constr Acct		13,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
138,000	-0-	900,000	1/81

(10) To renovate and expand Industries Building, Washington State Penitentiary.

		Reappropriation	Appropriation
General Fund—Federal DSHS Constr Acct		-0-	414,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	719,000	11/80

(11) To renovate and convert gang showers to individual showers, Washington State Penitentiary.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	402,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	402,000	3/81

(12) To construct and equip maximum security facility, Washington State Reformatory.

		Reappropriation	Appropriation
DSHS Constr Acct		8,600,000	1,654,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,800,000	-0-	12,054,000	7/81

(13) To provide fire and safety improvements, Washington State Reformatory.

		Reappropriation	Appropriation
DSHS Constr Acct CEP & RI Acct		-0-	1,304,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
27,000	-0-	1,681,000	9/81
(14) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,524,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,524,000	2/82
(15) To repair perimeter walls, Washington State Reformatory.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	617,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	617,000	11/80
(16) To provide three prefabricated steel buildings, Washington State Reformatory.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	386,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	386,000	8/80
(17) To purchase and install an electronic perimeter security system, Washington Corrections Center.			
		Reappropriation	Appropriation
DSHS Constr Acct		200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
176,000	-0-	376,000	7/79
(18) To construct and equip 120-bed medium security unit, Washington Corrections Center.			
		Reappropriation	Appropriation
DSHS Constr Acct		42,000	3,361,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
25,000	-0-	3,427,000	9/81
(19) To renovate and repair roofs, Washington Corrections Center and Purdy Treatment Center.			
		Reappropriation	Appropriation



DSHS Constr Acct		255,000	458,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
521,000	-0-	1,234,000	8/80

(20) To construct and equip multipurpose building, Pine Lodge Correction Center.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	248,000	4/81

**NEW SECTION. Sec. 176. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

(1) To expand and upgrade water system, Mission Creek Youth Camp.

CEP & RI Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	-0-	45,000	6/80

(2) For remodeling of dormitories, Mission Creek Youth Camp.

CEP & RI Acct		Reappropriation	Appropriation
DSHS Constr Acct		13,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	308,000	6/80

(3) To renovate and replace steam plant, Maple Lane School.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	3,005,000	10/81

(4) To construct and equip multiservice building, Maple Lane School.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date
			2,640,000

6/30/79	Thereafter		
-0-	-0-	2,640,000	1/82

(5) To renovate and repair roofs, Maple Lane School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	321,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	321,000	9/80

(6) To provide fire and safety improvements, Maple Lane School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	318,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	318,000	10/80

(7) To replace security windows, Maple Lane School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	231,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	231,000	9/80

(8) To renovate and repair roofs, Green Hill School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	502,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	502,000	9/80

(9) To construct and equip academic/vocational/gymnasium building, Naselle Youth Camp.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,851,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,851,000	5/81

**NEW SECTION. Sec. 177. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM**

(1) To provide matching funds to construct and equip a mental health wing at Children's Orthopedic Hospital.

Reappropriation	Appropriation
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DSHS Constr Acct		177,000	-0-
General Fund—Federal		289,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,723,000	-0-	2,189,000	4/80

(2) To improve security of the mentally ill offenders facility at Eastern State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	-0-	100,000	9/79

(3) Construct covered fuel storage and conveyor system, Western State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		350,000	230,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,000	-0-	584,000	4/80

(4) To renovate for accreditation, Western State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		1,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	-0-	1,500,000	1/80

(5) Design, construct, and equip 225-bed facility for nonoffender populations, Western State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		372,000	21,293,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
328,000	-0-	21,993,000	6/82

(6) Design, construct, and equip 130-bed modular facility for nonoffender populations, Eastern State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		100,000	12,035,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	-0-	12,335,000	7/82

## (7) Renovate per accreditation requirements, Eastern State Hospital.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	487,000	6/81

## (8) Preliminary design and working drawings to construct elevated water tower, Western State Hospital.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	-0-	50,000	9/79

## (9) Repair roofs, Western State Hospital.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,031,000	12/80

**NEW SECTION. Sec. 178. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM**

## (1) Repair and upgrade utilities, Phase III, Fircrest School.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,200	-0-	3,890,000	1/82

## (2) Enclose courtyards, Fircrest School.

CEP & RI Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	146,000	4/80

## (3) Renovate laundry, Fircrest School.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
-0-	-0-	-0-	422,000

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	422,000	4/81
(4) Renovate heating and ventilation system, Interlake School.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	527,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	527,000	8/81
(5) To upgrade utilities and complete Phase I, Rainier School.			
		Reappropriation	Appropriation
DSHS Constr Acct		1,400,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,791,432	-0-	3,191,432	6/81
(6) To design, construct, and equip Phase II, Rainier School; to include residential units, developmental training centers, renovation, site and utility improvements, and demolition.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	10,344,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	10,344,000	20,688,000	6/83
(7) To replace roofs at Rainier School.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	564,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	564,000	9/80
(8) Roof repair for Cerebral Palsy Center, Rainier School.			
		Reappropriation	Appropriation
DSHS Constr Acct		-0-	379,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	379,000	2/80
(9) Supplemental funding to complete construction and provide equipment for Phase I, Lakeland Village.			
		Reappropriation	Appropriation
DSHS Constr Acct		500,000	1,412,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,240,000	-0-	6,152,000	4/80

(10) To design, construct, and equip residential units and provide site renovation, demolition, and utility renovation; Phase II, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	9,421,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	9,421,000	3/82

(11) Design and construction funds for Yakima Valley School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,546,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,193,000	3,739,000	8/82

(12) Land acquisition, design through working drawings for ninety-bed facility, and construction of one fifteen-bed cottage with site work at Frances Haddon Morgan Children's Center.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,167,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	5,073,000	6,240,000	6/83

(13) To renovate and repair facilities and utility system, School for the Blind.

		Reappropriation	Appropriation
DSHS Constr Acct		212,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
171,000	-0-	383,000	4/80

(14) To renovate kitchen, primary area, and administration building, School for the Blind.

		Reappropriation	Appropriation
General Fund—State		1,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
319,000	-0-	320,000	4/80

(15) Renovation of Primary and Administration buildings, Phase II, School for the Blind.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	619,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	619,000	4/80

(16) New water service, School for the Blind.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	139,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	139,000	11/79

(17) To remodel former superintendent's residence, School for the Deaf, to provide a recreation center for senior high students.

		Reappropriation	Appropriation
CEP & RI Acct		28,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	30,000	9/79

(18) To provide fire and safety improvements and a secondary source of power, School for the Deaf.

		Reappropriation	Appropriation
General Fund—State		38,000	-0-
CEP & RI Acct		41,000	-0-
DSHS Constr Acct		-0-	381,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,000	-0-	472,000	7/80

**NEW SECTION. Sec. 179. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) To provide fire safety and health improvements at the Veterans' Home and Soldiers' Home including construction of a 78-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home.

		Reappropriation	Appropriation
General Fund—Federal		752,000	-0-
CEP & RI Acct		45,000	-0-
DSHS Constr Acct		353,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
6,471,633	-0-	7,621,633	9/79

(2) To replace boilers, Soldiers' Home.

		Reappropriation	Appropriation
General Fund—State		151,000	758,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,000	—0—	927,000	7/82

(3) To repair and improve utilities and facilities—Omnibus.

		Reappropriation	Appropriation
CEP & RI Acct		—0—	705,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	705,000	6/81

(4) To conduct a study on alternative and cost-effective methods of providing laundry service to the Veterans' Home, such study to be submitted to the legislature prior to January 1, 1981.

		Reappropriation	Appropriation
CEP & RI Acct		—0—	25,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	25,000	9/81

(5) To construct activities therapy facility, Veterans' Home.

		Reappropriation	Appropriation
CEP & RI Acct		—0—	347,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	347,000	9/80

NEW SECTION. Sec. 180. FOR THE JAIL COMMISSION

		Reappropriation	Appropriation
GF, LJICA		—0—	106,000,000

NEW SECTION. Sec. 181. FOR THE DEPARTMENT OF ECOLOGY

(1) To drill four test-observation wells in the 1979-81 fiscal period and additional wells as required in ensuing bienniums.

		Reappropriation	Appropriation
General Fund—Emergency Water Project Revolving Fund—State		—0—	400,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
781,000	1,060,000	2,241,000	6/81



(2) Construct sanitary facilities at various state parks and department of social and health services institutions to include sewage and sink waste disposal and sewage treatment facilities.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Ref. 26)			
		2,928,000	181,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,806,000	—0—	4,915,000	6/81

(3) Construct water supply facilities at various state parks to ensure adequate supplies of water which meet water quality standards.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Ref. 27)			
		490,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
247,000	—0—	737,000	6/81

**NEW SECTION. Sec. 182. FOR THE STATE PARKS AND RECREATION COMMISSION**

(1) Modernization and improvements of various state parks—State-wide.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)			
		2,290,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,664,000	—0—	5,954,000	6/81

(2) Acquisition and development of recreation sites—State-wide: PROVIDED, That the commission place first priority on the completion of development of recreation sites.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)			
		876,000	—0—
General Fund—ORA (Ref. 28)			
		1,671,000	—0—
General Fund—ORA (Int. 215)			
		12,000	—0—
General Fund—ORA (Ref. 18)			
		84,000	—0—
General Fund—ORA (ATV)			
		48,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,512,000	—0—	4,203,000	6/81

(3) Funds required to pay unanticipated expenditures such as emergency repairs of existing facilities, contract cost overruns, and acquisition of inholdings, easements, etc.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)			
		109,000	191,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	6/81

(4) Acquire approximately 122 acres of land at Dash Point south of Dash Point State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)			
		-0-	118,000
General Fund—ORA (LWCF)			
		187,000	117,000
General Fund—ORA (Ref. 18)			
		188,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	610,000	1/80

(5) Develop Phase I of St. Edward day-use recreational facilities.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)			
		-0-	379,000
General Fund—ORA (LWCF)			
		-0-	125,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,975,700	3,479,400	6/85

(6) To install insulation for residences located in various parks throughout the system.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)			
		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	150,000	6/81

(7) Acquire approximately 330 acres and three miles of river bank at Green River Gorge.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)			
		-0-	516,000
General Fund—ORA (LWCF)			
		-0-	516,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
3,200,000	768,000	5,000,000	6/85

(8) Acquire approximately 80 acres and 1,500 feet of lakefront at Pearrygin Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	187,000
General Fund—ORA (LWCF)		-0-	187,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	1,000,000	1,524,000	6/85

(9) Acquire inholdings at Conconully State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	8,000
General Fund—ORA (LWCF)		-0-	8,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,000	7/80

(10) Renovate and expand day use facility for ocean beach access at Copalis and Joe Creek.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	187,000
General Fund—ORA (LWCF)		-0-	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	373,000	11/80

(11) Develop 50-unit campground, roadway, and parking facilities at Green River Gorge.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	524,000
General Fund—ORA (LWCF)		-0-	476,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	21,000	1,021,000	4/81

(12) Construct parking area for overflow periods at Battle Ground Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	21,000
General Fund—ORA (LWCF)		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	41,000	6/81

## (13) Develop 50-unit camping area with associated facilities at Manchester.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	208,000
General Fund—ORA (LWCF)		-0-	207,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	415,000	6/80

## (14) Construct two additional boat launch ramps at Fort Canby State Park.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	44,000
General Fund—ORA (LWCF)		-0-	44,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	88,000	5/81

## (15) Develop campground facilities at Spencer Spit.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	319,000
General Fund—ORA (LWCF)		-0-	319,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	638,000	11/80

## (16) Acquire land and trail easements for trailhead facilities at Squak Mountain.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	39,000
General Fund—ORA (LWCF)		-0-	39,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	7/80

## (17) Acquire the Bradley site in central Puget Sound.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	600,000
General Fund—ORA (LWCF)		-0-	600,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,200,000	6/81

## (18) Purchase replacement play equipment for Saltwater State Park.

		Reappropriation	Appropriation
General Fund—ORA		-0-	20,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	20,000	6/81

(19) Acquire the Goldendale observatory site.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	100,000
-0-	-0-	100,000	6/81

(20) Acquire and develop a boat access on Hylebos waterway in Pierce county.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
-0-	-0-	300,000	6/81

(21) Acquire frontage at or near the abandoned townsite of Frankfort on the Columbia River.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
-0-	700,000	1,000,000	1/81

(22) Acquire additional property for Scenic Beach State Park in Kitsap county.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
-0-	-0-	350,000	6/81

(23) Acquire the Matelich site in central Puget Sound.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date
-0-	-0-	-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
-0-	-0-	350,000	6/81

6/30/79	Thereafter		
-0-	-0-	300,000	6/81
(24) Construct day-use facilities at Clallam Bay spit.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	90,000
General Fund—ORA (LWCF)		-0-	89,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	179,000	6/81
(25) Acquire additional property for Penrose Point State Park.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	350,000	6/81
(26) Acquire approximately 700 feet of waterfront and 65 acres of uplands at Haley Property.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	300,000	900,000	6/81
(27) Renovate site for Fort Worden marine interpretive center.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	32,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	32,000	6/81
(28) Renovate the day use area at Camp Wooten State Park.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	55,000
General Fund—ORA (LWCF)		-0-	54,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	109,000	6/81
(29) Acquire approximately five acres of the property known as Kubota Gardens.			

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	125,000
General Fund—ORA (LWCF)		—0—	125,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	250,000	6/81

**NEW SECTION. Sec. 183. FOR THE ART COMMISSION**

(1) To provide for the planning, acquisition, construction, remodeling, equipping, improvement, restoration, and redevelopment of visual and performing arts and museum facilities.

		Reappropriation	Appropriation
GF, Cultural Facilities Constr Acct		—0—	8,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	32,000,000	40,000,000	6/85

(2) General Fund Appropriation.....\$200,000

The appropriation contained in this subsection shall be expended for beautification, tapersy and/or murals in the house of representatives and shall be subject to the following condition and limitation: The decisions and procedures on this project shall be made in consultation with the committees on facilities of the house of representatives.

**NEW SECTION. Sec. 184. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

(1) \$5,000,000 for the planning, design, construction, furnishing and landscaping of a multi-theatre international performing arts facility designated as the 'Pacific Northwest festival facility' located in south King county in the vicinity of Federal Way. The appropriation contained in this section shall not be expended until the state is in receipt of \$15,000,000 from the federal government and/or other sources. Should federal legislation dictate that the facility be owned by the federal government, the state moneys shall be granted to such federal administering agency which is representing the federal government.

		Reappropriation	Appropriation
GF, Pacific Northwest Festival Facility Constr Acct		—0—	5,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	5,000,000	6/81

(2) To provide matching grants for the planning, design, construction, furnishing, and landscaping of two regionally based performing arts facilities, to be known as the 'Washington center for the performing arts' facility located in Thurston county within the area of the city of Olympia, and 'the Pantages theatre' facility located in Pierce county within the area of the city of Tacoma.

		Reappropriation	Appropriation
GF, Cultural Facilities Constr Acct		—0—	3,000,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	3,000,000	6/81

**NEW SECTION. Sec. 185. FOR THE DEPARTMENT OF FISHERIES**

(1) Renovate and make improvements to meet safety, health, and environmental regulations.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		455,000	841,400
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,726,000	725,000	6,747,400	6/81

(2) Provide necessary replacement and alterations to facilities at various hatchery locations state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		1,271,000	1,635,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,131,000	250,000	4,287,000	6/81

(3) Improve operation and production efficiency of existing facilities state-wide.

		Reappropriation	Appropriation
General Fund—Federal		-0-	575,000
GF, Fish Cap Proj Acct		743,000	941,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
625,000	958,000	3,755,000	6/81

(4) Complete various enhancements projects, state-wide.

		Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct		24,060,000	3,541,000
General Fund—Federal		1,024,000	650,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,125,000	-0-	34,400,000	9/81

(5) Complete various recreation projects funded through the interagency committee for outdoor recreation.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		573,000	-0-
General Fund—ORA (LWCF)		1,136,000	-0-
General Fund—ORA (Int. 215)		160,000	-0-
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
933,000	-0-	2,802,000	6/81

(6) Complete capital facility improvements to support the shellfish research and production program state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		103,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
155,000	-0-	258,000	6/80

(7) Construct four additional saltwater rearing pens for research and enhancement of juvenile lingcod and mussel cultures.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		-0-	71,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	71,000	6/80

(8) Construct artificial reef structures in ten locations in Puget Sound and Hood Canal for use by recreational fishermen.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	205,000
General Fund—ORA (LWCF)		-0-	205,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	410,000	6/81

(9) Construct wooden walkways on top of breakwater structures at Westhaven Cove Marina in Westport to improve safety and ease of access for recreational fishermen.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	62,000
General Fund—ORA (LWCF)		-0-	62,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	124,000	5/81

(10) Construct access walkway and fishing pier atop and extending from the breakwater at the Port of Peninsula Boat Basin at Nahcotta.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	61,000
General Fund—ORA (LWCF)		-0-	60,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	121,000	5/81

(11) Construct access walkway and stairs to east end of Hood Canal bridge, including sanitary facilities, parking, and artificial reef for recreational fishing.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	190,000
General Fund—ORA (LWCF)		-0-	190,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	380,000	12/80

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek. Upon completion of construction, the department of fisheries shall contract with the state parks and recreation commission for operation of the facility with no user fee charged for use by the general public.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	323,000
General Fund—ORA (LWCF)		-0-	322,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	645,000	3/80

(13) Develop parking area for 100 cars for use with Edmonds fishing pier.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	14,000
General Fund—ORA (LWCF)		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	3/80

(14) Complete construction of Seattle and Tacoma fishing piers.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	245,000
General Fund—ORA (LWCF)		-0-	245,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	490,000	9/80

**NEW SECTION. Sec. 186. FOR THE DEPARTMENT OF GAME**

(1) Critical resource acquisition, acquire lands for wildlife habitat, wildlife recreation, and public hunting state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		6,000	-0-
General Fund—ORA (Ref. 28)		64,000	-0-
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
83,000	-0-	153,000	6/80

(2) Critical resource development, develop lands to provide recreational opportunities for the public state-wide.

	Reappropriation	Appropriation
General Fund—ORA (LWCF)	56,000	-0-
General Fund—ORA (Ref. 28)	90,000	-0-
General Fund—ORA (Int. 215)	40,000	-0-

  

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
54,000	-0-	240,000	12/79

(3) Freshwater shorelands development, development of facilities to provide public access to inland waters state-wide.

	Reappropriation	Appropriation
General Fund—ORA (LWCF)	3,000	-0-
General Fund—ORA (Ref. 28)	55,000	-0-
General Fund—ORA (Int. 215)	63,000	-0-

  

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
89,000	-0-	210,000	12/79

(4) Naches Hatchery, water supply development for raceways and hatcheries.

	Reappropriation	Appropriation
Game Fund—State	107,000	-0-

  

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
30,000	-0-	137,000	10/79

(5) To construct pollution abatement facilities at the Beaver Creek Hatchery.

	Reappropriation	Appropriation
Game Fund—Federal	561,000	-0-

  

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	581,000	10/79

(6) To construct an equipment and storage shop at Wells Wildlife Recreation Area.

	Reappropriation	Appropriation
Game Fund—Local	14,000	-0-

  

Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
18,000	-0-	32,000	12/79

(7) To construct a seed storage facility at McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Federal		1,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	3,000	12/79

(8) To construct habitat area and wildlife recreation area boundary fencing state-wide.

		Reappropriation	Appropriation
Game Fund—State		29,000	-0-
Game Fund—Federal		110,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
48,000	-0-	187,000	11/79

(9) To construct shop and storage area for equipment at the McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—State		2,000	-0-
Game Fund—Federal		7,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	-0-	18,000	12/79

(10) Remodel existing storage area at Olympia warehouse to provide additional office space and parking.

		Reappropriation	Appropriation
Game Fund—State		100,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	-0-	109,000	10/79

(11) Sell Auburn Game Farm and distribute existing facilities to Whidbey Island, South Tacoma, and Lewis County Game Farms.

		Reappropriation	Appropriation
Game Fund—State		235,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	235,000	6/81

(12) Relocate Auburn shop activities to Olympia after sale of Auburn Game Farm.

		Reappropriation	Appropriation
Game Fund—State		200,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	200,000	6/81

(13) Provide for repair or replacement under emergency conditions.

		Reappropriation	Appropriation
Game Fund—State		—0—	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	200,000	300,000	6/81

(14) Replace 29 sets of outdoor toilets located on game department access areas state-wide.

		Reappropriation	Appropriation
Game Fund—State		—0—	163,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	198,000	361,000	6/81

(15) Provide sedimentation basins at five hatcheries that will collect solid waste from used water for pollution control.

		Reappropriation	Appropriation
Game Fund—State		—0—	218,000
Game Fund—Federal		—0—	22,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	240,000	7/80

(16) Construct an 8-foot high chain link fence to protect rainbow broodstock from vandalism and theft at Tokul Creek Hatchery.

		Reappropriation	Appropriation
Game Fund—State		—0—	11,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	11,000	12/79

(17) Purchase fishing sites and easements to mitigate the fishery loss related to Wells Dam construction.

		Reappropriation	Appropriation
Game Special Wildlife Account		—0—	69,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	69,000	6/81

(18) Design and construct a three bedroom residence with garage, utilities, and roadway plus holding pen for 750 birds at Wells WRA.

		Reappropriation	Appropriation
Game Special Wildlife Account		-0-	108,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	108,000	9/80

(19) Repair pipeline from Lake Whatcom that supplies hatchery with production water.

		Reappropriation	Appropriation
Game Fund—State		-0-	36,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	36,000	9/80

(20) Provide for maintenance and construction of boundary, drift and habitat area fencing and property surveys.

		Reappropriation	Appropriation
Game Fund—Federal		-0-	146,000
Game Fund—State		-0-	49,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	481,000	676,000	7/81

(21) Replace 80 wood troughs and supports at Lake Whatcom Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	38,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	38,000	3/80

(22) Repair or replace fish screens at lake outlets preventing out migration of planted trout.

		Reappropriation	Appropriation
Game Fund—Federal		-0-	53,000
Game Fund—State		-0-	18,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	71,000	6/81

(23) Replace old holding pens, brooder runs, and woven wire fencing to prevent game bird escapement.

		Reappropriation	Appropriation
Game Fund—State		-0-	195,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	526,000	721,000	4/81

(24) Replace three wood wall dirt bottom raceways with three 10-foot by 100-foot concrete raceways at South Tacoma Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	67,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	67,000	3/81

(25) Repair leaks in hatchery pond and raceways at Arlington Hatchery.

		Reappropriation	Appropriation
Game Fund—State		-0-	49,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	49,000	5/81

(26) Replace roofing at Skamania Hatchery.

		Reappropriation	Appropriation
Game Fund—Federal		-0-	18,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	18,000	6/81

(27) Provide preplanning and design funds for future biennia capital projects.

		Reappropriation	Appropriation
Game Fund—State		-0-	50,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	100,000	150,000	6/81

(28) Construct small parking area and related user facilities at Scatter Creek WRA.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	11,000
General Fund—ORA (LWCF)		-0-	11,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	22,000	9/79

(29) Construct parking area, launch ramp, and related user facilities at Lake Ki in Snohomish county.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	36,000
General Fund—ORA (LWCF)		-0-	36,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	72,000	7/80

(30) Redevelop and construct boat launching facilities at Potholes Reservoir, Campbell Lake, Fazon Lake, Burke Lake, Badger Lake, Loon Lake, Humpulips River, Chambers Lake, and Snohomish River.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	15,000
General Fund—ORA (Int. 215)		-0-	258,000
General Fund—ORA (LWCF)		-0-	272,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
39,000	-0-	584,000	6/81

(31) Construct parking area and related user facilities at Tokul Creek.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	12,000
General Fund—ORA (LWCF)		-0-	12,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	24,000	11/80

(32) Construct an 'A' Frame warming hut designed to provide essential facilities for snowmobilers during cold or emergency conditions.

		Reappropriation	Appropriation
General Fund—State		-0-	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	9/80

(33) Construct .34 acre parking area surface with ballast at Wooten WRA.

		Reappropriation	Appropriation
General Fund—State		-0-	14,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
-0-	-0-	14,000	7/80

(34) Construct a one-half acre parking area and install timber bridge for snowmobilers at Sherman Creek WRA.

		Reappropriation	Appropriation
General Fund—State		-0-	19,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	19,000	7/80

(35) Acquire Delfeld property as an addition to Chiliwist WRA.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	159,000
General Fund—ORA (LWCF)		-0-	159,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	318,000	6/81

NEW SECTION. Sec. 187. FOR THE DEPARTMENT OF NATURAL RESOURCES

(1) Construct 15,000 square feet of lath house at the Bellingham Nursery to provide holding area for seedlings.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		30,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	30,000	10/79

(2) Webster Nursery—Land reclamation.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	50,000	10/79

(3) Upgrade domestic water systems at various locations.

		Reappropriation	Appropriation
General Fund—State		-0-	65,000
General Fund—CEP & RI Acct		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	9/80

(4) Provide for emergency exit at Olympic Area Headquarters.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	6,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	6,000	11/79

(5) Acquire and improve surplus federal installation on Budd Inlet for seaweed research laboratory.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	228,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	228,000	2/80

(6) Provides funding for implementation of Senate Bill No. 2200 (chapter 109, Laws of 1977 ex. sess.) to establish land bank.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	1,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,000,000	3,000,000	6/81

(7) Construct and improve roads and bridges into state-owned timberlands, state-wide.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	426,000
GF, Res Mgmt Cost Acct		2,240,000	1,040,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,559,000	4,000,000	9,265,000	6/81

(8) Convert arid lands into productive lands for crop growing through development or irrigation systems.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		3,770,000	1,940,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,497,000	4,000,000	12,207,000	6/81

(9) Acquire access for management of timber and agricultural lands.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	175,000
GF, Res Mgmt Cost Acct		-0-	691,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
900,000	1,300,000	3,066,000	6/81

(10) Provides shops for maintenance and repair of equipment used in the honor camp program in Skagit county.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	536,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	536,000	6/80

(11) Replace old lookout structures at rate of one per biennium.

		Reappropriation	Appropriation
General Fund—State		-0-	15,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	34,000	59,000	6/81

(12) Rebuild gas house and expand parking at Chehalis Compound.

		Reappropriation	Appropriation
General Fund—State		-0-	17,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	17,000	6/81

(13) Provide air exchange and cooling system to reduce heat buildup at Southwest Area Headquarters.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	7,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	6/80

(14) Construct roads and bridges to state lands in Cavanaugh Block.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	475,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	475,000	6/81

(15) Construct dry storage facility at Larch Mountain warehouse.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	47,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	47,000	6/80

(16) Prepare sites for commercial leases, state-wide.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		1,570,000	2,449,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
196,000	3,000,000	7,215,000	6/81

(17) Provide facilities to house three-man fire crews at Beaver and Sekiu.

		Reappropriation	Appropriation
General Fund—State		-0-	46,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	46,000	5/80

(18) Construct and improve campsites, roads, trails, and other recreation projects, including off-road vehicles and snowmobile facilities.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		733,000	-0-
General Fund—ORA (Ref. 18)		19,000	-0-
General Fund—ORA (Int. 215)		187,000	-0-
General Fund—ORA (LWCF)		412,000	-0-
General Fund—State		-0-	31,000
General Fund—ORV Acct—State		-0-	1,994,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,448,000	4,900,000	9,724,000	6/81

(19) Drill well to provide water for Ahtanum Camp.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	6,000
General Fund—ORA (LWCF)		-0-	6,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	12,000	10/79

(20) Acquire recreational property at Mount Si.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	900,000
General Fund—ORA (LWCF)		-0-	900,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	1,800,000	6/81

(21) Drill two wells and install powerline at Black Rock Irrigation Project.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000	6/81

(22) Rebuild old Mule Spur road to provide access for reforestation.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	75,000
GF, Res Mgmt Cost Acct		-0-	225,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	6/81

(23) Improve road to Elbe Hills for timber sales activities.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	405,000
GF, Res Mgmt Cost Acct		-0-	135,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	540,000	6/81

(24) Purchase materials for use in camp road maintenance programs.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	45,000	65,000	6/80

(25) Provide housing for radio equipment at Little Summit presently in old military surplus trailer.

		Reappropriation	Appropriation
General Fund—State		-0-	3,000
GF, Res Mgmt Cost Acct		-0-	4,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	3/81

(26) Reconstruct gas house and enlarge parking area at Northwest Area Headquarters Compound.

		Reappropriation	Appropriation
General Fund—State		—0—	16,000
GF, Res' Mgmt Cost Acct		—0—	17,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	33,000	12/79

(27) Construct building on Orcas Island to store fire control supplies.

		Reappropriation	Appropriation
General Fund—State		—0—	16,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	16,000	10/80

(28) Construct cyclone fencing at two area headquarter sites.

		Reappropriation	Appropriation
General Fund—State		—0—	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	33,000	3/80

(29) Construct a block masonry cold storage building to store seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		—0—	70,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	70,000	9/80

(30) Construct wells and powerline to irrigate 600 acres at Smith Irrigation Project.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		—0—	275,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	275,000	6/81

(31) Construct a block masonry cold storage facility as storage for six million seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		—0—	500,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	500,000	9/80

(32) Construct three corrugated fiberglass growing houses to protect grafted trees at seed orchard.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	97,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	97,000	2/80

(33) Improve access to large blocks of state land at Marckworth for timber removal.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	171,000
GF, Res Mgmt Cost Acct		-0-	73,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	244,000	6/81

(34) Remove dangerous abandoned structures from state tidelands.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	150,000	6/81

NEW SECTION. Sec. 188. FOR THE UNIVERSITY OF WASHINGTON

(1) To provide for the completion of the expansion and renovation of existing teaching hospital.

		Reappropriation	Appropriation
St Bldg Auth Constr Acct		180,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,413,000	-0-	12,593,000	5/79

(2) A continuation of the renovation of mechanical and electrical systems; renovation and remodeling of departmental space; elevator extension and access improvement for handicapped for Department of Chemistry and School of Pharmacy at Bagley Hall.

		Reappropriation	Appropriation
UW Bldg Acct		4,350,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	-0-	4,500,000	5/80

(3) A continuation of building systems renovation and replacement including mechanical and electrical systems, remodeling of spaces for more intensive use, and repairs to correct code deficiencies at Health Science Building.

		Reappropriation	Appropriation
UW Bldg Acct		2,800,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,800,000	3/80

(4) To construct additional locker rooms, service areas, and multipurpose gymnasium to provide comparable athletic facilities for men and women at Edmundson Pavilion.

		Reappropriation	Appropriation
UW Bldg Acct		395,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,967,000	-0-	2,362,000	7/79

(5) To construct a new building providing offices, classrooms, speech and hearing clinics, media center, library, and laboratories for School of Social Work and Department of Speech & Hearing Sciences.

		Reappropriation	Appropriation
UW Bldg Acct		5,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,450,000	-0-	6,650,000	6/80

(6) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities.

		Reappropriation	Appropriation
UW Bldg Acct		1,450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,189,000	-0-	6,139,000	6/81

(7) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	1,538,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,538,000	6/81

(8) To provide for improvements for high priority academic needs, improved energy utilization, remodeling and refurbishing of classrooms, repairs to sports facilities, and continuing real estate contract payments.



		Reappropriation	Appropriation
UW Bldg Acct		-0-	4,168,400
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	12,748,000	16,916,400	6/81

(9) To plan and construct utility projects including power plant modifications, utility extensions to new buildings, electrical distribution system improvements, supervisory control system extension and upper campus sewer separation.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	2,248,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	6,733,000	8,981,000	6/81

(10) To design laboratory facilities at Big Beef Creek.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	8/83

(11) To design a new facility to house the center for extension and continuing education.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	236,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	236,000	6/83

(12) To replace obsolete and outmoded scientific, instruction and support equipment.

		Reappropriation	Appropriation
UW Bldg Acct		-0-	5,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	6/81

(13) To remodel certain areas for the Department of Speech and Hearing Sciences when the School of Social Work vacates the building at Eagleson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	537,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	537,000	1/81

(14) To construct and equip laboratory and service facilities for instruction in biology, botany, zoology, and genetics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	10,978,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
566,000	-0-	11,544,000	9/81

(15) To provide new ventilation and air handling systems, water piping, code deficiency correction, and general upgrading at Health Sciences Building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,806,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,806,000	12/80

(16) To remodel the existing clinic to make it more usable as a practice clinic, provide professional practice instruction and better services to dental patients at Dental Clinic.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	437,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	437,000	4/80

(17) Design funds to upgrade heating, ventilation, plumbing, and electrical systems; to make code corrections; and to remodel a portion of the gym for more intensive use of space for new program emphasis at Hutchinson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	153,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,401,000	2,554,000	12/81

(18) Funds to repair or replace building systems, make safety and code corrections, replace window frames and door hardware at Health Science Building, wings E and F.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	360,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,398,000	3,758,000	6/83

(19) To construct a new mechanical room underground to serve Health Sciences Building wings E, F, and G and add some adjacent space for office use.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,580,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,580,000	6/80

(20) To restore Johnson Hall Annex to sound condition meeting current code requirements.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	5/81

(21) Design and construct two dormitories of 20 double rooms each and one apartment building with 10 one-bedroom apartments to increase student capacity at Friday Harbor.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	716,500
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	716,500	6/81

(22) To design and construct a laboratory building and dormitory at Pack Forest.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	544,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	544,000	8/81

(23) To construct a new marine studies facility.

		Reappropriation	Appropriation
UW Bldg Acct		80,000	-0-
H Ed Constr Acct		-0-	3,590,500
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
320,000	-0-	3,990,500	3/81

**NEW SECTION.** Sec. 189. FOR WASHINGTON STATE UNIVERSITY

(1) To construct and equip modifications to existing utility production and distribution systems.

Reappropriation	Appropriation
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WSU Bldg Acct		2,830,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,115,000	-0-	4,945,000	6/81

(2) To construct and equip the Computer Sciences and Mathematics Building.

		Reappropriation	Appropriation
WSU Constr Acct		431,000	-0-
St H Ed Constr Acct		1,320,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,235,000	-0-	9,986,000	12/79

(3) To construct and equip the Intercollegiate Center for Nursing Education.

		Reappropriation	Appropriation
St H Ed Constr Acct		1,084,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,648,000	-0-	5,679,000	6/80

(4) To construct and equip classroom, laboratory, and office building for veterinary sciences.

		Reappropriation	Appropriation
St H Ed Constr Acct		193,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
13,836,000	-0-	14,029,000	10/79

(5) To provide minor alterations or renovations to buildings and utilities in order to make safety improvements, increase building efficiency, or extend the useful life of facilities.

		Reappropriation	Appropriation
WSU Bldg Acct		904,000	5,041,200
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,670,775	8,600,000	16,215,975	6/81

(6) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	2,965,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	2,965,000	6/81

(7) To design, remodel, equip, and construct an addition to Wegner Hall: PROVIDED, That \$2,881,000 shall be from federal funding sources.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	5,847,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
388,000	-0-	9,116,000	7/81

(8) To design, remodel, and equip Morrill Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,952,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	1,971,000	1/82

(9) To design, construct, and equip an animal holding facility.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	2,018,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,018,000	8/82

(10) Design and construction funds to renovate portion of Fulmer Hall for research laboratories and offices.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	844,200
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
23,000	-0-	867,200	9/80

NEW SECTION. Sec. 190. FOR EASTERN WASHINGTON UNIVERSITY

(1) To construct and equip new physical education field house.

		Reappropriation	Appropriation
St H Ed Constr Acct		365,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,092,000	-0-	2,457,000	12/79

(2) To perform minor capital improvements to comply with current fire and safety codes, and provide for handicap access.

Reappropriation	Appropriation
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EWU Cap Proj Acct		178,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
278,000	-0-	456,000	6/80

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	441,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	441,000	6/81

(4) To perform minor capital improvements to correct facility deficiencies and improve utilization.

		Reappropriation	Appropriation
EWU Cap Proj Acct		360,000	2,472,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
429,000	-0-	3,925,000	6/81

(5) To construct and equip utility loop system and implement facility energy conservation improvements.

		Reappropriation	Appropriation
EWU Cap Proj Acct		163,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	165,000	6/80

(6) To design, remodel, renovate, and equip Martin Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,100,000	4/82

(7) To design, construct, and equip an aquatics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,765,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
72,000	-0-	1,837,000	2/81

NEW SECTION. Sec. 191. FOR CENTRAL WASHINGTON UNIVERSITY

(1) Alterations to facilities that will effect efficiencies in operations, extend useful life, and make needed safety correction.

		Reappropriation	Appropriation
CWU Cap Proj Acct		160,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
216,000	-0-	286,000	1/80

(2) To effect repairs and alterations to utility system for improved efficiencies, implementation of safety codes, and extension of lifetime.

		Reappropriation	Appropriation
CWU Cap Proj Acct		230,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
160,000	-0-	390,000	6/81

(3) Renovation and remodeling of vacated library building to house communications, mass media, computer sciences, special pathology, executive offices, and audio-visual services in Bouillon Hall.

		Reappropriation	Appropriation
St H Ed Constr Acct		450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,665,000	-0-	2,115,000	3/80

(4) Installation of central ventilation system to supply and exhaust air to Randall Hall.

		Reappropriation	Appropriation
CWU Cap Proj Acct		70,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	-0-	84,000	11/79

(5) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	532,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	532,000	6/81

(6) Conformance to safety health standards.

Reappropriation	Appropriation
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CWU Cap Proj Acct		100,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	119,000	6/82

(7) Modifications for the handicapped.

		Reappropriation	Appropriation
CWU Cap Proj Acct		120,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
42,000	-0-	162,000	12/79

(8) Minor renovations and additions for better facility utilization and meet changes in program needs.

		Reappropriation	Appropriation
CWU Cap Proj Acct		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
60,000	-0-	100,000	11/79

(9) Planning funds to restore and remodel Barge Hall.

		Reappropriation	Appropriation
CWU Cap Proj Acct		10,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,000	-0-	18,000	8/79

(10) Complete design of McConnell Hall for renovation and remodeling to add a multi-form theater and associated components and to remodel Wildcat Shop for computer services.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,499,000
St H Ed Constr Acct		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
261,000	-0-	3,780,000	3/81

(11) Minor capital improvements and land acquisition to upgrade university buildings, facilities, and grounds.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	2,217,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
-0-	325,000	2,542,000	6/81

(12) To improve, extend, and modify underground utilities and services.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	1,026,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,026,000	6/81

(13) To provide funding which will enable the university to share costs with the city of Ellensburg in fire pumper truck purchase.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	40,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	40,000	12/79

NEW SECTION. Sec. 192. FOR THE EVERGREEN STATE COLLEGE

(1) To construct and equip a Communications Laboratory.

		Reappropriation	Appropriation
St H Ed Constr Acct		150,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,305,000	-0-	8,455,000	6/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	136,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	136,000	6/81

(3) To provide emergency repairs and renovations for the library building.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	111,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	111,000	7/80

(4) To further develop outdoor recreation fields.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	328,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	328,000	11/80

(5) To design phase II of the college recreation center.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,119,600	3,315,000	6/83
St H Ed Constr Acct		Reappropriation -0-	Appropriation 195,400

**NEW SECTION. Sec. 193. FOR WESTERN WASHINGTON UNIVERSITY**

(1) Old Main renovation, including structural, mechanical, and electrical upgrading.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,401,000	-0-	3,504,000	6/81
WWU Cap Proj Acct		Reappropriation 103,000	Appropriation -0-

(2) To construct and equip space for technology in applied art and provided equipment for home economics.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,462,000	-0-	1,487,000	12/79
St H Ed Constr Acct		Reappropriation 25,000	Appropriation -0-

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	327,000	6/81
St H Ed Constr Acct		Reappropriation -0-	Appropriation 327,000

(4) Construct and equip south campus fields and complete deferred improvements to south campus streets, walks, lighting, and landscaping.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
107,000	-0-	2,407,000	5/81
St H Ed Constr Acct		Reappropriation -0-	Appropriation 2,300,000

(5) Improvements to academic buildings to provide for changing program requirements, improve instruction, space efficiency, and protect original investment.

WWU Cap Proj. Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
131,000	700,000	1,145,000	6/81

(6) Complete design to improve access to service facilities on south campus physical plant site including hazardous materials storage for nonacademic needs.

St H Ed Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
102,000	-0-	123,000	12/79

(7) Planning and construction funds for College of Business and Economics building.

H Ed Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,500,000	6/81

(8) Minor improvements to grounds to reduce operating costs, reduce danger from injury, increase safety, and protect original investment.

WWU Cap Proj Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	300,000	592,000	6/81

(9) Art acquisition fund.

St Bldg Auth Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,037,000	-0-	4,504,000	6/81

(10) Construct fire station for use by city of Bellingham to provide more adequate fire and ambulance equipment and personnel availability to Western Washington University.

WWU Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated	Estimated	Estimated
		-0-	808,000

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	808,000	6/81

(11) Make improvements to utility systems to reduce operating costs and increase efficiency.

		Reappropriation	Appropriation
WWU Cap Proj Acct		104,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,190,000	-0-	2,577,000	6/81

(12) Fire and physical safety improvements.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
231,000	40,000	557,000	6/81

(13) Improvements to academic facilities to protect property and equipment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	72,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	30,000	102,000	6/81

NEW SECTION. Sec. 194. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(1) Reappropriations of projects approved and funded in previous biennia.

		Reappropriation	Appropriation
General Fund—State		444,000	-0-
Com Col Cap Impvmt Acct		735,000	-0-
Com Col Cap Proj Acct		510,000	-0-
Com Col Cap Constr Acct		4,045,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,665,000	-0-	23,955,000	2/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance to be allocated to each district by the state board.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	4,329,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	4,329,000	6/81

(3) Repair and reconstruct roofs on six community college campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,083,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,083,000	1/81

(4) To complete the design, construction, and equipping of three code-compliance projects at Clark College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,209,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
124,000	-0-	2,333,000	6/81

(5) To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	1,949,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,949,000	6/81

(6) To provide for unforeseen emergency capital repairs, to be administered by the state board.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	6/81

(7) To perform community college master planning, to be administered by the state board.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	6/81

(8) To perform fire and ventilation improvements on three campuses.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	538,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	538,000	8/80

(9) To perform minor capital improvement repairs and renovations on nine campuses.

Com Col Cap Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,305,000	2/81

(10) To perform four minor utility and mechanical systems improvements at three campuses.

Com Col Cap Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	10/79

(11) To replace, repair, restore, install, and construct heating, ventilation, and air conditioning systems at five campuses.

Com Col Cap Proj Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,005,000	2/81

(12) To perform three feasibility studies for two colleges.

Com Col Cap Proj Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	104,000	4/80

(13) Design, remodel, equip, and construct an addition to the Science and Vocational Instruction facilities at Shoreline Community College.

Com Col Cap Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,043,000	5/81

(14) Design, construct, and equip a vocational instruction building for industrial electronics at Peninsula College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(15) Design, construct, and equip an addition to vocational facilities at Olympia Technical Community College.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	652,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	652,000	12/80

(16) To design a gymnasium at North Seattle.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	267,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,447,700	3,714,700	12/81

(17) To design, construct, raze, remodel, and renovate vocational facilities at the Duwamish branch of the South Seattle Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,070,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,070,000	5/81

(18) To acquire and develop land, design, remodel, and construct facilities for maintenance and vocational instruction at Centralia College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,528,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,528,000	8/81

(19) To purchase a building and land, renovate existing facilities, and design and construct a vocational building at Lower Columbia Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	4,265,000
Com Col Cap Impvmt Acct		-0-	10,000

Com Col Cap Proj Acct		-0-	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	1,867,000	6,198,000	11/82

**NEW SECTION. Sec. 195. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION**

To provide for planning, construction, remodeling, and demolition of public school facilities: PROVIDED, That of this appropriation not more than \$8,000,000 shall be to provide minor building alterations or renovations for section 504 handicapped access compliance pursuant to procedures and requirements established by the state board which shall be separate and apart from the procedures and requirements of chapter 28A.47 RCW and chapter 180-30 WAC, each as now or hereafter amended, which govern the allocation of the balance of this appropriation item: PROVIDED, That notwithstanding any provision contained in chapter 28A.47 RCW and/or RCW 28A.47.800 through 28A.47.811, inclusive, as now or hereafter amended, or any regulation of the state board of education or the state superintendent of public instruction adopted after January 1, 1979, all school districts which passed a bond issue or special levy for capital construction or capital purposes, including a vocational-technical institute, on or before April 5, 1979, shall remain eligible for state matching funds on the same basis as provided under statutes and/or state board of education regulations in effect on or before January 1, 1979, and each such district application shall receive the same priority it would have received under state law and/or state board of education rules and regulations in effect at the time any such bond issue or special levy was approved by the voters: PROVIDED FURTHER, That this condition shall apply only to bond issues or capital levies for capital purposes approved by the voters prior to April 5, 1979, and shall not be construed as preventing future modifications of space standards for districts which pass a bond issue or special levy for capital construction or capital purposes after April 5, 1979.

Com Sch Constr Fund		Reappropriation	Appropriation
		76,123,000	318,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,875,000	292,000,000	769,998,000	6/81

**NEW SECTION. Sec. 196. FOR THE STATE PATROL**

(1) Construct and equip facility for district command and detachment personnel, communications, dispatching, and VIN Inspection in Vancouver.

MV Fund—State		Reappropriation	Appropriation
		150,000	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
657,000	-0-	864,000	8/79

(2) Construct and equip weigh station facility on I-82 near the Washington-Oregon border at Plymouth to ensure truck compliance with existing laws and regulations.

MV Fund—State		Reappropriation	Appropriation
		-0-	320,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
-0-	-0-	320,000	12/80

(3) Construct VIN Inspection building at Kennewick to inspect out-of-state vehicles prior to licensing.

		Reappropriation	Appropriation
MV Fund—State		-0-	102,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	102,000	7/80

(4) Provide minor alterations and modifications to increase efficiency and useful life to existing facilities.

		Reappropriation	Appropriation
MV Fund—State		-0-	165,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	165,000	7/80

(5) Design funds for mobile radio relay sites at Octopus, Neilton Point/Salmon River Ridge, Republic, Pateros, and Okanogan.

		Reappropriation	Appropriation
MV Fund—State		-0-	3,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	1,134,000	1,137,000	6/83

(6) Design funds to construct mobile radio relay sites at Gardiner, Pullman, and Blue Mountain.

		Reappropriation	Appropriation
MV Fund—State		-0-	2,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	813,000	814,000	6/85

(7) Install chain link security fencing at Skamania, Stacker Butte, Roosevelt, Clyde, Lind, Chehalis, Kalama, Bellevue, and Gold Mountain.

		Reappropriation	Appropriation
MV Fund—State		-0-	27,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	10/79

(8) Relocate weigh station facility on SR 20 west of Mt. Vernon.

MV Fund—State		Reappropriation	Appropriation
		-0-	82,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	82,000	12/80

**NEW SECTION.** Sec. 197. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE

In accordance with RCW 43.17.200, all state agencies or departments shall expend, as a nondeductible item, out of any moneys appropriated for the original construction of any state building, an amount of one-half of one percent of the appropriation for the acquisition of works of art which may be an integral part of the structure, attached to the structure, detached within or outside of the structure, or can be exhibited by the agency in other public facilities. In case the amount shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the agency. For the purpose of this section, 'building' does not include highway construction sheds, warehouses, or other buildings of a temporary nature.

**NEW SECTION.** Sec. 198. 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 facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1979.

**NEW SECTION.** Sec. 199. The word 'agency' used herein 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 means 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 does not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

**NEW SECTION.** Sec. 200. In order to carry out the provisions of these appropriations and the state budget, the director of the office of financial management, with the approval of the governor, may:

(1) Allot all or 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 financial 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 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 appropriations or to incur a deficiency and any obligations 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; and

(4) Allot funds from appropriations in this act in advance of July 1, 1979, for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1,

1979: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1979.

NEW SECTION. Sec. 201. In the event that receipts are less than those appropriated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 200 of this act. Receipts for purposes of this section 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. 202. State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

NEW SECTION. Sec. 203. Any programs which are supported in whole or in part by federal funds shall not receive any additional state funds for the programs in the event that federal funds are reduced or eliminated for the program.

NEW SECTION. Sec. 204. Unless otherwise provided for by this act with respect to any specific agency, program, or revenue source, any receipts from federal or other sources, or from gifts or grants, in excess of estimates for the budget expenditures as approved by the legislature and which are not otherwise available for general governmental purposes, may be received and allotted by the governor in accordance with RCW 43.79.260 through 43.79.282.

NEW SECTION. Sec. 205. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of financial management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

NEW SECTION. Sec. 206. 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. 207. 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 financial management shall 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. 208. In addition to the amounts appropriated in this act for revenue for distribution, 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. 209. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 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 financial 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. 210. The chairmen of the senate committee on ways and means and the house appropriations committee shall review monthly reports of state agency expenditures prepared by the legislative evaluation and accountability program and shall advise their respective committee members of substantial deviations from an agency's allotment expenditure plan. The chairmen may request from an agency, or the office of financial management, such information as may be necessary to determine the reasons for such deviations.

NEW SECTION. Sec. 211. It is the expressed intention of the legislature that agency operational activity shall be regularly monitored by the office of financial management, under its statutory authority relating to the allotment control function, in order to limit fluctuations in the respective fiscal year spending patterns which tend to inflate the expenditures in the second fiscal year of the biennium. Particular control emphasis shall be placed on those instances in which the full time equivalent staff years authorization is deliberately delayed in order to increase the agency's full time equivalent staff years as substantiation for the second fiscal year of the ensuing biennial request. Unanticipated receipts, which are authorized by the governor and expended by any state agency, shall be allotted, monitored, and controlled.

**NEW SECTION.** Sec. 212. To obtain maximum interagency use of aircraft, the aeronautics division in the department of transportation, in accordance with chapter 39.34 RCW, is hereby authorized to lease, purchase, or otherwise acquire suitable aircraft which shall be utilized for the purposes of the department of transportation and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: **PROVIDED**, That the department of transportation 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 department of transportation and without prior approval of the director of the office of financial management.

**NEW SECTION.** Sec. 213. 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. 214. State agencies shall not receive or make a contractual agreement to receive any donation of real property or an interest therein which commits the agency to assume on a current basis or request at a future time appropriated funds for operating, development, or acquisition costs without prior approval of the legislative budget committee or the senate ways and means committee and house appropriations committee if the legislature is in session.

**NEW SECTION.** Sec. 215. Any capital improvements or capital project involving construction or major expansion of a state office facility, to include district headquarters, detachment offices, and off-campus faculty offices shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION.** Sec. 216. As used in this act the following phrases shall have the following meanings:

- (1) 'GF, Cap Bldg Constr Acct' means General Fund—Capital Building Construction Account;
- (2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
- (3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
- (4) 'General Fund—ORA (HJR 52)' means General Fund—Outdoor Recreation Account, House Joint Resolution 52;
- (5) 'General Fund—ORA (LWCF)' means General Fund—Outdoor Recreation Account, Federal Land and Water Conservation Fund;
- (6) 'General Fund—ORA (Int. 215)' means General Fund—Outdoor Recreation Account, Initiative 215;
- (7) 'General Fund—ORA (Ref. 28)' means General Fund—Outdoor Recreation Account, Referendum 28;
- (8) 'General Fund—ORA (Ref. 18)' means General Fund—Outdoor Recreation Account, Referendum 18;
- (9) 'General Fund—ORA (ATV)' means General Fund—Outdoor Recreation Account, All Terrain Vehicle Fund;
- (10) 'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;
- (11) 'GF, For Dev Acct' means General Fund—Forest Development Account;
- (12) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
- (13) 'GF, LJICA' means General Fund—Local Jail Improvement and Construction Account;
- (14) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;

- (15) 'DSHS Constr Acct' means State Social and Health Services Construction Account;
- (16) 'CEP & RI Acct' means Charitable, Educational, Penal, and Reformatory Institutions Account;
- (17) 'MV Fund—State' means Motor Vehicle Fund—State;
- (18) 'WSU Bldg Acct' means Washington State University Building Account;
- (19) 'St H Ed Constr Acct' means State Higher Education Construction Account;
- (20) 'H Ed Constr Acct' means Higher Education Construction Account;
- (21) 'Off/Lab Constr Acct' means Office/Laboratory Construction Account;
- (22) 'Com Sch Constr Fund' means Common School Construction Fund;
- (23) 'EWU Cap Proj Acct' means Eastern Washington University Capital Projects Account;
- (24) 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;
- (25) 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;
- (26) 'Com Col Cap Proj Acct' means Community College Capital Projects Account;
- (27) 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;
- (28) 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account;
- (29) 'UW Bldg Acct' means University of Washington Building Account;
- (30) 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;
- (31) 'WWU Cap Proj Acct' means Western Washington University Capital Projects Account;
- (32) 'WSU Constr Acct' means Washington State University Construction Account;
- (33) 'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;
- (34) 'GF, Pacific Northwest Festival Facility Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account; and
- (35) 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. 217. Expenditure of moneys appropriated by section 172 of this act shall be made in consultation with the prior approval of the state capitol committee in accordance with the provisions of chapter 79.24 RCW. In addition, the department of general administration shall consult with and obtain the approval of the joint legislative committee on capitol facilities prior to expenditure of moneys appropriated by this section on projects involving capitol buildings occupied wholly or in part by the legislature.

**NEW SECTION.** Sec. 218. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 219. Reappropriations shall be limited to the unexpended balances remaining June 30, 1979, in the current appropriation for each project.

**NEW SECTION.** Sec. 220. The governor, through the director of the office of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

Nothing in this section shall prevent the governor, through the director of the office of financial management, from authorizing the transfer of appropriation authority for capital projects for the parks and recreation commission, department of fisheries, department of game, department of natural resources, and the interagency committee for outdoor recreation which utilize the following funds: General Fund—ORA (Ref. 28), General Fund—ORA (Ref. 18), General Fund—ORA (Int. 215), and General Fund—ORA (LWCF). The governor, through the director of the office of financial management, may authorize similar transfers which utilize General Fund—ORA (HJR 52) funds, but only with the prior approval of the senate ways and means committee and the house appropriations committee if the legislature is

in session, or the legislative budget committee if the legislature is not in session. Such transfers shall only be made to maximize the use of the funds within the limits of the appropriations.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 221. Agencies shall fill 50% of state general fund supported positions vacated by reason of death, retirement, resignation, termination, or extended leave of absence after the effective date of this act. The director of the office of financial management may authorize the filling of vacant positions at a rate which exceeds the percentage specified in this section if such additional employment is critically necessary to ensure the public health, safety, or welfare of the citizens of the state. The office of financial management shall in conjunction with the department of personnel and the higher education personnel board establish procedures which will result in a system of position control and will cause to be reverted funds not expended as a result of this act.

**NEW SECTION.** Sec. 222. 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. 223. 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 July 1, 1979."

Representatives Blair, Nelson (G.A.), Taller, Van Dyken, and Polk spoke in favor of the amendment, and Representatives Bagnariol, Thompson, Ehlers, Becker, Charnley, Pruitt, Smith (D), Heck, Grimm, Douthwaite, Kreidler, Vrooman and King spoke against it.

Mr. Blair spoke again in favor of the amendment, and it was adopted.

On motion of Mr. Blair, the following amendment to the title was adopted:

On page 1, line 1 of the title after "Adopting" strike the remainder of the title and insert "the budget; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; designating effective dates for certain appropriations; providing an effective date; and declaring an emergency."

House Bill No. 516 was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 516 was placed on final passage.

Mr. Patterson demanded an oral roll call vote, and the demand was sustained.

Mr. O'Brien spoke against passage of the bill.

#### POINT OF ORDER

Speaker Berentson: "Is the speaker talking about the budget or is he talking on a Point of Personal Privilege? I would suggest he address his remarks to the budget."

The Speaker (Mr. Amen presiding): "Representative O'Brien, will you address your remarks to the passage of the budget please?"

Mr. O'Brien concluded his remarks against passage of the bill.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Speaker Berentson.

Speaker Berentson: "Representative O'Brien, I just want to know if it's going to hurt when you vote against this budget that contains the tapestries and murals that we've talked about? I know you've wanted to beautify the Chamber."

Mr. O'Brien: "Actually, Speaker Berentson, that's the really only intelligent and good thing about this budget, the fact you've kept the \$200,000 in it."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 516, and the bill passed the House by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representative Hughes.

Engrossed House Bill No. 516, having received the 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. Polk, Engrossed House Bill No. 516 was ordered immediately transmitted to the Senate.

### MESSAGE FROM THE SENATE

May 25, 1979

Mr. Speaker:

The Senate has adopted:

#### HOUSE CONCURRENT RESOLUTION NO. 20,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### POINT OF PERSONAL PRIVILEGE

Speaker Bagnariol: "I changed my vote from 'No' to 'Aye' as my promise indicated earlier. I do not care for the budget which just passed this House, but in an effort to try to be cooperative and see if we can bring this session to a conclusion, I changed my vote and voted for a budget I didn't care for. There's been a lot of talk about the level of spending on this budget—a lot of rhetoric on the part of the Republicans about a 35% increase over the last biennium and we've passed a budget now that's about 34—some percent increase over the last biennium. I congratulate Representatives Bond and Polk and the other conservatives in the Republican caucus for being really devoted to that kind of level of spending. I think it's perhaps the first time in some of your lives that you've ever had to vote for a budget. In the six years I spent in the minority, I voted almost every session; the Democrats had to join with the Republicans when they were in the majority to get them to get a budget passed. In 1971, there were about eleven Democrats who joined with the Republican majority to help them pass their budget because they could not get the demagogues in their own party to vote for it.

"We now have a budget over in the Senate; they'll look at it over the weekend. Senator Donohue will take a close look at this budget, analyze it and again we'll start talking on Tuesday and see if we can come to some resolve so we can adjourn this session sine die as soon as possible."

### POINT OF PERSONAL PRIVILEGE

Speaker Berentson: "I think it should be pointed out that we've been here on this budget procedure now a long time and we've come from a lot of different directions. I recall a couple of months ago when many of you on that side of the aisle were taking the position against full funding for many reasons, many of them were legitimate. I think what has happened here, as time has gone on, is that there was a strong feeling, even among Senators, that maybe if the revenue were going to continue to pour in as it has, even though now it is starting to trail off, that maybe a way to take care of that extra revenue was to move toward full funding. I want to point out that this compromise, as you can see, was a true compromise. There were many people on this side of the aisle who were very unhappy with the prospect of voting for this budget and, had we gone the other way, I think there would have been some people who would have been very unhappy should that have occurred, also.

"I would like to point out that this budget, in general funds, is \$80 million below the Governor's level. The Governor saw fit early in the session to defend her level. Sure, there's some inflationary factors that have to be taken into consideration since last December, and, in fairness, we're willing to look at some of those. I would point out that we are doing a couple of things here, again remembering that this does not absolutely close the door on a possible negotiated approach to full funding, but we're \$165.9 below the Senate. When we add the employee

attrition factor, we think it's good as a factor in excess of \$36 million to get to the \$202 million. Again, remember we are not doing what the Senate did in taking the \$66 million with the one-time property tax shift to fund full funding; we're leaving that in limbo, so you're looking at an overall potential as a working document in excess of \$268 million. We consider it a worthwhile effort. We realize that many of you people are not happy with it and some of us over here are not happy with it for various reasons, but we hope the Senate will take a look at this document and perhaps it can be the factor that will lead us to a negotiation that will be fruitful and we can get out of here early next week."

**MOTION**

On motion of Mr. Polk, the House adjourned until 1:30 p.m., Tuesday, May 29, 1979.

**JOHN BAGNARIOL**, Spekaer  
**DUANE BERENTSON**, Speaker

**DEAN R. FOSTER**, Chief Clerk  
**VITO T. CHIECHI**, Chief Clerk



## SEVENTIETH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 29, 1979.

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Barr, Chandler, Galloway, Granlund, Martinis, Schmitt, Smith (R) and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rene Lord and Dan Khile. Prayer was offered by The Reverend James H. Blundell 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

May 25, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 320,  
SECOND SUBSTITUTE HOUSE BILL NO. 418,  
SUBSTITUTE SENATE BILL NO. 2097,  
SUBSTITUTE SENATE BILL NO. 2374,  
SUBSTITUTE SENATE BILL NO. 2415,  
SUBSTITUTE SENATE BILL NO. 2794,  
SENATE BILL NO. 3117,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2338, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 25, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2402, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

HOUSE CONCURRENT RESOLUTION NO. 20,  
SUBSTITUTE SENATE BILL NO. 2097,  
SUBSTITUTE SENATE BILL NO. 2374,  
SUBSTITUTE SENATE BILL NO. 2415,  
SUBSTITUTE SENATE BILL NO. 2794,  
SENATE BILL NO. 3117.

May 25, 1979

Mr. Speaker:

The Senate has receded from its amendment to SUBSTITUTE HOUSE BILL NO. 768 on page 3, line 36, and has passed the bill with the remaining Senate amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 768 without the Senate amendment to page 3, line 36.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 768 without the Senate amendment to page 3, line 36, and the bill passed the House by the following vote: Yeas, 77; nays, 0; not voting, 21.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, May, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman.

Not voting: Representatives Addison, Barnes, Barr, Bender, Chandler, Dunlap, Eberle, Eng, Galloway, Knowles, Martinis, Maxie, McDonald, McGinnis, Oliver, Sanders, Schmitt, Smith R., Van Dyken, Whiteside, Winsley.

Substitute House Bill No. 768 without the Senate amendment to page 3, line 36, having received the 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. King, the House advanced to the seventh order of business.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 554, by Committee on Social and Health Services (originally sponsored by Representatives Adams, Whiteside, Brekke, Erickson, Gruger, Nelson (D), Kreidler, Haley, Pruitt, Valle, Burns, Gallagher, Lux, Becker, Salatino, Keller, Ehlers, Sherman, King, Blair, Brown, Isaacson, Sommers, Charnley and Maxie):

Assisting shelters for victims of domestic violence.

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

On motion of Mr. Adams, the rules were suspended, and Substitute House Bill No. 554 was returned to second reading for the purpose of amendment.

On motion of Mr. Taller, the following amendment was adopted:

On page 5, line 25 strike "Twenty-five" and insert "Fifty"

Substitute House Bill No. 554 was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 554 was placed on final passage.

Representatives Brekke and Whiteside 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. 554, and the bill passed the House by the following vote: Yeas, 76; nays, 7; not voting, 15.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Dawson, Deccio, Douthwaite, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Garrett, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, May, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Scott, Sherman, Smith C. P., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Clayton, Craswell, Flanagan, Hastings, Newhouse, Polk, Struthers.

Not voting: Representatives Barr, Chandler, Dunlap, Eng, Galloway, Granlund, Martinis, Maxie, McDonald, McGinnis, Oliver, Sanders, Schmitt, Smith R., Van Dyken.

Engrossed Substitute House Bill No. 554, having received the 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. 1207, by Representatives Gruger, Houchen, Galloway and Brekke:**

Establishing a demonstration project to assess the feasibility of day care centers for certain children in danger of being abused or neglected.

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

Representatives Gruger and Houchen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1207, and the bill passed the House by the following vote: Yeas, 79; nays, 4; not voting, 15.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, May, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Clayton, Craswell, Nisbet, Williams.

Not voting: Representatives Amen, Barr, Bauer, Chandler, Galloway, Granlund, Knowles, Martinis, Maxie, McDonald, McGinnis, Oliver, Schmitten, Smith R., Van Dyken.

House Bill No. 1207, having received the 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 did not vote on either Substitute House Bill No. 554 or House Bill No. 1207, and would now like to cast a "yes" vote for each of the bills as presented for third reading and final passage.

MICHAEL R. MCGINNIS, 6th District.

#### MOTIONS

On motion of Mr. King, Engrossed Substitute House Bill No. 554 and House Bill No. 1207 were ordered transmitted immediately to the Senate.

Mr. King moved that the House revert to the sixth order of business.

Mr. Polk spoke against the motion, and Mr. King spoke in favor of it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to revert to the sixth order of business, and the motion was lost by the following vote: Yeas, 43; nays, 44; not voting, 11.

Voting Yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Gallagher, Garrett, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting Nay: Representatives Addison, Amen, Barnes, Berentson, Blair, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, Mitchell, Nelson G.A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Smith C.P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Galloway, Granlund, Martinis, Maxie, McDonald, McGinnis, Schmitten, Smith R., Van Dyken.

#### POINT OF ORDER

Ms. Sommers: "Mr. Speaker, Engrossed Senate Bill No. 2466 is not properly before us. It is not appropriations-related, revenue-related or related to energy or any of the other subject matters provided in our rules."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

## MOTION

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

## SECOND READING

HOUSE BILL NO. 1000, by Representatives Oliver, McCormick, Nelson (D), Amen, Sanders, Haley, Barr, Clayton and Fuller:

Lowering the excise tax on alcohol-gasoline fuels.

The bill was read the second time.

On motion of Ms. McCormick, Second Substitute House Bill No. 1000 was substituted for House Bill No. 1000, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1000 was read the second time.

On motion of Mr. Knowles, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 1000 was placed on final passage.

Mr. Oliver 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. 1000, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Nelson D.

Not voting: Representatives Barr, Chandler, Dunlap, Galloway, Granlund, Martinis, Schmitt, Smith R., Van Dyken.

Second Substitute House Bill No. 1000, having received the 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. 1064, by Representative North:

Relating to appropriations.

The bill was read the second time.

On motion of Mr. Blair, Substitute House Bill No. 1064 was substituted for House Bill No. 1064, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1064 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1064 was placed on final passage.

Mr. 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. 1064, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Galloway, Granlund, Martinis, Schmitt, Smith R., Van Dyken.

Substitute House Bill No. 1064, having received the 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. 2071**, by Committee on Transportation (originally sponsored by Senators Henry, Wanamaker and Conner – by Department of Licensing request):

Increasing motor vehicle dealer and manufacturer fees and eliminating restrictions on dealer plates.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2071 was placed on final passage.

Mr. Wilson spoke in favor of passage of the bill, and Mr. Struthers spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2071, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 44; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Berentson, Brekke, Brown, Burns, Charnley, Douthwaite, Eng, Erak, Erickson, Fuller, Gallagher, Garrett, Gruger, Heck, Houchen, Hughes, Hurley, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., North, O'Brien, Salatino, Sanders, Sherman, Sommers, Taylor, Thompson, Valle, Walk, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Becker, Blair, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Fancher, Flanagan, Greengo, Grimm, Haley, Hastings, Isaacson, Jovanovich, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Scott, Smith C. P., Sprague, Struthers, Taller, Teutsch, Tilly, Tupper, Vrooman, Whiteside, Williams, Winsley.

Not voting: Representatives Barr, Chandler, Galloway, Granlund, Martinis, Schmitt, Smith R., Van Dyken.

Substitute Senate Bill No. 2071, having failed to receive the constitutional majority, was declared lost.

**ENGROSSED SENATE BILL NO. 2165**, by Senators Talley, Henry and Guess:

Replacing authority for the department of transportation to approve airport sites.

The bill was read the second time.

#### POINT OF ORDER

Mr. Eberle: "Mr. Speaker, I believe this bill is not properly before us."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

With the consent of the House, Mr. Eberle withdrew his Point of Order.

#### MOTION

On motion of Speaker Berentson, further consideration of Engrossed Senate Bill No. 2165 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2273**, by Committee on Local Government (originally sponsored by Senators Talley, Sellar and Woody):

Modifying the provision for trust funds deposited with the clerk of the superior court.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 30th Day ex. sess., April 19, 1979.)

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

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2273 as amended by the House was 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 Engrossed Substitute Senate Bill No. 2273 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, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Douthwaite, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Deccio, Dunlap, Flanagan, Galloway, Granlund, Martinis, Schmitten, Smith R., Van Dyken.

Engrossed Substitute Senate Bill No. 2273 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. 2429, by Senators Lysen, Moore, Vognild and Morrison:

Clarifying administrative provisions of the public employment relations' commission.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 16th Day ex sess., April 5, 1979.)

Mr. Lux moved adoption of the committee amendment.

Representatives Lux, King and Clayton spoke in favor of the committee amendment, and Representatives Ehlers, Taller and Sommers spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Senate Bill No. 2429, and the amendment was not adopted by the following vote: Yeas, 35; nays, 55; not voting, 8.

Voting yea: Representatives Bagnariol, Barnes, Becker, Bond, Brown, Clayton, Douthwaite, Erak, Fancher, Flanagan, Fuller, Gallagher, Garrett, Hurley, Jovanovich, Keller, King, Lux, Maxie, May, McCormick, Monohon, Nelson G. A., Newhouse, North, O'Brien, Patterson, Salatino, Scott, Smith C. P., Taylor, Teutsch, Vrooman, Warnke, Whiteside.

Voting nay: Representatives Adams, Addison, Amen, Bauer, Bender, Berentson, Blair, Brekke, Burns, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erickson, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Knowles, Kreidler, McDonald, McGinnis, Mitchell, Nelson D., Nisbet, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Sherman, Sommers, Sprague, Struthers, Taller, Thompson, Tilly, Tupper, Valle, Walk, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Galloway, Granlund, Martinis, Schmitten, Smith R., Van Dyken.

Mr. Bender moved adoption of the following amendment by Representatives Bender and Blair:

On page 4, line 3 after "chapter" insert "PROVIDED, That the commission shall maintain offices throughout the state in such a manner as to make its services available to the greatest number of employees and employers possible. Including and in addition to its principal office, the commission shall maintain offices in Seattle, Spokane and the Yakima-Pasco-Richland-Kennewick area.

There is appropriated from the general fund for the biennium ending June 30, 1981, the sum of seventy-five thousand dollars or so much thereof as shall be necessary to operate and staff the Seattle office and to provide support services for the branch offices."

Representatives Bender, Blair and Lux spoke in favor of the amendment, and Representatives Taller, Clayton and Zimmerman spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bender and Blair to Engrossed Senate Bill No. 2429, and the amendment was not adopted by the following vote: Yeas, 38; nays, 52; not voting, 8.

Voting yea: Representatives Bagnariol, Bauer, Bender, Blair, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Gallagher, Garrett, Greengo, Gruger, Heck, Jovanovich, Keller, King,

Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Salatino, Scott, Sherman, Sprague, Teutsch, Valle, Warnke.

Voting nay: Representatives Adams, Addison, Amen, Barnes, Becker, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Fuller, Grimm, Haley, Hastings, Houchen, Hughes, Hurley, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Sommers, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Galloway, Granlund, Martinis, Schmitt, Smith R., Van Dyken.

#### MOTION FOR RECONSIDERATION

Mr. Bender, having voted on the prevailing side, moved that the House reconsider the vote by which the Bender/Blair amendment was not adopted.

Representatives King and Lux spoke in favor of the motion, and Representatives Zimmerman and Ehlers spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the Bender/Blair amendment to Engrossed Senate Bill No. 2429, and the motion was lost by the following vote: Yeas, 44; nays, 45; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Clayton, Douthwaite, Eng, Erak, Fancher, Flanagan, Gallagher, Garrett, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, O'Brien, Salatino, Sanders, Scott, Smith C. P., Sommers, Teutsch, Valle, Vrooman, Warnke, Whiteside, Winsley.

Voting nay: Representatives Addison, Amen, Berentson, Blair, Bond, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erickson, Fuller, Greengo, Grimm, Haley, Hastings, Houchen, Hughes, Hurley, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Walk, Williams, Wilson, Zimmerman.

Not voting: Representatives Barr, Chandler, Galloway, Granlund, Martinis, Schmitt, Sherman, Smith R., Van Dyken.

Engrossed Senate Bill No. 2429 was passed to Committee on Rules for third reading.

#### MOTION FOR RECONSIDERATION

Mr. Patterson, having voted on the prevailing side, moved that the House reconsider the vote by which Substitute Senate Bill No. 2071 failed to pass the House.

Representatives Patterson and O'Brien spoke in favor of the motion, and Mr. Struthers spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Substitute Senate Bill No. 2071 failed to pass the House, and the motion was carried by the following vote: Yeas, 66; nays, 21; not voting, 11.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Clayton, Dawson, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Garrett, Grimm, Gruger, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Newhouse, North, O'Brien, Oliver, Patterson, Pruitt, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Becker, Bond, Craswell, Dunlap, Eberle, Fancher, Greengo, Haley, Hastings, Jovanovich, McGinnis, Nelson G. A., Nisbet, Rohrbach, Sprague, Struthers, Taller, Tilly, Vrooman, Williams.

Not voting: Representatives Amen, Barr, Chandler, Galloway, Granlund, Martinis, Owen, Polk, Schmitt, Smith R., Van Dyken.

#### MOTION

On motion of Mr. King, further consideration of Substitute Senate Bill No. 2071 was deferred, and the bill was ordered placed at the top of tomorrow's third reading calendar.

SENATE BILL NO. 2508, by Senators Bottiger and Day:

Pertaining to insurance premium taxes.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Bill No. 2508 was placed on final passage.

Representatives Sommers and Rohrbach spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2508, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Galloway; Granlund, Martinis, Schmitt, Smith R., Van Dyken.

Senate Bill No. 2508, having received the 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. 2744**, by Committee on Ways and Means (originally sponsored by Senators Goltz, Shipoch and Benitz):

Implementing law relating to state student financial aid program and making additional appropriation therefor.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 53rd Day ex. sess., May 12, 1979.)

#### MOTION FOR RECONSIDERATION

Mr. Grimm moved that the House reconsider the vote by which the Committee on Appropriations' amendment was adopted.

The motion was carried.

Speaker Bagnariol stated the question before the House to be the amendment by Committee on Appropriations.

Representatives Grimm, Blair and Douthwaite spoke against the amendment, and it was not adopted.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 13th Day ex. sess., April 2, 1979.)

Mr. Grimm moved adoption of the committee amendment.

The Clerk read the following amendment by Representative Barnes to the committee amendment:

On page 1 of the amendment, line 4 following "of" strike the remainder of the amendment through "28B.10.824" on page 1, line 11 and insert the following: "seventy-five thousand dollars or so much thereof as may be necessary to be expended exclusively for administrative costs incurred by the council for postsecondary education in carrying out the provisions of RCW 28B.10.800 through 28B.10.824."

With the consent of the House, Mr. Barnes withdrew the amendment to the amendment.

Mr. Grimm spoke against adoption of the Committee on Higher Education amendment, and the amendment was not adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2744 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2744, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett,



Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Chandler, Granlund, Martinis, Oliver, Schmitt, Smith R., Van Dyken.

Substitute Senate Bill No. 2744, having received the 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. 3126**, by Committee on Commerce (originally sponsored by Senators Talley, Wojahn and Woody):

Permitting manicurists to operate manicure shops.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3126 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 Substitute Senate Bill No. 3126, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Owen, Polk.

Not voting: Representatives Barr, Berentson, Chandler, Granlund, Martinis, Schmitt, Smith R., Van Dyken.

Substitute Senate Bill No. 3126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Ms. Galloway appeared at the Bar of the House.

**ENGROSSED SENATE BILL NO. 2763**, by Senators Talley, Jones and Gallagher:

Increasing the period for which judgments are effective and permitting revival of judgments.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2763 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2763, and the bill passed the House by the following vote: Yeas, 82; nays, 9; not voting, 7.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Becker, Ehlers, Eng, Gruger, Knowles, Pruitt, Valle, Warnke.

Not voting: Representatives Barr, Chandler, Granlund, Martinis, Schmitt, Smith R., Van Dyken.

Engrossed Senate Bill No. 2763, having received the 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. King, the House advanced to the seventh order of business.

**THIRD READING**

Speaker Bagnariol declared the House to be at ease until 4:15 p.m.

Speaker Bagnariol called the House to order.

**MOTION**

On motion of Mr. King, the House adjourned until 9:00 a.m., Wednesday, May 30, 1979.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## SEVENTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 30, 1979.

The House was called to order at 9:00 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representatives Chandler and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sarah Anderson and Barbara Cellarius. Prayer was offered by The Reverend James H. Blundell 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

May 29, 1979

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2338,  
SENATE BILL NO. 2402,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 29, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2308, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 29, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2976, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 29, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 120, and has passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

The Speaker (Mr. Newhouse presiding) declared the House to be at ease.

Speaker Berentson called the House to order.

## MOTION

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

## THIRD READING

ENGROSSED SENATE BILL NO. 2466, as amended by the House, by Senators Marsh, Clarke and Bottiger:

Pertaining to civil actions and proceedings.

The House resumed consideration of the bill on third reading.

Speaker Berentson stated the question before the House to be the Point of Order raised by Representative Sommers on May 29th.

Speaker Berentson: "The Speaker is going to rule that her point is not well taken."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Smith (R): "Mr. Speaker, I would like to inquire how it is that a bill that has no appropriation, has no revenue aspect to it, can be ruled in order at this time and be exempt from the cutoff resolution which provides that the House will not consider bills that do not have an appropriation or revenue aspect after the cutoff date?"

Speaker Berentson: "Our rules do state that when a Point of Order is brought before the body, the two speakers must agree. We have agreed that the point is not well taken, and at this point I don't think it will be necessary to go into the question of the revenue aspect."

Speaker Berentson stated the question before the House to be the final passage of Engrossed Senate Bill No. 2466 as amended by the House.

Mr. Smith (R) spoke against passage of the bill, and Representatives Scott and Newhouse spoke in favor of it.

Speaker Berentson declared the House to be at ease until 1:30 p.m.

Speaker Berentson called the House to order.

## MESSAGES FROM THE SENATE

May 30, 1979

Mr. Speaker:

The President has signed:

## HOUSE CONCURRENT RESOLUTION NO. 20,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 30, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2308,

SENATE BILL NO. 2508,

SUBSTITUTE SENATE BILL NO. 2744,

SENATE BILL NO. 2763,

SUBSTITUTE SENATE BILL NO. 2976,

SUBSTITUTE SENATE BILL NO. 3126,

SUBSTITUTE SENATE JOINT RESOLUTION NO. 120,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Speaker Berentson stated the question before the House to be the final passage of Engrossed Senate Bill No. 2644 as amended by the House.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Newhouse, since there has been some confusion raised on this bill, would you explain to me and to the body just what it contains presently as amended by the House?"

Mr. Newhouse: "The original committee bill, by error, by misquoting people who could not be at the short hearing we had late in the session, put in the language, 'not provided for in the contract, which delay...' Those words were stricken by the floor amendment and, in effect, if those words would stay in, my interpretation would be that there would be no reason for the bill. The language which was stricken would, in effect, gut the purpose of the bill."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Smith (R): "What is the ruling of the Chair with respect to the amount of time I might have to address this bill?"

Speaker Berentson: "I think I mentioned, Representative Smith, that you could have two minutes to go with the time you took to address the body in your first speech."

## POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I would like to have an explanation of that ruling. I do not believe it is consistent with our rules. A Point of Order or Point of Information is one issue and a three-minute speech is a separate issue."

## SPEAKER'S RULING

Speaker Berentson: "I would rule, Representative Sommers, that when Representative Smith took the floor he did not raise either a Point of Order or a Point of Inquiry, but did speak in opposition to the bill itself. The first time he rose, he did address the Point of Order, but the second time he spoke against the bill."

Mr. Smith (R) again spoke in opposition to the bill.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Pruitt.

Mr. Pruitt: "Representative Smith, in the law as it stands now with no damages for delay cause, in a public works' contract does this preclude a contractor's claim for compensation for specific damages resulting from identifiable cause?"

Mr. Smith (R): "Not if the owner actively interferes with the contractor in the construction process and there is a specific delay. The contractor would be allowed to recover. In specific answer to that question, there has been a court case involving a project in the Port of Tacoma in which the Port of Tacoma did something that added to the cost of the contractor and the court held that because the Port's action was not contemplated by the parties in the contract, not provided for therein, the Port was liable for those additional expenses. So the answer is yes, they would be able to collect in that circumstance."

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Newhouse, my question deals with what is the meaning of the language in the bills where it reads, '...rising out of an unreasonable delay in performance...' I know there are many possible reasons for delay in a contract, for example, bad weather might cause one, changes in the plans, architectural design, and engineering specifications. Would you give us the benefit of your thinking as to what is an unreasonable delay which would cause the contractor to be compensated?"

Mr. Newhouse: "Representative Douthwaite, I'm not sure I'm fully capable of answering that question, but in my opinion, an unreasonable delay would not be a delay of a few days. An unreasonable delay in the cases that have gone to the court have extended into a period of a month or even over a year, and not be caused by bad weather. Those delays should be anticipated by the contractor. The types of unreasonable delays of which we are speaking would usually be a matter of design. Perhaps the architects or engineers find it necessary to change the design to meet unanticipated conditions, which might extend the work time for the contractor for several months and perhaps the contractor would have to have his equipment and machinery and crews idle for that time, which is a substantial cost to that contractor. These are the types of delays of which we speak."

Representatives Douthwaite and Lux spoke against the bill, and Mr. McGinnis spoke in favor of it.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Smith, change orders have been alluded to but not adequately explained, at least as far as my understanding of it. I understand that matters arise that require a reopening of the contract, and if that's so and there is such a process, how is that accomplished?"

Mr. Smith (R): "Earlier Representative Newhouse indicated that what we're talking about here with this bill is delays that are substantial; that take a lot of time to correct, and he mentioned they are usually design or architectural interpretations. Every construction contract—the Association of Architects have a form contract that is most generally used, but every variation of that—has a provision in it so that if there is a change order there has to be

an amendment to the contract. Basically the parties have to look at the change order; the contractor agrees or gives a bid for what it will cost to do that; there are negotiations on the cost of the change order and they agree. It has been done in writing and they go ahead. Then they have a new contract price because there is additional compensation for any change order that requires additional work. The illustration of that, again, is the most recent case of the Nels Mortenson Construction Co. vs. Seattle Group Health. In that case there were some one hundred forty claims by the contractor for additional damages, seventy-eight of which were change orders and the compensation for all of those change orders amounted to almost \$600,000. The contractor agreed to do that work for the \$600,000, went ahead and did it and five months after completion of construction filed a law suit seeking additional compensation for damages due to delay on those change orders—change orders he had already been paid for. We're not talking about design errors or corrections or anything like that. In fact, in the Nels Mortenson case, the contractor admitted that all of the errors and discrepancies that resulted in the additional work were corrected by change orders. The point Mr. McGinnis raised about the environmental impact, and so on, where they paid an additional \$31,000 to the contractor who was delayed because the contractor had not secured a building permit as required in the contract. He was still paid extra for the delay."

Mr. Newhouse again spoke in favor 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, 65; nays, 28; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Greengo, Grimm, Hastings, Heck, Houchen, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tupper, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Becker, Brekke, Brown, Burns, Charnley, Douthwaite, Galloway, Garrett, Granlund, Gruger, Hughes, Jovanovich, Lux, Martinis, Monohon, Nelson D., North, O'Brien, Patterson, Pruitt, Sherman, Smith R., Sommers, Thompson, Tilly, Valle, Vrooman, Warnke.

Not voting: Representatives Chandler, Flanagan, Haley, McDonald, Van Dyken.

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.

**SUBSTITUTE SENATE BILL NO. 2071**, by Committee on Transportation (originally sponsored by Senators Henry, Wanamaker and Conner – by Department of Licensing request):

Increasing motor vehicle dealer and manufacturer fees and eliminating restrictions on dealer plates.

The House resumed consideration of the bill on final passage.

Speaker Berentson stated the question before the House to be reconsideration of final passage.

Representatives Martinis and Wilson spoke in favor of the bill, and Mr. Barnes spoke against it.

Mr. Martinis spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2071, and the bill passed the House by the following vote: Yeas, 78; nays, 16; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Clayton, Dawson, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barnes, Bond, Craswell, Eberle, Ehlers, Jovanovich, Lux, McGinnis, Nelson D., North, O'Brien, Rohrbach, Rosbach, Taller, Warnke.

Not voting: Representatives Chandler, Haley, McDonald, Van Dyken.

Substitute Senate Bill No. 2071, having received the 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. Polk, the House reverted to the sixth order of business.

#### SECOND READING

#### MOTION

Mr. Sanders moved that the Committee on Revenue be relieved of HOUSE BILL NO. 1182, and the bill be placed on the second reading calendar.

Mr. Sanders spoke in favor of the motion.

#### POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Eberle.

Mr. Eberle: "Representative Craswell, as you know I testified in favor of this bill before the Revenue Committee, and very frankly, I've been surprised it has not come before us on the floor of this body. Would you please review the history of House Bill No. 1182 from your perspective as Co-Chairwoman of the Revenue Committee?"

Ms. Craswell: "Yes, Representative Eberle, this bill did have a hearing in the committee. There were people there to testify and it was pointed out by those who testified that the intent of this was to return the surplus revenue to the taxpayers. The Legislature had set tax rates last session to cover the appropriations in the budget they passed but due to the economy we all saw what happened. Those tax rates brought in approximately \$400 million more than the Legislature had anticipated and that was \$400 million more than we needed, more than we had spent in the budget. Since then we've spent about \$50 million of it in the supplemental budget, but we still have about \$350 million that was not planned on. The intent of this bill was to bring..."

#### POINT OF ORDER

Mr. Smith (R): "Representative Craswell is not talking about the history of the bill in the Revenue Committee."

Speaker Berentson: "I think she is being rather careful to reply to the question by Representative Eberle as to what the history of the bill in committee has been. If she will do that and not address the bill itself, we'll let her continue."

Ms. Craswell: "I'd just like to say that a good case was made by those who testified that this money belongs to the taxpayers and should be returned to them. It did not pass out of committee, but I think perhaps it is time we took a second look at the bill for new reasons. We've all seen that as long as there's extra money laying around, the budget just grows and grows to spend all that's available. I think it's time we realize that the best way to hold the budget down is to hold down revenues."

Mr. Eberle spoke in favor of the motion.

#### POINT OF ORDER

Speaker Bagnariol: "On a motion to remove a bill from committee, the issue of the bill itself is not debatable. I think Representative Eberle is way off base in his remarks regarding what he thinks is a good measure."

Speaker Berentson: "Representative Eberle, would you try to limit your remarks to the motion."

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

#### POINT OF ORDER

Speaker Bagnariol: "You're on the rostrum. Don't let Representative Eberle get carried away with himself. We all realize he was here once before 1965, but that doesn't give him the privilege..."

Speaker Berentson: "Speaker Bagnariol, make your remarks to your point of order please."

Speaker Bagnariol: "My point of order is that Representative Eberle is violating the rules, and you'd better uphold them."

Speaker Berentson: "Representative Eberle is being very careful as to how he addresses this motion. I assume you were taking a little leeway when you retraced the legislative history of Representative Eberle, also. Please conclude your remarks, Representative Eberle."

Mr. Eberle concluded his remarks in favor of the motion.

#### POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Rohrbach.

Mr. Rohrbach: "Representative Craswell, I'm sure this bill was studied in the Revenue Committee as to its fiscal impact. Would you advise me what the impact of this bill would be?"

Ms. Craswell: "Yes, the fiscal impact of the bill as it is, unamended, would be \$296.5 million; however, I should point out that for every one-tenth of a cent..."

#### POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, it's truly against our rules to discuss the merits of a bill. This bill was discussed in committee and it was defeated in the committee as being fiscally irresponsible. I don't think the Co-Chairwoman of the committee can now go into the merits of this proposal. It's clearly in violation of Reed's Rule 120. The main question is open for discussion if the bill comes out of committee, but not beforehand."

Speaker Berentson: "Representative O'Brien, she was merely replying to a question and that question dealt with the revenue impact of the bill which I think is necessary if we are going to consider removing the bill from committee."

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

Speaker Berentson: "Representative Craswell, if you will keep your remarks to the motion and conclude rather quickly."

Ms. Craswell: "The fiscal impact of the bill as it is written is \$296.5 million and I want to point out that for every one-tenth of a cent change it has a \$59.3 impact."

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. King.

Mr. King: "Representative Sommers, Representative Craswell has just indicated that this measure would reduce the revenue to the state of \$296.5 million. Is there any budget we have passed or contemplated that would be balanced if this measure were to be adopted? The second part of my question is, what did happen in the committee? Why wasn't it brought out?"

Ms. Sommers: "I think what we have before is another illustration of minority mentality and a lack of responsibility..."

#### POINT OF ORDER

Mr. Polk: "Mr. Speaker, I think the person speaking right now is going beyond the rules of the House in referring to other members in a derogatory sense and with the terms she is using. I think she should restrict herself to talking only to the motion before us."

Speaker Berentson: "Try to keep your remarks to the motion, Representative Sommers."

Ms. Sommers: "I will try to refrain from referring to what I call the minority mentality. We have here a kind of partisan game, I believe, totally inconsistent with the forty-nine Republican votes on the Republican budget..."

#### POINT OF ORDER

Mr. Wilson: "Mr. Speaker, she is not answering the questions that were asked of her."

Speaker Berentson: "Representative Sommers, will you please speak to the motion itself."



Ms. Sommers: "One of the questions addressed to me was with regard to the comparison of a budget and this proposed tax cut of about \$300 million. You will recall the Republican budget which was voted for and supported by forty-nine Republican members was \$100 million different from this proposal. In other words, this proposal is not consistent with the forty-nine Republican votes for a budget, which only leads me to believe that it is more a partisan game because it is apparently not a responsible, consistent proposal. With regard to the action in the committee, we did hear this bill. We had some interesting testimony by a Republican precinct committeeman. There was testimony in favor of bringing this bill out. The bill was defeated on a motion for a do pass, and it was defeated with the help of a couple of Republican 'no' votes. They took the responsible vote, so I would urge you to set aside this partisan game playing and vote no on this motion."

#### POINT OF INQUIRY

Mr. Nelson (G.A.) yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Nelson, there was some talk by the last speaker regarding estimates and that sort of thing. I wonder if you would relate the present revenue estimates in the House budget that was passed last Friday to the revenue cuts envisioned in House Bill No. 1182?"

Mr. Nelson (G.A.): "Representative Hastings, the estimated available general fund revenues that we're dealing with, based on the latest figures given to me by the Department of Revenue and by the Revenue Committee of the House, indicate that we're looking at approximately \$7.2 billion. Of course, the remainder of the budget is, for the most part, federal dollars and local dollars. And this bill, if we were to pass it out of here, would put a big hole in the budget the way it's been spoken to on this floor and in the Senate. You'd have to do something with the budget as seen by this body right now coming from the Senate—either accept it as is or refuse the one-half of one percent to something less—but nonetheless you could take care of that hole by addressing some of the things that we've looked at before when we debated the House budget. It does require some deductions and you're going to end up eliminating such things perhaps, as the overexpenditure in the Jail Commission; or you may want to provide a lower income maintenance grant amount to the State of Washington, taking into consideration we're eighth in the nation now and yet your income for the citizens of the State of Washington is about fifteenth in the country, so you may want to bring these into line. We could do so and save approximately \$100 million right there. You could pick up what were proposed reductions in the Senate budget, realizing they are not reductions overall, they are totally increases from the present biennium to the future biennium, but pick up the learning/language disability students under the remediation bill and don't rely so heavily on the handicapped money. You could bring it into focus there with a reduction and you could go with the Senate level on..."

#### POINT OF ORDER

Mr. O'Brien: "Is the gentleman answering a question or making a speech?"

Speaker Berentson: "He seems to be answering a question. Representative Nelson, you have ten seconds."

Mr. Nelson (G.A.): "I think probably if you're going to cut, the thing this body considered is the attrition program in the last budget we sent to the Senate, which would, in fact, probably bring us into a position of \$37 million to possibly \$54 million in reductions. So the measure, House Bill No. 1182, could be addressed by this body and still meet the budget requirements."

Speaker Bagnariol demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives McDonald and Van Dyken.

#### MOTIONS

On motion of Speaker Bagnariol, the House dispensed with further business under the Call of the House.

Speaker Bagnariol moved that the House adjourn until 10:30 a.m., Thursday, May 31, 1979.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to adjourn, and the motion was carried by the following vote: Yeas, 49; nays, 47; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Nelson G.A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C.P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives McDonald, Van Dyken.

The House was adjourned until 10:30 a.m., Thursday, May 31, 1979.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## SEVENTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 31, 1979.

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 Representative Taylor, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Charlene Brazeau and Jeffrey Kelley. Prayer was offered by The Reverend James H. Blundell 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

May 30, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2273, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 30, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2273,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 30, 1979

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2893,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

HOUSE BILL NO. 307,  
 SUBSTITUTE HOUSE BILL NO. 768,  
 SUBSTITUTE SENATE BILL NO. 2273,  
 SUBSTITUTE SENATE BILL NO. 2308,  
 SENATE BILL NO. 2338,  
 SENATE BILL NO. 2402,  
 SENATE BILL NO. 2508,  
 SUBSTITUTE SENATE BILL NO. 2744,  
 SENATE BILL NO. 2763,  
 SUBSTITUTE SENATE BILL NO. 2976,  
 SUBSTITUTE SENATE BILL NO. 3126,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 120.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

## SECOND READING

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to relieve the Committee on Revenue of House Bill No. 1182 and place it on the second reading calendar.

The motion was carried.

HOUSE BILL NO. 1182, by Representatives Sanders, Bond and Craswell:

Lowering the retail sale's and use tax.

The bill was read the second time.

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance House Bill No. 1182 to final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 58; nays, 37; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bender, Berentson, Blair, Bond, Chandler, Charney, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Houchen, Hurley, Isaacson, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, North, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sprague, Struthers, Teller, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., O'Brien, Owen, Pruitt, Salatino, Smith R., Sommers, Thompson, Valle, Warnke.

Not voting: Representatives Clayton, Taylor, Winsley.

House Bill No. 1182 was passed to Committee on Rules for third reading.

#### SENATE AMENDMENTS TO HOUSE BILL

May 29, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 516 with the following amendments:

Strike everything after the enacting clause and insert the following:

**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, reappropriated, and authorized to be disbursed for salaries, wages, capital projects, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several funds of the state hereinafter named.

#### **NEW SECTION.** Sec. 2. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation ..... \$ 16,728,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the house ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

#### **NEW SECTION.** Sec. 3. FOR THE SENATE

General Fund Appropriation ..... \$ 14,300,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,000 shall be for the senate ethics committee.
- (2) \$8,000 shall be for western forest practices task force.
- (3) \$37,000 shall be for dues of the national conference of state legislatures.
- (4) \$42,000 shall be for dues of the council of state governments.

#### **NEW SECTION.** Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation ..... \$ 1,247,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$70,000 shall be expended for the specific purpose of conducting a management survey, program review, and/or a performance audit, as defined in RCW 44.28.085 and 44.28.086, of the Washington public power supply system and any other joint operating agencies established pursuant to chapter 43.52 RCW.

#### **NEW SECTION.** Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation ..... \$ 1,295,000

#### **NEW SECTION.** Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation ..... \$ 301,000

#### **NEW SECTION.** Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation . . . . . \$ 3,626,000

**NEW SECTION. Sec. 8. FOR THE SUPREME COURT**

General Fund Appropriation . . . . . \$ 5,306,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,568,000 shall be expended for indigent appeal cases.

**NEW SECTION. Sec. 9. FOR THE LAW LIBRARY**

General Fund Appropriation . . . . . \$ 1,386,000

The appropriation contained in this section shall be subject to the following condition or limitation: All nonstate agency users of the WestLaw system shall be charged a service fee sufficient to cover the costs of their usage.

**NEW SECTION. Sec. 10. FOR THE COURT OF APPEALS**

General Fund Appropriation . . . . . \$ 6,130,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$328,000 shall be expended for costs associated with a long-term lease for the division I court.

**NEW SECTION. Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation . . . . . \$ 10,313,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$106,000 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (2) \$5,635,000 shall be for superior court judges.
- (3) Not more than \$100,000 shall be expended for criminal cost bills, including prior claims.
- (4) The administrator for the courts together with the county and city users of the judicial information system shall prepare a report delineating a feasible plan to convert funding of the judicial information system to a user fee schedule. Such report shall be presented to the senate ways and means committee and the house appropriations committee by January 1, 1981.

**NEW SECTION. Sec. 12. FOR THE JUDICIAL COUNCIL**

General Fund Appropriation . . . . . \$ 225,000

**NEW SECTION. Sec. 13. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation . . . . . \$ 2,704,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$2,392,000 shall be used for executive operations.
- (2) Not more than \$20,000 shall be used for investigations and emergency purposes.
- (3) Not more than \$184,000 shall be used for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.
- (4) Not more than \$108,000 shall be used for mansion maintenance.

**NEW SECTION. Sec. 14. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State . . . . . \$ 176,404,000

General Fund Appropriation—Federal . . . . . \$ 24,060,000

Special Fund Salary and Insurance Contribution Increase Revolving Fund

Appropriation . . . . . \$ 61,265,000

Total Appropriation . . . . . \$ 261,729,000

The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

- (1) \$1,800,000 shall be for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency, of which not more than \$700,000 may be allocated by the governor for surveys and installations.

- (2) It is the intent of the legislature to comply with the Presidential guidelines on compensation. To this end:

- (a) Not more than \$82,916,000 of general fund moneys (including \$21,837,000 in federal funds) shall be expended to effect salary increases for state classified employees and for state employees exempt from the classified service. Not more than \$30,945,000 of this amount (including \$8,150,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an average 5.0% salary increase for these employees. Not more than \$36,397,000 of this amount (including \$9,586,000 in federal funds) shall be expended to implement the salary ranges adopted by the state personnel board from the 1978 salary survey for state classified employees and to effect comparable salary increases for state employees exempt from the classified service. These adjustments shall take effect beginning October 1, 1979. Not more than \$15,574,000 of this amount (including \$4,101,000 in federal funds) shall be expended to effect, beginning October 1, 1980, an average 6.0% salary increase for these employees.

- (b) Not more than \$36,924,000 of general fund moneys shall be expended to effect salary increases for state higher education classified employees excluding student employees not under the jurisdiction of the

state personnel board or the higher education personnel board. Not more than \$11,649,000 of this amount shall be expended to effect, beginning July 1, 1979, an average of 5.0% salary increase for these employees. Not more than \$19,269,000 of this amount shall be expended to implement the salary ranges adopted by the higher education personnel board from the 1978 salary survey. These adjustments shall take effect beginning October 1, 1979. Not more than \$6,006,000 of this amount shall be expended to effect, beginning October 1, 1980, an average of 6.0% salary increase for these employees.

(c) Not more than \$63,194,000 of general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and administrative exempt employees of the four-year units of higher education and community colleges. Not more than \$24,990,000 of this amount shall be expended to effect a 5.0% increase for faculty and administrative exempt employees effective September 1, 1979. Not more than \$25,720,000 of this amount shall be expended to effect an average 5.6% increase for faculty and administrative exempt employees, effective October 1, 1979. Not more than \$12,484,000 of this amount shall be expended to effect an average 6.0% salary increase for faculty and administrative exempt employees effective October 1, 1980. Notwithstanding any other provision of this subsection (c), a portion of each institution's other budgeted funds may be expended to fund additional actual increments or their equivalents in an amount not more than 1 and 1/2% of their respective average salary levels for each year of the biennium and no institution may grant from any fund source whatsoever any salary increase greater than that provided in this act for faculty and exempt employees.

(d) Not more than \$229,000 of general fund moneys shall be expended to effect salary increases for commissioned officers of the Washington State Patrol. Not more than \$88,000 of this amount shall be expended to effect, beginning July 1, 1979, an average 5.0% salary increase. Not more than \$97,000 of this amount shall be expended to effect, beginning October 1, 1979, an average of 6.0% salary increase. Not more than \$44,000 of this amount shall be expended to effect, beginning October 1, 1980, an average of 6.0% salary increase: PROVIDED, That no additional salary increases may be granted from any fund source greater than those authorized by this act.

(e) Not more than \$15,401,000 of general fund moneys (including \$2,223,000 in federal funds) shall be expended to effect increases in the state's maximum contribution for employee insurance benefits. Not more than \$11,000,000 of this amount (including \$1,588,000 in federal funds) shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$85.00 per month per eligible employee. Not more than \$4,401,000 of this amount (including \$635,000 in federal funds) shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$85.00 per month to \$95.00 per month per eligible employee.

(f) Not more than \$56,688,000 of special fund salary and insurance contribution increase revolving fund moneys shall be expended to effect salary increases for state classified employees, state employees exempt from the classified service, higher education classified employees, higher education faculty, higher education exempt employees, and commissioned members of the Washington State Patrol.

Increases for state classified employees and for state employees exempt from the classified service shall be calculated in accordance with the procedures outlined in subsection (2)(a) of this section. Increases for higher education classified employees shall be calculated in accordance with the procedures outlined in subsection (2)(b) of this section. Increases for higher education faculty and higher education exempt employees shall be calculated in accordance with the procedures outlined in subsection (2)(c) of this section. Increases for the commissioned officers of the Washington State Patrol shall be calculated in accordance with the procedures outlined in subsection (2)(d) of this section.

(g) Not more than \$5,058,000 of special fund salary and insurance contribution increase revolving fund moneys shall be expended to effect increases in the state's maximum contributions for employee insurance benefits. Not more than \$3,613,000 of this amount shall be expended to effect, beginning July 1, 1979, an increase in the state's maximum contribution for employee insurance benefits from \$72.50 per month to \$85.00 per month per eligible employee. Not more than \$1,445,000 of this amount shall be expended to effect, beginning July 1, 1980, an increase in the state's maximum contribution for employee insurance benefits from \$85.00 per month to \$95.00 per month per eligible employee: PROVIDED, That the funds contained in this subsection (2) (g) and (e) shall be expended exclusively for the maintenance of the level of health benefits being provided on the effective date of this act.

(h) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is hereby directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(i) The state employees' insurance board's authority and practice of expending funds in the state employees' insurance revolving fund generated by dividends and refunds to provide increased benefits or to allow reduced employee contributions is recognized, and the average contribution per employee in subsections (e) and (g) of this section shall not be construed as a restriction on such expenditures. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

**NEW SECTION, Sec. 15. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation . . . . . \$

**NEW SECTION, Sec. 16. FOR THE SECRETARY OF STATE**

General Fund Appropriation .....	\$	3,705,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$1,080,000 shall be used solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$624,000 shall be used solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$20,000 shall be expended to establish working capital for the publication revolving fund.

(4) Not more than \$157,000 shall be expended for precinct census mapping.

**NEW SECTION, Sec. 17. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation .....	\$	147,000
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**NEW SECTION, Sec. 18. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	121,000
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**NEW SECTION, Sec. 19. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	124,000
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**NEW SECTION, Sec. 20. FOR THE STATE TREASURER**

General Fund Appropriation .....	\$	10,000
Motor Vehicle Fund—State Appropriation .....	\$	31,000
State Treasurer's Service Fund Appropriation .....	\$	3,807,000
Total Appropriation .....	\$	3,848,000

The appropriations contained in this section shall be subject to the following condition or limitation: The general fund appropriation shall be distributed as provided in RCW 84.38.120 to the appropriate county and city finance officers for senior citizen and disabled property tax and special assessment deferrals authorized by chapter 84.38 RCW.

**NEW SECTION, Sec. 21. FOR THE STATE AUDITOR**

General Fund Appropriation—State .....	\$	6,041,000
General Fund Appropriation—Federal .....	\$	300,000
Motor Vehicle Fund Appropriation .....	\$	232,000
Total Appropriation .....	\$	6,573,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The state auditor shall continue supplemental security income state supplementation audits according to a priority schedule established by the department of social and health services and the office of financial management.

(2) 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. 22. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	3,355,000
Legal Services Revolving Fund Appropriation .....	\$	15,034,000
Total Appropriation .....	\$	18,389,000

**NEW SECTION, Sec. 23. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State .....	\$	10,949,000
General Fund Appropriation—Federal .....	\$	24,081,000
Total Appropriation .....	\$	35,030,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,174,000 of this appropriation shall be expended to develop a common payroll/personnel system for higher education: PROVIDED, That the four-year institutions and the community college system: (a) Establish a common core of data elements; and (b) adopt procedures to maintain commonality of the system that are acceptable to the office of financial management, the house appropriations committee, and the senate ways and means committee: PROVIDED FURTHER, That the establishment of the common core of data elements does not preclude the introduction of additional data elements at individual institutions: PROVIDED FURTHER, That a central site will process all payroll calculations and the necessary edits to ensure the commonality of data elements including personnel data, position data, and payroll data.

(2) Not more than \$75,000 shall be used for payment of assessments against state-owned land.

(3) Not more than \$1,000,000 shall be used exclusively for state budget and accounting systems development above the recurring level of system development activities funded in the base budget.

(4) Not more than \$525,000 shall be used for payment of supplies and services furnished in previous biennia.

(5) \$26,000 shall be expended to acquire 1980 bureau of the census Washington state data.

(6) \$4,000 shall be expended to acquire 1979 and 1980 bureau of the census census maps and transparencies of municipal boundaries.

(7) The office shall study and report to the next regular session of the legislature on the work orientation program.

(8) Of the law and justice federal funds included for distribution to state agencies, there shall be made available to the attorney general's office for the crime watch program \$370,000.

(9) The office of financial management shall institute procedures to abolish positions identified by the department of personnel through the retirement/vacancy program, and shall cause to be reverted the salaries and fringe benefits associated with the abolishment of such positions.

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

General Fund Appropriation .....	\$	263,000
Department of Personnel Service Fund Appropriation .....	\$	7,136,000
State Employees' Insurance Fund Appropriation .....	\$	1,229,000
Total Appropriation .....	\$	8,628,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$225,000 of the General Fund Appropriation shall be used to provide working capital for the personnel payroll system costs incurred through the department of personnel service fund.

(2) Not more than \$211,000 of the personnel service fund and 8 FTE's shall be expended for continuation of the cooperative staff utilization review program.

(3) Not more than \$166,000 of the personnel service fund and 8 FTE's shall be utilized for a pilot project directed toward the provision of personnel services for small agencies, boards, and commissions.

(4) Not more than \$38,000 from the general fund shall be expended for a study by the state employees' insurance board to evaluate the effects of including common school employees within the jurisdiction of the board. The report shall be submitted to the governor and the legislature by October 1, 1980.

**NEW SECTION. Sec. 25. FOR THE STATE CAPITOL COMMITTEE**

General Fund—Capital Building Construction Account Appropriation .....	\$	20,000
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**NEW SECTION. Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	1,023,000
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**NEW SECTION. Sec. 27. FOR THE DEFERRED COMPENSATION COMMITTEE**

General Fund Appropriation .....	\$	35,000
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**NEW SECTION. Sec. 28. FOR THE STATE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation .....	\$	991,000
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The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$200,000 shall be expended exclusively for the purpose of a computerized investment management and accounting system.

**NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$	29,298,000
State Timber Reserve Account Appropriation .....	\$	2,343,000
Motor Vehicle Fund Appropriation .....	\$	93,000
Total Appropriation .....	\$	31,734,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$400,000 of the appropriation from the state timber reserve account shall be expended exclusively to reimburse counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land: PROVIDED, That the assessor of each timbered county has provided the department of revenue with a complete listing of designated and classified land acreage and assessed value by taxing district by December 31, 1979, to qualify for reimbursement for listing of the values of forest land under RCW 84.33.117, as now or hereafter amended. Such information shall be made available to the legislature.

(2) The department shall maintain current services including advisory appraisals as required by RCW 84.41.060.

**NEW SECTION. Sec. 30. FOR THE TAX APPEALS BOARD**

General Fund Appropriation .....	\$	718,000
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**NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation .....	\$	9,526,000
Motor Transport Account Appropriation .....	\$	3,653,000
General Administration Facilities and Services Revolving Fund Appropriation .....	\$	10,996,000
Total Appropriation .....	\$	24,175,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$871,000 of the General Fund Appropriation shall only be used for replacement of motor transport division vehicles.

(2) \$1,734,000 of the General Fund Appropriation shall only be expended for the banking program and \$700,000 for the savings and loan program, and that revenues generated from fees and charges in these programs must equal or exceed expenditures.



(3) The department shall discontinue transferring agency-owned vehicles to the motor transport division until a cost benefit analysis has been prepared and approved by the senate ways and means committee and the house appropriations committee. Such analysis shall be completed by October 1, 1980, and shall identify those agency-owned vehicles that should be transferred to the motor transport division effective July 1, 1981, and a proposed method of funding the motor transport account for their depreciated value.

(4) The department of agriculture shall transfer \$8,225 from its local fund accounts to the motor transport account and the state treasurer shall transfer to the motor transport account \$4,100 from the fertilizer, agricultural, mineral and lime fund, \$4,100 from the commercial feed fund, \$34,160 from the grain and hay inspection fund, \$4,100 from the community college capital projects account, \$4,100 from the highway safety fund, and \$4,100 from the higher education personnel board service fund. These transfers shall be in accordance with schedules provided by the office of financial management.

(5) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft, whether piloted by a state employee or by an employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(6) The department of general administration, through the department of purchasing, shall analyze and review the establishment, maintenance, and operation of its central stores in relationship to inflationary trends, economies of scale, effectiveness in meeting agency needs, and financial and accounting control and report its findings and recommendation to the legislature by September 1980.

**NEW SECTION. Sec. 32. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation .....	\$	1,000
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**NEW SECTION. Sec. 33. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation .....	\$	6,023,000
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**NEW SECTION. Sec. 34. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution .....	\$	4,025,000
General Fund Appropriation for snowmobile registration fee distribution .....	\$	59,000
General Fund Appropriation for public utility district excise tax distribution .....	\$	16,243,000
General Fund Appropriation for prosecuting attorneys' salaries .....	\$	1,172,000
General Fund Appropriation for motor vehicle excise tax distribution .....	\$	44,138,000
General Fund Appropriation for local mass transit assistance .....	\$	66,602,000
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$	2,053,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$	399,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$	19,159,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$	180,969,000
Liquor Board Revolving Fund Appropriation for liquor profits distribution .....	\$	49,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties .....	\$	23,540,000
State Timber Reserve Account Appropriation for distribution to 'Timber' counties .....	\$	29,620,000
Total Appropriation .....	\$	436,979,000

**NEW SECTION. Sec. 35. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION**

Forest Reserve Fund Appropriation for forest reserve fund distribution .....	\$	64,498,000
General Fund Appropriation for federal flood control funds distribution .....	\$	26,000
General Fund Appropriation for federal grazing fees distribution .....	\$	50,000
Total Appropriation .....	\$	64,574,000

**NEW SECTION. Sec. 36. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST**

Fisheries Bond Redemption Fund 1977 Appropriation .....	\$	1,004,000
Salmon Enhancement Bond Redemption Fund 1977 Appropriation .....	\$	3,940,000
Higher Education Refunding Bond Retirement Fund 1977 Appropriation .....	\$	8,782,000
Fire Service Training Center Bond Retirement Fund 1977 Appropriation .....	\$	76,000
Highway Bond Retirement Fund Appropriation .....	\$	66,952,000
State Building Construction Bond Redemption Fund Appropriation .....	\$	4,226,000
State Higher Education Bond Redemption Fund 1977 Appropriation .....	\$	2,504,000
Public School Building Bond Redemption Fund 1959 Appropriation .....	\$	4,800,000
Emergency Water Projects Bond Retirement Fund 1977 Appropriation .....	\$	2,568,000
Public School Building Bond Redemption Fund 1961 Appropriation .....	\$	7,455,000
General Administration Building Bond Redemption Fund Appropriation .....	\$	671,000
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation .....	\$	631,000

Outdoor Recreational Bond Redemption Fund Appropriation .....	\$	2,335,000
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,456,000
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	5,890,000
Outdoor Recreational Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,712,000
Social and Health Services Bond Redemption Fund 1979 Appropriation .....	\$	2,673,000
Higher Education Bond Redemption Fund 1979 Appropriation .....	\$	1,054,000
Fisheries Bond Redemption Fund 1976 Appropriation .....	\$	767,000
Indian Cultural Center Bond Redemption Fund 1976 Appropriation .....	\$	76,000
State Building Bond Redemption Fund 1967 Appropriation .....	\$	654,000
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation .....	\$	9,510,000
Common School Building Bond Redemption Fund 1976 Appropriation .....	\$	6,879,000
Outdoor Recreational Bond Redemption Fund 1967 Appropriation .....	\$	6,255,000
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,871,000
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	9,840,000
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,453,000
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	12,558,000
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	8,902,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropria- tion .....	\$	3,737,000
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	6,002,000
Community College Capital Improvement Bond Redemption Fund 1972 Appropria- tion .....	\$	7,498,000
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,842,000
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	276,000
University of Washington Hospital Bond Retirement Fund 1975 Appropriation .....	\$	1,156,000
Washington State University Bond Redemption Fund 1977 Appropriation .....	\$	511,000
Higher Education Bond Redemption Fund 1975-76 Appropriation .....	\$	2,168,000
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,914,000
State Building Bond Retirement Fund 1975 Appropriation .....	\$	693,000
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,396,000
Social and Health Services Bond Redemption Fund 1975-76 Appropriation .....	\$	6,800,000
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	387,000
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,641,000
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,227,000
Pacific Northwest Festival Bond Redemption Fund 1979 Appropriation .....	\$	382,000
Jail Renovation Bond Retirement Fund Appropriation .....	\$	1,680,000
Common School Building Bond Retirement Fund 1979 Appropriation .....	\$	382,000
General Obligation Bond Retirement Fund Appropriation .....	\$	288,000
Total Appropriation .....	\$	249,856,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the state general obligation bond retirement fund is created by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess., any appropriation to a bond retirement or redemption fund affected by the provisions of such act shall be deemed to be appropriated to the state general obligation bond retirement fund.

#### **NEW SECTION, Sec. 37. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$	892,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$5,000 shall be expended for a pictorial directory of registered lobbyists in the state of Washington.

#### **NEW SECTION, Sec. 38. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS**

General Fund Appropriation .....	\$	409,353,000
Motor Vehicle Fund Appropriation .....	\$	27,000
Retirement System Expense Fund Appropriation .....	\$	4,694,000
Teachers' Retirement Fund Appropriation .....	\$	1,889,000
Total Appropriation .....	\$	415,963,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,694,000 shall be expended from the retirement system expense fund for the administration of the law enforcement officers' and fire fighters' retirement system and the public employees' retirement system.

(2) Not more than \$6,000 from the general fund shall be expended for the administration of the judges' retirement system and the judicial retirement system.

(3) Not more than \$27,000 from the motor vehicle fund shall be expended for administration of the state patrol retirement system.

(4) Not more than \$1,889,000 shall be expended from the teachers' retirement fund for the administration of the teachers' retirement system.

(5) Not more than \$243,600,000 from the general fund (\$67,500,000 of which shall be from general revenue sharing funds received during the 1979-81 biennium) shall be expended for contributions to the teachers' retirement system.

(6) Not more than \$493,000 from the general fund shall be expended for contributions to the judicial retirement system.

(7) Not more than \$554,000 from the general fund shall be expended for contributions to the judges' retirement system.

(8) Not more than \$164,700,000 from the general fund shall be expended for contributions to the law enforcement officers' and fire fighters' retirement system.

**NEW SECTION. Sec. 39. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation ..... \$ 880,000

**NEW SECTION. Sec. 40. UNIFORM LEGISLATION COMMISSION**

General Fund Appropriation ..... \$ 21,000

**NEW SECTION. Sec. 41. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation ..... \$ 517,000

**NEW SECTION. Sec. 42. FOR THE ATHLETIC COMMISSION**

General Fund Appropriation ..... \$ 56,000

**NEW SECTION. Sec. 43. FOR THE CEMETERY BOARD**

General Fund—Cemetery Account Appropriation ..... \$ 68,000

**NEW SECTION. Sec. 44. FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Fund Appropriation ..... \$ 1,752,000

The appropriation contained in this section shall be subject to the following condition or limitation: If there are more than five hundred sixty-seven racing days during the 1979-81 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

**NEW SECTION. Sec. 45. FOR THE LIQUOR CONTROL BOARD**

Liquor Board Revolving Fund Appropriation ..... \$ 58,425,000

**NEW SECTION. Sec. 46. FOR THE PHARMACY BOARD**

General Fund Appropriation ..... \$ 828,000

**NEW SECTION. Sec. 47. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation—State ..... \$ 11,939,000

Public Service Revolving Fund Appropriation—Federal ..... \$ 338,000

Grade Crossing Protective Fund Appropriation ..... \$ 1,457,000

Total Appropriation ..... \$ 13,734,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) \$865,000 from the grade crossing protective fund shall be used solely for obligations incurred in prior biennia.

(2) \$68,000 from the public service revolving fund—state shall be expended for railroad inspectors contingent upon receipt of federal matching funds.

**NEW SECTION. Sec. 48. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund Appropriation ..... \$ 102,000

**NEW SECTION. Sec. 49. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State ..... \$ 651,000

General Fund Appropriation—Federal ..... \$ 2,048,000

Total Appropriation ..... \$ 2,699,000

**NEW SECTION. Sec. 50. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation—State ..... \$ 5,485,000

General Fund Appropriation—Federal ..... \$ 605,000

Total Appropriation ..... \$ 6,090,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) No general fund moneys shall be expended for administration, operation or maintenance of the Washington state guard.

(2) Not more than \$206,000 of the general fund appropriation shall be expended solely for national guard educational assistance grants contingent upon chapter ... (2nd SSB 2212 or ESHB 295), Laws of 1979 1st ex. sess. becoming law.

**NEW SECTION. Sec. 51. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation ..... \$ 1,174,000

**NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

State Funding Sources ..... \$ 1,239,677,000

Federal Funding Sources .....	\$	848,298,000
Other Funding Sources .....	\$	13,433,000
Total of all Funding Sources .....	\$	2,101,408,000
Total FTE Staff Years .....		28,435

The appropriations contained in sections 53 through 65 of this act shall be subject to the following conditions and limitations:

(1) The department shall not initiate any new services beyond those authorized by appropriation in this act without approval of the office of financial management. The senate ways and means committee and the house appropriations committee of the legislature shall be advised of any approvals.

(2) Funds appropriated to programs in sections 53 through 65 of this act shall be initially allotted reflecting the fiscal assumptions and legislative intent of this act. Transfers between programs may occur only to the extent required to meet obligations deriving from federal matching requirements and legislative intent regarding federal programs as expressed in this appropriations act. Analysis of the programmatic impacts and justification of approved amendments to this plan will be conveyed by the office of financial management to the senate ways and means committee and the house appropriations committee of the legislature.

(3) The department of social and health services will cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

#### NEW SECTION, Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM

General Fund Appropriation .....	\$	114,004,000
Total FTE Staff Years .....		4,299

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,702,000 from the general fund shall be expended for community services.

(2) Not more than \$1,716,000 from the general fund and 76.0 FTE's shall be expended for intensive parole.

(3) Not more than \$15,679,000 from the general fund and 731 FTE's shall be expended for probation and parole.

(4) Not more than \$7,002,000 from the general fund and 152 FTE's shall be expended for work/training release.

(5) Not more than \$81,663,000 from the general fund and 3,259 FTE's shall be expended for institutional staffing.

(6) \$920,000 from the general fund shall be expended to contract with a nonprofit corporation to provide a diversionary program for convicted felons with prior conviction records and prior incarcerations. No felon may participate in the program if: (a) he or she has a prior conviction for any violent or inherently dangerous felony, or (b) the crime for which he or she is being diverted into the program is a violent or inherently dangerous felony. For the purposes of this section, 'violent or inherently dangerous felony' means rape in the first or second degree, robbery in the first or second degree, kidnapping in the first or second degree, assault in the first or second degree, or arson in the first degree. Prior to entering into the contract, the secretary of the department of social and health services must have assurance of the cooperation of the superior court bench of the county in which the program will be implemented. The program shall include the following:

(a) A contractual agreement between such nonprofit corporation and the felon with approval of the sentencing judge. Such agreement will describe work performance and restitution expectations, and judicial conditions and review;

(b) A fully controlled residential component;

(c) Supervision by a probation officer of the department of social and health services;

(d) Coordination of all activities by a case manager employed by such nonprofit corporation;

(e) Job development and placement services which will guarantee each participant regular employment;

(f) Specialized alcohol, drug, and counseling services; and

(g) Participation of community and corporate entities which will provide \$1,212,000 in direct and in-kind support.

(7) Not more than \$25,000 from the general fund will be expended for a program evaluation by an independent third party of the diversionary program set forth in subsection (6) of this section. Such evaluation will commence with the initiation of the contract and shall include the following:

(a) Evaluation of the intake procedures, including initial screening, final screening, the contract between the nonprofit organization and the convicted felon, and the participant selection process;

(b) Evaluation of the program elements;

(c) Evaluation of the program impact on recidivism using the measures of rearrest, type of rearrest offense, reconviction, revocation and recommitment;

(d) Evaluation of the control group;

(e) Data collection and analysis; and

(f) A cost benefit analysis.

(8) In the event chapter ... (Substitute House Bill No. 144), Laws of 1979 1st ex. sess. fails to pass, \$100,000 will be reverted to the general fund.

**NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM**

General Fund Appropriation—State.....	\$	53,665,000
General Fund Appropriation—Federal.....	\$	747,000
Total Appropriation.....	\$	54,412,000
Total FTE Staff Years.....		1,966

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$600,000 from the general fund and 50 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing within the institutions and to allow residence units not currently being utilized to be opened and staffed. Staffing patterns within the residence units will provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(2) Not more than \$30,000 shall be expended for resource development and coordination and educational program development and coordination.

(3) \$800,000 and 26 FTE staff years shall be expended for a mental health unit at Maple Lane School, except that such unit will be fully implemented and operational by September 30, 1979, except that if such unit is not implemented and operational by September 30, 1979, the operational responsibility will be transferred to the mental health division of the department of social and health services.

(4) No funds shall be expended for the lease-back of any institutional facility.

**NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM**

General Fund Appropriation—State.....	\$	98,559,000
General Fund Appropriation—Federal.....	\$	17,184,000
General Fund Appropriation—Local.....	\$	2,119,000
Total Appropriation.....	\$	117,862,000
Total FTE Staff Years.....		3,110

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$31,845,000 of which \$11,396,000 shall be from federal funds shall be expended to maintain and enhance the present level of community mental health services, except that, of this amount, \$373,000 from state funds shall be expended to continue the 'grandfathered' level of support through the 1979-81 biennium at which time this level of support shall be terminated.

(2) \$5,500,000 from state funds shall be expended for the purpose of providing staffing grant-in-aid to the nonprofit community mental health centers and to nonprofit mental health providers: PROVIDED, That no more than a total of \$200,000 may be assigned to nonprofit mental health providers.

(3) \$500,000 from state funds shall be expended to implement a program for the violent, disturbed child.

(4) \$262,000 from state funds shall be expended to maintain institutional legal services.

(5) \$302,000 from state funds shall be expended for a demonstration project providing case management, residential, and support services to chronic seriously mentally ill adults who have continual histories of admission and readmission to eastern state hospital.

(6) \$400,000 from state funds shall be expended for a demonstration project in four counties to provide full case management services.

(7) \$984,000, of which \$49,000 shall be from federal funds, and 60 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing with the state hospitals.

(8) Not more than \$250,000 shall be expended for a demonstration project to reduce the number of hospitalizations of children assessed by mental health professionals as needing hospital care, provided that the project will involve intensive in-home family crisis and education services conducted by highly-trained individuals and shall include an evaluation component to compare the outcomes with those of similar children who are hospitalized. The department shall submit this evaluation to the legislature by January 5, 1981.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM**

General Fund Appropriation—State.....	\$	99,439,000
General Fund Appropriation—Federal.....	\$	61,900,000
Total Appropriation.....	\$	161,339,000
Total FTE Staff Years.....		6,821

The appropriations contained in this section are subject to the following conditions and limitations:

(1) \$1,718,000 (of which \$859,000 shall be from federal funds) will be expended for home aide services, assuming six hundred fifty-five cases per month in fiscal year 1980 and seven hundred thirty-one cases per month in fiscal year 1981.

(2) Not more than \$682,000 (of which \$46,000 shall be from federal funds) shall be expended to increase the personal needs allowance of clients in group homes and institutions to \$32.50 per month.

(3) \$78,000 from state funds shall be expended for the provision of legal services for institutionalized persons: PROVIDED, That no moneys may be expended on deinstitutionalization lawsuits.

- (4) \$2,793,000 from state funds shall be expended solely for the purpose of providing vendor rate increases.
- (5) \$120,000 shall be used to provide protection and advocacy services for the handicapped.
- (6) Extended sheltered employment will be provided in the vocational rehabilitation program and none of the appropriations contained in this section shall be expended for such services.
- (7) Not more than \$344,000 shall be allocated for a pilot project for disturbed youth to develop a treatment program for certain youth with multiple problems that do not fit within the specific eligibility criteria of the various service programs of the department of social and health services. The department shall provide the appropriate legislative committees an evaluation and monitoring report semiannually regarding the effectiveness of this pilot project, and shall provide to the forty-seventh legislature, no later than January 5, 1981, an evaluation report containing recommendations for future programming.
- (8) Not more than \$2,946,000 shall be expended exclusively to increase compensation for group home resident care and support staff, excluding administrative staff.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State . . . . .	\$	126,830,000
General Fund Appropriation—Federal . . . . .	\$	126,152,000
Total Appropriation . . . . .	\$	252,982,000

- The appropriations contained in this section shall be subject to the following conditions and limitations:
- (1) The funds appropriated in this section shall revert immediately to the general fund if ESSB 2335 fails to be enacted.
  - (2) For fiscal year 1980, the wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.
  - (3) The wages for all employees, other than those specified in subsection (2) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.
  - (4) For fiscal year 1980, food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.
  - (5) Patient personal needs allowance limitation will be extended to \$32.50 per month.
  - (6) \$500,000 shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.
  - (7) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.
  - (8) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

General Fund Appropriation—State . . . . .	\$	122,273,000
General Fund Appropriation—Federal . . . . .	\$	121,595,000
Total Appropriation . . . . .	\$	243,868,000

- The appropriations contained in this section shall be subject to the following conditions and limitations:
- (1) The wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.
  - (2) The wages for all employees, other than those specified in subsection (1) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.
  - (3) Food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.
  - (4) Reimbursement for administration and operations will include all items not specified in subsections (1), (2), (3), (5), and (6) of this section and shall not exceed the eighty-fifth percentile of all reporting facilities, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations.

(5) Property reimbursement shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. Rental costs of leased facilities shall be reimbursed to the extent they do not exceed the upper limit of the multiple regression formula for comparable owner-operated facilities.

(6) The return of net invested equity for each facility will be determined by utilizing Medicare rules and regulations.

(7) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(8) \$500,000 shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(9) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(10) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

(11) The funds contained in this section shall revert immediately to the general fund if ESSB 2335 is enacted.

#### NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State .....	\$	314,749,000
General Fund Appropriation—Federal .....	\$	205,932,000
Total Appropriation .....	\$	520,681,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$31,928,000 (of which \$10,052,000 shall be from federal funds) shall be expended for the purposes of providing a 10.0% per year increase to all assistance grants.

(2) \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

(3) \$5,036,000 (of which \$448,000 shall be from federal funds) shall be expended solely for vendor rate increases of 7.0% per year.

(4) \$6,646,000 from state funds shall be expended for noncontinuing general assistance, except that after the recipient has been determined eligible for such assistance for six consecutive weeks, the recipient's grant will be equivalent to two times the food only standard plus twenty dollars.

(5) \$760,000 from state general funds shall be expended to provide forty-eight hours of shelter care for victims of domestic violence.

(6) \$360,000 from state general funds shall be expended to provide a variable one-time allowance for persons without resources who are discharged from a skilled nursing facility.

(7) \$900,000 of state funds and \$600,000 of federal funds shall be expended to place Kitsap county residents into Area I grant standards eligibility and pay such grants accordingly.

(8) Not more than \$1,869,000 shall be expended exclusively to increase compensation for employees of congregate care facilities, excluding administrative staff.

#### NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State .....	\$	79,755,000
General Fund Appropriation—Federal .....	\$	65,624,000
General Fund Appropriation—Local .....	\$	100,000
Total Appropriation .....	\$	145,479,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$7,404,000 (of which \$2,219,000 shall be from federal funds) shall be expended solely for vendor rate inflationary increases.

(2) \$14,194,000, of which \$10,444,000 shall be from federal funds, shall be expended for child day care payments.

(3) \$28,805,000, of which \$21,260,000 shall be from federal funds, shall be expended for the provision of adult chore service payments: PROVIDED, That:

(a) A single application and assessment of need shall be utilized in determining eligibility for and allowable amounts of all chore services. All financially eligible applicants shall have their need for said services fairly and equitably evaluated by a competent, trained person, skilled in the assessment of the conditions and needs of elderly and disabled persons. Applicants shall receive notice of the results of the assessment and informed of their right to a fair hearing as provided in RCW 74.08.070 and 74.08.080.

(b) The provision of chore services shall be coordinated to the extent practical through one agency of the department to avoid fragmentation of service delivery.

(c) All chore services shall be provided to the extent necessary to assure adequate standards of health and hygiene; to maintain a decent, clean, and safe household; and to meet independent living requirements for eligible persons as determined by the department.

(d) The department shall assure that persons eligible for chore services receive such services promptly after eligibility is determined and on a regularly scheduled basis thereafter.

(e) Chore services shall be provided on an emergency basis when regularly scheduled services have been unexpectedly interrupted.

(f) The scope, amount, and duration of services authorized shall not be changed without good cause and prior notice which informs recipients of their right to a fair hearing.

(g) The department shall assist in the recruiting, training, and supervision of workers to the extent necessary to assure that clients receive chore services reasonably qualified to perform the required tasks.

(h) The department, in carrying out its program, shall assure that payment to providers and workers performing chore services is made on a prompt and regular basis, and that all workers employed under this program are paid at least the federally established minimum wage: **PROVIDED FURTHER**, That recipients of the chore services shall be afforded the following rights and protections:

(i) No recipient shall be discriminated against for reasons of race, sex, age, marital status, language background or fluency, religion, or any mental, physical, or sensory handicap;

(ii) All recipients' rights of privacy and confidentiality shall be respected in the provision of chore services;

(iii) All recipients have the right to receive quality care provided with dignity and consideration from trained chore service workers who are able to communicate with the recipient; and

(iv) All recipients, or their legal guardians, shall have the right to take an active role in the planning and management of such services, including a reasonable choice of providers.

(4) \$161,000 from state funds shall be provided to the department of personnel alcoholism program for state employees stationed in eastern Washington, except that this program shall be initiated in eastern Washington by January 1, 1980; otherwise the funds shall revert to the general fund.

(5) \$866,000, of which \$434,000 shall be from federal funds, shall be expended to provide enhancement of the foster care program, including the establishment of a foster parent's property damage or loss fund, an increase in the clothing allowance, and a children's needs assessment.

(6) Reimbursement to private child caring agencies responsible for foster care placement shall be increased from \$33 per month per child to \$50 per month per child.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM**

General Fund Appropriation—State .....	\$	201,114,000
General Fund Appropriation—Federal .....	\$	148,435,000
Total Appropriation .....	\$	349,549,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$23,743,000 (of which \$9,628,000 shall be from federal funds) shall be expended solely for inflationary increases for hospitals.

(2) \$23,236,000 (of which \$10,307,000 shall be from federal funds) shall be expended solely for inflationary increases for medical vendors other than hospitals.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	20,556,000
General Fund Appropriation—Federal .....	\$	49,745,000
General Fund Appropriation—Local .....	\$	400,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)—Reappropriation .....	\$	10,814,000
Total Appropriation .....	\$	81,515,000
Total FTE Staff Years .....		838

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,266,000 from state funds shall be used solely for supplemental funding to kidney centers.

(2) \$400,000 from state funds will be used solely to continue the contract for the purchase of cancer research.

(3) Not less than \$674,000 (of which \$506,000 shall be from federal funds) and 42 FTE staff years shall be spent for administration of the early periodic screening, testing, diagnosis, and treatment program (EPSDT).

(a) Local offices are to provide outreach for the EPSDT program.

(b) The department shall develop a screening/billing form to be used by EPSDT providers as a requirement for payment.

(c) The department shall develop a reporting system which will enable follow-up to the EPSDT diagnosis and treatment process.

(d) 2 FTE's shall be used by the department for the coordination and management of the EPSDT program.

**NEW SECTION. Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	7,196,000
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General Fund Appropriation—Federal .....	\$	35,741,000
Total Appropriation .....	\$	42,937,000
Total FTE Staff Years .....		658

The appropriation contained in this section shall be subject to the following condition or limitation: \$2,871,000 of which \$2,153,000 shall be federal funds shall be expended for the extended sheltered employment program.

**NEW SECTION. Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	52,875,000
General Fund Appropriation—Federal .....	\$	33,837,000
Total Appropriation .....	\$	86,712,000
Total FTE Staff Years .....		2,951

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$14,003,000 of which \$8,359,000 shall be federal funds, and 702 FTE's shall be expended for support enforcement.
- (2) Not more than \$2,526,000 of which \$923,000 shall be federal funds, and 104 FTE's shall be expended for fair hearings.
- (3) Not more than \$17,628,000 of which \$5,371,000 shall be federal funds, and 526 FTE's shall be expended for information systems.
- (4) \$115,000 of which \$23,000 shall be federal funds shall be expended to increase the personal needs allowance to \$32.50 per month.

**NEW SECTION. Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State .....	\$	70,935,000
General Fund Appropriation—Federal .....	\$	103,001,000
Total Appropriation .....	\$	173,936,000
Total FTE Staff Years .....		7,792

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Fifty-two FTE's shall be utilized in the delinquency prevention and crisis intervention intake services.
- (2) Not more than 258 FTE staff years and \$7,852,000 (of which \$7,736,000 shall be from federal funds) shall be utilized in the disability insurance benefits section.
- (3) Not more than 306 FTE staff years and \$13,844,000 (of which \$8,901,000 shall be from federal funds) shall be utilized in the medical assistance administration program.
- (4) The department of social and health services shall obtain competitive bids from the private sector for the purpose of the administration of the dental program with medical assistance.

**NEW SECTION. Sec. 66. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund Appropriation—State .....	\$	21,357,000
General Fund Appropriation—Federal .....	\$	15,343,000
Total Appropriation .....	\$	36,700,000

The appropriations contained in this section shall be subject to the following condition or limitation: These general fund reappropriations shall be for services and supplies not in excess of the unexpended balance of the 1977-1979 allotments for such purpose.

**NEW SECTION. Sec. 67. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State .....	\$	13,386,000
General Fund Appropriation—Local .....	\$	1,593,000
Total Appropriation .....	\$	14,979,000

**NEW SECTION. Sec. 68. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$	3,976,000
General Fund Appropriation—Federal .....	\$	10,024,000
Total Appropriation .....	\$	14,000,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$7,035,000 from federal funds and 18.0 FTE staff years shall be expended exclusively to provide support to local agencies' weatherization programs.
- (2) \$200,000 from the general fund—state appropriation shall be expended and distributed to border towns within seven air miles of the Canadian border. These moneys shall be disbursed to these communities on the basis of border traffic and historical public impacts of law enforcement problems caused by the border on local budgets. No moneys in this subsection may be used by the planning and community affairs agency for its own purposes in administering these funds.
- (3) \$110,000 from the general fund—state appropriation shall be utilized for a grant to the city of Port Angeles to design, construct, and equip a marine laboratory and support facility. Such funds are contingent upon the prior receipt of \$40,000 in private, local, or federal funds.

(4) Up to \$250,000 of the appropriation shall be used exclusively for the provision of the assistance of a special prosecutor on the investigation of indictments linking local government officials to criminal operations: PROVIDED, That the total assistance provided pursuant to this section and section 11, chapter 15, Laws of 1979 shall not exceed \$300,000. To the extent possible, this appropriation shall be used to match available federal and local funds for this purpose.

(5) Not more than \$83,000 from the general fund—state appropriation shall be provided as a grant to the city of Dayton to complete the restoration of the historic depot museum and grounds.

(6) Not more than \$380,000 from the state general fund shall be expended exclusively to provide a fifty percent state match for federal funds in the community services program. In the event the federal government requires a lesser state matching rate, an appropriate amount of state general funds shall be placed in allotment reserve for the remainder of the biennium.

(7) \$140,000 of the state general fund appropriation shall be expended exclusively for the continuation of programs of the Washington association of sheriffs and police chiefs.

**NEW SECTION, Sec. 69. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State . . . . .	\$	2,967,000
General Fund Appropriation—Federal . . . . .	\$	340,000
Total Appropriation . . . . .	\$	3,307,000

**NEW SECTION, Sec. 70. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund Appropriation . . . . .	\$	82,000
Accident Fund Appropriation . . . . .	\$	1,526,000
Medical Aid Fund Appropriation . . . . .	\$	1,525,000
Total Appropriation . . . . .	\$	3,133,000

**NEW SECTION, Sec. 71. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation . . . . .	\$	3,783,000
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**NEW SECTION, Sec. 72. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State . . . . .	\$	7,778,000
General Fund Appropriation—Federal . . . . .	\$	110,000
General Fund—Crime Victims' Compensation Account Appropriation . . . . .	\$	10,000
Accident Fund Appropriation—State . . . . .	\$	28,276,000
Accident Fund Appropriation—Federal . . . . .	\$	366,000
Electrical License Fund . . . . .	\$	5,888,000
Medical Aid Fund Appropriation . . . . .	\$	24,647,000
Plumbing Certificate Fund . . . . .	\$	199,000
Pressure Systems Safety Fund . . . . .	\$	499,000
Total Appropriation . . . . .	\$	67,773,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) General fund expenditures for the Building and Construction Program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the Building and Construction Program.

(2) 30 FTE staff years may be expended for electrical licensing and regulation activity.

(3) Expenditures may be made from the general fund—electrical license account in lieu of the electrical license fund until chapter 67, Laws of 1979 1st ex. sess. (ESB 2295) takes effect.

**NEW SECTION, Sec. 73. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation . . . . .	\$	1,984,000
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**NEW SECTION, Sec. 74. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State . . . . .	\$	326,000
General Fund Appropriation—Federal . . . . .	\$	528,000
General Fund—Hospital Commission Account Appropriation . . . . .	\$	557,000
Total Appropriation . . . . .	\$	1,411,000

The appropriations contained in this section shall be subject to the following condition or limitation: If the federally funded prospective reimbursement project is extended beyond September 30, 1980, state general funds shall be placed in reserve to the extent that state funds can be replaced by federal funds.

**NEW SECTION, Sec. 75. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State . . . . .	\$	3,083,000
General Fund Appropriation—Federal . . . . .	\$	173,441,000
General Fund Appropriation—Local . . . . .	\$	684,000
Administrative Contingency Fund Appropriation—Federal . . . . .	\$	428,000
Unemployment Compensation Administration Fund Appropriation . . . . .	\$	81,180,000
Total Appropriation . . . . .	\$	258,816,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$133,000 of the general fund appropriation shall be expended for support of the Washington occupational information system.

(2) Not more than \$68,000 shall be expended for the operation and maintenance of the Buena migrant housing camp.

**NEW SECTION. Sec. 76. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State	\$	2,463,000
General Fund Appropriation—Federal	\$	5,090,000
Total Appropriation	\$	7,553,000

**NEW SECTION. Sec. 77. FOR THE JAIL COMMISSION**

General Fund Appropriation	\$	360,000
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**NEW SECTION. Sec. 78. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State	\$	1,021,000
General Fund Appropriation—Federal	\$	5,140,000
Total Appropriation	\$	6,161,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$1,167,000 of the general fund—federal appropriation shall be expended exclusively by schools, hospitals, units of local governments, and public care institutions for energy conservation programs pursuant to the provisions of the National Energy Conservation Policy Act.

**NEW SECTION. Sec. 79. FOR THE OCEANOGRAPHIC COMMISSION**

General Fund Appropriation	\$	384,000
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**NEW SECTION. Sec. 80. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State	\$	5,000
General Fund Appropriation—Federal	\$	26,000
Total Appropriation	\$	31,000

**NEW SECTION. Sec. 81. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State	\$	18,212,000
General Fund Appropriation—Federal	\$	8,907,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	15,000
General Fund—Reclamation Revolving Account Appropriation	\$	874,000
General Fund—Litter Control Account Appropriation	\$	3,344,000
Stream Gaging Basic Data Fund Appropriation	\$	197,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	100,918,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	14,146,000
General Fund—Emergency Water Project Revolving Account Appropriation (These funds will be a reappropriation of projects approved in the 1977-79 operating budget)	\$	200,000
Total Appropriation	\$	146,863,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,142,000 in state funds from this appropriation shall be expended by the department of ecology for matching purposes for activated air pollution control authorities, and if such authorities do not expend an equal amount to match these funds during the 1979-81 biennium, such unmatched unexpended state funds shall be available to the department.

(2) Up to \$1,464,000 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) \$235,000 of the general fund appropriation—state shall be expended within the field operations program for the Washington state conservation commission for ongoing commission staff functions, including those responsibilities related to the implementation phase of section 208, P.L. 92-500, the federal clean water act.

(4) On or before October 1, 1979, the department of ecology shall file with the ways and means committee of the senate and the appropriations committee of the house of representatives a master compilation by project type of those projects proposed for funding during the 1979-81 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 such committees at six month intervals during the 1979-81 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering such projects. If the department proposes to change or modify any project list on the master compilation, it shall give the senate ways and means committee and the house appropriations committee 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 such committees as soon as practicable of emergent federal action which has any effect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(5) 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.

(6) 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 provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) Not more than \$500,000 of the state general fund appropriations shall be expended for an auto emissions inspection program, contingent upon the passage of House Bill No. 298.

**NEW SECTION, Sec. 82. FOR THE POLLUTION CONTROL HEARINGS BOARD**

General Fund Appropriation ..... \$ 542,000

**NEW SECTION, Sec. 83. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL**

General Fund Appropriation—State ..... \$ 505,000  
 General Fund Appropriation—Private/Local ..... \$ 863,000  
 Total Appropriation ..... \$ 1,368,000

**NEW SECTION, Sec. 84. FOR THE SHORELINES HEARING BOARD**

General Fund Appropriation ..... \$ 41,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$19,000 is to be used exclusively for court reporting costs.

**NEW SECTION, Sec. 85. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State ..... \$ 24,749,000  
 General Fund Appropriation—Federal ..... \$ 100,000  
 General Fund Appropriation—Private/Local ..... \$ 258,000  
 General Fund—Trust Land Purchase Account Appropriation ..... \$ 2,522,000  
 General Fund—Winter Recreation Parking Account Appropriation ..... \$ 64,000  
 General Fund—Outdoor Recreation Account Appropriation ..... \$ 70,000  
 Motor Vehicle Fund Appropriation ..... \$ 800,000  
 Total Appropriation ..... \$ 28,563,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) No currently operating state park will be closed due to budgetary constraints.

(2) 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 senate ways and means committee and house appropriations committee.

(3) \$155,000 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.

(4) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase the state-owned Heart Lake property located in section 36, township 35 north, range 1 east W.M. located in Skagit county if such amount is equal to or more than the fair market value of the property.

(5) Not more than \$15,000 shall be expended for the purpose of making a grant to the port of Skagit county for the operation of the historical railway from Sedro Woolley to Concrete. Any portion of the grant not spent ending June 30, 1981, shall be returned to the general fund of the state of Washington. Any net profit, up to the amount expended in the grant to the port of Skagit county for the operation of the historical railway, but not to exceed \$15,000, earned by the railway ending June 30, 1981, shall be reimbursed to the general fund of the state of Washington.

(6) Not more than \$228,000 shall be expended for an experimental campsite reservation system for Washington residents.

(7) Not more than \$80,000 shall be expended for operation of the Goldendale observatory.

**NEW SECTION, Sec. 86. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund Appropriation—State ..... \$ 100,000  
 General Fund Appropriation—Federal ..... \$ 2,340,000  
 General Fund—State and Local Improvements Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. .... \$ 432,000  
 Total Appropriation ..... \$ 2,872,000

**NEW SECTION, Sec. 87. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation ..... \$ 27,997,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,094,000 is to be expended for administration.

**NEW SECTION. Sec. 88. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State	\$	3,777,000
General Fund Appropriation—Federal	\$	213,000
Motor Vehicle Fund Appropriation	\$	380,000
Total Appropriation	\$	4,370,000

**NEW SECTION. Sec. 89. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State	\$	35,288,000
General Fund Appropriation—Federal	\$	4,154,000
General Fund Appropriation—Private/Local	\$	1,241,000
General Fund—Lewis River Hatchery Account Appropriation	\$	28,000
Vessel, Gear, License, and Permit Reduction Fund Appropriation	\$	756,000
Total Appropriation	\$	41,467,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$348,000 of the general fund—state appropriation may be used for renovation of the Olympia office.

(2) The appropriations contained in this section shall include \$300,000 directed to a volunteer cooperative salmon enhancement program. No compensation shall be given by the department to volunteer participants in the program: PROVIDED, That fertilized salmon eggs and other necessary materials shall be furnished at no cost.

**NEW SECTION. Sec. 90. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation—State	\$	29,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	101,000
Game Fund Appropriation—State	\$	27,151,000
Game Fund Appropriation—Federal	\$	6,483,000
Game Fund Appropriation—Private/Local	\$	686,000
Game Special Wildlife Account Appropriation	\$	163,000
Total Appropriation	\$	34,613,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$42,000 of the state game fund—state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.

(2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.

(3) The department shall make no contractual agreements or receive any donation of real property or an interest therein which commits the department 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 senate ways and means committee and house appropriations committee.

**NEW SECTION. Sec. 91. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State	\$	21,652,000
General Fund Appropriation—Federal	\$	452,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	2,583,000
General Fund—Forest Development Account Appropriation	\$	10,016,000
General Fund—State Timber Reserve Account Appropriation	\$	2,338,000
General Fund—Landowner Contingency Forest Fire Suppression Account	\$	1,000,000
Appropriation	\$	1,000,000
General Fund—Resource Management Cost Account Appropriation	\$	36,994,000
General Fund—Outdoor Recreation Account Appropriation	\$	1,201,000
Total Appropriation	\$	76,236,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,842,000 of the general fund—state appropriation shall be expended exclusively for emergency forest fire suppression. Such funds shall also be available for interfund loans with the landowners forest fire suppression account.

(2) The recreation program shall be split into two elements for accounting and allotment purposes: Maintenance and capital enhancement.

(3) \$250,000 of the general fund—state appropriation shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*), knapweed (*centaurea L.*), and bindweed (*convolvulus*). The department shall provide a one-third state share for problem areas to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares, and not to exceed \$30,000 for cooperative studies for control, demonstration plots, application rates, and timing, with the department of forestry and range management at Washington State University.

(4) \$1,443,000 of the general fund—state appropriation, \$89,000 of the forest development account appropriation, and \$1,215,000 of the resource management cost account appropriation shall be expended

within the forest rehabilitation program for the operation of Clearwater, Larch Mountain, Indian Ridge, and Skagit county honor camps. However, \$264,000 of the general fund—state appropriation, \$15,000 of the forest development account appropriation, \$219,000 of the resource management cost account appropriation and 9 FTE staff years shall not be expended until the Skagit county honor camp is fully constructed and operating in conjunction with the department of social and health services.

(5) Up to \$2,000,000 of the forest development account appropriation shall be used as available in place of the resource management cost account appropriation with the replaced resource management cost account reverting to reserve not to be expended for any purpose.

(6) Not more than \$1,700 shall be expended for costs associated with the state board of geographic names.

(7) The department shall submit a report to the legislature detailing the findings of the mineral resource inventory no later than January 1, 1981.

(8) The department shall not use any funds appropriated by this section to purchase the services of independent fee appraisers for the purpose of reappraising the value of leased lands located within harbor areas which are devoted principally to water-dependent recreational use, except where necessary in the defense of a legal proceeding brought against the department.

#### NEW SECTION. Sec. 92. FOR THE FOREST PRACTICES APPEALS BOARD

General Fund Appropriation .....	\$	68,000
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#### NEW SECTION. Sec. 93. FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State .....	\$	7,989,000
General Fund Appropriation—Federal .....	\$	498,000
General Fund—Feed and Fertilizer Account Appropriation .....	\$	22,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation .....	\$	324,000
Commercial Feed Fund Appropriation—State .....	\$	314,000
Commercial Feed Fund Appropriation—Federal .....	\$	24,000
Seed Fund Appropriation .....	\$	763,000
Nursery Inspection Fund Appropriation .....	\$	266,000
Grain and Hay Inspection Fund Appropriation .....	\$	7,352,000
Total Appropriation .....	\$	17,552,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$180,000 of the general fund appropriation—state shall be expended by the department for its one-third share for the special tansy ragwort control program in conjunction with those county noxious weed control boards which have placed tansy ragwort on their noxious weed list. 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 landowners 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 the conservation. \$30,000 of the \$180,000 shall be expended in cooperation with Washington State University for research into seed physiology and morphology as related to herbicide effects and the effects of mineral supplementation on pyrrolizidine alkaloid toxicity of tansy ragwort (*Senecio-Jacobaea*).

(2) \$10,000 of the general fund appropriation—state shall be expended for the continued implementation of the starling control program.

(3) Not more than \$460,000 of the general fund appropriation—state shall be expended to provide for brucellosis vaccinations, by veterinarians in private practice, to beef and dairy cattle in order to suppress the disease. Not more than \$40,000 of the general fund appropriation—state shall be expended for administration of this program. The department of agriculture shall make known the program and shall encourage beef and dairy cattle operations to participate. The department shall supply necessary vaccine and other materials certifying vaccination. The department shall adopt rules, including a schedule of costs, which shall not allow separate reimbursement to veterinarians of 'trip' fees or mileage expense nor injection paraphernalia. Maximum reimbursement shall be \$2 per vaccination.

#### NEW SECTION. Sec. 94. FOR THE STATE PATROL

General Fund Appropriation .....	\$	9,994,000
Motor Vehicle Fund Appropriation .....	\$	69,897,000
Total Appropriation .....	\$	79,891,000

#### NEW SECTION. Sec. 95. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION

Highway Safety Fund Appropriation .....	\$	8,000
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#### NEW SECTION. Sec. 96. FOR THE TRAFFIC SAFETY COMMISSION

Highway Safety Fund Appropriation—State .....	\$	169,000
Highway Safety Fund Appropriation—Federal .....	\$	7,980,000
Total Appropriation .....	\$	8,149,000

#### NEW SECTION. Sec. 97. FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation .....	\$	8,132,000
General Fund—Architects' License Account Appropriation .....	\$	149,000

General Fund—Commercial Automobile Driver Training School Account	
Appropriation .....	\$ 4,000
General Fund—Opticians' Account Appropriation .....	\$ 28,000
General Fund—Optometry Account Appropriation .....	\$ 74,000
General Fund—Professional Engineers' Account Appropriation .....	\$ 418,000
General Fund—Real Estate Commission Account Appropriation .....	\$ 2,312,000
General Fund—Sanitaricians' Licensing Account Appropriation .....	\$ 16,000
General Fund—Board of Psychological Examiners Account Appropriation .....	\$ 36,000
Game Fund Appropriation .....	\$ 85,000
Highway Safety Fund Appropriation .....	\$ 24,508,000
Motor Vehicle Fund Appropriation .....	\$ 21,058,000
Motor Vehicle Fund—Vehicle Title Guarantee Account Appropriation .....	\$ 12,000
Total Appropriation .....	\$ 56,832,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$1,698,000 shall be expended for the business licensing center.

**NEW SECTION. Sec. 98. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund Appropriation .....	\$ 190,000
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**NEW SECTION. Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State .....	\$ 11,906,000
General Fund Appropriation—Federal .....	\$ 6,288,000
General Fund—Traffic Safety Education Account Appropriation .....	\$ 378,000
Total Appropriation .....	\$ 18,572,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$378,000 shall be expended for the state office administration of the traffic safety education program.

(2) Not more than \$30,000 shall be expended to collect enrollment data from all private elementary and secondary schools commencing with the 1979-80 school year.

(3) The superintendent shall contract for services relating to proprietary educational clinics as an alternative education program for high school dropouts for not more than \$1,300,000 from funds appropriated by this section.

(4) Local school districts may use funds appropriated pursuant to section 100 of this act for the support of instructional and public broadcasting.

(5) Not more than \$600,000 from the appropriation contained in section 100 of this act shall be used exclusively to match federal funds allocated to the state under the provisions of sections 120 and 130 of Public Law 94-482 for the purpose of providing special vocational programs for the disadvantaged.

(6) Not less than \$72,000 of state funds shall be expended to implement the provisions of chapter 28A.85 RCW.

**NEW SECTION. Sec. 100. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION ALLOCATION FOR FISCAL YEARS 1980 AND 1981**

General Fund Appropriation .....	\$ 2,063,520,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) No district may grant from any fund source whatsoever any percentage salary increase greater than that provided in sections 100, 102, 103, and 106 of this act.

(2) The allocation of moneys for a basic education allocation per annual average full time equivalent student for the 1979-80 school year shall be at 100% of formula and 100% of formula in the 1980-81 school year. One hundred percent of formula for each school district shall be determined by the superintendent of public instruction as follows:

(a) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts enrolling not more than one hundred average annual full time equivalent students and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students.

(d) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) Total certificated compensation entitlement for school year 1979-80 shall be the sum of the following subsections:

(i) Maintenance of compensation shall be calculated using each district's 1978-79 base salary established in section 101 of this act times the number of certificated staff units generated in subsection (2)(a) through (d) of this section in each district times each district's particular 1979-80 average staff mix factor improved by seven and forty-three hundredths percent;

(ii) Total salary increase compensation for each district shall be calculated by multiplying the 1978-79 base salary times the total number of staff units generated in subsection (2)(a) through (d) of this section times the 1979-80 average staff mix factor, times the percentage salary increase for each district pursuant to section 102 of this act improved by six and thirteen hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$85 per month per certificated full time equivalent staff units generated in subsection (2)(a) through (d) of this section.

(f) Total certificated compensation entitlement for school year 1980-81 shall be equal to the sum of the following subsections:

(i) Maintenance of compensation shall be calculated by using each district's 1978-79 base salary established in section 101 of this act improved by the percentage salary increase for each district pursuant to section 102 of this act, times the number of staff units generated in subsection (2)(a) through (d) of this section times each district's particular 1980-81 average staff mix factor improved by seven and seventy-eight hundredths percent;

(ii) Total salary increase compensation for each district shall be calculated by multiplying the 1978-79 base salary times the total number of staff units generated in subsection (2)(a) through (d) of this section times the 1980-81 average staff mix factor, improved by the percentage salary increase pursuant to section 102 of this act, times the percentage salary increase pursuant to section 103 of this act improved by six and forty-eight hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$95 per month per certificated full time equivalent staff units generated in subsection (2)(a) through (d) of this section.

(g) Respecting classified employees: A numerical allocation of one classified staff unit for each three certificated staff units as computed for the purposes of subsections (2) (a), (c) and (d) of this section, and one classified staff unit for each sixty vocational full time equivalent students, for each school district shall be established.

(h) Total 1979-80 basic education classified compensation entitlement for each district shall be equal to the sum of the following:

(i) Maintenance of classified compensation shall be equal to the staff units generated in subsection (2)(g) of this section times the 1978-79 average classified salary established in section 104 of this act improved by nineteen and thirty-one hundredths percent;

(ii) Total salary increase compensation shall be equal to the 1978-79 average classified salary established in section 104 of this act times the classified units established in subsection (2)(g) of this section times eight percent salary increase improved by thirteen and thirteen hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$85 per month per classified full time equivalent staff units generated in subsection (2)(g) of this section.

(i) Total 1980-81 basic education classified compensation entitlement for each district shall be equal to the sum of the following:

(i) Maintenance of classified compensation shall be equal to the staff units generated in subsection (2)(g) of this section times the 1978-79 average classified salary for each district improved by eight percent improved by nineteen and sixty-six hundredths percent;

(ii) Total salary increase compensation shall be equal to the 1978-79 average classified salary for each district improved by eight percent times the number of staff units established in subsection (2)(g) of this section, times six percent salary increase improved by thirteen and forty-eight hundredths percent; and

(iii) Health benefits shall be calculated at the rate of \$95 per month per classified full time equivalent staff units generated in subsection (2)(g) of this section.

(j) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1979-80 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (2) (a), (c), and (d) of this section, multiplied by \$3,910 for each such certificated staff unit and shall utilize the number of certificated staff units computed for the purposes of subsection (2)(b) of this section, multiplied by \$6,893 for each such certificated staff unit.



(k) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1980-81 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (2) (a), (c), and (d) of this section, multiplied by \$4,184 for each such certificated unit and shall utilize the number of certificated staff units computed for the purposes of subsection (2)(b) of this section multiplied by \$7,375 for each such certificated staff unit.

(3) Not more than \$10,460,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1979-80 school year from the 1978-79 base enrollment level and in the 1980-81 school year from the 1979-80 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1979-80 and 1980-81 school years to such districts on the basis of current school year enrollment plus one-half the amount of the enrollment decline from the prior school year level. The superintendent of public instruction in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from the previous school year.

(4) The superintendent of public instruction shall distribute not more than \$19,507,000 of the funds appropriated by this section, outside of the basic education allocation to school districts as follows:

(a) For school district emergencies, not more than \$500,000.

(b) For 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 RCW 52.36.020; not more than \$280,000 for the 1979-80 school year and not more than \$280,000 for the 1980-81 school year.

(c) Not more than \$6,138,000 shall be expended for extracurricular and extended duty pay to be distributed on the basis of \$85 per state funded full time equivalent certificated staff per year in the following programs: Basic education, secondary vocational education, general support, handicapped, and special needs.

(d) For substitute teachers, to be distributed to districts on the basis of the number of state supported employees who are classroom teachers; for fiscal year 1980, an amount not to exceed \$5,447,000 and for fiscal year 1981, an amount not to exceed \$6,562,000: PROVIDED, That such distribution shall be for not more than five days per classroom teacher and shall be reimbursable at a rate of forty dollars per day exclusively for sick leave days taken.

(e) Not more than \$300,000 for nonhigh school district billings for documented shortages caused by application of the levy lid act, chapter 325, Laws of 1977 ex. sess.

**NEW SECTION.** Sec. 101. For purposes of determining the 1978-79, 1979-80, and 1980-81 school year base certificated salary by district, the following definitions shall apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

(a) Basic education (program 00);

(b) Secondary vocational education (program 30);

(c) General support (program 97).

(2) Average 1978-79 basic education certificated staff salaries means the total 1978-79 actual salaries reimbursed such staff divided by the total number of such full time equivalent basic education certificated staff.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1978-79, 1979-80, and 1980-81 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

(5) Each district's particular 1978-79 certificated base salary shall be calculated by dividing each district's average basic education certificated staff salaries by each district's particular average staff mix factor.

**NEW SECTION.** Sec. 102. (1) Certificated base salary increases for the 1979-80 school year shall be calculated on the basis of each district's 1978-79 certificated base salaries as defined in section 101 of this act.

(2) The superintendent shall establish a 1978-79 state average certificated base salary.

(3) Those school districts whose certificated 1978-79 base salary is below the state average base salary shall be entitled to receive an eight and one-half percent increase.

(4) Those school districts having 1978-79 base certificated salaries above the state average base salary shall be entitled to a six percent increase.

**NEW SECTION.** Sec. 103. (1) Certificated base salary increases for the 1980-81 school year shall be calculated on the basis of each district's 1979-80 base salaries as defined in subsection (3) of this section.

(2) The 1979-80 average state certificated base salary shall equal the 1978-79 state average certificated base salary improved by 7.07%.

(3) The 1979-80 base salaries shall be derived using the 1978-79 certificated base salaries adjusted by salary increases authorized by section 102 of this act.

(4) Those school districts whose certificated 1979-80 base salary is below the state average base salary shall be entitled to receive an eight and one-half percent increase.

(5) Those school districts having 1979-80 base certificated salaries above the 1979-80 state base average salary shall be entitled to a six percent increase.

**NEW SECTION.** Sec. 104. For purposes of determining 1979-80 and 1980-81 school year classified salary by district, the following shall apply: School year 1978-79 basic education average classified salaries in each district shall be equal to the sum of each district's full time equivalent staff's classified salaries divided by the total number of such full time equivalent staff in the following programs:

- (1) Basic education (program 00);
- (2) General support (program 97);
- (3) Secondary vocational education (program 30).

**NEW SECTION.** Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
General Fund Appropriation ..... \$ 34,852,000

The appropriation contained in this section shall be subject to the following condition or limitation: The appropriation contained in this section shall be expended for classified and certificated salary and fringe benefit increases and health benefits for state-funded classified and certificated staff not funded through the basic education allocation of section 100 of this act: PROVIDED, That certificated and classified staff of a district shall be eligible for the same percentage salary and fringe benefit increases and health benefit rates specified in this act for certificated and classified staff in a particular district funded through the basic education allocation: PROVIDED FURTHER, That staff employed by an educational service district shall be entitled to salary and fringe benefit increases based on a 7% salary increase in each year.

**NEW SECTION.** Sec. 106. Notwithstanding any other provision of this act, local districts whose base salaries during the 1979-80 school year or 1980-81 school year are less than the state-wide average base salary for certificated staff, as determined in sections 102 and 103 of this act, may use: (1) Special levy funds, and/or (2) ending cash balances from the prior school year, to provide additional salary increases to state-funded certificated and classified employees, the total therefrom not to exceed one and one-half percent of the prior school year's actual average district salary.

**NEW SECTION.** Sec. 107. The appropriations, and all conditions and limitations to the appropriations, contained in sections 100 through 106 of this act are subject to the following: Each school district which receives fall 1979 or calendar year 1980 maintenance and operation excess tax levy collections, or both, shall reduce the levy and collection of any maintenance and operation excess tax levy now or hereafter authorized for collection in 1980 as a condition to the receipt of one hundred percent of the district's state-funded portion of the district's basic education allocation for the 1979-80 school year, as follows:

(1) If a district receives maintenance and operation levy collections in the fall of 1979, an amount of funds from such collections equal to eight percent of the district's 1979-80 basic education allocation pursuant to RCW 28A.41.130 multiplied by such district's fall tax collection percentage rate as determined by the superintendent of public instruction or the amount of the district's fall 1979 collections, whichever amount is less, shall be held in an unencumbered status for expenditure for maintenance and operation relief in a subsequent school year: PROVIDED, That the amount of any 1980 maintenance and operation excess levy now or hereafter authorized and collectible in calendar year 1980 in accordance with RCW 84.52.053 and 84.52.0531 for collection in calendar year 1980 shall be reduced by the amount of eight percent of such district's 1979-80 basic education allocation or the amount authorized, whichever is less.

(2) The superintendent of public instruction shall withhold from each district's state funded basic education allocation entitlement for 1979-80 an amount equal to the amount the district's calendar year 1980 maintenance and operation excess tax levy is to be reduced pursuant to this section minus the amount in which the district actually reduced the levy and collection of any such taxes.

**NEW SECTION.** Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR PUPIL TRANSPORTATION  
General Fund Appropriation ..... \$ 145,847,000

The appropriation contained in this section shall be subject to the following conditions and limitations:  
(1) The superintendent shall not distribute more than \$70,237,000 to local school districts for pupil transportation during the 1979-80 school year.

- (2) Not more than \$534,000 shall be expended for regional transportation coordinators.
- (3) Not more than \$77,000 shall be expended for driver training.

(4) \$261,000 shall be transferred to the department of transportation for allocation to existing mass transit municipalities to conduct feasibility studies to determine the advantages, if any, of consolidating or integrating all or any part of the K-12 pupil transportation system within the boundaries of the municipality: PROVIDED, That not less than \$30,000 shall be allocated to the Grays Harbor transportation authority to be used as a pilot study.

(5) Not more than \$105,000 shall be expended for the continued planning, development and evaluation of the regional transportation model by educational service district no. 121; and not more than \$60,000 shall be expended for administrative and organizational services by educational service district no. 121 in the implementation of the regional transportation model: PROVIDED, That the superintendent of public instruction shall explicitly approve such contracts: PROVIDED FURTHER, That regular reports shall be made to the legislative budget committee: PROVIDED FURTHER, That no funds for the implementation of the regional transportation model shall be expended without the recommendation of the legislative budget committee.

**NEW SECTION. Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation ..... \$ 34,706,000

**NEW SECTION. Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State..... \$ 6,497,000

General Fund Appropriation—Federal..... \$ 60,893,000

Total Appropriation..... \$ 67,390,000

**NEW SECTION. Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR HANDICAPPED EXCESS COSTS**

General Fund Appropriation—State..... \$ 124,545,000

General Fund Appropriation—Federal..... \$ 26,521,000

Total Appropriation..... \$ 151,066,000

The appropriations contained in this section shall be subject to the following condition or limitation: The superintendent of public instruction shall implement for the 1980-81 school year a new full cost allocation model to fulfill the provisions of P.L. 94-142.

**NEW SECTION. Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation ..... \$ 13,614,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$392,000 shall be expended for traffic safety education coordinators.

**NEW SECTION. Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation ..... \$ 9,386,000

**NEW SECTION. Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE SPECIAL NEEDS PROGRAM**

General Fund Appropriation—State..... \$ 26,300,000

General Fund Appropriation—Federal..... \$ 6,000,000

Total Appropriation..... \$ 32,300,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$4,500,000 shall be expended for pupils whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning when taught only in English, but shall not include pupils who are equally or almost equally competent in English.

(2) Not more than \$12,000,000 of state general funds shall be expended for the implementation of Substitute House Bill No. 663.

(3) Not more than \$7,300,000 shall be expended to implement the provisions of RCW 28A.41.270 through 28A.41.290: PROVIDED, That not more than \$750,000 from this appropriation may be used for Project Excel community involvement pilot projects in selected school districts.

(4) Not more than \$2,500,000 shall be expended on programs for gifted students, of which the superintendent shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

**NEW SECTION. Sec. 115. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State..... \$ 13,330,000

General Fund Appropriation—Federal..... \$ 3,316,000

Total Appropriation..... \$ 16,646,000

**NEW SECTION. Sec. 116. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation..... \$ 1,501,000

**NEW SECTION. Sec. 117. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER**

General Fund Appropriation..... \$ 300,000

**NEW SECTION. Sec. 118. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR COMPREHENSIVE PLANNING AND DEVELOPMENT**

General Fund Appropriation..... \$ 144,000

**NEW SECTION. Sec. 119. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal..... \$ 97,443,000

Elementary and Secondary

Education Act of 1965..... \$ 93,338,000

Education of Indian Children..... \$ 1,625,000

Adult Basic Education ..... \$ 2,480,000

**NEW SECTION. Sec. 120. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENVIRONMENTAL EDUCATION PROGRAM**

General Fund Appropriation ..... \$ 576,000

The appropriation contained in this section shall be subject to the following condition or limitation: The revenue from fees received in conjunction with this program shall be retained by educational service district No. 113 for the exclusive support of the Cispus Environmental Education Center.

**NEW SECTION. Sec. 121. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal ..... \$ 24,221,000

**NEW SECTION. Sec. 122. COMMUNITY COLLEGE EDUCATION**

The appropriations contained in sections 124 through 128 of this act shall be subject to the following conditions and limitations:

(1) The formula funding levels for each year of the biennium are:

(a) Instruction program:

(i) 72% of formula entitlement for faculty staffing;

(ii) 51.5% of formula entitlement for support staff and operations;

(b) Library program:

(i) 50% of formula entitlement for staffing;

(ii) 60% of formula entitlement for resources; and

(iii) 100% of formula entitlement for binding;

(c) Student services program 55.8% of formula entitlements; and

(d) Plant operation and maintenance program:

(i) 100% of formula entitlement for fixed costs; and

(ii) 60% of formula entitlement for variable costs.

(2) The state board for community college education is authorized to transfer up to 5% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs, upon review and approval by the office of financial management.

(3) The community college system shall cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

(4) The state board for community college education is authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.

(5) The community college system may provide student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 123. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation ..... \$ 2,428,000

**NEW SECTION. Sec. 124. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 197,098,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$7,764,000 shall be expended for the purchase and repair of instructional equipment.

(2) \$2,148,000 shall be expended for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, and Lower Columbia. 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.

**NEW SECTION. Sec. 125. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation ..... \$ 15,962,000

**NEW SECTION. Sec. 126. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 31,284,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$105,000 shall be expended by the state board for community college education for the community college system minority affairs office.

**NEW SECTION. Sec. 127. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 45,792,000

**NEW SECTION. Sec. 128. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	29,159,000
Community College Capital Projects Account Appropriation .....	\$	9,800,000
Total Appropriation .....	\$	38,959,000

**NEW SECTION. Sec. 129. HIGHER EDUCATION**

The appropriations contained in sections 130 through 163 of this act shall be subject to the following conditions and limitations:

- (1) The formula funding levels, unless otherwise provided for, for each year of the biennium are:
  - (a) 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 regional universities and The Evergreen State College; and
    - (iii) 75% of formula entitlement for faculty support;
  - (b) Libraries program—60% of formula entitlement for resources;
  - (c) Student services program—75% of formula entitlement: **PROVIDED**, That the formula shall not apply to The Evergreen State College;
  - (d) Plant operations and maintenance program:
    - (i) 60% of formula entitlement for variable costs; and
    - (ii) 100% of formula entitlement for fixed costs.
- (2) The four-year institutions of higher education are authorized to transfer up to 5% of the amount appropriated for any specific program or programs upon review and approval by the office of financial management.
- (3) No funds shall be used for the inauguration or operation of any new degree program until such program has been reviewed and favorably recommended by the council for postsecondary education.
- (4) The four-year institutions of higher education shall cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.
- (5) The boards of regents of all institutions of higher education are authorized and directed to provide each student, upon payment of such student's tuition, a statement containing information showing the amount of dollar support provided by state taxpayers toward the cost of the education provided to an average full time equivalent student.
- (6) The four-year institutions may provide graduate assistance, teaching assistance, and student employees equivalent percentage salary increases.

**NEW SECTION. Sec. 130. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	185,247,000
Accident Fund Appropriation .....	\$	839,000
Medical Aid Fund Appropriation .....	\$	839,000
Total Appropriation .....	\$	186,925,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$2,724,000 shall be expended for instructional equipment replacement.
- (2) \$532,000 shall be expended for the joint center for graduate study—Richland.
- (3) \$1,500,000 shall be expended for family medicine education and residency programs provided for by chapter 70.112 RCW.
- (4) \$320,000 shall be expended to meet federal title nine regulations for women's athletics.

**NEW SECTION. Sec. 131. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	19,050,000
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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 65% of such formula entitlement for binding and is at 89% of such formula entitlement for staffing for the 1979-81 biennium.

**NEW SECTION. Sec. 132. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	12,114,000
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**NEW SECTION. Sec. 133. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation .....	\$	18,645,000
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**NEW SECTION. Sec. 134. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	23,533,000
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**NEW SECTION. Sec. 135. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	14,653,000
University of Washington Building Account Appropriation .....	\$	18,000,000
Total Appropriation .....	\$	32,653,000

**NEW SECTION. Sec. 136. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	113,786,000
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The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$2,186,000 shall be expended for instructional equipment replacement.
- (2) \$422,000 shall be expended for the Joint Center for Graduate Study—Richland.
- (3) \$724,000 shall be expended for the support of Washington State University's participation in the WAMI program.
- (4) \$30,000 shall be expended for Christmas tree research.
- (5) \$300,000 shall be expended to meet federal title nine regulations for women's athletics.
- (6) In addition to maintaining the types and levels of service provided during the 1977-79 biennium, \$300,000 shall be expended for equipment and improvements at the Southwest Washington research station.
- (7) \$25,000 shall be expended to research the protection and growing of grapes and wine production. Such funds shall not be expended until an additional \$25,000 is secured from private funding sources.
- (8) \$120,000 shall be expended to research health-related problems, including chronic pharyngitis, of racing and performing horses. Such funds shall not be expended until an additional \$40,000 is secured from private funding sources.
- (9) \$650,000 shall be expended for the Washington animal disease diagnostic laboratory.

**NEW SECTION. Sec. 137. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	9,344,000
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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 27.5% of such formula entitlement for binding and is at 72% of such formula entitlement for staffing for the 1979-81 biennium.

**NEW SECTION. Sec. 138. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	6,969,000
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**NEW SECTION. Sec. 139. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	14,461,000
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**NEW SECTION. Sec. 140. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	19,099,000
Washington State University Building Account Appropriation .....	\$	3,500,000
Total Appropriation .....	\$	22,599,000

**NEW SECTION. Sec. 141. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	28,134,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$1,122,000 shall be expended for instructional equipment replacement.

**NEW SECTION. Sec. 142. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	2,715,000
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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 87% of such formula entitlement for binding and is at 61% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION. Sec. 143. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	2,929,000
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**NEW SECTION. Sec. 144. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	5,198,000
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**NEW SECTION. Sec. 145. FOR EASTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	8,358,000
Eastern Washington University Capital Projects Account Appropriation .....	\$	700,000
Total Appropriation .....	\$	9,058,000

**NEW SECTION. Sec. 146. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	24,730,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$1,060,000 shall be expended for instructional equipment replacement.

**NEW SECTION. Sec. 147. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	3,398,000
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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 95% of such formula entitlement for binding and is at 60% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION. Sec. 148. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	2,902,000
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**NEW SECTION. Sec. 149. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	5,555,000
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**NEW SECTION. Sec. 150. FOR CENTRAL WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	6,964,000
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**NEW SECTION. Sec. 151. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	8,487,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$421,000 shall be expended for instructional equipment replacement.

**NEW SECTION. Sec. 152. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	2,385,000
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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 10% of such formula entitlement for bindings and is at 64% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION. Sec. 153. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	1,360,000
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**NEW SECTION. Sec. 154. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	3,367,000
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**NEW SECTION. Sec. 155. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	4,535,000
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**NEW SECTION. Sec. 156. FOR THE EVERGREEN STATE COLLEGE—FOR A MASTER'S DEGREE PROGRAM**

General Fund Appropriation .....	\$	296,000
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**NEW SECTION. Sec. 157. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$	33,105,000
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The appropriation contained in this section shall be subject to the following condition or limitation: \$653,000 shall be expended for instructional equipment replacement.

**NEW SECTION. Sec. 158. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	4,221,000
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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 35% of such formula entitlement for binding and is at 75% of such formula entitlement for staffing in the 1979-81 biennium.

**NEW SECTION. Sec. 159. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 4,173,000

**NEW SECTION. Sec. 160. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 6,727,000

**NEW SECTION. Sec. 161. FOR WESTERN WASHINGTON UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 5,835,000  
 Western Washington University Capital Projects Account Appropriation ..... \$ 1,400,000  
 Total Appropriation ..... \$ 7,235,000

**NEW SECTION. Sec. 162. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation ..... \$ 53,000

**NEW SECTION. Sec. 163. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State ..... \$ 13,836,000  
 General Fund Appropriation—Federal ..... \$ 3,515,000  
 Total Appropriation ..... \$ 17,351,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The council shall make the largest possible distribution of financial aid funds to the state work study program consistent with student employment opportunities.

(2) \$350,000 of the general fund appropriation shall be expended solely to implement a displaced homemakers program.

(3) The council shall develop a faculty salary schedule or schedules accommodating the full time regular faculty members of the public universities and The Evergreen State College, taking into consideration periodic longevity increments and traditional faculty rank differences. The proposal shall be submitted to the house and senate higher education committees and the house appropriation and senate ways and means committees for review and consideration by June 1, 1980.

(4) The council shall review the compensation policy for students and graduate assistant employees at the state's higher education institutions. The council shall develop recommendations for uniform compensation policy at the respective institutions and shall report back to the senate ways and means and house appropriations committees no later than November 1, 1980.

(5) From such funds as are included for policy analysis, the council shall prepare a manual explaining, documenting, and defining current formula procedures in the institutions of higher education for the instruction, libraries, student services, and plant operation and maintenance programs.

**NEW SECTION. Sec. 164. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State ..... \$ 3,243,000  
 General Fund Appropriation—Federal ..... \$ 21,416,000  
 Total Appropriation ..... \$ 24,659,000

The appropriations contained in this section shall be subject to the following condition or limitation: No state funds shall be expended by the advisory council for vocational education.

**NEW SECTION. Sec. 165. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation ..... \$ 1,151,000

**NEW SECTION. Sec. 166. FOR THE STATE LIBRARY**

General Fund Appropriation—State ..... \$ 6,343,000  
 General Fund Appropriation—Federal ..... \$ 2,057,000  
 General Fund Appropriation—Private/Local ..... \$ 876,000  
 Washington Library Network Computer System Revolving Fund Appropria-  
 tion—Private/Local ..... \$ 7,460,000  
 Total Appropriation ..... \$ 16,736,000

**NEW SECTION. Sec. 167. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State ..... \$ 1,218,000  
 General Fund Appropriation—Federal ..... \$ 907,000  
 General Fund—Indian Cultural Center Construction Account Appropria-  
 tion—State ..... \$ 1,000,000  
 Total Appropriation ..... \$ 3,125,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$10,000 shall be expended for a portrait of former governor Daniel J. Evans.



(2) The Indian Cultural Center Construction Account Appropriation contained in this section shall be expended exclusively for a grant to the city of Seattle for the development of a regional Indian cultural, educational, tourist, and economic development facility by the United Indians of All Tribes Foundation designated as the 'People's Lodge.'

(3) If \$2,700,000 or more in additional federal and/or private funding is not secured within five years of the effective date of this 1979 act and applied towards the completion of the 'People's Lodge,' ownership of the property and/or facility developed with this appropriation shall be transferred to the state.

**NEW SECTION. Sec. 168. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation ..... \$ 531,000

**NEW SECTION. Sec. 169. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation ..... \$ 495,000

**NEW SECTION. Sec. 170. FOR THE STATE CAPITAL HISTORICAL ASSOCIATION**

General Fund Appropriation ..... \$ 436,000

General Fund—State Capital Historical Association Museum Account  
Appropriation ..... \$ 49,000  
Total Appropriation ..... \$ 485,000

**NEW SECTION. Sec. 171. FOR THE STATE TREASURER—TRANSFERS**

General Fund Appropriation: For transfer to the Reserve for Accrued Revenue Account pursuant to chapter 70, Laws of 1975-'76 2nd ex. sess. .... \$ 45,978,000

General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$1,800,000 in excess of the cash requirements in the trust land purchase account, as determined by the office of financial management ..... \$ 1,800,000

General Fund Appropriation: For transfer to the Salmon Enhancement Construction Account to allow for the completion of approved projects ..... \$ 600,000

General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1981, an amount up to \$22,000,000 pursuant to chapter 50, Laws of 1969 ..... \$ 22,000,000

Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Transportation and the Washington State Patrol during the period July 1, 1979, through June 30, 1981 ..... \$ 3,000,000

State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1981, an amount up to \$6,000,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1982, for credit to the fiscal year in which earned ..... \$ 6,000,000

Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the Utilities and Transportation Commission for the 1979-81 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291 ..... \$ 592,000

**NEW SECTION. Sec. 172. FOR BELATED CLAIMS**

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, 1981, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Electrical License Account ..... \$ 1,209.30

General Fund—State Timber Reserve Account ..... \$ 44,448.93

General Fund—Optometry Account ..... \$ 391.55

General Fund—Public Facilities Construction Loan and Grant Revolving Account ..... \$ 1,148.00

General Fund—Real Estate Commission Account ..... \$ 1,640.73

General Fund—Reclamation Revolving Account ..... \$ 10,602.30

General Fund—Sanitations Licensing Account ..... \$ 560.35

General Fund—Landowners' Forest Fire Suppression Account ..... \$ 18,173.52

General Fund—Motor Transport Account ..... \$ 1,494.41

General Fund—Aeronautics Account ..... \$ 72,609.00

General Fund—Resource Management Cost Account ..... \$ 12,500.53

General Fund—Litter Control Account ..... \$ 1,207.35

General Fund—Traffic Safety Education Account ..... \$ 483.77

General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities ..... \$ 28.15

General Fund—Outdoor Recreation Account ..... \$ 5,381.57

General Fund—State Building Authority Construction Account ..... \$ 1,475.00

General Fund—Vehicle Title Guarantee Account ..... \$ 3,300.00

Fertilizer, Agriculture, Mineral and Lime Fund .....	\$	74.00
Seed Fund .....	\$	16.00
Seattle Armory Fund .....	\$	1,372.84
State Game Fund .....	\$	22,762.36
Grain and Hay Inspection Fund .....	\$	54.00
Highway Safety Fund .....	\$	1,490.51
Motor Vehicle Fund .....	\$	31,683.91
Public Service Revolving Fund .....	\$	4,009.25
Unemployment Compensation Administration Fund .....	\$	41,775.63
Clark-McNary Fund .....	\$	25,338.83
State Treasurer's Service Fund .....	\$	1,070.59
State Coastal Protection Fund .....	\$	262.98
General Administration Facilities and Services Revolving Fund .....	\$	9,946.27
Liquor Revolving Fund .....	\$	2,282.93
Accident Fund .....	\$	6,999.73
Medical Aid Fund .....	\$	2,497.78
Retirement System Expense Fund .....	\$	1,641.30
Teachers' Retirement Fund .....	\$	413.42
The Retirement System Fund .....	\$	587.21
Total Appropriation .....	\$	330,934.00

**NEW SECTION.** Sec. 173. 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 July 1, 1979, to June 30, 1981.

#### SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

(1) HAROLD GIVENS, CARL KASZYCKI, Judgment against the state in Residents for a Planned Peninsula et al. vs. DSHS .....	\$	15,770.00
(2) ARCHITECTURAL WOODS, INC., Judgment against the state in Architectural Woods vs. the State: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Architectural Woods, Inc. or by its directors prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims, except that the state may become liable for interest payment accruing from October 27, 1977, if, and only if, it is so ordered by the Supreme Court of Washington.' .....	\$	36,615.23
(3) DAVID PARKER AND DENTON P. ANDREWS, Payment of writ of mandate for costs assessed against the state in State vs. David C. Parker .....	\$	616.23
(4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT CORP., Judgment against the state in Evergreen Plaza Investors vs. Washington State Higher Education Assistance Authority, et al., for breach of contract .....	\$	7,937.70
(5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart .....	\$	24.74
(6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Szeze vs. Thomas Marion Wright .....	\$	92.00
(7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka .....	\$	200.00
(8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge .....	\$	774.70
(9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account .....	\$	204,120.00
(10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman .....	\$	522.94
(11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges .....	\$	33,940.00
(12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	211.27

(13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	90.39
(14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU.' .....	\$	44,771.68
(15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment.' .....	\$	20,000.00
(16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch .....	\$	110.00
(17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board. ....	\$	107.00
(18) BURRELL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: 'By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department. ....	\$	13,000.00
(19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit: PROVIDED, That such claims shall be paid at fifty percent of their approved value: PROVIDED FURTHER, That \$90,000 shall be from federal sources .....	\$	1,100,000.00
(20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	167.84
(21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation .....	\$	421.77
(22) MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund .....	\$	1,488.99
(23) MRS. DEL CARY SMITH, Payment in full of deceased husband's retirement contributions, such payment to come from the Judges' Retirement Systems Fund .....	\$	15,836.36
(24) WILLIAM VAN KLAVEREN, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....	\$	550.72
(25) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief. ....	\$	10,290.00
(26) VIRGIL PRICE, Payment for watch stolen during holdup of state liquor store: PROVIDED, That payment shall come from the Liquor Revolving Fund—State .....	\$	150.00
(27) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief. ....	\$	1,182.00
(28) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment		

entered on December 28, 1978: PROVIDED, That the department shall seek reimbursement of not less than \$4,100,000 from federal matching funds . . . . . \$ 8,200,000.00

NEW SECTION, Sec. 174. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Acquire land and construct modular building to provide temporary space during campus remodeling, and for longer range industrial-type use.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	7,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	7,000,000	7/80

(2) Complete remodeling and renovation of Old Capitol Building and provide for increased costs due to delays.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		3,558,000	713,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	4,271,000	9/82

(3) Complete remodeling and renovation of Insurance Building—Phase II.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		986,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	—0—	1,000,000	1/82

(4) Provide for increased costs due to delays in remodeling and renovation of Insurance Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		554,000	834,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	1,388,000	1/82

(5) Complete air conditioning of west campus buildings.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		687,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	—0—	1,087,000	6/81

(6) Complete capitol campus safety circulation and master plan implementation and provide for cost increases: PROVIDED, That the department of general administration shall insure in the demolition of the courthouse that the artwork in the front of the building (the eagles) is not destroyed or damaged and such items shall be made available to the city of Tenino.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		532,000	277,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
43,000	-0-	852,000	6/81
(7) Install hardware to monitor energy consumption in state offices.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		300,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
655,000	-0-	955,000	6/81
(8) Replace power house equipment.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	126,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	126,000	6/81
(9) Miscellaneous repairs and renovations on the capitol campus.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		300,000	885,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
157,150	-0-	1,342,150	6/81
(10) Various mechanical and electrical repairs on the capitol campus.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	951,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	951,000	6/81
(11) Major electrical—rewire old buildings, rebalance and install new panels, and revise campus loop system.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		-0-	2,722,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,722,000	6/81
(12) Elevator and escalator repairs and modifications.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	506,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	506,000	7/82

## (13) Correct garage and plaza leaks—Phase 1.

		Reappropriation	Appropriation
GF, Cap Purch & Dev Acct—State		—0—	590,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	220,000	810,000	6/85

## (14) Clean and seal exterior of Legislative Building.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		—0—	357,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	357,000	6/80

## (15) Complete construction of Office Building No. 2.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		35,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
171,700	—0—	207,000	6/80

## (16) Rehabilitate Capitol Lake by dredging lake bottom, disposing of sediment, and constructing settling basin and waterway improvements.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		65,000	—0—
General Fund—ORA (Int. 215)		56,000	—0—
General Fund—ORA (LWCF)		55,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,845,300	—0—	2,022,000	6/80

## (17) Install central chiller plant, air conditioning, and remodel legislative facilities.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		12,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
41,000	—0—	53,000	6/80

## (18) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		60,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
140,000	—0—	200,000	6/80

(19) To provide minor building alterations or renovations for section 504 handicapped access compliance to existing facilities on or surrounding the capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	290,000	6/81

(20) For design and construction of a general office building.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct		-0-	1,800,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	27,200,000	29,000,000	6/81

(21) To construct visitor parking facilities and an information center on the west capitol campus.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	266,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	266,000	6/81

(22) Develop recreational site at Capitol Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	30,000
General Fund—ORA (LWCF)		-0-	30,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	60,000	6/81

(23) Legislative chambers art work.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	6/81

(24) Defense costs for two claims by contractors against the state dealing with construction of Office Building No. 2.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct—State		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	6/81

**NEW SECTION, Sec. 175. FOR THE MILITARY DEPARTMENT**

(1) Construct and equip a 600-man armory at Camp Murray.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		225,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	—0—	525,000	7/79

(2) Acquire land for 400-man army in Vancouver.

		Reappropriation	Appropriation
General Fund—State		50,000	—0—
GF, State Bldg Constr Acct—State		50,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	563,000	6/81

(3) Provide preconstruction funds to plan for federally funded or partial federally funded projects state-wide.

		Reappropriation	Appropriation
General Fund—State		10,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
29,000	20,000	59,000	6/85

(4) Acquire land for 200-man army in Walla Walla.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct—State		—0—	138,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	622,000	770,000	9/83

(5) Replace furnace fire units at various armories.

		Reappropriation	Appropriation
General Fund—State		—0—	59,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	59,000	6/81

(6) Schematic planning for future projects.

		Reappropriation	Appropriation
General Fund—State		—0—	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	30,000	70,000	6/85

(7) Provide for minor construction and site improvement projects.

		Reappropriation	Appropriation
General Fund—State		56,000	70,000
GF, State Bldg Constr Acct—State		36,000	—0—



Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,330	85,000	248,230	6/85

(8) Heating system and minor repairs for Tacoma armory.

GF, State Bldg Constr Acct—State		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	1/80
		-0-	200,000

**NEW SECTION. Sec. 176. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE AND SUPPORT SERVICES PROGRAM (HEADQUARTERS)**

(1) To construct and equip community social and health services facilities (Referendum 29).

GF, LIRA, DSHS Fac		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,800,000	-0-	25,000,000	7/81
		4,200,000	-0-

(2) To repair and improve utilities and facilities—Omnibus.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,900,000	-0-	4,658,000	6/81
		300,000	2,458,000

(3) To provide contingency expenses on department of social and health services construction projects.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
497,000	-0-	502,000	9/79
		5,000	-0-

(4) To provide for preplanning funds on future construction projects.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
80,000	-0-	933,000	6/81
		103,000	750,000

(5) To provide for demonstration design and testing for solar heating and energy conservation in department of social and health services construction.

DSHS Constr Acct		Reappropriation	Appropriation
Project	Estimated	Estimated	Estimated
		130,000	-0-

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
586,000	-0-	716,000	1/80

(6) To provide for renovation at the Northern State facility to permit use for mental health programs.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
500,000	-0-	1,000,000	-0-
		1,500,000	9/79

(7) To provide new water supply facilities for Medical Lake institutions.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
-0-	-0-	-0-	520,000
		520,000	4/80

(8) To provide funding for department of social and health services compliance with section 504 relating to handicapped access to facilities.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
-0-	-0-	-0-	562,000
		562,000	6/81

**NEW SECTION. Sec. 177. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM**

(1) To construct and equip one 100-bed honor camp.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
40,000	-0-	3,260,000	-0-
		3,300,000	7/80

(2) To renovate and repair roofs, Washington Corrections Center.

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
521,000	-0-	255,000	-0-
		776,000	10/79

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

Project	Estimated	Reappropriation Estimated	Appropriation Estimated
		1,993,000	-0-

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	1,993,000	1/81

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation 145,000	Appropriation -0-
	-0-	-0-	Estimated Total Costs 145,000	Estimated Completion Date 6/80

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation -0-	Appropriation 5,924,000
	101,000	6,966,000	Estimated Total Costs 12,991,000	Estimated Completion Date 6/84

(6) To construct and equip 120-bed medium security unit, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation 42,000	Appropriation 3,361,000
	25,000	-0-	Estimated Total Costs 3,427,000	Estimated Completion Date 9/81

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation 100,000	Appropriation 5,275,000
	53,000	1,690,000	Estimated Total Costs 7,118,000	Estimated Completion Date 6/83

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation 321,000	Appropriation 1,073,000
	19,000	-0-	Estimated Total Costs 1,412,000	Estimated Completion Date 3/81

(9) To construct and equip maximum security facility, Washington State Reformatory.

		Reappropriation	Appropriation
DSHS Constr Acct		8,342,000	1,654,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,058,000	-0-	12,054,000	7/81

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—State DSHS Constr Acct		23,000 -0-	-0- 749,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
128,000	-0-	900,000	1/81

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct CEP & RI Acct		-0- 350,000	1,304,000 -0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
27,000	-0-	1,681,000	9/81

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,524,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,524,000	2/82

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	402,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	402,000	3/81

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	386,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	-0-	386,000	8/80

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	248,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	248,000	4/81

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—Federal DSHS Constr Acct		-0-	414,000
		-0-	305,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	719,000	11/80

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		273,000	346,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
503,000	-0-	1,122,000	8/80

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	617,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	617,000	11/80

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

		Reappropriation	Appropriation
DSHS Constr Acct		300,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
76,000	-0-	376,000	7/79

(20) To renovate and open work training release facility, Geiger Field.

		Reappropriation	Appropriation
DSHS Constr Acct		600,000	-0-

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	-0-	620,000	1/80

(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	112,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	112,000	10/80

(22) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	5,429,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	27,126,000	32,555,000	6/83

**NEW SECTION. Sec. 178. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

(1) To expand and upgrade water system, Mission Creek Youth Camp; except that, if construction has not begun by 7/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		44,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000	-0-	45,000	6/80

(2) To construct, and/or purchase and equip a group home in Eastern Washington in other than a class A county; except that, if construction has not begun by 10/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	423,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	988,600	9/81

(3) To replace security windows, Maple Lane School; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	231,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	231,000	9/80

(4) To construct and equip academic/vocational building, Naselle Youth Camp; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,851,000	5/81

(5) To construct and equip multiservice building, Maple Lane School; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,640,000	1/82

(6) To renovate and replace steam plant, Maple Lane School; except that, if construction has not begun by 1/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
16,000	-0-	3,005,000	6/81

(7) To renovate and repair roofs, Maple Lane School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	321,000	9/80

(8) To renovate and repair roofs, Green Hill School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	502,000	9/80

(9) To provide fire and safety improvements, Maple Lane School; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	318,000	10/80

(10) For remodeling of dormitories, Mission Creek Youth Camp; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		13,000	-0-
DSHS Constr Acct		-0-	293,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	308,000	6/80

**NEW SECTION. Sec. 179. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM**

(1) To provide matching funds to construct and equip a mental health wing at Children's Orthopedic Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		177,000	-0-
General Fund—Federal		289,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,723,000	-0-	2,189,000	4/80

(2) To improve security of the mentally ill offenders facility at Eastern State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	-0-	100,000	9/79

(3) Construct covered fuel storage and conveyor system, Western State Hospital; except that, if construction has not begun by 8/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		350,000	230,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,000	-0-	584,000	4/80

(4) To renovate for accreditation, Western State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		1,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	-0-	1,500,000	1/80

(5) Design, construct, and equip 225-bed modular facility for nonoffender populations, Western State Hospital; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

Reappropriation	Appropriation
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DSHS Constr Acct			372,000	21,293,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
328,000	-0-	21,993,000	6/82	

(6) Design, construct, and equip 130-bed modular facility for nonoffender populations, Eastern State Hospital; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		100,000	12,035,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	-0-	12,335,000	7/82

(7) Renovate per accreditation requirements, Eastern State Hospital; except that, if construction has not begun by 4/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	487,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	487,000	6/81

(8) Preliminary design and working drawings to construct elevated water tower, Western State Hospital.

		Reappropriation	Appropriation
DSHS Constr Acct		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	-0-	50,000	9/79

(9) Repair roofs, Western State Hospital; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,031,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,031,000	12/80

**NEW SECTION. Sec. 180. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM**

(1) To provide fire and safety improvements and secondary source of power, School for the Deaf; except that, if construction has not begun by 9/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
General Fund—State		38,000	-0-
DSHS Constr Acct		-0-	381,000
CEP & RI Acct		41,000	-0-
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
12,000	-0-	472,000	3/80

(2) To upgrade utilities and complete Phase I, Rainier School.

		Reappropriation	Appropriation
DSHS Constr Acct		1,400,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,791,000	-0-	3,191,000	6/81

(3) To renovate kitchen, primary area, and administration building, School for the Blind.

		Reappropriation	Appropriation
General Fund—State		1,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
319,000	-0-	320,000	4/80

(4) To renovate and repair facilities and utility system, School for the Blind.

		Reappropriation	Appropriation
DSHS Constr Acct		219,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
163,000	-0-	383,000	4/80

(5) Supplemental funding to complete construction and provide equipment for Phase I, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		500,000	1,412,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,240,000	-0-	6,152,000	4/80

(6) To design and construct Phase II, Lakeland Village.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	9,421,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	9,421,000	3/82

(7) To design and construct Phase II, Rainier School; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	10,344,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,832,000	6/82

(8) Roof repair for Cerebral Palsy Center, Rainier School; except that, if construction has not begun by 7/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	379,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	379,000	2/80

(9) Repair and upgrade utilities, Phase III, Fircrest School.

		Reappropriation	Appropriation
DSHS Constr Acct		1,075,000	2,415,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	-0-	3,890,000	1/82

(10) Renovation of Primary and Administration buildings, Phase II, School for the Blind; except that, if construction has not begun by 10/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	619,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	619,000	4/80

(11) Renovate heating and ventilation system, Interlake School; except that, if construction has not begun by 1/1/81, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	527,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	527,000	8/81

(12) Purchase land, complete preliminary design and construct one cottage, Frances Haddon Morgan Children's Center; except that, if preliminary drawings have not begun by 10/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,167,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	5,389,000	6,556,000	6/83

(13) Design and construction funds for Yakima Valley School.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	1,546,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,193,000	3,626,000	8/82

(14) To replace roofs at Rainier School; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	564,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	564,000	9/80

(15) New water service, School for the Blind; except that, if construction has not begun by 8/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		-0-	139,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	139,000	11/79

(16) Renovate laundry, Fircrest School; except that, if construction has not begun by 10/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	422,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	422,000	4/81

(17) Enclose courtyards, Fircrest School; except that, if construction has not begun by 11/15/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

		Reappropriation	Appropriation
CEP & RI Acct		10,000	136,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	146,000	4/80

(18) To provide site development of a community recreation and horticulture training center for the handicapped, to be located at the former NIKE-Ajax site in South King County.

		Reappropriation	Appropriation
DSHS Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	1/81

**NEW SECTION. Sec. 181. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

(1) To provide fire safety and health improvements at the Veterans' Home and Soldiers' Home including construction of a 78-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home.

		Reappropriation	Appropriation
General Fund—Federal		1,674,000	-0-
CEP & RI Acct		30,000	-0-
DSHS Constr Acct		853,000	-0-
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
5,065,000	-0-	7,622,000	9/79

(2) To replace boilers, Soldiers' Home.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	50,000	-0-	119,000	758,000
			927,000	7/82

(3) To repair and improve utilities and facilities—Omnibus.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	-0-	-0-	-0-	705,000
			705,000	6/81

(4) To install underground sprinkler system, Soldiers' Home.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	-0-	-0-	-0-	222,000
			222,000	6/80

(5) To construct and equip laundry facility, Veterans' Home.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	-0-	-0-	-0-	1,094,000
			1,094,000	9/81

(6) To construct activities therapy facility, Veterans' Home.

CEP & RI Acct	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation Estimated Total Costs	Appropriation Estimated Completion Date
	-0-	-0-	-0-	347,000
			347,000	9/80

NEW SECTION. Sec. 182. FOR THE JAIL COMMISSION

GF, LJICA	Reappropriation	Appropriation
	-0-	106,000,000

NEW SECTION. Sec. 183. FOR THE DEPARTMENT OF ECOLOGY

(1) To drill four test-observation wells in the 1979-81 fiscal period and additional wells as required in ensuing bienniums.

General Fund—Emergency Water Project Revolving Fund—State	Reappropriation	Appropriation
		400,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
781,000	1,060,000	2,241,000	6/81

(2) Construct sanitary facilities at various state parks and department of social and health services institutions to include sewage and sink waste disposal and sewage treatment facilities.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Ref. 26)			
		2,928,000	181,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,806,000	—0—	4,915,000	6/81

(3) Construct water supply facilities at various state parks to ensure adequate supplies of water which meet water quality standards.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Ref. 27)			
		490,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
247,000	—0—	737,000	6/81

**NEW SECTION. Sec. 184. FOR THE STATE PARKS AND RECREATION COMMISSION**

(1) Modernization and improvements of various state parks—State-wide.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)			
		2,290,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,664,000	—0—	5,954,000	6/81

(2) Acquisition and development of recreation sites—State-wide: PROVIDED, That the commission place first priority on the completion of development of recreation sites.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		876,000	—0—
General Fund—ORA (Ref. 28)		1,671,000	—0—
General Fund—ORA (Int. 215)		12,000	—0—
General Fund—ORA (Ref. 18)		84,000	—0—
General Fund—ORA (ATV)		48,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,512,000	—0—	4,203,000	6/81

(3) Funds required to pay unanticipated expenditures such as emergency repairs of existing facilities, contract cost overruns, and acquisition of inholdings, easements, etc.

Reappropriation	Appropriation
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General Fund—State and Local Improvement  
Revolving Account—Public Recreation Facilities:  
Appropriated pursuant to section 4(3), chapter  
129, Laws of 1972 ex. sess. (Ref. 28)

		—0—	300,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	300,000	6/81

(4) Acquire approximately 122 acres of land at Dash Point south of Dash Point State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	118,000
General Fund—ORA (LWCF)		187,000	117,000
General Fund—ORA (Ref. 18)		188,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	610,000	1/80

(5) To install insulation for residences located in various parks throughout the system.

		Reappropriation	Appropriation
General Fund—State and Local Improvement Revolving Account—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Ref. 28)		—0—	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	150,000	6/81

(6) Acquire approximately 330 acres and three miles of river bank at Green River Gorge.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	516,000
General Fund—ORA (LWCF)		—0—	516,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,200,000	768,000	5,000,000	6/85

(7) Acquire approximately 80 acres and 1,500 feet of lakefront at Pearrygin Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	187,000
General Fund—ORA (LWCF)		—0—	187,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	1,000,000	1,524,000	6/85

(8) Acquire inholdings at Conconully State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	8,000
General Fund—ORA (LWCF)		—0—	8,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	16,000	7/80
(9) Renovate and expand day use facility for ocean beach access at Copalis and Joe Creek.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	187,000
General Fund—ORA (LWCF)		-0-	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	373,000	11/80
(10) Develop 50-unit campground, roadway, and parking facilities at Green River Gorge.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	524,000
General Fund—ORA (LWCF)		-0-	476,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	21,000	1,021,000	4/81
(11) Construct parking area for overflow periods at Battle Ground Lake.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	21,000
General Fund—ORA (LWCF)		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	41,000	6/81
(12) Develop 50-unit camping area with associated facilities at Manchester.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	208,000
General Fund—ORA (LWCF)		-0-	207,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	415,000	6/80
(13) Construct two additional boat launch ramps at Fort Canby State Park.			
		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	44,000
General Fund—ORA (LWCF)		-0-	44,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	88,000	5/81
(14) Develop campground facilities at Spencer Spit.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	319,000
General Fund—ORA (LWCF)		-0-	319,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion



Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	638,000	11/80
(15) Acquire land and trail easements for trailhead facilities at Squak Mountain.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	39,000
General Fund—ORA (LWCF)		-0-	39,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	7/80
(16) Acquire the Bradley site in central Puget Sound.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	600,000
General Fund—ORA (LWCF)		-0-	600,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,200,000	6/81
(17) To design, construct, and equip a Lewis and Clark interpretive center at Chief Timothy park.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	160,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	160,000	6/81
(18) Acquire the Goldendale observatory site.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	100,000	6/81
(19) Renovate the day use area at Camp Wooten State Park.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	55,000
General Fund—ORA (LWCF)		-0-	54,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	109,000	6/81
(20) Acquire frontage at or near the abandoned townsite of Frankfort on the Columbia River.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	700,000	1,000,000	1/81
(21) Acquire additional property for Scenic Beach State Park in Kitsap county.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	350,000	6/81
(22) Acquire the Matelich site in central Puget Sound.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	6/81
(23) Acquire approximately five acres of the property known as Kubota Gardens.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	125,000
General Fund—ORA (LWCF)		-0-	125,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	6/81
(24) Acquire portions of river bank on the Green River.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	375,000
General Fund—ORA (LWCF)		-0-	375,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	750,000	6/81
(25) Construct day-use facilities at Clallam Bay spit.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	90,000
General Fund—ORA (LWCF)		-0-	89,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	179,000	6/81
(26) Acquire recreational property at Beards Hollow.			
		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	400,000
General Fund—ORA (LWCF)		-0-	400,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	800,000	6/81

(27) Acquire additional property for Penrose Point State Park.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	175,000
General Fund—ORA (LWCF)		-0-	175,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	350,000	6/81

(28) Acquire approximately 700 feet of waterfront and 65 acres of uplands at Haley Property.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	150,000
General Fund—ORA (LWCF)		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	300,000	900,000	6/81

(29) Renovate site for Fort Worden marine interpretive center.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	32,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	32,000	6/81

**NEW SECTION. Sec. 185. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

(1) \$5,000,000 for the planning, design, construction, furnishing and landscaping of a multi-theatre international performing arts facility designated as the 'Pacific Northwest festival facility' located in south King county in the vicinity of Federal Way. The appropriation contained in this section shall not be expended until the state is in receipt of \$15,000,000 from the federal government and/or other sources. Should federal legislation dictate that the facility be owned by the federal government, the state moneys shall be granted to such federal administering agency which is representing the federal government.

		Reappropriation	Appropriation
GF, Pacific Northwest Festival Facility Constr Acct		-0-	5,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	6/81

(2) To provide matching grants for the planning, design, construction, furnishing, and landscaping of two regionally based performing arts facilities, to be known as the 'Washington center for the performing arts' facility located in Thurston county within the area of the city of Olympia, and 'the Pantages theatre' facility located in Pierce county within the area of the city of Tacoma.

		Reappropriation	Appropriation
GF, Cultural Facilities Constr Acct		-0-	3,000,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	3,000,000	6/81

**NEW SECTION. Sec. 186. FOR THE DEPARTMENT OF FISHERIES**

(1) Renovate and make improvements to meet safety, health, and environmental regulations.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		455,000	2,440,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,726,000	725,000	8,346,000	6/81

(2) Provide necessary replacement and alterations to facilities at various hatchery locations state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		1,271,000	1,635,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,131,000	250,000	4,287,000	6/81

(3) Improve operation and production efficiency of existing facilities state-wide.

		Reappropriation	Appropriation
General Fund—Federal		-0-	575,000
GF, Fish Cap Proj Acct		743,000	941,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
625,000	958,000	3,842,000	6/81

(4) Complete various enhancements projects, state-wide.

		Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct		24,060,000	3,541,000
General Fund—Federal		1,024,000	650,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,125,000	-0-	34,400,000	9/81

(5) Complete various recreation projects funded through the interagency committee for outdoor recreation.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		573,000	-0-
General Fund—ORA (LWCF)		1,136,000	-0-
General Fund—ORA (Int. 215)		160,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
933,000	-0-	2,802,000	6/81

(6) Complete capital facility improvements to support the shellfish research and production program state-wide.

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		103,000	-0-
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
155,000	-0-	258,000	6/80

(7) Construct four additional saltwater rearing pens for research and enhancement of juvenile lingcod and mussel cultures.

GF, Fish Cap Proj Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	71,000	6/80

(8) Construct artificial reef structures in ten locations in Puget Sound and Hood Canal for use by recreational fishermen.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	410,000	6/81

(9) Construct wooden walkways on top of breakwater structures at Westhaven Cove Marina in Westport to improve safety and ease of access for recreational fishermen.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	124,000	5/81

(10) Construct access walkway and fishing pier atop and extending from the breakwater at the Port of Peninsula Boat Basin at Nahcotta.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	121,000	5/81

(11) Construct access walkway and stairs to east end of Hood Canal bridge, including sanitary facilities, parking, and artificial reef for recreational fishing.

General Fund—ORA (HJR 52)		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	380,000	12/80

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek. Upon completion of construction, the department of

fisheries shall contract with the state parks and recreation commission for operation of the facility with no user fee charge for use by the general public.

		Reappropriation	Appropriation
General Fund—ORA (Int.215)		-0-	323,000
General Fund—ORA (LWCF)		-0-	322,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	645,000	3/80

(13) Develop parking area for 100 cars for use with Edmonds fishing pier.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	14,000
General Fund—ORA (LWCF)		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	3/80

(14) Complete construction of Seattle and Tacoma fishing piers.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	245,000
General Fund—ORA (LWCF)		-0-	245,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	490,000	9/80

**NEW SECTION. Sec. 187. FOR THE DEPARTMENT OF GAME**

(1) Critical resource acquisition, acquire lands for wildlife habitat, wildlife recreation, and public hunting state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		6,000	-0-
General Fund—ORA (Ref. 28)		64,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,000	-0-	153,000	6/80

(2) Critical resource development, develop lands to provide recreational opportunities for the public state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		56,000	-0-
General Fund—ORA (Ref. 28)		90,000	-0-
General Fund—ORA (Int. 215)		40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
54,000	-0-	240,000	12/79

(3) Freshwater shorelands development, development of facilities to provide public access to inland waters state-wide.

		Reappropriation	Appropriation
General Fund—ORA (LWCF)		3,000	-0-

General Fund—ORA (Ref. 28)		55,000	—0—
General Fund—ORA (Int. 215)		63,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
89,000	—0—	210,000	12/79

(4) Naches Hatchery, water supply development for raceways and hatcheries.

		Reappropriation	Appropriation
Game Fund—State		107,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
30,000	—0—	137,000	10/79

(5) To construct pollution abatement facilities at the Beaver Creek Hatchery.

		Reappropriation	Appropriation
Game Fund—Federal		561,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	—0—	581,000	10/79

(6) To construct an equipment and storage shop at Wells Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Local		14,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,000	—0—	32,000	12/79

(7) To construct a seed storage facility at McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—Federal		1,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	—0—	3,000	12/79

(8) To construct habitat area and wildlife recreation area boundary fencing state-wide.

		Reappropriation	Appropriation
Game Fund—State		29,000	—0—
Game Fund—Federal		110,000	—0—
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
48,000	—0—	187,000	11/79

(9) To construct shop and storage area for equipment at the McNary Wildlife Recreation Area.

		Reappropriation	Appropriation
Game Fund—State		2,000	—0—
Game Fund—Federal		7,000	—0—
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
9,000	-0-	18,000	12/79

(10) Remodel existing storage area at Olympia warehouse to provide additional office space and parking.

		Reappropriation	Appropriation
Game Fund—State		100,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	-0-	109,000	10/79

(11) Sell Auburn Game Farm and distribute existing facilities to Whidbey Island, South Tacoma, and Lewis County Game Farms.

		Reappropriation	Appropriation
Game Fund—State		235,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	235,000	6/81

(12) Relocate Auburn shop activities to Olympia after sale of Auburn Game Farm.

		Reappropriation	Appropriation
Game Fund—State		200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	6/81

(13) Provide for repair or replacement under emergency conditions.

		Reappropriation	Appropriation
Game Fund—State		-0-	100,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	200,000	300,000	6/81

(14) Replace 29 sets of outdoor toilets located on game department access areas state-wide.

		Reappropriation	Appropriation
Game Fund—State		-0-	163,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	198,000	361,000	6/81

(15) Provide sedimentation basins at five hatcheries that will collect solid waste from used water for pollution control.

		Reappropriation	Appropriation
Game Fund—State		-0-	218,000
Game Fund—Federal		-0-	22,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion



Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	240,000	7/80

(16) Construct an 8-foot high chain link fence to protect rainbow broodstock from vandalism and theft at Tokul Creek Hatchery.

Game Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation -0-	Appropriation 11,000
	-0-	-0-	11,000	12/79

(17) Purchase fishing sites and easements to mitigate the fishery loss related to Wells Dam construction.

Game Special Wildlife Account	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation -0-	Appropriation 69,000
	-0-	-0-	69,000	6/81

(18) Design and construct a three bedroom residence with garage, utilities, and roadway plus holding pen for 750 birds at Wells WRA.

Game Special Wildlife Account	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation -0-	Appropriation 108,000
	-0-	-0-	108,000	9/80

(19) Repair pipeline from Lake Whatcom that supplies hatchery with production water.

Game Fund—State	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation -0-	Appropriation 36,000
	-0-	-0-	36,000	9/80

(20) Provide for maintenance and construction of boundary, drift and habitat area fencing and property surveys.

Game Fund—Federal	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Reappropriation -0-	Appropriation 146,000
Game Fund—State	-0-	-0-	-0-	49,000
	-0-	481,000	676,000	7/81

(21) Replace 80 wood troughs and supports at Lake Whatcom Hatchery.

Game Fund—State	Project Costs Through	Estimated Costs 7/1/81 and	Reappropriation -0-	Appropriation 38,000
	-0-	-0-	-0-	38,000

	6/30/79	Thereafter		
	-0-	-0-	38,000	3/80
(22) Repair or replace fish screens at lake outlets preventing out migration of planted trout.				
			Reappropriation	Appropriation
Game Fund—Federal			-0-	53,000
Game Fund—State			-0-	18,000
	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	-0-	-0-	71,000	6/81
(23) Replace old holding pens, brooder runs, and woven wire fencing to prevent game bird escapement.				
			Reappropriation	Appropriation
Game Fund—State			-0-	195,000
	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	-0-	526,000	721,000	4/81
(24) Replace three wood wall dirt bottom raceways with three 10-foot by 100-foot concrete raceways at South Tacoma Hatchery.				
			Reappropriation	Appropriation
Game Fund—State			-0-	67,000
	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	-0-	-0-	67,000	3/81
(25) Repair leaks in hatchery pond and raceways at Arlington Hatchery.				
			Reappropriation	Appropriation
Game Fund—State			-0-	49,000
	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	-0-	-0-	49,000	5/81
(26) Replace roofing at Skamania Hatchery.				
			Reappropriation	Appropriation
Game Fund—Federal			-0-	18,000
	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	-0-	-0-	18,000	6/81
(27) Provide preplanning and design funds for future biennia capital projects.				
			Reappropriation	Appropriation
Game Fund—State			-0-	50,000
	Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
	-0-	100,000	150,000	6/81

## (28) Construct small parking area and related user facilities at Scatter Creek WRA.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	11,000
General Fund—ORA (LWCF)		-0-	11,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	22,000	9/79

## (29) Construct parking area, launch ramp, and related user facilities at Lake Ki in Snohomish county.

		Reappropriation	Appropriation
General Fund—ORA (Int. 215)		-0-	36,000
General Fund—ORA (LWCF)		-0-	36,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	72,000	7/80

## (30) Redevelop and construct boat launching facilities at Potholes Reservoir, Campbell Lake, Fazon Lake, Burke Lake, Badger Lake, Loon Lake, Humptulips River, and Chambers Lake.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	15,000
General Fund—ORA (Int. 215)		-0-	214,000
General Fund—ORA (LWCF)		-0-	229,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
39,000	-0-	497,000	6/81

## (31) Construct parking area and related user facilities at Tokul Creek.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	12,000
General Fund—ORA (LWCF)		-0-	12,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	24,000	11/80

## (32) Construct an 'A' Frame warming hut designed to provide essential facilities for snowmobilers during cold or emergency conditions.

		Reappropriation	Appropriation
General Fund—State		-0-	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	9/80

## (33) Construct .34 acre parking area surface with ballast at Wooten WRA.

		Reappropriation	Appropriation
General Fund—State		-0-	14,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	14,000	7/80

(34) Construct a one-half acre parking area and install timber bridge for snowmobilers at Sherman Creek WRA.

		Reappropriation	Appropriation
General Fund—State		-0-	19,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	19,000	7/80

(35) Acquire Delfeld property as an addition to Chiliwist WRA.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	159,000
General Fund—ORA (LWCF)		-0-	159,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	318,000	6/81

**NEW SECTION. Sec. 188. FOR THE DEPARTMENT OF NATURAL RESOURCES**

(1) Construct 15,000 square feet of lath house at the Bellingham Nursery to provide holding area for seedlings.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		30,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	30,000	10/79

(2) Webster Nursery—Land reclamation.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		50,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	50,000	10/79

(3) Upgrade domestic water systems at various locations.

		Reappropriation	Appropriation
General Fund—State		-0-	65,000
General Fund—CEP & RI Acct		-0-	13,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	78,000	9/80

(4) Provide for emergency exit at Olympic Area Headquarters.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	6,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	6,000	11/79
(5) Acquire and improve surplus federal installation on Budd Inlet for seaweed research laboratory.			
		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	228,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	228,000	2/80
(6) Provides funding for implementation of Senate Bill No. 2200 (chapter 109, Laws of 1977 ex. sess.) to establish land bank.			
		Reappropriation	Appropriation
GF, For Dev Acct		-0-	1,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,000,000	3,000,000	6/81
(7) Construct and improve roads and bridges into state-owned timberlands, state-wide.			
		Reappropriation	Appropriation
GF, For Dev Acct		-0-	426,000
GF, Res Mgmt Cost Acct		2,240,000	1,040,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,559,000	4,000,000	9,265,000	6/81
(8) Convert arid lands into productive lands for crop growing through development or irrigation systems.			
		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		3,770,000	1,940,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,497,000	4,000,000	12,207,000	6/81
(9) Acquire access for management of timber and agricultural lands.			
		Reappropriation	Appropriation
GF, For Dev Acct		-0-	175,000
GF, Res Mgmt Cost Acct		-0-	691,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
900,000	1,300,000.	3,066,000	6/81
(10) Provides shops for maintenance and repair of equipment used in the honor camp program in Skagit county.			
		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	536,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	536,000	6/80
(11) Replace old lookout structures at rate of one per biennium.			
		Reappropriation	Appropriation
General Fund—State		-0-	15,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	34,000	59,000	6/81
(12) Rebuild gas house and expand parking at Chehalis Compound.			
		Reappropriation	Appropriation
General Fund—State		-0-	17,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	17,000	6/81
(13) Provide air exchange and cooling system to reduce heat buildup at Southwest Area Headquarters.			
		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	7,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	6/80
(14) Construct roads and bridges to state lands in Cavanaugh Block.			
		Reappropriation	Appropriation
GF, For Dev Acct		-0-	475,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	475,000	6/81
(15) Construct dry storage facility at Larch Mountain warehouse.			
		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	47,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	47,000	6/80
(16) Prepare sites for commercial leases, state-wide.			
		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		1,570,000	2,449,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
196,000	3,000,000	7,215,000	6/81
(17) Provide facilities to house three-man fire crews at Beaver and Sekiu.			
		Reappropriation	Appropriation

General Fund—State			—0—	46,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs		Estimated Completion Date
—0—	—0—	46,000		5/80

(18) Construct and improve campsites, roads, trails, and other recreation projects, including off-road vehicles and snowmobile facilities.

		Reappropriation	Appropriation
General Fund—ORA (Ref. 28)		733,000	—0—
General Fund—ORA (Ref. 18)		19,000	—0—
General Fund—ORA (Int. 215)		187,000	—0—
General Fund—ORA (LWCF)		412,000	—0—
General Fund—State		—0—	31,000
General Fund—ORV Acct—State		—0—	1,994,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,448,000	4,900,000	9,724,000	6/81

(19) Drill well to provide water for Ahtanum Camp.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		—0—	6,000
General Fund—ORA (LWCF)		—0—	6,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	12,000	10/79

(20) Drill two wells and install powerline at Black Rock Irrigation Project.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		—0—	290,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	290,000	6/81

(21) Rebuild old Mule Spur road to provide access for reforestation.

		Reappropriation	Appropriation
GF, For Dev Acct		—0—	75,000
GF, Res Mgmt Cost Acct		—0—	225,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	300,000	6/81

(22) Improve road to Elbe Hills for timber sales activities.

		Reappropriation	Appropriation
GF, For Dev Acct		—0—	405,000
GF, Res Mgmt Cost Acct		—0—	135,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
—0—	—0—	540,000	6/81

(23) Purchase materials for use in camp road maintenance programs.

		Reappropriation	Appropriation
General Fund—CEP & RI Acct		-0-	20,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	45,000	65,000	6/80

(24) Provide housing for radio equipment at Little Summit presently in old military surplus trailer.

		Reappropriation	Appropriation
General Fund—State GF, Res Mgmt Cost Acct		-0- -0-	3,000 4,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	7,000	3/81

(25) Reconstruct gas house and enlarge parking area at Northwest Area Headquarters Compound.

		Reappropriation	Appropriation
General Fund—State GF, Res Mgmt Cost Acct		-0- -0-	16,000 17,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	12/79

(26) Construct building on Orcas Island to store fire control supplies.

		Reappropriation	Appropriation
General Fund—State		-0-	16,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	16,000	10/80

(27) Construct cyclone fencing at two area headquarter sites.

		Reappropriation	Appropriation
General Fund—State		-0-	33,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	33,000	3/80

(28) Construct a block masonry cold storage building to store seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	70,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	70,000	9/80

(29) Construct wells and powerline to irrigate 600 acres at Smith Irrigation Project.

Reappropriation	Appropriation
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GF, Res Mgmt Cost Acct		-0-	275,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	275,000	6/81

(30) Construct a block masonry cold storage facility as storage for six million seedlings at Webster Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(31) Construct three corrugated fiberglass growing houses to protect grafted trees at seed orchard.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	97,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	97,000	2/80

(32) Improve access to large blocks of state land at Marckworth for timber removal.

		Reappropriation	Appropriation
GF, For Dev Acct		-0-	171,000
GF, Res Mgmt Cost Acct		-0-	73,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	244,000	6/81

(33) Remove dangerous abandoned structures from state tidelands.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		-0-	150,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	150,000	6/81

(34) Acquire recreational property at Mount Si.

		Reappropriation	Appropriation
General Fund—ORA (HJR 52)		-0-	900,000
General Fund—ORA (LWCF)		-0-	900,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,800,000	6/81

NEW SECTION. Sec. 189. FOR THE UNIVERSITY OF WASHINGTON

(1) To provide for the completion of the expansion and renovation of existing teaching hospital.

	Reappropriation	Appropriation
St Bidg Auth Constr Acct	180,000	-0-

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,413,000	-0-	12,593,000	5/79

(2) A continuation of the renovation of mechanical and electrical systems; renovation and remodeling of departmental space; elevator extension and access improvement for handicapped for Department of Chemistry and School of Pharmacy at Bagley Hall.

		Reappropriation	Appropriation
UW Bldg Acct		4,350,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	-0-	4,500,000	5/80

(3) A continuation of building systems renovation and replacement including mechanical and electrical systems, remodeling of spaces for more intensive use, and repairs to correct code deficiencies at Health Science Building.

		Reappropriation	Appropriation
UW Bldg Acct		2,800,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,800,000	3/80

(4) To construct additional locker rooms, service areas, and multipurpose gymnasium to provide comparable athletic facilities for men and women at Edmondson Pavilion.

		Reappropriation	Appropriation
UW Bldg Acct		395,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,967,000	-0-	2,362,000	7/79

(5) To construct a new building providing offices, classrooms, speech and hearing clinics, media center, library, and laboratories for School of Social Work and Department of Speech & Hearing Sciences.

		Reappropriation	Appropriation
UW Bldg Acct		5,200,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,450,000	-0-	6,650,000	6/80

(6) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities.

		Reappropriation	Appropriation
UW Bldg Acct		1,450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,189,000	-0-	6,139,000	6/81

(7) To provide minor building alterations or renovations for section 504 handicapped access compliance.

Reappropriation	Appropriation
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St H Ed Constr Acct			-0-	1,538,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,538,000		6/81

(8) To provide for improvements for high priority academic needs, improved energy utilization, remodeling and refurbishing of classrooms, repairs to sports facilities, and continuing real estate contract payments.

UW Bldg Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Total Costs	Estimated Completion Date
-0-	12,748,000	14,438,000	-0-	2,692,000
				6/81

(9) To plan and construct utility projects including power plant modifications, utility extensions to new buildings, electrical distribution system improvements, supervisory control system extension and upper campus sewer separation.

UW Bldg Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Total Costs	Estimated Completion Date
-0-	6,733,000	8,981,000	-0-	2,248,000
				6/81

(10) To design laboratory facilities at Big Beef Creek.

UW Bldg Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	-0-	200,000
				8/83

(11) To design a new facility to house the center for extension and continuing education.

UW Bldg Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Total Costs	Estimated Completion Date
-0-	-0-	236,000	-0-	236,000
				6/83

(12) To replace obsolete and outmoded scientific, instruction and support equipment.

UW Bldg Acct			Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Total Costs	Estimated Completion Date
-0-	-0-	5,000,000	-0-	5,000,000
				6/81

(13) To remodel certain areas for the Department of Speech and Hearing Sciences when the School of Social Work vacates the building at Eagleson Hall.

Reappropriation	Appropriation
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H Ed Constr Acct			-0-	537,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date	
-0-	-0-	537,000	1/81	

(14) To renovate and remodel interior spaces to accommodate new program requirements of School of Nutritional Sciences and Textiles, correct code deficiencies, and install an elevator to make the building accessible to the handicapped at Raitt Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	3,024,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,024,000	9/82

(15) To construct and equip laboratory and service facilities for instruction in biology, botany, zoology, and genetics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	10,978,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
566,000	-0-	11,544,000	9/81

(16) To provide new ventilation and air handling systems, water piping, code deficiency correction, and general upgrading at Health Sciences Building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,806,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,806,000	12/80

(17) To remodel the existing clinic to make it more usable as a practice clinic, provide professional practice instruction and better services to dental patients at Dental Clinic.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	437,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	437,000	4/80

(18) To replace heating system, improve ventilation, change partitions, install elevator and bring existing staff personnel office building up to code after it is vacated by the Speech and Hearing Sciences Clinics.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	646,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	646,000	3/81

(19) Design funds to upgrade heating, ventilation, plumbing, and electrical systems; to make code corrections; and to remodel a portion of the gym for more intensive use of space for new program emphasis at Hutchinson Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	153,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	2,401,000	2,554,000	12/81

(20) Funds to repair or replace building systems, make safety and code corrections, replace window frames and door hardware at Health Science Building, wings E and F.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	360,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,398,000	3,758,000	6/83

(21) To construct addition to existing structure to relieve overcrowding of existing staff in Physical Plant and Facilities Planning and Construction.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	434,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	434,000	9/81

(22) To construct addition to existing structure to adequately house existing staff in Purchasing, General Accounting, and Grant and Contract Accounting.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,003,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,003,000	9/81

(23) To construct a new mechanical room underground to serve Health Sciences Building wings E, F, and G and add some adjacent space for office use.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,580,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,580,000	6/80

(24) To restore Johnson Hall Annex to sound condition meeting current code requirements.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	5/81

(25) To renovate the Showboat, Penthouse, and Playhouse Theaters, including structural repairs, electrical rewiring, sound system replacement, general repainting and refurbishing.

UW Bldg Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	300,000	4/81

(26) To design and construct a laboratory building and dormitory at Pack Forest.

UW Bldg Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	544,000	8/81

(27) Design and construct two dormitories of 20 double rooms each and one apartment building with 10 one-bedroom apartments to increase student capacity at Friday Harbor.

UW Bldg Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	717,000	6/81

NEW SECTION. Sec. 190. FOR WASHINGTON STATE UNIVERSITY

(1) To construct and equip modifications to existing utility production and distribution systems.

WSU Bldg Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,115,000	-0-	4,945,000	6/81

(2) To construct and equip the Computer Sciences and Mathematics Building.

WSU Constr Acct St H Ed Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,235,000	-0-	9,986,000	12/79

(3) To construct and equip the Intercollegiate Center for Nursing Education.

St H Ed Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,648,000	-0-	5,679,000	6/80

(4) To construct and equip classroom, laboratory, and office building for veterinary sciences.

		Reappropriation	Appropriation
St H Ed Constr Acct		193,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
13,836,000	-0-	14,029,000	10/79

(5) To provide minor alterations or renovations to buildings and utilities in order to make safety improvements, increase building efficiency, or extend the useful life of facilities.

		Reappropriation	Appropriation
WSU Bldg Acct		904,000	5,041,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,339,000	10,285,000	20,573,000	6/85

(6) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	2,965,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,965,000	6/81

(7) To design, remodel, equip, and construct an addition to Wegner Hall: PROVIDED, That \$2,881,000 shall be from federal funding sources.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	5,847,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
388,000	-0-	9,116,000	7/81

(8) To design, remodel, and equip Morrill Hall.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,952,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
19,000	-0-	1,971,000	1/82

(9) To design, construct, and equip an animal holding facility.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	2,018,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,018,000	8/82

(10) To design, construct, and equip a receiving and delivery building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	653,000

Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
21,000	-0-	674,000	6/80

**NEW SECTION, Sec. 191. FOR EASTERN WASHINGTON UNIVERSITY**

(1) To construct and equip new physical education field house.

St H Ed Constr Acct		Reappropriation	Appropriation
		365,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,092,000	-0-	2,457,000	12/79

(2) To perform minor capital improvements to comply with current fire and safety codes, and provide for handicap access.

EWU Cap Proj Acct		Reappropriation	Appropriation
		178,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
278,000	-0-	456,000	6/80

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

St H Ed Constr Acct		Reappropriation	Appropriation
		-0-	441,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	441,000	6/81

(4) To perform minor capital improvements to correct facility deficiencies and improve utilization.

EWU Cap Proj Acct		Reappropriation	Appropriation
		360,000	2,472,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
429,000	-0-	3,925,000	6/81

(5) To construct and equip utility loop system and implement facility energy conservation improvements.

EWU Cap Proj Acct		Reappropriation	Appropriation
		163,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	-0-	165,000	6/80

(6) To design, remodel, renovate, and equip Martin Hall.

H Ed Constr Acct		Reappropriation	Appropriation
		-0-	3,100,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion



Through 6/30/79	7/1/81 and Thereafter	Costs	Date
-0-	-0-	3,100,000	4/82

(7) To design, construct, and equip an aquatics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	1,765,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
72,000	-0-	1,837,000	2/81

**NEW SECTION. Sec. 192. FOR CENTRAL WASHINGTON UNIVERSITY**

(1) Alterations to facilities that will effect efficiencies in operations, extend useful life, and make needed safety correction.

		Reappropriation	Appropriation
CWU Cap Proj Acct		160,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
216,000	-0-	286,000	1/80

(2) To effect repairs and alterations to utility system for improved efficiencies, implementation of safety codes, and extension of lifetime.

		Reappropriation	Appropriation
CWU Cap Proj Acct		230,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
160,000	-0-	390,000	6/81

(3) Renovation and remodeling of vacated library building to house communications, mass media, computer sciences, special pathology, executive offices, and audio-visual services in Bouillon Hall.

		Reappropriation	Appropriation
St H Ed Constr Acct		450,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,665,000	-0-	2,115,000	3/80

(4) Installation of central ventilation system to supply and exhaust air to Randall Hall.

		Reappropriation	Appropriation
CWU Cap Proj Acct		70,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	-0-	84,000	11/79

(5) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	532,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

	6/30/79	Thereafter		
	-0-	-0-	532,000	6/81
(6) Construction of new greenhouse adjacent to Dean Science Building.				
			Reappropriation	Appropriation
H Ed Constr Acct			-0-	481,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
3,000	-0-	485,000		8/80
(7) Conformance to safety health standards.				
			Reappropriation	Appropriation
CWU Cap Proj Acct			100,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
19,000	-0-	119,000		6/82
(8) Modifications for the handicapped.				
			Reappropriation	Appropriation
CWU Cap Proj Acct			120,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
42,000	-0-	162,000		12/79
(9) Minor renovations and additions for better facility utilization and meet changes in program needs.				
			Reappropriation	Appropriation
CWU Cap Proj Acct			40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
60,000	-0-	100,000		11/79
(10) Planning funds to restore and remodel Barge Hall.				
			Reappropriation	Appropriation
CWU Cap Proj Acct			10,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
8,000	-0-	18,000		8/79
(11) Complete design of McConnell Hall for renovation and remodeling to add a multiform theater and associated components and to remodel Wildcat Shop for computer services.				
			Reappropriation	Appropriation
H Ed Constr Acct			-0-	3,499,000
St H Ed Constr Acct			40,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter		Estimated Total Costs	Estimated Completion Date
261,000	-0-	3,780,000		3/81

(12) Minor capital improvements and land acquisition to upgrade university buildings, facilities, and grounds.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	2,217,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	325,000	2,542,000	6/81

(13) To improve, extend, and modify underground utilities and services.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	1,026,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,026,000	6/81

(14) To provide funding which will enable the university to share costs with the city of Ellensburg in fire pumper truck purchase.

		Reappropriation	Appropriation
CWU Cap Proj Acct		-0-	40,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	40,000	12/79

NEW SECTION, Sec. 193. FOR THE EVERGREEN STATE COLLEGE

(1) To construct and equip a Communications Laboratory.

		Reappropriation	Appropriation
St H Ed Constr Acct		150,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,305,000	-0-	8,455,000	6/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	136,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	136,000	6/81

(3) To provide emergency repairs and renovations for the library building.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	111,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	111,000	7/80

(4) To further develop outdoor recreation fields.

		Reappropriation	Appropriation
TESC Cap Proj Acct		-0-	328,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	328,000	11/80

**NEW SECTION. Sec. 194. FOR WESTERN WASHINGTON UNIVERSITY**

(1) Old Main renovation, including structural, mechanical, and electrical upgrading.

		Reappropriation	Appropriation
WWU Cap Proj Acct		103,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,401,000	-0-	3,504,000	6/81

(2) To construct and equip space for technology in applied art and provided equipment for home economics.

		Reappropriation	Appropriation
St H Ed Constr Acct		25,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,462,000	-0-	1,487,000	12/79

(3) To provide minor building alterations or renovations for section 504 handicapped access compliance.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	327,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	327,000	6/81

(4) Construct and equip south campus fields and complete deferred improvements to south campus streets, walks, lighting, and landscaping.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	2,300,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
107,000	-0-	2,407,000	5/81

(5) Improvements to academic buildings to provide for changing program requirements, improve instruction, space efficiency, and protect original investment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	214,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
131,000	700,000	1,145,000	6/81

(6) Complete design to improve access to service facilities on south campus physical plant site including hazardous materials storage for nonacademic needs.

		Reappropriation	Appropriation
St H Ed Constr Acct		21,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
102,000	-0-	123,000	12/79

(7) Planning and construction funds for College of Business and Economics building.

		Reappropriation	Appropriation
H Ed Constr Acct		-0-	4,500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	4,500,000	6/81

(8) Minor improvements to grounds to reduce operating costs, reduce danger from injury, increase safety, and protect original investment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		35,000	217,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	300,000	592,000	6/81

(9) Make improvements to utility systems to reduce operating costs and increase efficiency.

		Reappropriation	Appropriation
WWU Cap Proj Acct		104,000	193,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,190,000	-0-	2,577,000	6/81

(10) Fire and physical safety improvements.

		Reappropriation	Appropriation
WWU Cap Proj Acct		100,000	186,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
231,000	40,000	557,000	6/81

(11) Art acquisition fund.

		Reappropriation	Appropriation
St Bldg Auth Constr Acct		17,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,037,000	-0-	4,504,000	6/81

(12) To purchase property in accordance with WWU Board of Trustees campus land use plan.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	30,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/79	Costs 7/1/81 and Thereafter	Total Costs	Completion Date
-0-	250,000	280,000	6/81

(13) To provide several cost-effective improvements to conserve energy consumption.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	81,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	81,000	6/81

(14) Improvements to academic facilities to protect property and equipment.

		Reappropriation	Appropriation
WWU Cap Proj Acct		-0-	72,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	30,000	102,000	6/81

(15) Construct fire station for use by city of Bellingham to provide more adequate fire and ambulance equipment and personnel availability to Western Washington University.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	490,000
WWU Cap Proj Acct		-0-	318,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	808,000	6/81

**NEW SECTION. Sec. 195. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

The appropriations contained in this section adhere to the major projects priority list established by the state board and assume that the 1981-83 biennium priority listing will have the 8th priority through the 33rd priority projects of the 1979-81 biennium as the 1st through the 26th priority projects of the 1981-83 biennium. The budget also assumes Big Bend Community College will construct a \$2,500,000 physical education facility of which \$2,100,000 shall be from local funds and \$400,000 shall be from the sale proceeds of the South Campus to the Moses Lake School District.

(1) Reappropriations of projects approved and funded in previous biennia.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		735,000	-0-
Com Col Cap Proj Acct		510,000	-0-
Com Col Cap Constr Acct		4,045,000	-0-
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
18,665,000	-0-	23,955,000	2/81

(2) To provide minor building alterations or renovations for section 504 handicapped access compliance to be allocated to each district by the state board.

		Reappropriation	Appropriation
St H Ed Constr Acct		-0-	4,329,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	4,329,000	6/81
(3) Repair and reconstruct roofs on six community college campuses.			
Com Col Cap Constr Acct		Reappropriation	Appropriation
		-0-	2,083,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,083,000	1/81
(4) To complete the design, construction, and equipping of three code-compliance projects at Clark College.			
Com Col Cap Constr Acct		Reappropriation	Appropriation
		-0-	2,209,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
124,000	-0-	2,333,000	6/81
(5) To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board.			
Com Col Cap Constr Acct		Reappropriation	Appropriation
		-0-	1,949,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	1,949,000	6/81
(6) To provide for unforeseen emergency capital repairs, to be administered by the state board.			
Com Col Cap Constr Acct		Reappropriation	Appropriation
		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	6/81
(7) To provide for unforeseen emergency roof repairs, to be administered by the state board.			
Com Col Cap Constr Acct		Reappropriation	Appropriation
		-0-	800,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	800,000	6/81
(8) To perform community college master planning, to be administered by the state board.			
Com Col Cap Impvmt Acct		Reappropriation	Appropriation
		-0-	200,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	200,000	6/81

(9) To perform fire and ventilation improvements on three campuses.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	538,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	538,000	8/80

(10) To perform minor capital improvement repairs and renovations on nine campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,196,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,305,000	2/81

(11) The state board for community college education shall execute an agreement with the municipality of Bremerton within which is located the campus of community college district three for the transfer of municipally owned property within the campus to the state pursuant to state laws governing vacation of city rights of way and for the transfer of state owned property to the municipality: PROVIDED, That such an agreement shall result in a net increase in acreage of the campus and that the property transferred from the state to the municipality is used exclusively for the purpose of traffic flow and access to, through, and around the campus. Once the agreement has been executed, the appropriation provided in this subsection shall be granted by the board to the municipality.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	375,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	375,000	6/81

(12) To perform four minor utility and mechanical systems improvements at three campuses.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	250,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	250,000	10/79

(13) To replace, repair, restore, install, and construct heating, ventilation, and air conditioning systems at five campuses.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	2,005,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,005,000	2/81

(14) To perform three feasibility studies for two colleges.

		Reappropriation	Appropriation
Com Col Cap Proj Acct		-0-	104,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date



6/30/79	Thereafter		
-0-	-0-	104,000	4/80

(15) Design, remodel, equip, and construct an addition to the Science and Vocational Instruction facilities at Shoreline Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	2,043,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	2,043,000	5/81

(16) Design, construct, and equip a vocational instruction building for industrial electronics at Peninsula College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	500,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	500,000	9/80

(17) Design, construct, and equip an addition to vocational facilities at Olympia Technical Community College.

		Reappropriation	Appropriation
Com Col Cap Impvmt Acct		-0-	652,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	652,000	12/80

(18) To design a gymnasium at North Seattle.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	267,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	3,448,000	3,715,000	12/81

(19) To design, construct, raze, remodel, and renovate vocational facilities at the Duwamish branch of the South Seattle Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,070,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	3,070,000	5/81

(20) To acquire and develop land, design, remodel, and construct facilities for maintenance and vocational instruction at Centralia College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	3,528,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	3,528,000	8/81

(21) To purchase a building and land, renovate existing facilities, and design and construct a vocational building at Lower Columbia Community College.

		Reappropriation	Appropriation
Com Col Cap Constr Acct		-0-	4,265,000
Com Col Cap Impvmt Acct		-0-	10,000
Com Col Cap Proj Acct		-0-	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	1,867,000	6,198,000	11/82

**NEW SECTION. Sec. 196. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION**

To provide for planning, construction, remodeling, and demolition of public school facilities: PROVIDED, That of this appropriation not more than \$8,000,000 shall be to provide minor building alterations or renovations for section 504 handicapped access compliance pursuant to procedures and requirements established by the state board which shall be separate and apart from the procedures and requirements of chapter 28A.47 RCW and chapter 180-30 WAC, each as now or hereafter amended, which govern the allocation of the balance of this appropriation item: PROVIDED, That notwithstanding any provision contained in chapter 28A.47 RCW and/or RCW 28A.47.800 through 28A.47.811, inclusive, as now or hereafter amended, or any regulation of the state board of education or the state superintendent of public instruction adopted after January 1, 1979, all school districts which passed a bond issue or special levy for capital construction or capital purposes, including a vocational-technical institute, on or before April 5, 1979, shall remain eligible for state matching funds on the same basis as provided under statutes and/or state board of education regulations in effect on or before January 1, 1979, and each such district application shall receive the same priority it would have received under state law and/or state board of education rules and regulations in effect at the time any such bond issue or special levy was approved by the voters: PROVIDED FURTHER, That this condition shall apply only to bond issues or capital levies for capital purposes approved by the voters prior to April 5, 1979, and shall not be construed as preventing future modifications of space standards for districts which pass a bond issue or special levy for capital construction or capital purposes after April 5, 1979.

		Reappropriation	Appropriation
Com Sch Constr Fund		76,123,000	318,000,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
83,875,000	292,000,000	769,998,000	6/81

**NEW SECTION. Sec. 197. FOR THE STATE PATROL**

(1) Construct and equip facility for district command and detachment personnel, communications, dispatching, and VIN Inspection in Vancouver.

		Reappropriation	Appropriation
MV Fund—State		150,000	56,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
657,000	-0-	864,000	8/79

(2) Construct and equip weigh station facility on I-82 near the Washington-Oregon border at Plymouth to ensure truck compliance with existing laws and regulations.

		Reappropriation	Appropriation
MV Fund—State		-0-	320,000
Project Costs Through	Estimated Costs 7/1/81 and	Estimated Total Costs	Estimated Completion Date

6/30/79	Thereafter		
-0-	-0-	320,000	12/80
(3) Construct VIN Inspection building at Kennewick to inspect out-of-state vehicles prior to licensing.			
		Reappropriation	Appropriation
MV Fund—State		-0-	102,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	102,000	7/80
(4) Provide minor alterations and modifications to increase efficiency and useful life to existing facilities.			
		Reappropriation	Appropriation
MV Fund—State		-0-	165,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	165,000	7/80
(5) Design funds for mobile radio relay sites at Octopus, Neilton Point/Salmon River Ridge, Republic, Pateros, and Okanogan.			
		Reappropriation	Appropriation
MV Fund—State		-0-	3,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	1,134,000	1,137,000	6/83
(6) Design funds to construct mobile radio relay sites at Gardiner, Pullman, and Blue Mountain.			
		Reappropriation	Appropriation
MV Fund—State		-0-	2,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	813,000	814,000	6/85
(7) Install chain link security fencing at Skamania, Stacker Butte, Roosevelt, Clyde, Lind, Chehalis, Kalama, Bellevue, and Gold Mountain.			
		Reappropriation	Appropriation
MV Fund—State		-0-	27,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	27,000	10/79
(8) Relocate weigh station facility on SR 20 west of Mt. Vernon.			
		Reappropriation	Appropriation
MV Fund—State		-0-	82,000
Project Costs Through 6/30/79	Estimated Costs 7/1/81 and Thereafter	Estimated Total Costs	Estimated Completion Date
-0-	-0-	82,000	12/80

**NEW SECTION. Sec. 198. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

In accordance with RCW 43.17.200, all state agencies or departments shall expend, as a nondeductible item, out of any moneys appropriated for the original construction of any state building, an amount of one-half of one percent of the appropriation for the acquisition of works of art which may be an integral part of the structure, attached to the structure, detached within or outside of the structure, or can be exhibited by the agency in other public facilities. In case the amount shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the agency. For the purpose of this section, 'building' does not include highway construction sheds, warehouses, or other buildings of a temporary nature.

**NEW SECTION. Sec. 199.** The director of general administration shall transfer to the department of social and health services the facility known as Northern State Hospital, along with all attached real estate under the jurisdiction of the department of general administration.

**NEW SECTION. Sec. 200.** 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 facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1979.

**NEW SECTION. Sec. 201.** The word 'agency' used herein 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 means 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 does not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

**NEW SECTION. Sec. 202.** In order to carry out the provisions of these appropriations and the state budget, the director of the office of financial management, with the approval of the governor, may:

(1) Allot all or 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 financial 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 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 appropriations or to incur a deficiency and any obligations 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; and

(4) Allot funds from appropriations in this act in advance of July 1, 1979, for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1, 1979: **PROVIDED**, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1979.

**NEW SECTION. Sec. 203.** In the event that receipts are less than those appropriated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 202 of this act. Receipts for purposes of this section 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. 204.** State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

**NEW SECTION. Sec. 205.** Any programs which are supported in whole or in part by federal funds shall not receive any additional state funds for the programs in the event that federal funds are reduced or eliminated for the program.

**NEW SECTION. Sec. 206.** Unless otherwise provided for by this act with respect to any specific agency, program, or revenue source, any receipts from federal or other sources, or from gifts or grants, in excess of estimates for the budget expenditures as approved by the legislature and which are not otherwise available for general governmental purposes, may be received and allotted by the governor in accordance with RCW 43.79.260 through 43.79.282.

**NEW SECTION. Sec. 207.** If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of

financial management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

**NEW SECTION.** Sec. 208. 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. 209. 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 financial management shall 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. 210. In addition to the amounts appropriated in this act for revenue for distribution, 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. 211. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 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 financial 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. 212. The chairmen of the senate committee on ways and means and the house appropriations committee shall review monthly reports of state agency expenditures prepared by the legislative evaluation and accountability program and shall advise their respective committee members of substantial deviations from an agency's allotment expenditure plan. The chairmen may request from an agency, or the office of financial management, such information as may be necessary to determine the reasons for such deviations.

**NEW SECTION.** Sec. 213. The office of financial management shall place in reserve status 3% of the general fund—state appropriations contained in this act. Such moneys shall remain in reserve status and may not be authorized for expenditure through the allotment process in any fiscal quarter unless the governor determines that projected economic conditions warrant additional expenditures: PROVIDED, That for institutions of higher education the requirements of this section are in addition to any enrollment reserve requirements set forth in section 214 of this act.

The provisions of this section shall not apply to sections 34, 38, or 100 of this act.

**NEW SECTION.** Sec. 214. In accordance with the provisions of this section, the office of financial management shall use the allotment process during the 1979-81 biennium to control the funding of the formula portion of the instruction services program of all the institutions of higher education. 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 four-year institutions of higher education while full time equivalent student enrollment will be the controlling factor for the community college system. For the purpose of this section, the 'contract level' is defined as the level upon which the budget is based, and the 'base level' is defined as the level corresponding to the prior year's actual enrollment level. Controls shall be applied to each four-year institution separately and to the community college system as a total entity. 'Growth funding' is defined as that portion of the state general fund appropriation by which the contract level exceeds the base level. Growth funds may be allotted or placed in reserve at the option of the institution or system. Unearned growth funds will be reverted to the state general fund prior to the end of the fiscal year in which such growth fails to materialize. If The Evergreen State College's enrollments for the first year of the biennium exceed the contract level, additional funding will be considered. Olympia Technical Community College shall not become comprehensive and shall offer only courses essential to vocational education. Expenditures shall be authorized for the rental of off-campus classroom facilities by community college district number twelve when such rentals would not reduce the current utilization of facilities already constructed on either of its campuses.

Reversions are not required when an institution's faculty formula entitlement as generated by actual enrollment, or in the case of the community colleges the actual annual average full time equivalent student enrollment, is within a set range of the contracted level. The allowable tolerances are as follows: University of Washington, Washington State University, and the community colleges as a system, 1 percent; Central Washington University, Eastern Washington University, and Western Washington University, 2 percent; and The Evergreen State College, 3 percent.

Contract enrollments for the second year of the biennium will be renegotiated if the first year's actual enrollment falls below the base level of the first year of the biennium.

**NEW SECTION.** Sec. 215. Real property leases with purchase options are prohibited without prior legislative approval.

**NEW SECTION.** Sec. 216. It is the expressed intention of the legislature that agency operational activity shall be regularly monitored by the office of financial management, under its statutory authority relating to the allotment control function, in order to limit fluctuations in the respective fiscal year spending patterns which tend to inflate the expenditures in the second fiscal year of the biennium. Particular control emphasis shall be placed on those instances in which the full time equivalent staff years authorization is deliberately delayed in order to increase the agency's full time equivalent staff years as substantiation for the

second fiscal year of the ensuing biennial request. Unanticipated receipts, which are authorized by the governor and expended by any state agency, shall be allotted, monitored, and controlled.

**NEW SECTION.** Sec. 217. The superintendent of public instruction and the director of the state board for community college education, in conjunction with the director of the office of financial management, shall develop rules and regulations directing placement of local educational units' employees with nonstandard teaching certificates on the state-wide education and experience schedules.

**NEW SECTION.** Sec. 218. Any rate increases proposed for the legal services revolving fund or the general administration facilities and services revolving fund, or any change in the method of calculating changes from those funds, shall be subject to approval by the director of the office of financial management prior to implementation.

**NEW SECTION.** Sec. 219. To obtain maximum interagency use of aircraft, the aeronautics division in the department of transportation, in accordance with chapter 39.34 RCW, is hereby authorized to lease, purchase, or otherwise acquire suitable aircraft which shall be utilized for the purposes of the department of transportation and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: **PROVIDED**, That the department of transportation 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 department of transportation and without prior approval of the director of the office of financial management.

**NEW SECTION.** Sec. 220. 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. 221. State agencies shall not receive or make a contractual agreement to receive any donation of real property or an interest therein which commits the agency to assume on a current basis or request at a future time appropriated funds for operating, development, or acquisition costs without prior approval of the legislative budget committee or the senate ways and means committee and house appropriations committee if the legislature is in session.

**NEW SECTION.** Sec. 222. Any capital improvements or capital project involving construction or major expansion of a state office facility, to include district headquarters, detachment offices, and off-campus facility offices shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION.** Sec. 223. As used in this act the following phrases shall have the following meanings:

- (1) 'GF, Cap Bldg Constr Acct' means General Fund—Capital Building Construction Account;
- (2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
- (3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
- (4) 'General Fund—ORA (HJR 52)' means General Fund—Outdoor Recreation Account, House Joint Resolution 52;
- (5) 'General Fund—ORA (LWCF)' means General Fund—Outdoor Recreation Account, Federal Land and Water Conservation Fund;
- (6) 'General Fund—ORA (Int. 215)' means General Fund—Outdoor Recreation Account, Initiative 215;
- (7) 'General Fund—ORA (Ref. 28)' means General Fund—Outdoor Recreation Account, Referendum 28;
- (8) 'General Fund—ORA (Ref. 18)' means General Fund—Outdoor Recreation Account, Referendum 18;
- (9) 'General Fund—ORA (ATV)' means General Fund—Outdoor Recreation Account, All Terrain Vehicle Fund;
- (10) 'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;
- (11) 'GF, For Dev Acct' means General Fund—Forest Development Account;
- (12) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
- (13) 'GF, LJICA' means General Fund—Local Jail Improvement and Construction Account;
- (14) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;
- (15) 'DSHS Constr Acct' means State Social and Health Services Construction Account;
- (16) 'CEP & RI Acct' means Charitable, Educational, Penal, and Reformatory Institutions Account;
- (17) 'MV Fund—State' means Motor Vehicle Fund—State;
- (18) 'WSU Bldg Acct' means Washington State University Building Account;
- (19) 'St H Ed Constr Acct' means State Higher Education Construction Account;
- (20) 'H Ed Constr Acct' means Higher Education Construction Account;
- (21) 'Off/Lab Constr Acct' means Office/Laboratory Construction Account;
- (22) 'Com Sch Constr Fund' means Common School Construction Fund;

- (23) 'EWU Cap Proj Acct' means Eastern Washington University Capital Projects Account;  
 (24) 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;  
 (25) 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;  
 (26) 'Com Col Cap Proj Acct' means Community College Capital Projects Account;  
 (27) 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;  
 (28) 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account;  
 (29) 'UW Bldg Acct' means University of Washington Building Account;  
 (30) 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;  
 (31) 'WWU Cap Proj Acct' means Western Washington University Capital Projects Account;  
 (32) 'WSU Constr Acct' means Washington State University Construction Account;  
 (33) 'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;

(34) 'GF, Pacific Northwest Festival Facility Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account;

(35) 'GF, Cultural Facilities Constr Acct' means General Fund—Cultural Facilities Construction Account; and

(36) 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. 224. Expenditure of moneys appropriated by section 174 of this act shall be made in consultation with the prior approval of the state capitol committee in accordance with the provisions of chapter 79.24 RCW. In addition, the department of general administration shall consult with and obtain the approval of the joint legislative committee on capitol facilities prior to expenditure of moneys appropriated by this section on projects involving capitol buildings occupied wholly or in part by the legislature.

**NEW SECTION.** Sec. 225. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 226. Reappropriations shall be limited to the unexpended balances remaining June 30, 1979, in the current appropriation for each project.

**NEW SECTION.** Sec. 227. Notwithstanding any other provisions of law, for the 1981-83 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment shall have been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. Beginning with the 1979-81 biennium, the state board for community college education need not accumulate any specific balance in the community college capital projects account in anticipation of transfers to reimburse the general fund.

**NEW SECTION.** Sec. 228. The governor, through the director of the office of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

Nothing in this section shall prevent the governor, through the director of the office of financial management, from authorizing the transfer of appropriation authority for capital projects for the parks and recreation commission, department of fisheries, department of game, department of natural resources, and the interagency committee for outdoor recreation which utilize the following funds: General Fund—ORA (Ref. 28), General Fund—ORA (Ref. 18), General Fund—ORA (Int. 215), and General Fund—ORA (LWCF). The governor, through the director of the office of financial management, may authorize similar transfers which utilize General Fund—ORA (HJR 52) funds, but only with the prior approval of the senate ways and means committee and the house appropriations committee if the legislature is in session, or the legislative budget committee if the legislature is not in session. Such transfers shall only be made to maximize the use of the funds within the limits of the appropriations.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 229. 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. 230. 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 July 1, 1979.'

On page 1, line 1 of the title after "budget;" strike the remainder of the title and insert "making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; designating effective dates for certain appropriations; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendments to Engrossed House Bill No. 516.

#### 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 Engrossed House Bill No. 516 as amended by the Senate.

Mr. King demanded an oral roll call, and the demand was sustained.

Representatives Taller and Nelson (G.A.) spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 516 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Charnley, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Taylor.

Engrossed House Bill No. 516 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.

#### POINT OF PERSONAL PRIVILEGE

Speaker Berentson: "I don't think I need to say how painful the vote I cast on behalf of our caucus really is to us. We have many people in our caucus who would have preferred to sit tight as the Senate had decided to do, and to ignore all efforts of any possible negotiations, but I think it had to come to the time where we were going to break the deadlock and the vote had to be given. Frankly, the people of the state are the losers. I don't think, in my recollection, I have ever witnessed such an uncompromising, dictatorial or arrogant attitude as was displayed by the Senate Democrats. By the way, I feel you people have to take some responsibility because you acquiesced to their demands by going along with them.

"It's also very disappointing to us to see a governor who would like to paint a picture of a fiscal conservative, who did a complete turn-around on this level of spending. We were invited to have a talk with her some time ago. We had, what we thought was a reasonable request and we asked her if she would be willing to run that budget with a reasonable inflation rate through the computer, and she said she would be glad to do that. Then someone got to her within the next day and that hasn't occurred even to this day. I don't think I need to point out that this budget is so much higher than her original budget request that, in our opinion, there can be no relationship whatsoever, but yet she sits firmly and has now decided that she is willing to spend all of the revenue that will be available to this State for the next two years.

"If anything good has transpired, it might be that the Senate Democrats did take our budget and used it to clean up some of the bad language and some of the problems that would have created administrative nightmares and maybe that is a plus. We just cannot believe that they did hold fast; they did reduce the \$3.7 million, which was the amount that was added when the so-called compromise occurred between the House and the Senate Democrats. The system may have benefited in another way. I don't think the people in the State of Washington will allow either body of this legislature to perform this way again. I would like to think the Senate will not be back with its present make-up after having displayed this type of arrogance, of totally ignoring the system. I think perhaps the system itself has been the loser. Again, I would like to say that we could have held tough; we did not want to request of any one of our members that they had to vote; so, as the leader of our caucus, I did cast a 'yes' vote. I only



hope the people of our State are not the losers as they face the consequences with possible tax increases if we do get the economic downturn many people are predicting."

### MESSAGE FROM THE SENATE

May 31, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2993, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

### MOTIONS

On motion of Mr. King, the Committee on Appropriations was relieved of Substitute Senate Bill No. 2243, Substitute Senate Bill No. 2244, Substitute Senate Bill No. 2249, Substitute Senate Bill No. 2250, Substitute Senate Bill No. 2251, Substitute Senate Bill No. 2357, Substitute Senate Bill No. 2361, Substitute Senate Bill No. 2639, Senate Bill No. 2765, Substitute Senate Bill No. 2964, Substitute Senate Bill No. 3101 and Substitute Senate Bill No. 3129, and the bills were ordered placed on the second reading calendar.

On motion of Mr. King, the Committee on Appropriations was relieved of House Bill No. 565, and it was ordered placed on the second reading calendar following Substitute Senate Bill No. 2765.

SUBSTITUTE SENATE BILL NO. 2243, by Committee on Ways and Means (originally sponsored by Senators Goltz, Van Hollebeke, Conner, Lee, Jones, Quigg and Benitz - by Executive request):

Authorizing a bond issue for institutions of higher education.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2243 was placed on final passage.

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

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2243, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Flanagan, Newhouse.

Not voting: Representatives Fancher, Lux, McGinnis, Taylor, Van Dyken.

Substitute Senate Bill No. 2243, having received the sixty percent 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. 2244, by Committee on Ways and Means (originally sponsored by Senators Peterson, Conner, Talley, Odegaard, Newschwander, Clarke, Rasmussen, Moore, Vognild, Woody, Lee, Jones, Gallagher, Quigg and Benitz - by Executive request):

Authorizing a bond issue for fisheries' facilities.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2244 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 Substitute Senate Bill No. 2244, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charney, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmittgen, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Tally, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Clayton, Flanagan, Newhouse, Rohrbach, Smith C. P. Not voting: Representative Taylor.

Substitute Senate Bill No. 2244, 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.

**SUBSTITUTE SENATE BILL NO. 2250**, by Committee on Ways and Means (originally sponsored by Senators Goltz, Walgren, Odegaard, Fleming, Van Hollebeke, von Reichbauer, Woody, Talley, Gallagher, Newschwander, Lee, Jones, Morrison, Bluechel, Quigg, Lewis, Wanamaker, Benitz, Sellar and Talmadge - by Executive request):

Authorizing a bond issue to fund community college capital projects.

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment by Representatives Grimm and Barnes:

On page 4, after line 5 insert the following:

\*Sec. 11. Section 6, chapter 14, Laws of 1979 and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

- (1) Shall operate all existing community colleges and vocational-technical institutes in its district;
- (2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);
- (3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;
- (4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;
- (5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;
- (6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;
- (7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:
  - (a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and
  - (b) Employ necessary employees to govern, manage and operate the same;
- (8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;
- (9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules and regulations adopted by the state board for community college education: PROVIDED, That the whole of such special fee shall go to the college district and be not less than the full instructional costs of such services: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes(:);

(17) Notwithstanding any other provision of law, may offer educational services to an adult correctional facility operated by the department of social and health services on a contractual basis during the 1979-81 biennium, charging tuition and fees as set forth in chapter 28B.15 RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services: PROVIDED, That such contracts shall be subject to review by the state board for community college education in order to assure that the sum of the supplemental fee and the normal state funding shall not exceed the projected total cost of offering the educational service;

(18) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes which would affect the efficiency of such association; and

((+8)) (19) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board."

Remember the remaining sections consecutively.

Representatives Grimm, Barnes and Blair spoke in favor of the amendment, and Mr. Newhouse spoke against it.

Mr. Grimm again spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 6 of the title after "RCW;" insert "amending section 6, chapter 14, Laws of 1979 and RCW 28B.50.140;"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2250 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2250 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurlley, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott,

Sherman, Smith C. P., Smith R., Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Eberle, Hastings, Isaacson, McGinnis, Nelson G. A., Newhouse, Oliver, Sprague, Struthers, Tallyer.

Not voting: Representatives Becker, Lux, Taylor.

Substitute Senate Bill No. 2250 as amended by the House, 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.

**SUBSTITUTE SENATE BILL NO. 2251**, by Committee on Ways and Means (originally sponsored by Senators Day, Fleming, Conner, Gould, Peterson, Lee, Jones, Hayner and Talmadge – by Executive request):

Authorizing a bond issue for social and health services' facilities.

The bill was read the second time.

On motion of Mr. Thompson, the following amendment was adopted:

On page 1, line 13 after "hundred" insert "and two"

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2251 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2251 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berenson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tallyer, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Gruger, Jovanovich, Lux, Nelson D., Oliver, Pruitt.

Not voting: Representatives Chandler, Taylor.

Substitute Senate Bill No. 2251 as amended by the House, 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.

**SUBSTITUTE SENATE BILL NO. 2357**, by Committee on Ways and Means (originally sponsored by Senators Donohue, McDermott, Day, Fleming, von Reichbauer, North, Jones, Lee, Bluechel, Conner, Rasmussen, Hansen, Gaspard, Vognild, Wojahn, Gallagher, Lewis and Quigg – by Executive request):

Authorizing a bond issue for outdoor recreational facilities.

The bill was read the second time.

Mr. Thompson moved adoption of the following amendment:

On page 1, line 2 strike "outdoor"

Mr. Thompson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Amen.

Mr. Amen: "If we strike 'outdoor' from this bill, how does this bill then differ from House Bill No. 565?"

Mr. Thompson: "They are identical, Representative Amen, except for the change we just made."

Ms. Hurley spoke against the amendment, and it was not adopted.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2357 be placed on final passage.

Mr. Blair spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Blair yielded to question by Ms. Hurley.

Ms. Hurley: "I didn't hear you; would you say that again?"

Mr. Blair: "This bill would authorize the sale of \$10 million worth of general obligation bonds. That \$10 million would then be used to match federal funds that are available to the State and the combined money would be available for the development of outdoor recreational facilities in our state."

#### POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Blair, I'm a little confused. If we pass this bill and House Bill No. 565, will we be authorizing \$10 million worth of bonds or \$26 million?"

Mr. Blair: "If we were to pass both bills, we would authorize the sale of \$26 million worth of bonds."

#### MOTION

On motion of Mr. Newhouse, further consideration of Substitute Senate Bill No. 2357 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

**SUBSTITUTE SENATE BILL NO. 2361**, by Committee on Ways and Means (originally sponsored by Senators Donohue, Shinpoch, Conner, Rasmussen, Peterson and Jones - by Executive request):

Authorizing a bond issue for state government projects.

The bill was read the second time.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2361 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 Substitute Senate Bill No. 2361, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Tally, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Clayton, Craswell, Eberle, Flanagan, Hastings, Houchen, Lux, Mitchell, Nelson G. A., Newhouse, Oliver, Rohrbach, Sanders, Smith C. P., Sprague, Struthers, Tilly, Wilson.

Not voting: Representative Taylor.

Substitute Senate Bill No. 2361, 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.

**SUBSTITUTE SENATE BILL NO. 2964**, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Authorizing a bond issue for higher education buildings and facilities.

The bill was read the second time.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2964, and the bill passed the House by the following vote: Yeas, 88; nays, 9; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Eberle, Flanagan, Hastings, Lux, Newhouse, Smith C. P.

Not voting: Representative Taylor.

Substitute Senate Bill No. 2964, 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.

**SUBSTITUTE SENATE BILL NO. 3129**, by Committee on Ways and Means (originally sponsored by Senators Bausch, Conner, Rasmussen and Wojahn):

Providing for the issuance of bonds for the construction of two recreational performing arts' facilities.

The bill was read the second time.

Mr. Knowles moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 3129 to final passage, and the motion received the required two-thirds majority by the following vote: Yeas, 72; nays, 20; not voting, 6.

Voting yea: Representatives Adams, Addison, Bagnariol, Barr, Bauer, Becker, Berentson, Blair, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Grimm, Haley, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bender, Bond, Brekke, Clayton, Craswell, Fancher, Flanagan, Greengo, Gruger, Hastings, Mitchell, Nelson G. A., Newhouse, Oliver, Rohrbach, Sanders, Scott, Smith C. P.

Not voting: Representatives Granlund, Isaacson, McGinnis, Taylor, Tilly, Wilson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 3129.

Representatives Warnke and Haley spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3129, and the bill passed the House by the following vote: Yeas, 71; nays, 24; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Becker, Berentson, Blair, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McGinnis, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Schmittens, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bender, Bond, Brekke, Clayton, Craswell, Douthwaite, Fancher, Flanagan, Gruger, Hastings, Lux, McDonald, Mitchell, Nelson G. A., Newhouse, Oliver, Rohrbach, Sanders, Scott, Smith C. P., Tilly.

Not voting: Representatives Bauer, Taylor, Tupper.

Substitute Senate Bill No. 3129, 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.

**SUBSTITUTE SENATE BILL NO. 3101**, by Committee on Ways and Means (originally sponsored by Senators Donohue and Newschwander - by Superintendent of Public Instruction request):

Authorizing issuance of bonds for common school plant facilities.

The bill was read the second time.

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

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. For the purpose of furnishing funds for state assistance to school districts in providing for the construction of common school plant facilities, the state finance committee is hereby authorized to issue general obligation bonds of the state of Washington, the first authorization of which shall be in the sum of thirty million dollars and designated as Series I bonds, and the second authorization which shall be in the sum of one hundred eighty-seven million dollars and designated as the Series II bonds, or so much thereof of each authorization as shall be required to provide state assistance to local school districts for the construction of common school plant facilities. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation and these bonds shall be paid and discharged in not more than thirty years of the date of issuance.

**NEW SECTION.** Sec. 2. When the state finance committee has determined to issue the general obligation bonds or a portion of such series thereof as authorized in section 1 of this act, it may, pending the issuance thereof, issue in the name of the state temporary notes in anticipation of the issuance of the bonds, which notes shall be designated as 'bond anticipation notes.' Such portion of the proceeds of the sale of each series of bonds as may be required for the payment of the principal of and redemption premium, if any, and interest on the notes shall be applied thereto when the bonds are issued.

**NEW SECTION.** Sec. 3. The state finance committee is authorized to prescribe the form, terms, conditions, and covenants of the bonds and/or the bond anticipation notes authorized by this chapter, the time or times of sale of all or any portion of them, and the conditions and manner of their sale and issuance.

Each bond and bond anticipation note shall pledge the full faith and credit of the state of Washington and shall contain an unconditional promise to pay the principal thereof and interest thereon when due.

**NEW SECTION.** Sec. 4. Except for that portion of the proceeds required to pay bond anticipation notes, the proceeds from the sale of the bonds and/or bond anticipation notes authorized by this chapter, and any interest earned on the proceeds, together with all grants, donations, transferred funds, and all other moneys which the state finance committee may direct the state treasurer to deposit therein, shall be deposited in the common school building construction account of the general fund, and shall be used exclusively for the purposes of carrying out the provisions of this chapter, and for payment of the expense incurred in the printing, issuance and sale of such bonds.

**NEW SECTION.** Sec. 5. The common school building bond retirement fund of 1979 is hereby created in the state treasury for the purpose of payment of the principal of and interest on the bonds authorized by this chapter.

The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amounts required in the next succeeding twelve months for the payment of the principal of and the interest coming due on each series of the bonds and the dates on which the payments are due. The state treasurer, not less than thirty days prior to the date on which any interest or principal and interest payment is due, shall withdraw from any general state revenues or any other funds constitutionally available and received in the state treasury and deposit in the common school building bond retirement fund of 1979 an amount equal to the amount certified by the state finance committee to be due on the payment date. Separate accounting records shall be maintained by the state treasurer of the debt service requirements of each series of bonds payable from the common school building bond retirement fund of 1979, as certified by the state finance committee.

**NEW SECTION.** Sec. 6. Prior to June 30th of each year the superintendent of public instruction shall cause to be accumulated in the common school construction fund from moneys transferred into the fund from the interest on the permanent common school fund, an amount at least equal to the amount required in the next succeeding twelve months for the payment of the principal of and interest on the Series I bonds issued under this chapter. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the superintendent of public instruction shall cause the amount so computed to be transferred from the common school construction fund to the general fund of the state treasury.

**NEW SECTION.** Sec. 7. The bonds authorized by this chapter shall constitute a legal investment for all state funds or for funds under state control and all funds of municipal corporations.

**NEW SECTION.** Sec. 8. The Series I bonds authorized by this chapter shall be first issued and only after the superintendent of public instruction has certified, based upon estimates submitted by the state finance committee of future interest earnings of the permanent common school fund and other factors, that an adequate balance will be available in the common school construction fund to enable the superintendent of public instruction to meet the requirements of section 6 of this act during the life of the bonds to be issued.

**NEW SECTION.** Sec. 9. No provisions of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28A.47.784 through 28A.47.811, nor any provision or covenant of the proceedings of the state finance committee acting for and on behalf of the state of Washington heretofore or hereafter taken in the issuance of its revenue or general obligation bonds secured by a pledge of the interest earnings of the permanent common school fund under these statutes. The obligation of the superintendent of public instruction to make the transfers provided for in section 6 of this act shall be subject and subordinate to the lien and charge of the outstanding public school building revenue bonds, and any refunding general obligation bonds hereafter issued, on the interest earnings of the permanent common school fund pledged to secure the bonds.

**NEW SECTION.** Sec. 10. Not less than twenty-two million dollars of the proceeds received from the sale of the Series II bonds shall serve as total compensation to the common schools for the sale of timber from trust lands heretofore sold to the state parks and recreation commission pursuant to RCW 43.51.270 and 43.51.280.

**NEW SECTION.** Sec. 11. Debt service requirements of the bonds authorized by this chapter shall be included under the state's debt limitations.

**NEW SECTION.** Sec. 12. Sections 1 through 11 of this act are added to Title 28A RCW as a new chapter thereof.

**NEW SECTION.** Sec. 13. Authority to issue the balance of general obligation bonds authorized by chapter 13, Laws of 1969 and unissued in the amount of three million nine hundred thousand dollars is hereby rescinded.

**NEW SECTION.** Sec. 14. 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. 15. 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 6 of the title, after "facilities;" insert "providing compensation for the sale of timber on trust lands;"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3101 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3101 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 10; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Clayton, Flanagan, McDonald, Newhouse, Rohrbach.

Not voting: Representative Taylor.

Substitute Senate Bill No. 3101 as amended by the House, 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.

**SUBSTITUTE SENATE BILL NO. 2249**, by Committee on Ways and Means (originally sponsored by Senators Peterson, Goltz, Conner, Clarke, Benitz, Bluechel, Vognild, Talley, Lee, Jones, Morrison, Gallagher, Quigg, Guess and Lewis - by Executive request):

Authorizing a bond issue for the commission for vocational education.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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



## POINT OF INQUIRY

Mr. Thompson yielded to question by Ms. North.

Ms. North: "Representative Thompson, for the record, are any of the funds spoken to in this bill tied to a specific fire training service site in this state?"

Mr. Thompson: "They are not."

## 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, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Flanagan, Lux, Newhouse.

Not voting: Representative Taylor.

Substitute Senate Bill No. 2249, 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.

**SUBSTITUTE SENATE BILL NO. 2639**, by Committee on Ways and Means (originally sponsored by Senators Donohue, Morrison, Gaspard and Hansen - by Department of Ecology request):

Authorizing a bond issue for public services.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Blair, could you tell me, of this \$75 million that's going to be used for municipal projects, is it going to be grants or loans?"

Mr. Blair: "My understanding is that they will all be grants. I don't think there are any loans involved in it at all."

Mr. Flanagan: "What about the \$50 million for irrigation?"

Mr. Blair: "I think it will be a combination of loans and grants."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2639, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Craswell, Douthwaite, Eberle, Eng, Flanagan, Lux, Nelson D., Nelson G. A., Newhouse, Sommers.

Not voting: Representatives Becker, Ehlers, Taylor.

Substitute Senate Bill No. 2639, 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

May 30, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2709, except for the following:

Subsection (8) on page 7, line 26 of the amendment to page 2, beginning on line 29; and the amendment on page 32, line 11, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Heck moved that the House do recede from the amendments.

Representatives Heck and Chandler spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF SENATE BILL WITHOUT CERTAIN HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2709 without certain House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2709 without certain House amendments, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taler, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Taylor.

Engrossed Substitute Senate Bill No. 2709 without two 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

On motion of Mr. Salatino, Engrossed Substitute Senate Bill No. 2709 without two House amendments, was ordered transmitted immediately to the Senate.

SENATE BILL NO. 2765, by Senator Donohue:

Changing monthly apportionment amounts of state aid to school districts.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 2765 was placed on final passage.

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

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Thompson, do I understand that this gift of funds is necessary in view of the budget passed which steps up the full funding of education, and might not this maneuver, the so-called shift, create a tax flow problem in the treasury?"

Mr. Thompson: "Yes, it is necessary to enable us to provide for the early full funding. Also, Representative Newhouse, the concern you raised in the second part of your question was a concern two years ago and the State Treasurer and others spoke to it. It appears now there is no need for concern with the problem of cash flow."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2765, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Taylor.

Senate Bill No. 2765, having received the 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. 907, by Representatives Warnke and Charnley:

Modifying the bond issue for the "People's Lodge" regional Indian facility.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 907 was substituted for House Bill No. 907, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 907 was read the second time.

On motion of Mr. Warnke, the following amendment was adopted:

On page 1, line 29 after "state," insert the following: "Expenditure of these bond proceeds shall be conditioned on prior approval by the director of general administration of any real estate acquisitions and of construction plans for any building and/or grounds projects. The director's approval shall be based on a finding that any real estate to be acquired is appraised at or above the purchase price, that any construction plans for building and/or grounds projects provide for completion of any facilities contemplated therein, and that there are funds in an amount sufficient to finish the project so that it is fully operational for its intended uses."

Substitute House Bill No. 907 was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 907 was placed on final passage.

Representatives Warnke and Taller spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 907, and the bill passed the House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Berentson, Blair, Brekke, Burns, Charnley, Deccio, Douthwaite, Ehlers, Eng, Erak, Erickson, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Oliver, Polk, Pruitt, Salatino, Schmitt, Scott, Sherman, Sommers, Struthers, Taller, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bond, Brown, Clayton, Craswell, Dawson, Dunlap, Eberle, Fancher, Flanagan, Gallagher, Hastings, Houchen, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Owen, Patterson, Rohrbach, Rosbach, Sanders, Smith C. P., Smith R., Sprague, Tilly, Williams, Winsley.

Not voting: Representatives Chandler, Isaacson, Taylor.

Engrossed Substitute House Bill No. 907, 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. 740, by Representatives Whiteside, Adams, Gallagher, Haley, Becker, Zimmerman, Williams, Maxie and Fuller:

Authorizing a bond issue for facilities for the handicapped.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 740 was substituted for House Bill No. 740, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 740 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Douthwaite and Whiteside spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 740, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Salatino, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Newhouse, Taylor.

Substitute House Bill No. 740, 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. 574, by Representative Valle (by Executive request):

Authorizing bonds for water supply facilities.

The bill was read the second time.

On motion of Ms. Valle, Substitute House Bill No. 574 was substituted for House Bill No. 574, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 574 was read the second time.

Mr. Zimmerman moved adoption of the following amendment:

On page 4, after line 14 insert the following:

"Sec. 11. Section 24, chapter 13, Laws of 1967 as amended by section 4, chapter 155, Laws of 1973 and RCW 90.48.260 are each amended to read as follows:

The department of ecology is hereby designated as the State Water Pollution Control Agency for all purposes of the Federal Water Pollution Control Act as ~~(it now exists)~~ amended and is hereby authorized to participate fully in the programs of the act as well as to take all action necessary to secure to the state the benefits and to meet the requirements of that act. The powers granted herein include, among others, and notwithstanding any other provisions of chapter 90.48 RCW or otherwise, the following:

(1) Complete authority to establish and administer a comprehensive state point source waste discharge or pollution discharge elimination permit program which will enable the department to qualify for full participation in any national waste discharge or pollution discharge elimination permit system and will allow the department to be the sole agency issuing permits required by such national system operating in the state of Washington subject to the provisions of RCW 90.48.262(2). Program elements authorized herein may include, but are not limited to: (a) Effluent treatment and limitation requirements together with timing requirements related thereto; (b) applicable receiving water quality standards requirements; (c) requirements of standards of performance for new sources; (d) pretreatment requirements; (e) termination and modification of permits for cause; (f) requirements for public notices and opportunities for public hearings; (g) appropriate relationships with the secretary of the army in the administration of his responsibilities which relate to anchorage and navigation, with the administrator of the environmental protection agency in the performance of his duties, and with other governmental officials under the Federal Water Pollution Control Act; (h) requirements for inspection, monitoring, entry, and reporting; (i) enforcement of the program through penalties, emergency powers, and criminal sanctions; (j) a continuing planning process; and (k) user charges.

(2) The power to establish and administer state programs in a manner which will insure the procurement of moneys, whether in the form of grants, loans, or otherwise; to assist in the construction, operation, and maintenance of various water pollution control facilities and works; and the administering of various state water pollution control management, regulatory, and enforcement programs.

(3) The power to develop and implement appropriate programs pertaining to continuing planning processes, area-wide waste treatment management plans, and basin planning.

The governor shall have authority to perform those actions required of him or her by the Federal Water Pollution Control Act."

Renumber the remaining sections consecutively.

Representatives Zimmerman and McCormick spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Lux.

Mr. Lux: "Representative Zimmerman, all these bonds make me a little nervous and I'm looking at this sheet here, and it says, 'the \$10 million appropriation for...' and I'm reading the description of this, and it sounds like it's the same thing as the \$125 million? Are they different?"

Mr. Zimmerman: "This particular bill is an extension of Referendum 27 which will have a sunset clause in June 1981. That's when the other measure will take effect if it is approved this fall by the voters, so it's simply to continue the projects or go ahead with projects that have already been approved and that just need the funding between now and 1981. It's cut off at that time."

Mr. Lux: "This is not within the budget now? Is the \$10 million outside the budget we just passed?"

Mr. Zimmerman: "It's not included in the budget."

Mr. Barr spoke in favor of the amendment, and it was adopted.

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

On page 4, after line 16 insert the following:

"Sec. 12. Section 2, chapter 107, Laws of 1939 as amended by section 1, chapter 258, Laws of 1959 and RCW 90.24.010 are each amended to read as follows:

Ten or more owners of real property abutting on a ((meandered)) lake may petition the superior court of the county in which the lake is situated, for an order to provide for the regulation of the outflow of the lake in order to maintain a certain water level therein, for the benefit of the property abutting thereon and to provide for the periodic lowering of the lake level to facilitate the elimination of weed growth and other similar objectionable matters in the lake. The court, after hearing, is authorized to make an order fixing the water level thereof except during that period when it is ordered to be lowered for weed control and other similar purposes and directing the supervisor to regulate the outflow therefrom in accordance with the purposes described in the petition. This section shall not apply to any ((meandered)) lake or reservoir used for the storage of water for irrigation or other beneficial purposes, or to lakes navigable from the sea."

On page 1, line 6 of the title following "43 RCW;" insert "amending section 2, chapter 107, Laws of 1939 as amended by section 1, chapter 258, Laws of 1959 and RCW 90.24.010;"

On motion of Mr. Zimmerman, the following amendment to the title was adopted:

On page 1, line 5 of the title after "bonds;" insert "amending section 24, chapter 13, Laws of 1967 as amended by section 4, chapter 155, Laws of 1973 and RCW 90.48.260;"

Substitute House Bill No. 574 was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 574 was placed on final passage.

Ms. Valle 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. 574, and the bill passed the House by the following vote: Yeas, 87; nays, 10; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Toller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Blair, Bond, Clayton, Eberle, Flanagan, Isaacson, McGinnis, Nelson G. A., Newhouse, Sprague.

Not voting: Representative Taylor.

Engrossed Substitute House Bill No. 574, 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.

## MOTIONS

On motion of Mr. King, the Rules Committee was relieved of SUBSTITUTE SENATE BILL NO. 2451, and the bill was ordered placed at the bottom of today's second reading calendar.

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

## THIRD READING

On motion of Mr. King, the Rules Committee was relieved of SUBSTITUTE SENATE BILL NO. 2504 and SENATE BILL NO. 2901, and the bills were placed at the top of today's third reading calendar.

## SENATE AMENDMENTS TO HOUSE BILL

May 9, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 56 with the following amendments:

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

**NEW SECTION.** Section 1. The legislature finds that local governmental entities in this state are experiencing a trend of vastly increased insurance premiums for the renewal of identical insurance policies, that fewer insurance carriers are willing to provide local governmental entities with insurance coverage, and that some local governmental entities are unable to obtain desired insurance coverage.

It is the intent of this legislation to clearly provide for the authority of local governmental entities to individually self-insure, purchase individual insurance coverage, and obtain risk management services. It is also the intent of this legislation to grant local governmental entities the maximum flexibility to enter into agreements with each other to provide joint programs, which include programs for the joint purchasing of insurance, joint self-insuring, and joint contracting for or hiring personnel to provide risk management services.

**NEW SECTION.** Sec. 2. As used in sections 1 through 12 of this act, the term 'local governmental entity' shall mean every unit of local government, both general purpose and special purpose, and shall include, but not be limited to, counties, cities, towns, port districts, public utility districts, water districts, sewer districts, school districts, fire protection districts, irrigation districts, metropolitan municipal corporations, conservation districts, and other political subdivisions, governmental subdivisions, municipal corporations, and quasi municipal corporations.

**NEW SECTION.** Sec. 3. The governing body of any local governmental entity may, as an alternative or in addition to the establishment of a self-insurance fund or the purchasing of insurance, contract for or hire personnel to provide risk management services. Funds made available and funds expended by school districts and educational service districts for the purpose of implementing any provision of sections 1 through 12 of this act or RCW 36.16.138 shall be subject to such rules of the superintendent of public instruction as the superintendent may adopt governing the budgeting and accounting of such funds.

**NEW SECTION.** Sec. 4. The governing body of any one or more local governmental entities may, as an alternative or in addition to exercising any one or more of the powers granted in section 3 of this act and RCW 36.16.138, as now or hereafter amended, or any other provision of law, form together into or join a pool or organization for the joint purchasing of insurance, and/or joint self-insuring, and/or joint hiring or contracting for risk management services to the same extent that they may individually purchase insurance, self-insure, or hire or contract for risk management services: **PROVIDED,** That no organization of local governmental entities that is organized under section 4 of this act for the purpose of self-insuring shall provide any self-insurance other than liability insurance. For purposes of this section, liability insurance shall include but not be limited to coverage for claims arising from the tortious or negligent conduct of the local government entity, its officers, employees, or agents thereof, or any error or omission on the part of said local government entity, its officers, employees or agents thereof as a result of which a claim may be made against the local government entity. The agreement to form such a pooling arrangement shall be made under chapter 39.34 RCW.

Any pool or organization authorized to be formed by this section shall be subject to audit by the state auditor.

**NEW SECTION.** Sec. 5. Prior to the establishment of a joint self-insurance pool by any organization of local governmental entities that is organized under section 4 of this act for the purpose of self-insuring through a contributing trust, approval of the establishment of such self-insurance pool shall be obtained from the state risk manager pursuant to RCW 43.19.19362 in accordance with the following procedure:

- (a) A proposed plan of organization and operation, including the following elements shall be submitted;
  - (i) A financial plan specifying:
    - (i) The coverage to be offered by the self-insurance pool, setting forth the deductible level and the maximum level of claims which the pool will self-insure;
    - (ii) The amount of cash reserves to be set aside for the payment of claims;
    - (iii) The amount of insurance to be purchased over and above the amount of claims to be satisfied directly from the organization's resources;

(iv) The amount of stop-loss coverage to be purchased in the event that the joint self-insurance pool's resources are exhausted in a given fiscal period; and

(v) Certification that the participating local governmental entities in the self-insurance pool are apprised of the limitations of coverage provided and the availability of additional coverage which may be purchased individually by the participants in the pool;

(b) A plan of management setting forth the means of fulfilling the requirements of section 9(1) of this act, the means of establishing the governing authority of the organization, and the frequency of actuarial studies to establish the periodic contribution rates for each of the participants; and

(c) A plan specifying the conditions and responsibilities of the participants, including procedures for entry into and withdrawal from the pool and the allocation of contingent liabilities pursuant to section 6 of this act.

(2) Within sixty days after receipt of the aforementioned plan, the state risk manager shall determine whether the organization proposing to create a joint self-insurance pool has complied with the procedures and provisions contained in section 5(1) of this act, and has made provision for professional management of the joint self-insurance pool pursuant to section 9(1) of this act, and has provided for the insurance coverages required in section 9 (2) and (3) of this act, and that participants in the proposed joint self-insurance pool have been informed of the deductibles and limitations established pursuant to section 9(4) of this act. If the state risk manager determines that these criteria have been met, he shall approve the plan of operation of the proposed joint self-insurance pool, and such organization shall be authorized to commence operation.

(3) If approval is denied, the state risk manager shall specify in detail the reasons for denial and the manner in which the proposed joint self-insurance pool fails to meet the requirements of this section and section 9 (1) through (4) of this act and make comments and suggestions as to means by which such deficiencies could be corrected. The provisions of RCW 34.04.090 shall apply with regard to such basis for denial and a review thereof. If the risk manager fails to act within the time limit established in subsection (2) of this section the plan of operation of the proposed joint self-insurance pool shall be deemed approved.

**NEW SECTION.** Sec. 6. Any organization of local governmental entities that is organized under section 4 of this act which is established for the purpose of joint self-insuring through a contributing trust fund shall provide for the contingent liability of the participants in the event the assets of the joint self-insurance pool are not sufficient to cover its liabilities.

Each organization shall be exempt from insurance premium taxes, from chapters 48.32 and 48.32A RCW and from business and occupation taxes imposed pursuant to chapter 82.04 RCW, and from any assigned risk plan or joint underwriting authority otherwise required by law.

**NEW SECTION.** Sec. 7. The assets of any organization of local governmental entities that is organized under section 4 of this act which is established for the purpose of jointly self-insuring may, pursuant to section 8 of this act, be invested only in the following classes of securities and investments:

(1) Savings or time accounts in banks, trust companies, and mutual savings banks which are doing business in this state, up to the amount of insurance afforded such accounts by the federal deposit insurance corporation;

(2) Accounts in savings and loan associations which are doing business in this state, up to the amount of insurance afforded such accounts by the federal savings and loan insurance corporation;

(3) Investment deposits in banks, trust companies, mutual savings banks, and savings and loan associations, which are doing business in this state, available for investment and secured by collateral in accordance with the provisions of chapter 39.58 RCW;

(4) Certificates, notes, bonds, or other obligations or securities of the United States or any of its agencies, or of any corporation wholly owned by the government of the United States;

(5) Federal home loan bank notes and bonds, federal land bank bonds, and federal national mortgage association notes, debentures, and guaranteed certificates of participation, or the obligations of any other government-sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system;

(6) Direct and general obligation bonds and warrants of the state of Washington or any other state of the United States;

(7) Direct and general obligation bonds and warrants of any local governmental entity of this state having the power to levy general taxes which are payable from general ad valorem taxes;

(8) Revenue bonds of this state or any authority, board, commission, committee, or similar agency thereof;

(9) Motor vehicle fund warrants when authorized by agreement between the state finance committee and the state transportation commission requiring repayment of invested funds from any moneys in the motor vehicle fund available for state highway construction; and

(10) Bonds, securities, and obligations which are designated to be authorized security for all public deposits pursuant to RCW 35.58.510, 35.81.110, 35.82.220, 39.60.030, 39.60.040, and 54.24.120.

**NEW SECTION.** Sec. 8. Any organization of local governmental entities that is organized under section 4 of this act which is established for the purpose of jointly self-insuring may invest all or a portion of its assets by one or more of the following methods:

(1) Directly invest such assets itself; or

(2) Deposit such assets with the treasurer of any county within whose territorial limits any of its member local governmental entities lies to be invested by such treasurer for the organization.

**NEW SECTION.** Sec. 9. Any organization of local governmental entities that is organized under section 4 of this act which elects to provide pooled self-insurance shall satisfy the following requirements:

- (1) Contract with a professional insurance management corporation or otherwise provide for the management and operation of any joint self-insurance pool established by the organization;
- (2) Provide for umbrella coverage for the participating local governmental entities;
- (3) Provide insurance coverage for those claims which the organization plans to jointly self-insure, such coverage to be effective only in the event of the exhaustion of the joint self-insurance pool's resources for a given fiscal period;
- (4) Establish deductibles and/or limits to any coverage that is provided; and
- (5) Provide an annual report of the operations of the organization to the participating entities, the state risk manager, and the state insurance commissioner.

**NEW SECTION.** Sec. 10. Any organization of local governmental entities that is organized under section 4 of this act shall have the flexibility to perform its functions and at its option may, if such functions and actions are within its purview as established by the agreement or contract adopted pursuant to chapter 39.34 RCW that lists the powers and functions of the organization, do any of the following:

- (1) Contract or otherwise provide for risk management and loss control services;
- (2) Contract or otherwise provide legal counsel for the defense of claims and/or other legal services;
- (3) Consult with the state insurance commissioner and/or the state risk manager;
- (4) Jointly purchase insurance coverage in such form and amount as the organization's participants may by contract agree; and
- (5) Possess any other powers and perform all other functions reasonably necessary to carry out the purposes of this chapter.

**NEW SECTION.** Sec. 11. Any organization of local governmental entities that is organized under section 4 of this act may provide for private meetings to consider litigation and settlement of claims when it appears that public discussion of these matters would impair the organization's ability to conduct its business effectively.

Notwithstanding any provision to the contrary contained in the public disclosure act, chapter 42.17 RCW, in a claim or action against the state or any local governmental entity, no person shall be entitled to discover that portion of funds or liability reserve established for purposes of satisfying a claim or cause of action, except that the reserve is discoverable in any supplemental or ancillary proceeding to enforce a judgment.

**NEW SECTION.** Sec. 12. The provisions of RCW 48.30.140 and 48.30.150 shall not be construed in such a manner as to prevent any local governmental entity or organization of local government entities that is organized under section 4 of this act from engaging or contracting with an insurance agent or broker to purchase or obtain insurance on a fee basis.

Sec. 13. Section .01.05, chapter 79, Laws of 1947 as amended by section 1, chapter 13, Laws of 1975-'76 2nd ex. sess. and RCW 48.01.050 are each amended to read as follows:

"Insurer" as used in this code includes every person engaged in the business of making contracts of insurance, other than a fraternal benefit society. A reciprocal or interinsurance exchange is an "insurer" as used in this code. Two or more hospitals, as defined in RCW 70.39.020(3), which join and organize as a mutual corporation pursuant to chapter 24.06 RCW for the purpose of insuring or self-insuring against liability claims, including medical liability, through a contributing trust fund shall not be deemed an "insurer" under this code. Two or more local governmental entities, as defined in section 2 of this 1979 act, which pursuant to section 4 of this 1979 act or any other provision of law join together and organize to form an organization for the purpose of jointly self-insuring shall not be deemed an "insurer" under this code.

**NEW SECTION.** Sec. 14. Sections 1 through 12 of this act are each added to Title 48 RCW."

On page 1, on line 1 of the title, after "government;" strike "amending section 1, chapter 16, Laws of 1975 and RCW 36.16.138; amending section 3, chapter 239, Laws of 1967 as last amended by section 13, chapter 283, Laws of 1977 ex. sess. and RCW 39.34.020;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Charnley moved that the House do concur in the Senate amendments to Substitute House Bill No. 56.

Representatives Charnley and Dunlap 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 the final passage of Substitute House Bill No. 56 as amended by the Senate.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Heck.

Mr. Heck: "Representative Charnley, as it has now been adopted, would Substitute House Bill No. 56 prohibit local governmental units, specifically school districts, from pooling for purposes of group purchase of a health care insurance program?"

Mr. Charnley: "The answer is no."



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 56 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Hastings, Patterson.

Not voting: Representatives Becker, Bond, Dawson, Deccio, Haley, Lux, Taylor.

Substitute House Bill No. 56 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 25, 1979

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to HOUSE BILL NO. 31, and once again asks the House to concur therewith, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Taller moved that the House adhere to its position, and once again ask the Senate to recede.

Representatives Taller and Ehlers spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

May 29, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2791, except for the following:

The proviso starting on page 10, line 35 after "state" through and including "animal" on page 11, line 15, and all of New Section, Sec. 11 on page 12, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Fancher, the House refused to recede from its amendments to Substitute Senate Bill No. 2791.

## MESSAGE FROM THE SENATE

May 25, 1979

Mr. Speaker:

The Senate insists on its position regarding the Senate amendment on page 2, line 13, to SUBSTITUTE HOUSE BILL NO. 1, and once again asks the House to concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Schmitt moved that the House do not concur in the Senate amendment to Substitute House Bill No. 1, and again ask the Senate to recede therefrom.

Mr. Schmitt spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Schmitten yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Schmitten, just to be absolutely clear, the one amendment we are not concurring with is the one on page 2, line 13; is that correct?"

Mr. Schmitten: "That is correct."

Mr. Charnley spoke in favor of the motion, and it was carried.

## THIRD READING

SUBSTITUTE SENATE BILL NO. 2504, as amended by the House, by Committee on Agriculture (originally sponsored by Senators Morrison, Gaspard, Benitz and Hansen):

Providing for water during drought conditions.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2504 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Blair, Bond, Craswell, Ehlers, Jovanovich, Lux, McDonald, Nelson D., Nelson G. A., Sanders.

Not voting: Representatives Douthwaite, Newhouse, Taylor, Teutsch.

Substitute Senate Bill No. 2504 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

April 6, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 191 with the following amendments:

On line 3 of the title after "28A.51.070" and before the period insert "amending section 4, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 98, Laws of 1975 1st ex. sess. and RCW 28A.47.803; and creating a new section"

On page 2, following line 6 add new sections to read as follows:

"Sec. 2. Section 4, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 98, Laws of 1975 1st ex. sess. and RCW 28A.47.803 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.47.800 through 28A.47.811 shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state matching percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per full time equivalent pupil divided by the ratio of the total state adjusted valuation per full time pupil shall be subtracted from ((three)) two, and then the result of the foregoing shall be divided by ((three)) two plus (the ratio of the school district's adjusted valuation per full time equivalent pupil divided by the ratio of the total state adjusted valuation per full time pupil).

$$\begin{array}{rcc}
 \text{District adjusted} & & \text{Total state ad-} \\
 \text{valuation per full} & & \text{justed valuation} \\
 \text{time equivalent} & & \text{per full time} \\
 \text{pupil} & & \text{equivalent pupil} \\
 \text{(3)}_2 & = & \\
 \text{Computed} & & \\
 \text{State} & & \\
 \text{Ratio} & = & \text{State} \\
 & & \text{Assist-} \\
 \text{(3)}_2 & & \text{ance} \\
 \text{District adjusted} & & \text{Total state ad-} \\
 \text{valuation per full} & & \text{justed valuation} \\
 \text{time equivalent} & & \text{per full time} \\
 \text{pupil} & & \text{equivalent pupil}
 \end{array}$$

PROVIDED, That in the event the percentage of state assistance to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state assistance under RCW 28A.47.800 through 28A.47.811, the state board of education may establish for such district a percentage of state assistance not in excess of twenty percent of the approved cost of the project, if the state board finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district: PROVIDED FURTHER, That the percentage of state assistance to any such school district shall be based upon the formula in this subsection in effect at such time a district's bond issue for any such specific project was approved by the voters.

(3) In addition to the computed percent of state assistance developed in (2) above, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed percent of state assistance for each percent of growth, with a maximum of twenty percent.

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d) and (e) hereinabove, creating a like emergency.

NEW SECTION. Sec. 3. 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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House refused to concur in the Senate amendments to House Bill No. 191, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

May 31, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2071,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

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

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2929, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Bausch, Donohue, Bottiger and Shinpoch):

Revising laws relating to taxation of mobile homes.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 56th Day ex. sess., May 15, 1979.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be a Point of Order raised by Representative Sommers.

With the consent of the House, Ms. Sommers withdrew the point of order.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

On motion of Ms. Craswell, the following amendments by Representatives Craswell and Vrooman were adopted:

On page 11, line 30 of the engrossed bill, being page 11, line 27 of the printed bill, after "Washington" insert "or to a local governmental unit in the state of Washington"

On page 11, after line 36 of the engrossed bill, being page 11, line 33 of the printed bill, insert the following:

"Sec. 7. Section 2, chapter 12, Laws of 1979 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)) licensing pursuant to RCW ((46.16.100)) 46.16.160 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~~) licensing 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 regional universities, The Evergreen State College 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, including the use by the state or a political subdivision or municipal corporation thereof of drugs to be dispensed to patients by prescription without charge. 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 (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.

(26) 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.

(27) In respect to the use of ferry vessels of the state of Washington or of local governmental units in the state of Washington in transporting pedestrian or vehicular traffic within and outside the territorial waters of the state and in respect to the use of tangible personal property which becomes a component part of any such ferry vessel."

Renumber the remaining sections consecutively.

On page 1, line 5 of the title after "RCW 82.08.030;" insert "amending section 2, chapter 12, Laws of 1979 and RCW 82.12.050;"

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2929 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. 2929 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Decchio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tallier, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Nelson G. A.

Not voting: Representative Taylor.

Engrossed Substitute Senate Bill No. 2929 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. King, the House adjourned until 9:00 a.m., Friday, June 1, 1979.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## SEVENTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, June 1, 1979.

The House was called to order at 9:00 a.m. by the Speaker (Mr. Polk 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 Jackie Devish and Moni Brunton. Prayer was offered by The Reverend James H. Blundell 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

May 31, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 307,  
SUBSTITUTE HOUSE BILL NO. 768,  
SUBSTITUTE SENATE BILL NO. 2993,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 31, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2709 as amended by the House.

Bill Gleason, Assistant Secretary.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2505, by Committee on Ways and Means (originally sponsored by Senators Donohue, Marsh, Day, Walgren, Ridder and Goltz - by Executive request):

Authorizing a bond issue for jail facilities.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 37th Day ex. sess., April 26, 1979.)

Mr. Schmitten moved adoption of the committee amendments.

On motion of Mr. Blair, the following amendment by the Committee on Appropriations to the Institutions Committee amendment was adopted: On page 9 of the amendment, line 30 strike "four hundred three thousand dollars" and insert "three hundred sixty thousand dollars"

Ms. Hurley moved adoption of the following amendment to the committee amendment:  
On page 2, line 67 after "pretrial" strike "and post-trial"

Ms. Hurley spoke in favor of the amendment to the committee amendment, and Representatives Newhouse, Struthers and Becker spoke against it.

Ms. Hurley spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Ms. Becker, the following amendment by Representatives Becker and Struthers to the committee amendment was adopted:

On page 9 of the committee amendment immediately following line 27 strike new sections 21 and 22 and renumber the remaining sections consecutively.

The Speaker (Mr. Polk presiding) stated the question before the House to be the committee amendment as amended.



Mr. Struthers spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Amen.

Mr. Amen: "Regarding your comment on full funding, say one unit gets \$3 million; is that all they can spend on that or could the local governing unit put more in on it if they wanted to?"

Mr. Struthers: "It would be my understanding, Representative Amen, that the plans submitted to the Jail Commission requesting funds by a county entity, the amount stated and the amount funded, is full funding. Any amount over that the county may spend; the county would be expending its own money and not the state's money."

Mr. Amen: "They could then spend more money than the Jail Commission has allocated?"

Mr. Struthers: "They could spend their own funds."

#### POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Struthers, I have heard that there has been some discussion that jails that have been built and funded by local governmental units to date which meet the specifications could be eligible to have some reimbursement through this bill. Is that true or not?"

Mr. Struthers: "Representative Patterson, I cannot answer that."

Mr. Patterson: "Does the bill speak only to those facilities that would be designed under the Jail Standards Act of the funding for those that are not now under construction or have been built under those standards previous to the passage of this act?"

Mr. Struthers: "What you're referring to is a jail that is currently under construction?"

Mr. Patterson: "Yes."

Mr. Struthers: "I don't know of anything that is currently under construction. Perhaps I can better identify your question by saying that those counties will be prioritized as to their needs by the Jail Commission, and then they will take the dollars at the top and work down through that list. They have \$106 million with which to do that."

Mr. Patterson: "What is the intent of those of you who worked extensively on this bill? Is it your intent that you will, out of the proceeds of this fund, fund only those new facilities that would be planned and constructed from this point on?"

Mr. Struthers: "Yes. These have already been previously identified. There was a list and my understanding is that the list will be changed; that there is no list at this point in existence identified. Naturally those jails that are under a lawsuit would certainly place very high on the priority list."

The committee amendment as amended was adopted.

Ms. Becker moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Becker, the following amendment to the title amendment was adopted:

On page 10, line 3 of the title amendment strike "making appropriations;"

The committee amendment to the title as amended was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2505 as amended by the House was placed on final passage.

Representatives Deccio, Becker, Blair, Newhouse and Thompson spoke in favor of the bill.

#### POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Barr.

Mr. Barr: "Representative Becker, I understand the so-called jail bond bill, in essence, is a jail bill to quite a degree, and in this I understand that we will be adopting the facilities and custodial care standards. Will the commission have some flexibility in applying those custodial care standards?"

Ms. Becker: "Yes, it is my understanding that they will have some flexibility."

Mr. Lux spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2505 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Eberle, Hurley, Smith R.

Not voting: Representatives Ehlers, Erickson, Sanders, Walk.

Engrossed Substitute Senate Bill No. 2505 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.

## MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2250, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2251, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 1, 1979

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.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2504, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2791, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Vrooman moved that HOUSE BILL NO. 813 be placed at the top of today's second reading calendar.

Mr. Vrooman spoke in favor of the motion, and Mr. Warnke spoke against it.

## POINT OF ORDER

Mr. Wilson: "I believe the speaker is speaking to the issue and not to the motion."

The Speaker (Mr. Polk presiding): "Representative Warnke, you were straying a little far. Try to confine your remarks to the motion."

Mr. Warnke continued his remarks against the motion, and Mr. Martinis spoke in favor of it.

## POINT OF ORDER

Mr. Warnke: "Mr. Speaker, I think the gentleman is speaking to the issue and not to the motion."

The Speaker (Mr. Polk presiding): "I think Representative Martinis agrees with you and will try to restrain himself."

Mr. Martinis concluded his remarks in favor of the motion.

Speaker Berentson assumed the Chair.

Mr. Wilson spoke in favor of the motion, and Mr. Vrooman again spoke for it.

## POINT OF ORDER

Mr. Warnke: "The gentleman again is speaking to the contents of the bill and what it does or does not do, and is not speaking to the motion to place it on the calendar."

Speaker Berentson: "Representative Warnke, I'm sure you want to be fair to Representative Vrooman. Representative Vrooman, please conclude your remarks in the next two minutes and be as careful as possible."

Mr. Vrooman concluded his remarks in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to place House Bill No. 813 at the top of today's second reading calendar, and the motion was carried by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Eng, Erak, Fuller, Galloway, Garrett, Grimm, Gruger, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., Nisbet, North, Owen, Pruitt, Rosbach, Salatino, Schmitt, Scott, Sherman, Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Addison, Amen, Barnes, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Erickson, Fancher, Flanagan, Gallagher, Granlund, Greengo, Haley, Hastings, Hurley, Isaacson, McDonald, McGinnis, Nelson G. A., Newhouse, O'Brien, Oliver, Patterson, Polk, Rohrbach, Smith C. P., Smith R., Sprague, Struthers, Warnke, Winsley.

Not voting: Representatives Ehlers, Sanders, Walk.

Speaker Berentson called on Mr. Polk to preside.

## SENATE AMENDMENTS TO HOUSE BILL

May 10, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 791 with the following amendments:

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

"Section 1. Section 18, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.005 are each amended to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before September 30, 1977: RCW 41.26.080, 41.26.090, 41.26.100, 41.26.110, 41.26.120, 41.26.130, 41.26.140, 41.26.150, 41.26.160, 41.26.170, 41.26.190, 41.26.200, 41.26.240, 41.26.250, 41.26.260, and 41.26.270.

Sec. 2. Section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 17, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.030 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the 'Washington law enforcement officers' and fire fighters' retirement system' provided herein.

(2) (a) 'Employer' for persons who establish membership in the retirement system on or before September 30, 1977, means the legislative authority of any city, town, county or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the fire fighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or fire fighters as defined in this chapter.

(b) 'Employer' for persons who establish membership in the retirement system on or after October 1, 1977, means the legislative authority of any city, town, county, or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter.

(3) 'Law enforcement officer' means any person who is serving on a full time, fully compensated basis as a county sheriff or deputy sheriff, including sheriffs or deputy sheriffs serving under a different title pursuant to a county charter, city police officer, or town marshal or deputy marshal, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used; and those persons serving in unclassified positions authorized by RCW 41.14-.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers; and

(d) The term 'law enforcement officer' also includes the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended) if such individual has five years previous membership in the retirement system established in chapter 41.20 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply.

(4) 'Fire fighter' means:

(a) any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for fire fighter, or fireman if this title is used by the department, and who is actively employed as such;

(b) anyone who is actively employed as a full time fire fighter where the fire department does not have a civil service examination;

(c) supervisory fire fighter personnel;

(d) any full time executive secretary of an association of fire protection districts authorized under chapter 52.08 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(e) the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(f) any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for fireman or fire fighter; and

(g) any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971 was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW.

(5) 'Retirement board' means the Washington public employees' retirement system board established in chapter 41.40 RCW, including two members of the retirement system and two employer representatives as provided for in RCW 41.26.050. The retirement board shall be called the Washington law enforcement officers' and fire fighters' retirement board and may enter in legal relationships in that name. Any legal relationships entered into in that name prior to the adoption of this 1972 amendatory act are hereby ratified.

(6) 'Surviving spouse' means the surviving widow or widower of a member. The word shall not include the divorced spouse of a member.

(7) 'Child' or 'children' whenever used in this chapter means every natural born child and stepchild where that relationship was in existence prior to the date benefits are payable under this chapter, posthumous child, child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter, and illegitimate child legitimized prior to the date any benefits are payable under this chapter, all while unmarried, and either under the age of eighteen years or mentally or physically handicapped as determined by the retirement board except a handicapped person in the full time care of a state institution. A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(8) 'Member' means any fire fighter, law enforcement officer, or other person as would apply under subsections (3) or (4) of this section whose membership is transferred to the Washington law enforcement officers' and fire fighters' retirement system on or after March 1, 1970, and every law enforcement officer and fire fighter who is employed in that capacity on or after such date.

(9) 'Retirement fund' means the 'Washington law enforcement officers' and fire fighters' retirement system fund' as provided for herein.

(10) 'Employee' means any law enforcement officer or fire fighter as defined in subsections (3) and (4) above.

(11) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(12) (a) 'Final average salary' for persons who establish membership in the retirement system on or before September 30, 1977, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) 'Final average salary' for persons who establish membership in the retirement system on or after October 1, 1977, means the monthly average of the member's basic salary for the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(13) (a) 'Basic salary' for persons who establish membership in the retirement system on or before September 30, 1977, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) 'Basic salary' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That in any year in which a member serves in the legislature the member shall have the option of having such member's ((compensation earnable shall)) basic salary be the greater of:

(i) the ((compensation earnable)) basic salary the member would have received had such member not served in the legislature; or

(ii) such member's actual ((compensation earnable)) basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because ((compensation earnable)) basic salary under subparagraph (i) of this subsection is greater than ((compensation earnable)) basic salary under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(14) (a) 'Service' for persons who establish membership in the retirement system on or before September 30, 1977, means all periods of employment for an employer as a fire fighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all months of service rendered by a member from and after ((his)) the member's initial commencement of employment as a fire fighter or law enforcement officer, during which ((he)) the member worked for ((ten days)) seventy or more ((or the equivalent thereof)) hours, or was on disability leave or disability retirement. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. In addition to the foregoing, for members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, 'service' shall include (i) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under ((his)) the member's particular prior pension act, and (ii) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160 or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act: PROVIDED, That if such member's prior service is not creditable due to the withdrawal of his contributions plus accrued interest thereon from a prior pension system, such member shall be credited with such prior service, as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to that which was withdrawn from the prior system by such member, as a law enforcement officer or fire fighter: PROVIDED FURTHER, That if such member's prior service is not creditable because, although employed in a position covered by a prior pension act, such member had not yet become a member of the pension system governed by such act, such member shall be credited with such prior service as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to the employer's contributions which would have been required under the prior act when such service was rendered if the member had been a member of such system during such period: AND PROVIDED FURTHER, That where a member is employed by two employers at the same time, he shall only be credited with service to one such employer for any month during which he rendered such dual service.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month.

Members of the retirement system who are elected or appointed to a state elective position (~~as defined in RCW 41.40.010(30)~~) may elect to continue to be members of this retirement system.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

If a member receives basic salary from two or more employers during any calendar (~~year such member shall receive a total of not more than twelve months of service for such calendar year~~) month, the individual shall receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

(15) 'Accumulated contributions' means the employee's contributions made by a member plus accrued interest credited thereon.

(16) 'Actuarial reserve' means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay (~~his~~) the member's future benefits during the period of (~~his~~) retirement.

(17) 'Actuarial valuation' means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(18) 'Disability board' means either the county disability board or the city disability board established in RCW 41.26.110 for persons who establish membership in the retirement system on or before September 30, 1977.

(19) 'Disability leave' means the period of six months or any portion thereof during which a member is on leave at an allowance equal to (~~his~~) the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(20) 'Disability retirement' for persons who establish membership in the retirement system on or before September 30, 1977, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(21) 'Position' means the employment held at any particular time, which may or may not be the same as civil service rank.

(22) 'Medical services' for persons who establish membership in the retirement system on or before September 30, 1977, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered 'other medical expenses', provided that they have not been considered as 'hospital expenses'.

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopath licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic x-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when he is injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(23) 'Regular interest' means such rate as the (~~department~~) director may determine.

(24) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(25) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(26) 'Director' means the director of the department.

(27) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).

(28) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

Sec. 3. Section 3, chapter 257, Laws of 1971 ex. sess. as last amended by section 20, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.045 are each amended to read as follows:

(1) Notwithstanding any other provision of law after February 19, 1974 no law enforcement officer or fire fighter, may become eligible for coverage in the pension system established by this chapter, until ~~((he))~~ the individual has met and has been certified as having met minimum medical and health standards: PROVIDED, That an elected sheriff or an appointed chief of police or fire chief, shall not be required to meet the age standard: PROVIDED FURTHER, That in cities and towns having not more than two law enforcement officers and/or not more than two fire fighters and if one or more of such persons do not meet the minimum medical and health standards as required by the provisions of this chapter, then such person or persons may join any other pension system that the city has available for its other employees: AND PROVIDED FURTHER, That for one year after February 19, 1974 any such medical or health standard now existing or hereinafter adopted, insofar as it establishes a maximum age beyond which an applicant is to be deemed ineligible for coverage, shall be waived as to any applicant for employment or reemployment who is otherwise eligible except for his age, who has been a member of any one or more of the retirement systems created by chapter 41.20 of the Revised Code of Washington and who has restored all contributions which he has previously withdrawn from any such system or systems.

(2) This section shall not apply to persons who initially establish membership in the retirement system on or after July 1, 1979.

Sec. 4. Section 3, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.420 are each amended to read as follows:

A member of the retirement system shall receive a retirement allowance equal to two percent of such member's ~~((average))~~ final ~~((compensation))~~ average salary for each year of service.

Sec. 5. Section 1, chapter 80, Laws of 1947 as last amended by section 18, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) 'Accumulated contributions' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of all regular annuity contributions with regular interest thereon ~~((less cost of operation))~~.

(b) 'Accumulated contributions' for persons who establish membership in the retirement system on or after October 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the ~~((board of trustees))~~ director and regular interest.

(3) 'Annuity' means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) 'Annuity fund' means the fund in which all of the accumulated contributions of members are held.

(5) 'Annuity reserve fund' means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance or other benefit provided ~~((for))~~ by ~~((the teachers' retirement law))~~ this chapter.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) 'Contract' means any agreement for service and compensation between a member and an employer.

(8) 'Creditable service' means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(9) 'Dependent' means receiving one-half or more of support from a member.

(10) 'Disability allowance' means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(11) (a) 'Earnable compensation' for persons who establish membership in the retirement system on or before September 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the ~~((board of trustees))~~ employer shall fix the value of that part of the compensation not paid in money: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That if a leave of absence, without pay, is

taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for ((his)) the member's two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) 'Earnable compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation, to the extent provided above, and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That in any year in which a member serves in the legislature the member shall have the option of having such member's earnable compensation ((shall)) be the greater of:

(i) the earnable compensation the member would have received had such member not served in the legislature; or

(ii) such member's actual earnable compensation received for teaching and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) 'Employer' means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) 'Fiscal year' means a year which begins July 1st and ends June 30th of the following year.

(14) 'Former state fund' means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) 'Local fund' means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) 'Member' means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to be exempt ~~((himself))~~ from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) 'Membership service' means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system: PROVIDED, That where a member is employed by two or more employers ((during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year)) the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(18) 'Pension' means the moneys payable per year during life from the pension fund.

(19) 'Pension fund' means a fund from which all pension obligations are to be paid.

(20) 'Pension reserve fund' is a fund in the state treasury in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system.

(21) 'Prior service' means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(22) 'Prior service contributions' means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(23) 'Public school' means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

(24) 'Regular contributions' means the amounts required to be deducted from the compensation of a member and credited to ~~((his)) the member's~~ individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(25) 'Regular interest' means such rate as the ~~((department))~~ director may determine.

(26) (a) 'Retirement allowance' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) 'Retirement allowance' for persons who establish membership in the retirement system on or after October 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

(27) 'Retirement system' means the Washington state teachers' retirement system.

(28) (a) 'Service' means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers ((during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year))



the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for ninety or more hours per calendar month. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

(If a member receives earnable compensation from two or more employers during any calendar year such member shall receive a total of not more than twelve months of service for such calendar year.)

When an individual is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

Notwithstanding RCW 41.32.240, teachers covered by RCW 41.32.755 through 41.32.825, who render service need not serve for ninety days to obtain membership so long as the required contribution is submitted for such ninety-day period. Where a member did not receive service credit under RCW 41.32.775 through 41.32.825 due to the ninety-day period in RCW 41.32.240 the member may receive service credit for that period so long as the required contribution is submitted for the period. Anyone entering membership on or after October 1, 1977, and prior to July 1, 1979, shall have until June 30, 1980, to make the required contribution in one lump sum.

(29) 'Survivors' benefit fund' means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(30) 'Teacher' means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, educational service district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

(31) 'Average final compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average earnable compensation of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(32) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(33) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(34) 'Director' means the director of the department.

(35) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(36) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).

(37) 'Retirement board' means the board of trustees provided for in RCW 41.32.040.

Sec. 6. Section 21, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.005 are each amended to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before September 30, 1977: RCW 41.40.150, 41.40.160, 41.40.170, 41.40.180, 41.40.185, 41.40.190, 41.40.193, 41.40.195, 41.40.200, 41.40.210, 41.40.220, 41.40.230, 41.40.235, 41.40.250, 41.40.260, 41.40.270, 41.40.280, 41.40.300, 41.40.310, 41.40.320, and 41.40.330.

Sec. 7. Section 1, chapter 274, Laws of 1947 as last amended by section 16, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the public employees' retirement system provided for in this chapter.

(2) 'Retirement board' means the board provided for in this chapter and chapter 41.26 RCW.

(3) 'State treasurer' means the treasurer of the state of Washington.

(4) (a) 'Employer' for persons who establish membership in the retirement system on or before September 30, 1977, means every branch, department, agency, commission, board, and office of the state, any political subdivision or association of political subdivisions of the state admitted into the retirement system, and legal entities authorized by RCW (~~36.70.060~~ and) 35.63.070 and 36.70.060 or chapter 39.34 RCW as now or hereafter amended; and the term shall also include any labor guild, association, or organization the membership of a local lodge or division of which is comprised of at least forty percent employees of an employer (other than such labor guild, association, or organization) within this chapter. The term may also include any city of the first class that has its own retirement system.

(b) 'Employer' for persons who establish membership in the retirement system on or after October 1, 1977, means every branch, department, agency, commission, board, and office of the state, and any political subdivision and municipal corporation of the state admitted into the retirement system, including public agencies created pursuant to RCW (~~36.70.060~~) 35.63.070, 36.70.060, and 39.34.030.

(5) 'Member' means any employee included in the membership of the retirement system, as provided for in RCW 41.40.120.

(6) 'Original member' of this retirement system means:

(a) Any person who became a member of the system prior to April 1, 1949;

(b) Any person who becomes a member through the admission of an employer into the retirement system on and after April 1, 1949, and prior to April 1, 1951;

(c) Any person who first becomes a member by securing employment with an employer prior to April 1, 1951, provided ((he)) the member has rendered at least one or more years of service to any employer prior to October 1, 1947;

(d) Any person who first becomes a member through the admission of an employer into the retirement system on or after April 1, 1951, provided, such person has been in the regular employ of the employer for at least six months of the twelve-month period preceding the said admission date;

(e) Any member who has restored all ((his)) contributions that may have been withdrawn ((by him)) as provided by RCW 41.40.150 and who on the effective date of ((his)) the individual's retirement becomes entitled to be credited with ten years or more of membership service except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190(4) shall not apply to the member;

(f) Any member who has been a contributor under the system for two or more years and who has restored all ((his)) contributions that may have been withdrawn ((by him)) as provided by RCW 41.40.150 and who on the effective date of ((his)) the individual's retirement has rendered five or more years of service for the state or any political subdivision prior to the time of the admission of the employer into the system; except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190(4) shall not apply to the member.

(7) 'New member' means a person who becomes a member on or after April 1, 1949, except as otherwise provided in this section.

(8) (a) 'Compensation earnable' for persons who establish membership in the retirement system on or before September 30, 1977, means salaries or wages earned during a payroll period for personal services and where the compensation is not all paid in money, maintenance compensation shall be included upon the basis of the schedules established by the member's employer: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wage which the individual would have earned during a payroll period shall be considered compensation earnable and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That if a leave of absence is taken by an individual for the purpose of serving in the state legislature, the salary which would have been received for the position from which the leave of absence was taken, shall be considered as compensation earnable if the employee's contribution is paid by the employee and the employer's contribution is paid by the employer or employee.

(b) 'Compensation earnable' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude nonmoney maintenance compensation and lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee is a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wage which the individual would have earned during a payroll period shall be considered compensation earnable to the extent provided above, and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That in any year in which a member serves in the legislature, the member shall have the option of having such member's compensation earnable ((shall)) be the greater of:

(i) the compensation earnable the member would have received had such member not served in the legislature; or

(ii) such member's actual compensation earnable received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(9) (a) 'Service' for persons who establish membership in the retirement system on or before September 30, 1977, means periods of employment rendered to any employer for which compensation is paid, and includes time spent in office as an elected or appointed official of an employer. Full time work for ((ten days)) seventy hours or more ((or an equivalent period of work)) in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits. Members employed by the state school for the blind, or the state school for the deaf shall receive twelve months of service for each contract year or school year of employment commencing on or after the effective date of this act. In addition, each member who is employed by an institution of higher education or a community college shall receive twelve months of service for each academic year of employment commencing on or after the effective date of this act in which:

(i) the member makes member contributions under this chapter for each month of such academic year,  
and

(ii) the member is employed in a position which is restricted as to duration by the employer to the academic year. Service by a state employee officially assigned by the state on a temporary basis to assist another public agency, shall be considered as service as a state employee: PROVIDED, That service to any other public agency shall not be considered service as a state employee if such service has been used to establish benefits in any other public retirement system: PROVIDED FURTHER, That an individual shall receive no more than a total of twelve months of service credit during any calendar year: PROVIDED FURTHER, That where an individual is employed by two or more employers ((he)) the individual shall only receive ((a total of twelve)) one months ((of)) service credit during any calendar ((year)) month in which multiple service for seventy or more hours is rendered.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which compensation earned is earned for ninety or more hours per calendar month.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

Members employed by school districts, the state school for the blind, the state school for the deaf, institutions of higher education, or community colleges shall receive twelve months of service for each contract year or school year of employment.

Service in any state elective position shall be deemed to be full time service, except that persons serving in state elective positions who are members of the teachers' retirement system or law enforcement officers' and fire fighters' retirement system at the time of election or appointment to such position may elect to continue membership in the teachers' retirement system or law enforcement officers' and fire fighters' retirement system.

((f-a)) A member ((receives compensation earnable from two or more employers during any calendar year such member)) shall receive a total of not more than twelve months of service for such calendar year : PROVIDED, That when an individual is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

(10) 'Prior service' means all service of an original member rendered to any employer prior to October 1, 1947.

(11) 'Membership service' means:

(a) All service rendered, as a member, after October 1, 1947;

(b) All service after October 1, 1947, to any employer prior to the time of its admission into the retirement system: PROVIDED, That an amount equal to the employer and employee contributions which would have been paid to the retirement system on account of such service shall have been paid to the retirement system with interest (as computed by the ((retirement board)) department) on the employee's portion prior to retirement of such person, by the employee or his employer, except as qualified by RCW 41.40.120: PROVIDED FURTHER, That employer contributions plus employee contributions with interest submitted by the employee under this subsection shall be placed in the employee's individual account in the employees' savings fund and be treated as any other contribution made by the employee, with the exception that the contributions submitted by the employee in payment of the employer's obligation, together with the interest the director may apply to the employer's contribution, shall be excluded from the calculation of the member's annuity in the event the member selects a benefit with an annuity option;

(c) Service not to exceed six consecutive months of probationary service rendered after April 1, 1949, and prior to becoming a member, in the case of any member, upon payment in full by such member((prior to July 1, 1974)) of the total amount of the employer's contribution to the retirement fund which would have been required under the law in effect when such probationary service was rendered if the member had been a member during such period(:), except that the amount of the employer's contribution shall be calculated by the director based on the first month's compensation earnable as a member;

(d) Service not to exceed six consecutive months of probationary service, rendered after October 1, 1947, and before April 1, 1949, and prior to becoming a member, in the case of any member, upon payment in full by such member ((prior to July 1, 1974)) of five percent of such member's salary during said period of probationary service, except that the amount of the employer's contribution shall be calculated by the director based on the first month's compensation earnable as a member.

(12) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance, pension or other benefit provided by this chapter.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(13) 'Regular interest' means such rate as the ((department)) director may determine.

(14) 'Accumulated contributions' means the sum of all contributions standing to the credit of a member in ((his)) the member's individual account together with the regular interest thereon.

(15) (a) 'Average final compensation' for persons who establish membership in the retirement system on or before September 30, 1977, means the annual average of the greatest compensation earnable by a member during any consecutive two year period of service for which service credit is allowed; or if ((he)) the member has less than two years of service then the annual average compensation earnable during ((his)) the total years of service for which service credit is allowed.

(b) 'Average final compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average compensation earnable of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(16) 'Final compensation' means the annual rate of compensation earnable by a member at the time of termination of ((his)) employment.

(17) 'Annuity' means payments for life derived from accumulated contributions of a member. All annuities shall be paid in monthly installments.

(18) 'Pension' means payments for life derived from contributions made by the employer. All pensions shall be paid in monthly installments.

(19) 'Retirement allowance' means the sum of the annuity and the pension.

(20) 'Employee' means any person who may become eligible for membership under this chapter, as set forth in RCW 41.40.120.

(21) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality and other tables as may be adopted by the ((retirement board)) director.

(22) 'Retirement' means withdrawal from active service with a retirement allowance as provided by this chapter.

(23) 'Eligible position' means:

(a) Any position which normally requires five or more uninterrupted months of service a year for which regular compensation is paid to the occupant thereof;

(b) Any position occupied by an elected official or person appointed directly by the governor for which compensation is paid.

(24) 'Ineligible position' means any position which does not conform with the requirements set forth in subdivision (23).

(25) 'Leave of absence' means the period of time a member is authorized by the employer to be absent from service without being separated from membership.

(26) 'Totally incapacitated for duty' means total inability to perform the duties of a member's employment or office or any other work for which the member is qualified by training or experience.

(27) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(28) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(29) 'Director' means the director of the department.

(30) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(31) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).

**NEW SECTION.** Sec. 8. There is added to chapter 41.50 RCW a new section to read as follows:

(1) Notwithstanding any provision of law to the contrary, the retirement system expense fund is hereby redesignated as the department of retirement systems expense fund from which shall be paid the expenses of the administration of the department and the expenses of administration of the retirement systems created in chapters 2.10, 2.12, 41.26, 41.32, 41.40, and 43.43 RCW.

(2) On July 1, 1979, all funds credited for administrative expenses in the various retirement systems under the department's authority shall be transferred to the retirement systems expense fund, and all receivables due and payable to the various retirement systems for administrative expenses of those systems shall be due and payable to the retirement systems expense fund. Separate system by system disbursement accountability shall not be required. The retirement system expense fund shall assume all liabilities of the various prior retirement systems administrative expense funds effective with the date of transfer. The director may continue to collect administrative expense revenue during the 1979-81 biennium under currently prescribed procedures if it is found to be in the best interest of the department. The administrative expense collections shall be placed in the department of retirement systems expense fund as provided herein.

(3) The director may adjust the expense fund contribution rate for each system at any time when necessary to reflect unanticipated costs or savings in administering the department.

**NEW SECTION.** Sec. 9. There is added to chapter 41.50 RCW a new section to read as follows:

Notwithstanding any provision of law to the contrary, all employers of members of retirement systems administered by the department shall transmit by a warrant or check to the department within fifteen days following the end of each calendar month the moneys due the department as determined by the statutes governing each system together with such reports as the department may require. The director may collect interest on any employer's overdue payments at the rate of one percent per month on the outstanding balance where necessary to secure adherence to timeliness requirements.

Sec. 10. Section 16, chapter 274, Laws of 1947 as last amended by section 3, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.150 are each amended to read as follows:

Should any member die, or should ((he)) the individual separate or be separated from service without leave of absence before attaining age sixty years, or should ((he)) the individual become a beneficiary, except a beneficiary of an optional retirement allowance as provided by RCW 41.40.185 or 41.40.190, ((he)) the individual shall thereupon cease to be a member except;

(1) As provided in RCW 41.40.170.

(2) An employee not previously retired who reenters service shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions with interest as computed by the

~~((retirement board))~~ director, which restoration must be completed within a total period of five years of membership service following his first resumption of employment, be returned to the status, either as an original member or new member which he held at time of separation: PROVIDED, That any member who reentered service outside the ten-year period formerly provided by this subsection, and by reason of the former language of this section was not allowed to restore withdrawn contributions, shall have two years from April 25, 1973 to restore said contributions: AND PROVIDED FURTHER, That any member who reentered service within the ten-year period formerly provided by this section, and who failed to restore withdrawn contributions within the three or five years previously allowed, shall now have two years from April 25, 1973 to restore said contributions, with interest as determined by the ~~((retirement board))~~ director.

(3) A member who separates or has separated after having completed at least five years of service shall remain a member during the period of his absence from service for the exclusive purpose only of receiving a retirement allowance to begin at attainment of age sixty-five, however, such a member may upon thirty days written notice to the ~~((board))~~ director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty-five: PROVIDED, That if such member should withdraw all or part of his accumulated contributions, he shall thereupon cease to be a member and this section shall not apply.

(4) (a) The recipient of a retirement allowance who has not yet reached the compulsory retirement age of seventy and who shall be employed in an eligible position shall be considered to have terminated his retirement status and he shall immediately become a member of the retirement system with the status of membership he had as of the date of his retirement. Retirement benefits shall be suspended during the period of his eligible employment and he shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered two uninterrupted years of service the type of retirement allowance he had at the time of his previous retirement shall be reinstated, but no additional service credit shall be available;

(b) The recipient of a retirement allowance who has not yet reached the compulsory retirement age of seventy, following his election to office or appointment to office directly by the governor, and who shall apply for and be accepted in membership as provided in RCW 41.40.120(3) shall be considered to have terminated his retirement status and he shall become a member of the retirement system with the status of membership he had as of the date of his retirement. Retirement benefits shall be suspended from the date of his return to membership until the date when he again retires and he shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered six uninterrupted months of service the type of retirement allowance he had at the time of his previous retirement shall be reinstated, but no additional service credit shall be available: AND PROVIDED FURTHER, That if such a recipient of a retirement allowance does not elect to apply for reentry into membership as provided in RCW 41.40.120(3), or should he have reached the age of seventy and be ineligible to apply as provided in RCW 41.40.125, he shall be considered to remain in a retirement status and his retirement benefits shall continue without interruption.

(5) Subject to the provisions of RCW 41.04.070, 41.04.080 and 41.04.100, any member who leaves the employment of an employer and enters the employ of a public agency or agencies of the state of Washington, other than those within the jurisdiction of the state employees' retirement system, and who establishes membership in a retirement system or a pension fund operated by such agency or agencies and who shall continue his membership therein until attaining age sixty, shall remain a member for the exclusive purpose only of receiving a retirement allowance without the limitation found in RCW 41.40.180(1) to begin on attainment of age sixty-five, however, such a member may upon thirty days written notice to the ~~((retirement board))~~ director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits commencing at age sixty-five: PROVIDED, That if such member should withdraw all or part of his accumulated contributions, he shall thereupon cease to be a member and this section shall not apply.

Sec. 11. Section 28, chapter 274, Laws of 1947 as last amended by section 12, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.270 are each amended to read as follows:

(1) Should a member die before the date of ~~((his))~~ retirement the amount of the accumulated contributions standing to ~~((his))~~ the member's credit in the employees' savings fund, at the time of ~~((his))~~ death, shall be paid to such person or persons, having an insurable interest in ~~((his))~~ the member's life, as ~~((he))~~ the member shall have nominated by written designation duly executed and filed with the ~~((retirement board))~~ department. If there be no such designated person or persons still living at the time of the member's death, ~~((his))~~ or if a member fails to file a new beneficiary designation subsequent to marriage, remarriage, dissolution of marriage, divorce, or reestablishment of membership following termination by withdrawal or retirement, the member's credited accumulated contributions ~~((standing to his credit))~~ in the employees' savings fund shall be paid to ~~((his))~~ the surviving spouse as if in fact such spouse had been nominated by written designation as aforesaid, or if there be no such surviving spouse, then to ~~((his))~~ the member's legal representatives; (2) upon the death in service, or while on authorized leave of absence for a period not to exceed one hundred and twenty days from the date of payroll separation, of any member who is qualified but has not applied for a service retirement allowance or has completed ten years of service at the time of death, ~~((and who has designated a beneficiary:))~~ the designated beneficiary, or the surviving spouse as provided in subsection (1) of this section, may elect to waive the payment provided by subsection (1) of this section

~~((and)). Upon such an election, option II of RCW 41.40.185 or option II of RCW 41.40.190((6)), which ever is greater, shall automatically be given effect as if selected for the benefit of the surviving spouse or dependent who is the designated beneficiary, except that if the member is not then qualified for a service retirement allowance, such option II benefit shall be based upon the actuarial equivalent of the sum necessary to pay the accrued regular retirement allowance commencing when the deceased member would have first qualified for a service retirement allowance((-3)); PROVIDED ((FURTHER)), That subsection (1) of this section, unless elected, shall not apply to any member who has applied for service retirement in RCW 41.40.180, as now or hereafter amended, and thereafter dies between the date of ((his)) separation from service and ((his)) the member's effective retirement date, where the member has selected either options II or III in RCW 41.40.185 or 41.40.190 ((or 41.40.185)). In those cases the beneficiary named in the member's final application for service retirement may elect to receive either a cash refund or monthly payments according to the option selected by the member.~~

Sec. 12. Section 18, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.180 are each amended to read as follows:

The right of a person to a retirement allowance, disability allowance, or death benefit, the retirement, disability or death allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, and the moneys in the fund created under this chapter, are hereby exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, or any other process of law whatsoever: PROVIDED, That benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 13. Section 1, chapter 33, Laws of 1965 and RCW 41.20.180 are each amended to read as follows:

The right of a person to a pension, an annuity, or retirement allowance, or disability allowance, or death benefits, or any optional benefit, or any other right accrued or accruing to any person under the provisions of this chapter, and any fund created hereby, and all moneys and investments and income thereof, are exempt from any state, county, municipal, or other local tax, and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or other process of law whatsoever, and shall be unassignable: PROVIDED, That benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 14. Section 24, chapter 261, Laws of 1945 as amended by section 6, chapter 159, Laws of 1957 and RCW 41.24.240 are each amended to read as follows:

The right of any person to any future payment under the provisions of this chapter shall not be transferable or assignable at law or in equity, and none of the moneys paid or payable or the rights existing under this chapter, shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law: PROVIDED, That benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Nothing in this chapter shall be construed to deprive any fireman, eligible to receive a pension hereunder, from receiving a pension under any other act to which he may become eligible by reason of services other than or in addition to his services as a fireman under this chapter.

Sec. 15. Section 23, chapter 209, Laws of 1969 ex. sess. as last amended by section 12, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.180 are each amended to read as follows:

(1) Subject to subsections (2) and (3) of this section, the right of a person to a retirement allowance, disability allowance, or death benefit, to the return of accumulated contributions, the retirement, disability or death allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, and the moneys in the fund created under this chapter, are hereby exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or any other process of law whatsoever, and shall be unassignable((-PROVIDED, That)).

(2) On the written request of any person eligible to receive benefits under this section, the ((board)) department of retirement systems may deduct from such payments the premiums for life, health, or other insurance. The request on behalf of any child or children shall be made by the legal guardian of such child or children. The ((board)) department of retirement systems may provide for such persons one or more plans of group insurance, through contracts with regularly constituted insurance carriers or health care service contractors.

(3) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 16. Section 59, chapter 80, Laws of 1947 as last amended by section 1, chapter 63, Laws of 1971 and RCW 41.32.590 are each amended to read as follows:

(1) Subject to subsections (2) and (3) of this section, the right of a person to a pension, an annuity, a retirement allowance, or disability allowance, to the return of contributions, any optional benefit or death benefit, any other right accrued or accruing to any person under the provisions of this chapter and the moneys in the various funds created by this chapter shall be unassignable, and are hereby exempt from any state,

county, municipal or other local tax, and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or other process of law whatsoever(~~PROVIDED, That~~);

(2) This section shall not be deemed to prohibit a beneficiary of a retirement allowance who is eligible under RCW 41.05.080 from authorizing deductions therefrom for payment of premiums due on any group life or disability insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington or its political subdivisions in accordance with rules and regulations that may be promulgated by the (~~retirement board~~) department of retirement systems.

(3) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 17. Section 39, chapter 274, Laws of 1947 as last amended by section 4, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.380 are each amended to read as follows:

(1) Subject to subsections (2) and (3) of this section, the right of a person to a pension, an annuity, or retirement allowance, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, the various funds created by this chapter, and all moneys and investments and income thereof, are hereby exempt from any state, county, municipal, or other local tax, and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or other process of law whatsoever, and shall be unassignable(~~PROVIDED, That~~).

(2) This section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group life or disability insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington or its political subdivisions in accordance with rules and regulations that may be promulgated by the (~~retirement board~~; ~~PROVIDED FURTHER, That~~) department of retirement systems, and this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of dues and other membership fees to any retirement association or organization the membership of which is composed of retired public employees, if a total of three hundred or more of such retired employees have authorized such deduction for payment to the same retirement association or organization.

(3) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 18. Section 24, chapter 71, Laws of 1947 and RCW 41.44.240 are each amended to read as follows:

The right of a person to a pension, annuity or a retirement allowance, to the return of contribution, the pension, annuity or retirement allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, and the moneys in the fund created under this chapter shall not be subject to execution, garnishment, or any other process whatsoever: PROVIDED, That benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 19. Section 43.43.310, chapter 8, Laws of 1965 as amended by section 1, chapter 256, Laws of 1977 ex. sess. and RCW 43.43.310 are each amended to read as follows:

(1) The right of any person to a retirement allowance or optional retirement allowance under the provisions hereof and all moneys and investments and income thereof are exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws, or other processes of law whatsoever and shall be unassignable except as herein specifically provided(~~PROVIDED, That~~).

(2) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(3) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of members of the Washington state patrol or other public employees of the state of Washington.

(4) Deductions made in the past from retirement benefits are hereby expressly recognized, ratified and affirmed. Future deductions may only be made in accordance with this section.

NEW SECTION, Sec. 20. There is added to chapter 41.28 RCW a new section to read as follows:

Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

NEW SECTION, Sec. 21. There is added to chapter 41.04 RCW a new section to read as follows:

Whenever the department of retirement systems makes payments to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation, it shall be a sufficient answer to any claim of a beneficiary against the department for the department to show that the payments were made pursuant to a court decree.

NEW SECTION, Sec. 22. All payments made to a nonmember spouse or ex-spouse pursuant to the provisions of this amendatory act shall cease upon the death of such a nonmember spouse or ex-spouse.

Upon such a death, the department is hereby authorized and directed to pay to the member his or her full monthly entitlement of benefits.

**NEW SECTION.** Sec. 23. The provisions of sections 12 through 22 of this act shall apply only to court decrees of dissolution or legal separation and court-approved property settlement agreements entered after the effective date of this act and only to those persons who have actually retired.

**NEW SECTION.** Sec. 24. 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, on line 1 of the title, after "service;" strike the remainder of the title and insert "amending section 18, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.005; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 17, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.030; amending section 3, chapter 257, Laws of 1971 ex. sess. as last amended by section 20, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.045; amending section 3, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.420; amending section 1, chapter 80, Laws of 1947 as last amended by section 18, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.010; amending section 21, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.005; amending section 1, chapter 274, Laws of 1947 as last amended by section 16, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.010; amending section 16, chapter 274, Laws of 1947 as last amended by section 3, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.150; amending section 28, chapter 274, Laws of 1947 as last amended by section 12, chapter 151, Laws of 1972 ex. sess. and RCW 41.40.270; amending section 18, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.180; amending section 1, chapter 33, Laws of 1965 and RCW 41.20.180; amending section 24, chapter 261, Laws of 1945 as amended by section 6, chapter 159, Laws of 1957 and RCW 41.24.240; amending section 23, chapter 209, Laws of 1969 ex. sess. as last amended by section 12, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.180; amending section 59, chapter 80, Laws of 1947 as last amended by section 1, chapter 63, Laws of 1971 and RCW 41.32.590; amending section 39, chapter 274, Laws of 1947 as last amended by section 4, chapter 195, Laws of 1974 ex. sess. and RCW 41.40.380; amending section 24, chapter 71, Laws of 1947 and RCW 41.44.240; amending section 43.43.310, chapter 8, Laws of 1965 as amended by section 1, chapter 256, Laws of 1977 ex. sess. and RCW 43.43.310; adding a new section to chapter 41.04 RCW; adding a new section to chapter 41.28 RCW; and adding new sections to chapter 41.50 RCW; creating a new section; and declaring an emergency" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Taller moved that the House do concur in the Senate amendments to Substitute House Bill No. 791.

Representatives Taller and Thompson spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of Substitute House Bill No. 791 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 791 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Sanders, Walk.

Substitute Senate Bill No. 791 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 Ms. Becker, Engrossed Substitute Senate Bill No. 2505 as amended by the House was ordered transmitted immediately to the Senate.



## SENATE AMENDMENTS TO HOUSE BILL

May 30, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 527 with the following amendments:

On page 5, line 19 strike all of section 5 and renumber the remaining sections accordingly.

On page 6, line 27 after the period strike the remainder of the section.

On page 6, line 33 after "sum of" strike "one hundred ninety" and insert "fifty-five"

On page 6, line 34 after "dollars" strike the remainder of the sentence, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Schmitten moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 527.

Mr. Schmitten spoke in favor of the motion to concur, and Mr. Charnley spoke against it.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 527 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 527 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Charnley, Douthwaite.

Not voting: Representatives Ehlers, Sanders.

Engrossed Second 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 30, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1064 with the following amendments:

On page 1, line 9 after "contributions." add the following: "If the office of financial management determines, after consultation with the social security administration, that it is not necessary to establish the general fund - sick leave account to carry out the provisions of chapter 152, Laws of 1979, (Senate Bill No. 2030), then the transfers authorized by this section shall not be made."

On page 1, line 24 insert the following new section:

**\*NEW SECTION. Sec. 3.** It is the policy of the state of Washington to pay its employees on account of sickness or accident disability in accordance with applicable leave regulations and in such a manner so such payments are excluded from federal old age and survivors' insurance contribution requirements."

Renumber the remaining sections consecutively.

On page 2, line 11 strike all of section 6. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Thompson moved that the House do concur in the Senate amendments to Substitute House Bill No. 1064.

Representatives Thompson and Blair spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1064 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1064 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Sanders, Walk.

Substitute House Bill No. 1064 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, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1207 with the following amendments:

On page 1, line 6 strike "to assess the feasibility of modifying" and insert "for the purpose of contracting with"

On page 2, line 3 after "shall" strike "seek to"

On page 2, line 4 after "services and" strike "to"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendments to House Bill No. 1207.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of House Bill No. 1207 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1207 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bond, Clayton, Craswell, Fancher, McDonald, Nisbet, Williams.

Not voting: Representatives Ehlers, Sanders, Walk.

House Bill No. 1207 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, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 554 with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. The legislature finds that domestic violence is an issue of growing concern at all levels of government and that there is a present and growing need to develop innovative strategies and services which will ameliorate and reduce the trauma of domestic violence. Research findings show that domestic violence constitutes a significant percentage of homicides, aggravated assaults, and assaults and batteries in the United States. Domestic violence is a disruptive influence on personal and community life and is often interrelated with a number of other family problems and stresses. Shelters for victims of domestic violence are essential to provide protection to victims from further abuse and physical harm and to help the victim find long-range alternative living situations, if requested. Shelters provide safety, refuge, advocacy, and helping resources to victims who may not have access to such things if they remain in abusive situations.

The legislature therefore recognizes the need for the state-wide development and expansion of shelters for victims of domestic violence.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Shelter' means a place of temporary refuge, offered on a twenty-four hour, seven day per week basis to victims of domestic violence and their children.

(2) 'Domestic violence' is a categorization of offenses, as defined in section 2, chapter 105, Laws of 1979 1st ex. sess., committed by one cohabitant against another.

(3) 'Department' means the department of social and health services.

(4) 'Victim' means a cohabitant who has been subjected to domestic violence.

(5) 'Cohabitant' means a person who is married or who is cohabiting with a person of the opposite sex like husband and wife at the present or at sometime in the past. Any person who has one or more children in common with another person, regardless of whether they have been married or lived together at any time, shall be treated as a cohabitant.

**NEW SECTION.** Sec. 3. The department of social and health services, in consultation with individuals or groups having experience and knowledge of the problems of victims of domestic violence, shall:

(1) Establish minimum standards for shelters applying for grants from the department under this chapter. Classifications may be made dependent upon size, geographic location, and population needs;

(2) Receive grant applications for the development and establishment of shelters for victims of domestic violence;

(3) Distribute funds, within forty-five days after approval, to those shelters meeting departmental standards;

(4) Evaluate biennially each shelter receiving departmental funds for compliance with the established minimum standards; and

(5) Review the minimum standards each biennium to ensure applicability to community and client needs.

**NEW SECTION.** Sec. 4. Minimum standards established by the department under section 3 of this act shall ensure that shelters receiving grants under this chapter provide services meeting basic survival needs, where not provided by other means, such as, but not limited to, food, clothing, housing, safety, security, client advocacy, and counseling. These services shall be problem-oriented and designed to provide necessary assistance to the victims of domestic violence and their children.

**NEW SECTION.** Sec. 5. The department shall contract, where appropriate, with public or private nonprofit groups or organizations with experience and expertise in the field of domestic violence to:

(1) Develop and implement an educational program designed to promote public and professional awareness of the problems of domestic violence and of the availability of services for victims of domestic violence. Particular emphasis should be given to the education needs of law enforcement agencies, the legal system, the medical profession, and other relevant professions that are engaged in the prevention, identification, and treatment of domestic violence;

(2) Maintain a directory of temporary shelters and other direct service facilities for the victims of domestic violence which is current, complete, detailed, and available, as necessary, to provide useful referral services to persons seeking help on an emergency basis;

(3) Create a state-wide toll-free telephone number that would provide information and referral to victims of domestic violence;

(4) Provide opportunities to persons working in the area of domestic violence to exchange information; and

(5) Provide training opportunities for both volunteer workers and staff personnel.

**NEW SECTION.** Sec. 6. The department shall prepare an annual report to the legislature which shall include but not be limited to:

(1) Data reflecting the geographic incidence of domestic violence in the state, indicating the number of cases officially reported as well as an assessment of the degree of unreported cases;

(2) The number of persons and relevant statistical data, where possible, of persons treated or assisted by shelters receiving state funds; and

(3) A listing of potential and feasible prevention efforts, the estimated cost of providing the prevention services, and the projected benefits of providing the services.

The department may contract, where applicable, for the information required by this section.

NEW SECTION. Sec. 7. Shelters receiving state funds under this chapter shall:

(1) Make available shelter services to any person who is a victim of domestic violence and to that person's children;

(2) Encourage victims, with the financial means to do so, to reimburse the shelter for the services provided;

(3) Recruit, to the extent feasible, persons who are former victims of domestic violence to work as volunteers or staff personnel. An effort shall also be made to provide bilingual services;

(4) Provide prevention and treatment programs to victims of domestic violence, their children and, where possible, the abuser;

(5) Provide a day program or drop-in center to assist victims of domestic violence who have found other shelter but who have a need for support services.

NEW SECTION. Sec. 8. The department shall consult in all phases with persons and organizations having experience and expertise in the field of domestic violence.

NEW SECTION. Sec. 9. The department is authorized, under this chapter and the rules adopted to effectuate its purposes, to make available grants awarded on a contract basis to public or private nonprofit agencies, organizations, or individuals providing shelter services meeting minimum standards established by the department. Consideration as to need, geographic location, population ratios, and the extent of existing services shall be made in the award of grants. The department shall provide technical assistance to any nonprofit organization desiring to apply for the contracts if the organization does not possess the resources and expertise necessary to develop and transmit an application without assistance.

NEW SECTION. Sec. 10. Fifty percent of the funding for shelters receiving grants under this chapter must be provided by one or more local, municipal, or county source, either public or private. Contributions in-kind, whether materials, commodities, transportation, office space, other types of facilities, or personal services, may be evaluated and counted as part of the required local funding.

The department shall seek, receive, and make use of any funds which may be available from federal or other sources in order to augment state funds appropriated for the purpose of this chapter, and shall make every effort to qualify for federal funding.

NEW SECTION. Sec. 11. General assistance or aid to families with dependent children payments shall be made to otherwise eligible individuals who are residing in a secure shelter, a housing network or other shelter facility which provides shelter services to persons who are victims of domestic violence. Provisions shall be made by the department for the confidentiality of the shelter addresses where victims are residing.

NEW SECTION. Sec. 12. A shelter shall not be held liable in any civil action for denial or withdrawal of services provided pursuant to the provisions of this chapter.

NEW SECTION. Sec. 13. There is appropriated from the general fund to the department of social and health services for the 1979-1981 biennium the sum of one million dollars, or so much as may be necessary, to carry out the purposes of this act. Seven hundred thousand dollars of the amount appropriated shall be used for grants to shelters under section 9 of this act. The remaining three hundred thousand dollars shall be used to fund sections 3, 5, and 6 of this act.

NEW SECTION. Sec. 14. Sections 2 through 12 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 15. 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 554.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 554 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 554 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux,

Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Clayton, Craswell, Flanagan, Hastings, Newhouse, Polk, Struthers.  
Not voting: Representatives Ehlers, Sanders.

Engrossed Substitute House Bill No. 554 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

SUBSTITUTE SENATE BILL NO. 2685, by Committee on Constitutions and Elections (originally sponsored by Senator Bottiger):

Simplifying financial reporting requirements for public officials.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 57th Day ex. sess., May 16, 1979.)

Mr. Oliver moved adoption of the following amendment by Representatives Oliver and Erickson:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 19, chapter 1, Laws of 1973 as last amended by section 6, chapter 313, Laws of 1977 ex. sess. 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 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 authorized by subsection (3) of this section or otherwise expressly authorized by law, no public funds ((~~shall~~)) may be used directly or indirectly for lobbying: PROVIDED, This ((~~shall~~)) does not prevent officers or employees of an agency 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~~)) does not apply to the legislative branch.

(3) Any agency, not otherwise expressly authorized by law, may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency: PROVIDED, That public funds ((~~shall~~)) may not be expended as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. For the purposes of this subsection, the term 'gift' ((~~shall~~)) means a voluntary transfer of any thing of value without consideration of equal or greater value, but ((~~shall~~)) does not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business: PROVIDED FURTHER, That this section ((~~shall~~)) does not permit the printing of a state publication which has been otherwise prohibited by law.

(4) Each ((~~state agency which expends state funds for lobbying pursuant to an express authorization by law and each~~)) state agency, county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district which expends public funds for lobbying ((~~pursuant to the authorization contained in subsection (3) of this section 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~~)) shall file with the commission, except as exempted by subsection (4)(d) of this section, 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 elected official, officer, or employee ((~~engaged in such activities~~)) who lobbied, a general description of the nature of the ((~~activities~~)) lobbying, and the proportionate amount of time spent on the ((~~activities~~)) lobbying;

(c) ((~~An itemized~~)) A listing of ((~~any~~)) expenditures incurred by the agency for ((~~such activities~~)) lobbying including but not limited to travel, consultant or other special contractual services, and brochures and other publications, the principal purpose of which is to influence legislation;

(d) For purposes of subsection (4) of this section the term 'lobbying' does not include:

(i) Requests for appropriations by a state agency to the office of financial management pursuant to chapter 43.88 RCW nor requests by the office of financial management to the legislature for appropriations other than its own agency budget requests;

(ii) Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation, or report by an agency on a particular subject;

(iii) Official reports including recommendations submitted to the legislature on an annual or biennial basis by a state agency as required by law;

(iv) Requests, recommendations, or other communication between or within state agencies or between or within local agencies;

(v) Any other lobbying to the extent that it includes:

(A) Telephone conversations or preparation of written correspondence;

(B) In-person lobbying on behalf of an agency of no more than four days or parts thereof during any three-month period by officers or employees of that agency and in-person lobbying by any elected official of such agency on behalf of such agency or in connection with the powers, duties, or compensation of such official: PROVIDED, That the total expenditures of nonpublic funds made in connection with such lobbying 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 do not exceed fifteen dollars for any three-month period: PROVIDED FURTHER, That the exemption under this subsection is in addition to the exemption provided in (A) of this subsection;

(C) Preparation or adoption of policy positions.

The statements shall be in the form and the manner prescribed by the commission and shall be filed within ((thirty days)) one month after the end of the quarter covered by the report.

(5) In lieu of reporting under subsection (4) of this section any county, city, town, municipal corporation, quasi municipal corporation, or special purpose district may determine and so notify the public disclosure commission, that elected officials, officers, or employees who on behalf of any such local agency engage in lobbying reportable under subsection (4) of this section shall register and report such reportable lobbying in the same manner as a lobbyist who is required to register and report under RCW 42.17.150 and 42.17.170. Each such local agency shall report as a lobbyist employer pursuant to RCW 42.17.180.

(6) The provisions of this section ((shall)) do not relieve any elected official or officer or employee of an agency from complying with other provisions of this chapter, if such elected official, officer, or employee is not otherwise exempted.

(7) The purpose of this section is to require each state agency and certain local agencies to report the identities of those persons who lobby on behalf of the agency for compensation, together with certain separately identifiable and measurable expenditures of an agency's funds for that purpose. This section shall be reasonably construed to accomplish that purpose and not to require any agency to report any of its general overhead cost or any other costs which relate only indirectly or incidentally to lobbying or which are equally attributable to or inseparable from nonlobbying activities of the agency.

The public disclosure commission may adopt regulations clarifying and implementing this legislative interpretation and policy.

Sec. 2. Section 13, chapter 1, Laws of 1973 as amended by section 6, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.130 are each amended to read as follows:

((+)) No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency: PROVIDED, That the foregoing provisions of this section shall not apply to ((those)) the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

Sec. 3. Section 73, chapter 151, Laws of 1979 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 financial management, the director of ((the department of)) personnel, the director of the planning and community affairs agency, the director of the state system of community colleges, the executive director of the data processing authority, the executive secretary of the forest practice appeals board, the director of the gambling commission, the director of the higher education personnel board, the secretary of transportation, the executive secretary of the horse racing commission, the executive secretary of the human rights commission, the administrator of the interagency committee for outdoor recreation, the director of parks and recreation, the executive secretary of the board of prison terms and paroles, the administrator of the public disclosure commission, the director of retirement systems, the secretary of the utilities and transportation commission, the executive secretary of the board of tax appeals, the secretary of the state finance committee, the president of each of the regional and state universities and the president of The Evergreen State College, each

district and each campus president of each state community college, each professional staff member of the office of the governor, each professional staff member of the legislature, and ((every)) each member ((appointed-to)) of the state board for community college education, ((office-of community development;)) data processing authority, ((state finance committee, department of fisheries;)) forest practices board, forest practices appeals board, gambling commission, game commission, ((department-of game, each professional staff member of the office of the governor, and each professional staff member of the legislature;)) higher education personnel board, ((state-highway)) transportation commission, horse racing commission, human rights commission, board of industrial insurance appeals, liquor control board, interagency ((commission)) committee for outdoor recreation, parks and recreation commission, personnel board, board of prison terms and paroles, public disclosure commission, public employees' retirement system board, public pension commission, University of Washington board of regents, Washington State University board of regents, board of tax appeals, teachers' retirement system board of trustees, Central Washington University board of trustees, Eastern Washington University board of trustees, The Evergreen State College board of trustees, Western Washington University board of trustees, board of trustees of each community college, 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 after January 1st and before ((January 31st)) April 15th of each year for the preceding calendar 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, and every person appointed to the appointive positions enumerated herein shall, within two weeks of being so appointed, ((or-being-appointed-to-such elective-office;)) for the preceding twelve months; 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; PROVIDED HOWEVER, That a statement of a candidate or appointee filed during the period January 1st to April 15th shall cover the period from January 1st of the preceding calendar year to the time of candidacy or appointment if the filing of such statement would relieve the individual of a prior obligation to file a statement covering the entire preceding calendar year:

(a) Occupation, name of employer, and business address; and

(b) Each bank or savings account or 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, 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 any legislation, or any rule, rate, or standard 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)) the person reporting by the governmental entity for which such person serves as an elected ((official)) or appointed public officer or professional staff member 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 or position, 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 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: PROVIDED, FURTHER, That with respect to any bank or commercial lending institution in which is held any such office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of such bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by such bank or commercial lending institution from the governmental entity for which the individual is an ((elected))

official or candidate or professional staff member, 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; and

(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) 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.))~~

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

(1) Section 6, chapter 150, Laws of 1965 ex. sess., section 1, chapter 188, Laws of 1969 ex. sess. and RCW 42.21.060; and

(2) Section 7, chapter 150, Laws of 1965 ex. sess. and RCW 42.21.070.

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.\*

The Clerk read the following amendment by Representative Barr to the Oliver/Erickson amendment:

On page 17 after line 31 add a new section as follows:

\*NEW SECTION, Sec. 5. There is added to chapter 42.17 RCW a new section to read as follows:

Notwithstanding any provision to the contrary, only the following portions of this chapter, and no other, shall apply to small local agencies as defined in this section: RCW 42.17.130, 42.17.240, 42.17.250, 42.17.260, 42.17.270, 42.17.280, 42.17.290, 42.17.300, 42.17.310, 42.17.315, 42.17.320, 42.17.330, 42.17.340, and all those portions of the chapter dealing with the administration and enforcement of the above RCW sections. The above references to RCW sections and portions of chapter 42.17 RCW shall refer to such sections or portions as now law or hereafter amended. The term 'small local agencies' means any city or town with a population of under five thousand persons, or a school district of the second class or a special purpose district with annual expenditures of two hundred fifty thousand dollars or less, or an office, department, division, bureau, board, commission, or agency thereof.\*

Renumber the remaining section consecutively.

### POINT OF PERSONAL PRIVILEGE

Mr. Barr: "I would like to say that this amendment is House Bill No. 595. I think we all recognize that if you get a bill that's important to small communities through the legislature, it takes a lot of work and due to my absence I was unable to work this bill as hard as I should have. I understand that there's some agreement with the Senate that there should not be any amendments on this bill, however, this is so important to the people of the small communities throughout the state to get them exempt from the public disclosure. I've some agreement also..."



## SPEAKER'S ADMONITION (MR. POLK PRESIDING)

The Speaker (Mr. Polk presiding): "Representative Barr, you are speaking on the issue before us and not as a personal privilege. Would you like to move the amendment?"

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

The Clerk read the following amendment by Representatives Taller and Charnley to the Oliver/Erickson amendment:

On page 17, following line 31 insert a new section as follows:

"**NEW SECTION.** Sec 5. There is appropriated to the public disclosure commission from the general fund, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary to allow the commission to complete a detailed audit of all elected legislators and all elected statewide executive officers, by July 1, 1980."

## POINT OF ORDER

Ms. Erickson: "Mr. Speaker, I would like to challenge the scope and object of this amendment."

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

The Speaker (Mr. Polk presiding) stated the question before the House to be the amendment by Representatives Oliver and Erickson.

Representatives Oliver and Erickson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Oliver, the following amendment to the title was adopted:

On page 1, on line 3 of the title, after "42.17.190;" insert "amending section 13, chapter 1, Laws of 1973 as amended by section 6, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.130; amending section 73, chapter 151, Laws of 1979 and RCW 42.17.240; repealing section 6, chapter 150, Laws of 1965 ex. sess., section 1, chapter 188, Laws of 1969 ex. sess. and RCW 42.21.060; repealing section 7, chapter 150, Laws of 1965 ex. sess. and RCW 42.21.070;"

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2685 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2685 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Sanders.

Substitute Senate Bill No. 2685 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 Ms. Erickson, Substitute Senate Bill No. 2685 as amended by the House was ordered transmitted immediately to the Senate.

**SUBSTITUTE SENATE BILL NO. 2357**, by Committee on Ways and Means (originally sponsored by Senators Donohue, McDermott, Day, Fleming, von Reichbauer, North, Jones, Lee, Bluechel, Conner, Rasmussen, Hansen, Gaspard, Vognild, Wojahn, Gallagher, Lewis and Quigg - by Executive request):

Authorizing a bond issue for outdoor recreational facilities.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

On motion of Mr. Knowles, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2357 was placed on final passage.

Representatives Blair and Hurley spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Hurley yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Hurley, is it your understanding then that if the Senate bill passes, House Bill No. 565 will be referred to Rules Committee?"

Ms. Hurley: "Yes."

#### POINT OF INQUIRY

Mr. Blair yielded to question by Ms. Teutsch.

Ms. Teutsch: "I notice this bill says the issuance, sale and retirement of the bonds shall be under the supervision and control of the State Finance Committee. Could you tell me who serves on the State Finance Committee?"

Mr. Blair: "The Governor of the State of Washington, the Lieutenant Governor of the State of Washington and the Treasurer of the State of Washington are the three members of the State Finance Committee."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2357, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Salatino, Schmitzen, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Flanagan, Hastings, Newhouse, Rosbach, Smith C. P.

Not voting: Representatives Ehlers, Sanders.

Substitute Senate Bill No. 2357, 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.

#### MOTION

On motion of Mr. Newhouse, HOUSE BILL NO. 565 was rereferred to Committee on Rules.

SUBSTITUTE SENATE BILL NO. 2451, by Committee on Higher Education (originally sponsored by Senator Goltz):

Pertaining to tuition and fee waivers by institutions of higher education.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 37th Day ex. sess., April 26, 1979.)

Mr. Grimm moved adoption of the committee amendment to page 2, line 5.

Representatives Grimm and Teutsch spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 2, line 5 of Substitute Senate Bill No. 2451, and the amendment was adopted by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Patterson, Polk,

Pruitt, Rosbach, Salatino, Schmitten, Sherman, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Blair, Bond, Clayton, Craswell, Flanagan, Hastings, Hurley, McDonald, Nelson G. A., Newhouse, Nisbet, Rohrbach, Smith C. P., Sprague, Struthers, Tilly, Van Dyken.

Not voting: Representatives Dawson, Ehlers, Sanders, Scott.

On motion of Mr. Grimm, the committee amendment to page 2, line 31, adding a new section 4 was adopted.

Mr. Grimm moved adoption of the following amendment:

On page 1, beginning on line 24 strike all of subsection (b) and reletter the remaining subsections consecutively.

Mr. Grimm spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Grimm, I'm not sure that you have given the effect of your amendment. Your amendment would appear to strike some limitation on total commission and fee waivers. This type of waiver, which would be for those completing high school in a community college program, I suggest perhaps the limitation could still apply to all fee waivers and you're not striking this from the bill."

Mr. Grimm: "If I understand your question, you are saying, are we striking the one percent lid on the tuition exemptions that could be provided for high school completion for students getting a high school education?"

Mr. Newhouse: "In effect, you are allowing the community college, by striking subsection (b), to raise the limits of students' fees and tuition that the college can issue?"

Mr. Grimm: "We are indeed eliminating the limitation by the striking of this, which is consistent with what we did in House Bill No. 358."

Representatives Newhouse and Barnes spoke against the amendment, and Mr. Grimm spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Grimm to Substitute Senate Bill No. 2451, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Douthwaite, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Schmitten, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ehlers, Sanders.

Mr. Knowles moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2451 as amended by the House be advanced to final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 2451 as amended by the House to final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 86; nays, 9; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Addison, Blair, Clayton, Craswell, Eberle, Flanagan, Newhouse, Nisbet, Williams.

Not voting: Representatives Ehlers, Sanders, Wilson.

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 2451 as amended by the House.

Representatives Grimm, Barnes and Haley spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Grimm, could you speak to the constitutional question that may arise out of this legislation, wherein we are granting the credit of the state to those who do not have demonstrated need or for those that would have an opportunity to have the waiver because of their exceptional talent?"

Mr. Grimm: "Representative Patterson, there is a constitutional provision or prohibition on providing state support to those who are not needy or disadvantaged; however, an attorney general has ruled that his opinion is that only if there is conscious or deliberate state support. What we're providing is simply an extension from the payment of tuition; we are not supplementing or covering the cost that has been lost to those community colleges or to the institutions of higher education. As long as we do not reimburse the institutions for that revenue loss, it is permissible under the Constitution to provide that exemption. That is the basis on which this exemption has been formulated."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2451 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, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Douthwaite, Eberle, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Blair, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Flanagan, McDonald, Newhouse, Nisbet, Tupper, Williams.

Not voting: Representatives Ehlers, Sanders.

Substitute Senate Bill No. 2451 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 SPEAKERS

The Speaker (Mr. Polk presiding) announced the Speakers were signing:  
SUBSTITUTE SENATE BILL NO. 2071.

#### MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE BILL NO. 191, insists on its position, and asks the House to concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Heck, the House insisted on its position with regard to House Bill No. 191, and again asked the Senate to recede therefrom.

The Speaker (Mr. Polk presiding) declared the House to be at ease until 1:30 p.m.

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

## SENATE AMENDMENTS TO HOUSE BILL

May 31, 1979

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 845 with the following amendments:

In line 13 of the title after "48.17.500;" insert "amending section .17.15, chapter 79, Laws of 1947 as last amended by section 47, chapter 292, Laws of 1971 ex. sess. and RCW 48.17.150; amending section .17.25, chapter 79, Laws of 1947 and RCW 48.17.250;"

On page 4, line 6 after "agent." insert "The commissioner may adopt regulations establishing alternative appointment procedures for individuals within licensed firms or corporations who are empowered to exercise the authority conferred by the firm or corporate license."

On page 8, after line 28 insert the following:

\*Sec. 7. Section .17.15, chapter 79, Laws of 1947 as last amended by section 47, chapter 292, Laws of 1971 ex. sess. and RCW 48.17.150 are each amended to read as follows:

(1) To qualify for an agent's or broker's license an applicant must otherwise comply with this code therefor and must

(a) be eighteen years of age or over, if an individual;

(b) be a bona fide resident of and actually reside in this state, or if a corporation, be other than an insurer and maintain a lawfully established place of business in this state, except as provided in RCW 48.17.330;

(c) be empowered to be an agent or broker, as the case may be, under its members' agreement, if a firm, or by its articles of incorporation, if a corporation;

(d) complete such minimum educational requirements for the issuance of an agent's license for the kinds of insurance specified in RCW 48.17.210 as may be required by regulation issued by the commissioner;

(e) successfully pass any examination as required under RCW 48.17.110;

((fe)) (f) be a trustworthy person;

((ff)) (g) not intend to use or use the license for the purpose principally of writing controlled business, as defined in RCW 48.17.080;

((ft)) (h) if for an agent's license, be appointed as its agent by one or more authorized insurers, subject to issuance of the license; and

((ht)) (i) if for broker's license, have had at least two years experience either as an agent, solicitor, adjuster, general agent, broker, or as an employee of insurers or representatives of insurers, and special education or training of sufficient duration and extent reasonably to satisfy the commissioner that he possesses the competence necessary to fulfill the responsibilities of broker.

(2) The commissioner shall by regulation establish minimum continuing education requirements for the renewal or reissuance of a license to an agent or a broker: PROVIDED, That the commissioner shall require that continuing education courses will be made available on a statewide basis in order to ensure that persons residing in all geographical areas of this state will have a reasonable opportunity to attend such courses. The continuing education requirements shall be appropriate to the license for the kinds of insurance specified in RCW 48.17.210: PROVIDED FURTHER, That the continuing education requirements may be waived by the commissioner for good cause shown.

(3) If the commissioner finds that the applicant is so qualified and that the license fee has been paid, he shall issue the license. Otherwise, the commissioner shall refuse to issue the license."

Renumber the remaining sections consecutively.

On page 8, after line 28 add a new section to read as follows:

"Sec. 8. Section .17.25, chapter 79, Laws of 1947 as amended by section 4, chapter 182, Laws of 1977 ex. sess. and RCW 48.17.250 are each amended to read as follows:

(1) Every applicant for a broker's license or for the renewal of a broker's license existing on the effective date of this code shall file with the application or request for renewal and shall thereafter maintain in force while so licensed a bond in favor of the people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of twenty thousand dollars. If the applicant is a firm or corporation, the bond shall be in the amount of twenty thousand dollars plus five thousand dollars for the second and five thousand dollars for each additional individual empowered and designated in the license to exercise the powers conferred thereby. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the ((payment of twenty thousand dollars)) required amount of the bond. The bond shall be contingent on the accounting by the broker to any person requesting the broker to obtain insurance, for moneys or premiums collected in connection therewith.

(2) Any such bond shall remain in force until the surety is released from liability by the commissioner, or until the bond is canceled by the surety. Without prejudice to any liability accrued prior to such cancellation, the surety may cancel the bond upon thirty days advance notice in writing filed with the commissioner."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

Mr. Douthwaite moved that the House do concur in the Senate amendments to House Bill No. 845.

Mr. Rohrbach moved that the question be divided and each amendment be considered separately.

The motion by Mr. Rohrbach was carried.

Mr. Douthwaite moved that the House concur in the amendment to page 4, line 6.

Mr. Douthwaite spoke in favor of the motion, and Mr. Rohrbach spoke against it.

Mr. Douthwaite spoke again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to page 4, line 6 of House Bill No. 845, and the motion was carried by the following vote: Yeas, 59; nays, 38; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Craswell, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Addison, Barnes, Barr, Bond, Clayton, Dawson, Deccio, Dunlap, Eberle, Fancher, Flanagan, Fuller, Greengo, Haley, Hastings, Houchen, McDonald, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, Zimmerman.

Not voting: Representative Chandler.

Mr. Douthwaite moved that the House concur in the Senate amendment to page 8, line 28, adding section 7.

Representatives Douthwaite, Knowles, Deccio, Charnley and Keller spoke in favor of the motion, and Mr. Rohrbach spoke against it.

The motion was carried.

Mr. Douthwaite moved that the House concur in the Senate amendment adding section 8.

Representatives Douthwaite and Rohrbach spoke in favor of the motion, and it was carried.

On motion of Mr. Douthwaite, the House concurred in the Senate amendment to the title.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of House Bill No. 845 as amended by the Senate.

#### POINT OF INQUIRY

Mr. Rohrbach yielded to question by Mr. Bond.

Mr. Bond: "Representative Rohrbach, there has been a reference to the possibility of the industry itself paying for this regulation, and I would like to know if, in the course of your committee's examining this, if this item has come up and if it has been considered?"

Mr. Rohrbach: "Yes, Representative Bond, I think in testimony our committee received earlier in the session, the independent agents of the state were very favorable toward this program, and I think they would be more than willing to be assessed to pay for it."

Mr. Bond spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 845 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Rohrbach, Sanders.

Not voting: Representatives Chandler, Eberle.

House Bill No. 845 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.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. Polk presiding) announced the Speakers were signing:  
HOUSE BILL NO. 516,  
SUBSTITUTE SENATE BILL NO. 2993.

The Speaker (Mr. Polk presiding) declared the House to be at ease.  
Speaker Berentson called the House to order.

#### MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 907,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2451, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2685, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 1, 1979

The President has signed:

HOUSE BILL NO. 516,  
SUBSTITUTE SENATE BILL NO. 2243,  
SUBSTITUTE SENATE BILL NO. 2244,  
SUBSTITUTE SENATE BILL NO. 2249,  
SUBSTITUTE SENATE BILL NO. 2250,  
SUBSTITUTE SENATE BILL NO. 2251,  
SUBSTITUTE SENATE BILL NO. 2357,  
SUBSTITUTE SENATE BILL NO. 2361,  
SUBSTITUTE SENATE BILL NO. 2451,  
SENATE BILL NO. 2466,  
SUBSTITUTE SENATE BILL NO. 2504,  
SUBSTITUTE SENATE BILL NO. 2639,  
SUBSTITUTE SENATE BILL NO. 2685,  
SUBSTITUTE SENATE BILL NO. 2709,  
SENATE BILL NO. 2765,  
SUBSTITUTE SENATE BILL NO. 2791,  
SUBSTITUTE SENATE BILL NO. 2964,  
SUBSTITUTE SENATE BILL NO. 3129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has receded from its amendment to page 2, line 13 to SUBSTITUTE HOUSE BILL NO. 1, and has passed the bill with the remaining amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENT

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 1 without the Senate amendment to page 2, line 13.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1 without the Senate amendment to page 2, line 13, and the bill passed the House with the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McDonald, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Schmitt, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Barr, Bond, Chandler, Gallagher, Heck, Houchen, McCormick, McGinnis, Mitchell, Salatino, Sanders, Scott, Thompson, Vrooman.

Substitute House Bill No. 1 with certain Senate 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.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 56,  
 SECOND SUBSTITUTE HOUSE BILL NO. 527,  
 SUBSTITUTE HOUSE BILL NO. 554,  
 SUBSTITUTE HOUSE BILL NO. 791,  
 SUBSTITUTE HOUSE BILL NO. 1064,  
 HOUSE BILL NO. 1207,  
 SUBSTITUTE SENATE BILL NO. 2243,  
 SUBSTITUTE SENATE BILL NO. 2244,  
 SUBSTITUTE SENATE BILL NO. 2249,  
 SUBSTITUTE SENATE BILL NO. 2250,  
 SUBSTITUTE SENATE BILL NO. 2251,  
 SUBSTITUTE SENATE BILL NO. 2361,  
 SENATE BILL NO. 2466,  
 SUBSTITUTE SENATE BILL NO. 2504,  
 SUBSTITUTE SENATE BILL NO. 2639,  
 SUBSTITUTE SENATE BILL NO. 2709,  
 SENATE BILL NO. 2765,  
 SUBSTITUTE SENATE BILL NO. 2791,  
 SUBSTITUTE SENATE BILL NO. 2964,  
 SUBSTITUTE SENATE BILL NO. 3129.

## MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate concurs in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2929 to page 11, line 27 and page 11, line 33 by Representatives Craswell and Vrooman, and also concurs in the amendment to page 11, line 33 by Representatives Sommers, Nelson and Erickson; and refuses to concur in all of the remaining amendments and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Sommers, the House insisted on its position with regard to the House amendments to Engrossed Substitute Senate Bill No. 2929.

There being no objection, Speaker Berentson ordered Engrossed Substitute Senate Bill No. 2929 transmitted immediately back to the Senate.



## SENATE AMENDMENT TO HOUSE BILL

June 1, 1979

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 433 with the following amendment:

On page 2, line 27 after "RCW" insert "PROVIDED, That this amendatory provision relating to tax exemptions or credits shall not apply to any facility eligible for a certificate as described in RCW 82.34.010(5)"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Barr moved that the House do concur in the Senate amendment to Engrossed House Bill No. 433.

Representatives Barr, Valle, Zimmerman and Addison spoke in favor of the motion, and Representatives Sommers, Newhouse and Douthwaite spoke against it.

Mr. Barr again spoke in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 433 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 433 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; nays, 13; not voting, 11.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Erak, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, McCormick, McDonald, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Struthers, Tally, Taylor, Teutsch, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Clayton, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Hurley, Lux, Maxie, Newhouse, North, Salatino.

Not voting: Representatives Bond, Chandler, Houchen, May, McGinnis, Mitchell, Sanders, Sommers, Thompson, Tilly, Warnke.

Engrossed House Bill No. 433 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.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE SENATE BILL NO. 2357,  
SUBSTITUTE SENATE BILL NO. 2451.

## MESSAGE FROM THE SENATE

May 31, 1979

Mr. Speaker:

The Senate refuses to recede from its amendment to HOUSE JOINT RESOLUTION NO. 31, and once again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Oliver moved that the House refuse to concur in the Senate amendment to House Joint Resolution No. 31, and again ask the Senate to recede therefrom.

Representatives Oliver and Erickson spoke in favor of the motion, and it was carried.

## SENATE AMENDMENTS TO HOUSE BILL

June 1, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 574 with the following amendments:

On page 1, line 5 of the title after "bonds;" strike "amending section 24, chapter 13, Laws of 1967 as amended by section 4, chapter 155, Laws of 1973 and RCW 90.48.260;"

On page 4 after line 18 strike all of section 11 and renumber the remaining sections consecutively.

On page 5, after line 34 strike all of section 13 and renumber the remaining sections consecutively and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 574.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 574 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 574 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Hughes, Hurley, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Flanagan.

Not voting: Representatives Chandler, Eberle, Eng, Houchen, Keller, Martinis, McGinnis, Newhouse, Oliver, Sanders, Taller.

Engrossed Substitute House Bill No. 574 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 1, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3101, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Blair moved that the House do recede from its amendments to Substitute Senate Bill No. 3101.

Representatives Blair and McDonald spoke in favor of the motion, and Representatives Thompson, Heck and Taylor spoke against it.

Mr. Blair spoke again in favor of the motion.

The motion was lost.

## MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2505, except for subsection (4), section 11, page 10, line 30 of the

amendment, being page 4, line 21 of the printed amendment, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Struthers, the House receded from its amendment to Engrossed Substitute Senate Bill No. 2505.

#### FINAL PASSAGE OF SENATE BILL WITHOUT CERTAIN HOUSE AMENDMENT

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2505 without one House amendment.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2505 without one House amendment, and the bill passed the House by the following vote: Yeas, 81; nays, 1; not voting, 16.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representative Hurley.

Not voting: Representatives Amen, Chandler, Charnley, Clayton, Erickson, Houchen, Hughes, Knowles, Martinis, McGinnis, Monohon, Sanders, Sherman, Tilly, Walk, Wilson.

Engrossed Substitute Senate Bill No. 2505 without one 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.

#### MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE BILL NO. 191, insists on its position, and once again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Heck, the House again insisted on its position with regard to House Bill No. 191.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

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

#### RESOLUTIONS

HOUSE RESOLUTION NO. 79-116, by Representatives Bagnariol, Berentson, Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G.A.), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith (C.P.), Smith (R), Sommers, Sprague, Struthers, Taller,

Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley and Zimmerman.

WHEREAS, The Seattle SuperSonics have won the World Championship of the National Basketball Association; and

WHEREAS, The Sonics' second place finish (by six points in the final game) last year was greeted by a Seattle parade attended by some 25,000 people; and

WHEREAS, The Sonics have won 116 games while losing only 64 since Coach Lenny Wilkens returned; and

WHEREAS, Assistant Coach Les Habegger has provided inspiration and dedication to his players and coach; and

WHEREAS, The Sonics' teamwork, unselfishness, composure and ability to come from behind have been inspirational to all who love sports;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives expresses its sincere congratulations to the Sonics and extends to them the best wishes on its World Championship; and

BE IT FURTHER RESOLVED, That Lenny Wilkens be finally recognized for what he is—the NBA Coach of the Year for both the 1977-78 and 1978-79 seasons; and

BE IT FURTHER RESOLVED, That the entire Sonics organization be applauded for its ability to gather the emotions and affections of so many, including legislators, to take our minds off politics and to unify the entire state in its support of the Sonics in their quest for the championship. Go Sonics!

BE IT FURTHER RESOLVED, That this resolution will be presented to the SuperSonics by Speakers Berentson and Bagnariol, Monday during the victory parade.

On motion of Speaker Bagnariol, the resolution was adopted.

Speaker Bagnariol assumed the Chair.

HOUSE RESOLUTION NO. 79-117, by Representatives Bagnariol, Berentson, Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G.A.), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley and Zimmerman.

WHEREAS, The Seattle SuperSonics have won the distinction of being the world champions of basketball; and

WHEREAS, The SuperSonics achieved the honor of being world champions in beating the Washington Bullets by four straight games; and

WHEREAS, The SuperSonics won two of these games on Washington's home court; and

WHEREAS, Seattle coach Lenny Wilkens is the best coach in the National Basketball League; and

WHEREAS, All of the citizens of Washington State take great pride in the accomplishments of the SuperSonics;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extends its grateful appreciation and congratulations to the Seattle SuperSonics and their coach, Lenny Wilkens; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be transmitted by the Chief Clerks to each member of the Seattle SuperSonics; Coach Lenny Wilkens; Assistant Coach Les Habegger; owner Sam Schulman; and Charles Royer, Mayor of Seattle.

On motion of Speaker Berentson the resolution was adopted.

Speaker Berentson resumed the Chair.

SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

HOUSE BILL NO. 845,  
SUBSTITUTE HOUSE BILL NO. 907,  
SUBSTITUTE SENATE BILL NO. 2685.

MOTIONS

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

SECOND READING

On motion of Mr. Polk, the Rules Committee was relieved of SENATE CONCURRENT RESOLUTION NO. 110, and the resolution was placed on the second reading calendar for immediate consideration.

SENATE CONCURRENT RESOLUTION NO. 110, by Senators Walgren, Odegaard, Matson and Newschwander:

Extending an invitation to the National Conference of State Legislatures to meet in Seattle in 1982.

The resolution was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 110 was placed on final passage.

Senate Concurrent Resolution No. 110 was adopted.

MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 56,  
SECOND SUBSTITUTE HOUSE BILL NO. 527,  
SUBSTITUTE HOUSE BILL NO. 554,  
SUBSTITUTE HOUSE BILL NO. 791,  
SUBSTITUTE HOUSE BILL NO. 1064,  
HOUSE BILL NO. 1207,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE BILL NO. 3008, by Committee on Ways and Means (originally sponsored by Senator Walgren):

Increasing the salaries of elected officials.

The bill was read the second time.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings, McGinnis, Eberle and Rohrbach:

On page 2, beginning on line 20 strike all language through "sessions." on line 3 of page 3.

Representatives Hastings, Eberle, Rohrbach and Isaacson spoke in favor of the amendment, and Representatives Blair, Bagnariol, King, Chandler and Scott spoke against it.

Mr. Hastings spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Eberle moved adoption of the following amendment by Representatives Eberle, Hastings and Rohrbach:

On page 3, line 10 following "session." insert "Notwithstanding any other provision of law, the state treasurer shall not issue in any calendar year warrants for the subsistence and lodging of any member of the legislature in excess of the following limits:

- (1) For any odd-numbered year, no more than one hundred five days while in session.
- (2) For any even-numbered year, no more than sixty days while in session."

Mr. Eberle spoke in favor of the amendment, and it was not adopted.

The Clerk read the following amendment by Representative Addison:

On page 3, line 2 following "1981" insert ": PROVIDED, That legislative salaries shall be reduced by one percent for each one percent increase in the cost of living as determined each quarter by the United States Department of Labor"

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

On motion of Ms. Sommers, the following amendments by Representatives Sommers and Newhouse were adopted:

On page 5, line 35 of the engrossed bill, being page 5, line 30 of the printed bill, strike "thirty-five thousand three hundred" and insert "thirty-four thousand"

On page 5, line 36 of the engrossed bill, being page 5, line 31 of the printed bill, strike "thirty-seven thousand eight hundred" and insert "thirty-five thousand"

On motion of Mr. Nisbet, the following amendment by Representatives Nisbet and Thompson was adopted:

On page 6, following line 13 insert a new section as follows:

"Sec. 9. Section 100, chapter 299, Laws of 1961 as last amended by section 1, chapter 95, Laws of 1974 ex. sess. and RCW 3.58.020 are each amended to read as follows:

(1) The annual salaries of part time justices of the peace shall be set by the county commissioners in each county in accordance with the minimum and maximum salaries provided in this subsection:

(a) In justice court districts having a population under two thousand five hundred persons, the salary shall be not less than one thousand five hundred dollars nor more than ~~((four))~~ six thousand dollars;

(b) In justice court districts having a population of two thousand five hundred persons or more, but less than five thousand, the salary shall be set at not less than one thousand ~~((two))~~ eight hundred dollars nor more than ~~((five-thousand))~~ seven thousand five hundred dollars;

(c) In justice court districts having a population of five thousand persons or more, but less than seven thousand five hundred, the salary shall be set at not less than one thousand ~~((two))~~ eight hundred or more than ~~((six))~~ nine thousand dollars;

(d) In justice court districts having a population of seven thousand five hundred persons or more, but less than ten thousand, the salary shall be set at not less than ~~((one thousand five hundred))~~ two thousand two hundred fifty dollars or more than ~~((seven-thousand))~~ ten thousand five hundred dollars;

(e) In justice court districts having a population of ten thousand persons or more, but less than twenty thousand, the salary shall be set at not less than ~~((two))~~ three thousand dollars or more than ~~((nine-thousand))~~ thirteen thousand five hundred dollars;

(f) In justice court districts having a population of twenty thousand persons or more, but less than thirty thousand, the salary shall be set at not less than ~~((three thousand five hundred))~~ five thousand two hundred fifty dollars or more than ~~((fifteen-thousand))~~ twenty-two thousand five hundred dollars."

Mr. Nelson (D) moved adoption of the following amendment:

On page 6, after line 13 insert the following additional sections:

"Sec. 9. Section 1, chapter 150, Laws of 1967 ex. sess. as amended by section 1, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.010 are each amended to read as follows:

((Definition of terms:

(1) "Legislator" means a current member of the senate or house of representatives of the state of Washington. The term shall include an appointee to either house.))

Unless the context clearly requires otherwise, the definitions set forth in this section apply throughout this chapter.

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes any state office, department, division, bureau, board, commission, and any other unit of state government, however constituted or designated, other than the legislature or any office, committee, subcommittee, or other unit of the legislature, however constituted or designated. "Local agency" includes any county, city, municipal corporation, quasi municipal corporation, special purpose district, and any office, department, division, bureau, board, commission, or agency thereof, and any other unit of local government, however constituted or designated.

(2) "Board" or "board of ethics" or "joint board" means the senate board of legislative ethics or the house board of legislative ethics, created by this chapter, or the joint board composed of the senate and house boards, whichever is appropriate.

(3) (~~((Unethical conduct means any conduct which constitutes a violation of any constitutional provision, statute, rule of the house or senate or joint rule prescribing standards of conduct for legislators and legislative employees.))~~ "Compensation" includes payment in any form for real or personal property or services of any kind, unless the context requires a narrower meaning.

(4) "Legislative employee" means any person employed by either house on a temporary or permanent basis as well as any employee of a permanent or interim legislative committee.

(5) "Legislator" means a current member of the senate or house of representatives of the state of Washington. The term also includes an appointee to either house.

(6) "Legislature" means the senate or the house of representatives of the state of Washington or both, whichever is appropriate.

(7) "Official action" means action on the part of the legislature, including but not limited to:

(a) Any vote, decision, determination, finding, ruling, or order; and

(b) The approval, denial, or failure to act with regard to any grant, payment, award, license, contract, transaction, or sanction.

(8) 'Person' means any individual, partnership, joint venture, public or private corporation, firm, institution, association, federal, state, or local governmental unit or agency, however constituted or designated, or any other entity, organization, or group of persons, however organized, constituted, or designated.

(9) 'Thing of economic value' includes but is not limited to:

(a) Any loan, property interest, interest in a contract or other chose in action, and any employment or other arrangement involving a right to compensation;

(b) Any option, irrespective of the conditions to the exercise of the option; and

(c) Any promise or undertaking for the future delivery or procurement of goods or services.

In the case of an option, promise, or undertaking, the time of receipt of the thing of economic value shall be deemed to be, respectively, the time the option becomes fixed, regardless of the conditions of its exercise, and the time the promise or undertaking is made, regardless of the condition to its performance.

(10) 'Unethical conduct' means any conduct which constitutes a violation of any constitutional provision, statute, rule of the house or senate, or joint rule prescribing standards of conduct for legislators and legislative employees.

**NEW SECTION. Sec. 10.** There is added to chapter 44.60 RCW a new section to read as follows:

(1) No legislator may directly or indirectly receive any thing of economic value (other than compensation received from the state for legislative service) for or in consideration of personal services rendered, or to be rendered, to or for any person during the term of office of the legislator unless the services meet each of the following qualifications:

(a) The services are bona fide and actually performed by the legislator; and

(b) The services are not within the course of the official legislative duties of the legislator; and

(c) The services are not prohibited by any applicable laws or rules governing nonpublic employment for the legislator; and either

(d) The services are neither rendered for nor compensated by any person from whom the legislator would be prohibited by section 11(1) of this act from receiving a gift; or

(e) A complete, written description of the services and compensation is filed with the joint board during January of the next succeeding year after the thing of economic value is received.

(2) Nothing contained in this section prevents a legislator from receiving compensation paid from the treasury of the United States, any state, or any agency for or in consideration of personal services rendered, or to be rendered, if:

(a) The services are bona fide and actually performed by the legislator; and

(b) The services are not prohibited by any applicable laws or rules governing nonpublic employment for the legislator; and either

(c) The compensation is received pursuant to arrangements made between the agency, state, or the United States and the legislature; or

(d) A complete, written description of the compensation and the services for which it is received is filed with the joint board during January of the next succeeding year after the compensation is so received.

(3) Nothing contained in this section prohibits a legislator from accepting honoraria in connection with speeches, classes taught, or lectures if:

(a) It could not reasonably be inferred that such honoraria are given to influence the conduct of the legislator in relation to official legislative matters; and

(b) The date of payment, the name of the payor, and amount of each honorarium, and the services performed in connection with the honorarium, are reported to the joint board during January of the next succeeding year after the honorarium is received.

(4) Nothing contained in this section impairs any rights or obligations under contracts existing prior to July 1, 1979.

(5) Travel and related expense reimbursements, received from other than the state for legislative service, are deemed to be for or in consideration of personal service rendered to or for a person only to the extent provided in rules issued pursuant to this chapter.

(6) Specific and categorical exceptions to this section may be made by rules issued pursuant to this chapter in situations where the circumstances do not lead to the inference that the official judgment or action of the legislator who directly or indirectly receives the thing of economic value was intended to be influenced thereby.

**NEW SECTION. Sec. 11.** There is added to chapter 44.60 RCW a new section to read as follows:

(1) No legislator may directly or indirectly receive, accept, take, seek, or solicit any thing of economic value as a gift from any person if the legislator has reason to believe that the person:

(a) Would not give the gift but for the office held by the legislator; or

(b) Has or is seeking to obtain contractual or other business or financial relationships with the legislature; or

(c) Conducts operations or activities which are regulated by the legislature; or

(d) Has interests which may be substantially affected by the performance or nonperformance of official duty by the legislator.

(2) No legislator may directly or indirectly receive, accept, or take any thing of economic value from any person where there is reason for the legislator to believe that it is being offered with the intent to influence official conduct."

Remember the sections following consecutively, and correct internal references accordingly.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, it would appear the amendment is clearly beyond the scope and object of the bill. The bill itself refers to one section of the Code, and this amendment goes into 44.60.020, an entirely different section and an entirely different subject."

#### SPEAKER BERENTSON'S RULING

Speaker Berentson: "The Speaker is going to rule that the point of order is well taken. This bill carries the title, 'An Act Relating to salaries of state officials.' The bill speaks to pay given by public bodies to elected officials for public work. The proposed amendment addresses new chapters of the Code and does not address the subject of salaries to be paid by public bodies for public work."

#### APPEAL FROM DECISION OF CHAIR

Mr. Nelson (D): "Mr. Speaker, I appeal the ruling of the Chair."

Speaker Berentson stated the question before the House to be the question, "Shall the decision of the Chair stand as the judgment of the House."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, will you clarify the vote?"

Speaker Berentson: "A vote 'Aye' would sustain the decision of the Chair, so fifty votes would sustain the decision of the Chair."

Mr. Nelson (D) spoke in favor of the amendment.

The decision of the Chair was sustained.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings, McGinnis, Eberle and Rohrbach:

On page 6, beginning on line 19, following "Sec. 10." strike the remainder of the section and insert "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 Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Mr. Hastings spoke in favor of the amendment, and Mr. Taller spoke against it.

The amendment was not adopted.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3008 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3008 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Berentson, Blair, Brekke, Burns, Chandler, Charnley, Clayton, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Gallagher, Galloway, Garrett, Haley, Heck, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, McDonald, Nelson D., Newhouse, North, O'Brien, Owen, Patterson, Polk, Pruitt, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bender, Bond, Brown, Craswell, Dawson, Eberle, Erak, Fancher, Flanagan, Fuller, Granlund, Greengo, Grimm, Gruger, Hastings, Houchen, Hurley, Isaacson, May, McCormick, Mitchell, Nelson G. A., Nisbet, Oliver, Rohrbach, Rosbach, Schmittens, Smith C. P., Sprague, Struthers, Taylor, Teutsch, Tupper, Van Dyken, Walk, Williams, Winsley.

Not voting: Representatives Eng, Hughes, Knowles, McGinnis, Monohon, Sanders.

Engrossed Substitute Senate Bill No. 3008 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. Newhouse, Engrossed Substitute Senate Bill No. 3008 as amended by the House was ordered transmitted immediately to the Senate.



## MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 845,  
SUBSTITUTE HOUSE BILL NO. 907,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2505 as amended by the House except for the new language in subsection (4), section 11, page 10, line 30 of the amendment, being page 4, line 21 of the printed amendment.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1,  
HOUSE BILL NO. 433,  
SUBSTITUTE HOUSE BILL NO. 574.

## THIRD READING

SENATE BILL NO. 2901 as amended by the House, by Senators Bausch and Clarke:

Changing the laws on service of process against an unauthorized insurer.

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

Representatives Rohrbach and Newhouse spoke in favor of passage of the bill, and Representatives Douthwaite and Smith (R) spoke against it.

Mr. Rohrbach spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2901 as amended by the House, and the bill passed the House by the following vote: Yeas, 62; nays, 26; not voting, 10.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Berentson, Blair, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Dunlap, Eberle, Fancher, Flanagan, Fuller, Gallagher, Galloway, Greengo, Haley, Hastings, Houchen, Hurley, Isaacson, Jovanovich, Martinis, May, McCormick, McDonald, Mitchell, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sprague, Struthers, Teller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Brekke, Burns, Charnley, Douthwaite, Ehlers, Erak, Erickson, Garrett, Granlund, Grimm, Gruger, Heck, King, Kreidler, Maxie, Nelson D., Pruitt, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman.

Not voting: Representatives Deccio, Eng, Hughes, Keller, Knowles, Lux, McGinnis, Monohon, Sanders, Smith C. P.

Senate Bill No. 2901 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. Newhouse, Senate Bill No. 2901 as amended by the House was ordered transmitted immediately to the Senate.

## MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3101, and once again asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and Substitute Senate Bill No. 3101 as amended by the House was returned to second reading for the purpose of amendment.

Mr. Thompson moved adoption of the following amendment:

On page 1 of the amendment, line 20 strike "one hundred eighty-seven" and insert "seventy-four"

Representatives Thompson and Blair spoke in favor of the amendment, and it was adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3101 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 Substitute Senate Bill No. 3101 as reamended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 7; not voting, 10.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Maxie, May, McCormick, Mitchell, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Martinis, McDonald, Nisbet, Rohrbach, Schmitten, Tilly, Williams.

Not voting: Representatives Eng, Hughes, Knowles, Lux, McGinnis, Monohon, Sanders, Smith C. P., Thompson, Vrooman.

Substitute Senate Bill No. 3101 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

June 1, 1979

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE BILL NO. 191, and insists that the House concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Heck moved that the House do concur in the Senate amendments to House Bill No. 191.

## POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Schmitten.

Mr. Schmitten: "Representative Heck, you mentioned this is very complicated, and actually you didn't help me understand. I have a school district which passed its levy on April 3rd for new school construction; they are totally bonded. How would this affect my district?"

Mr. Heck: "Not whatsoever. The bill also provides that the rules and regulations and statutes in effect at the time bonds were passed, up until April 5th of this year, which is the language which is also in the budget, is included in this amendment. It's only related to future bienniums."

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 191 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 191 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representative Nelson G. A.

Not voting: Representatives Eng, Hughes, Knowles, Martinis, McGinnis, Monohon, Sanders, Smith C. P., Wilson.

House Bill No. 191 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 1, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 740 with the following amendments:

On page 1, line 8 of the title strike "making an appropriation;"

On page 2, line 11 after "handicaps" strike all the material down to and including "to" on line 13 and insert "when used in the following limited programs as designated by the department of social and health services:"

On page 3, following line 29 insert a new paragraph to read as follows:

"In carrying out the purposes of this chapter all counties of the state shall be eligible to participate in the distribution of the bond proceeds. The share coming to each county shall be determined by a division among all counties according to the relation which the population of each county, as shown by the last federal or official state census, whichever is the later, bears to the total combined population of all counties, as shown by such census. No single project in a class AA county shall be eligible for more than fifteen percent of such county's total distribution of bond proceeds."

On page 5, beginning on line 13 strike all of section 15. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendments to Substitute House Bill No. 740.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 740 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 740 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, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Eng, Hughes, Knowles, Lux, McGinnis, Monohon, Sanders, Smith C. P., Wilson.

Substitute House Bill No. 740 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.

## MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1,  
 HOUSE BILL NO. 433,  
 SUBSTITUTE HOUSE BILL NO. 574,  
 SUBSTITUTE SENATE BILL NO. 2505,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3008, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 11, 1979

Mr. Speaker:

The Senate insists on its position on the House amendments to ENGROSSED SENATE BILL NO. 2062, and once again asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Dunlap moved that the House do recede from its amendments to Engrossed Senate Bill No. 2062.

Representatives Dunlap, Zimmerman, Charnley, Van Dyken, Barr and Fuller spoke in favor of the motion, and Representatives Newhouse, Greengo and Sommers spoke against it.

The motion was carried.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

Speaker Berentson stated the question before the House to be the final passage of Engrossed Senate Bill No. 2062 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2062 without the House amendments, and the bill passed the House by the following vote: Yeas, 63; nays, 26; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Barr, Bauer, Becker, Berentson, Brekke, Brown, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Haley, Heck, Houchen, Hurley, Keller, King, Kreidler, Martinis, Maxie, McCormick, McDonald, Mitchell, Nelson G. A., Nisbet, O'Brien, Owen, Polk, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith R., Sprague, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Bender, Blair, Bond, Burns, Clayton, Craswell, Douthwaite, Fancher, Flanagan, Greengo, Gruger, Hastings, Isaacson, Jovanovich, Nelson D., Newhouse, North, Oliver, Patterson, Rohrbach, Rosbach, Sommers, Taylor.

Not voting: Representatives Eng, Hughes, Knowles, Lux, May, McGinnis, Monohon, Sanders, Smith C. P.

Engrossed Senate Bill No. 2062 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.

## STATEMENT FOR THE JOURNAL

Please record my vote for Engrossed Senate Bill No. 2062 without the House amendments as "Aye."

RAY ISAACSON, 8th District.

## MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate again refuses to concur in all of the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2929 except the amendments to page 11, line 27 and page 11, line 33 by Representatives Craswell and Vrooman and the amendment to page 11, line 33 by Representatives Sommers, Nelson and Erickson; and once again asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Craswell, the House receded from the amendments to Engrossed Substitute Senate Bill No. 2929.

## FINAL PASSAGE OF SENATE BILL WITHOUT CERTAIN HOUSE AMENDMENTS

Speaker Berentson declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2929 without certain House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2929 without certain House amendments, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Jovanovich, Keller, King, Kreidler, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Eng, Hughes, Knowles, Lux, McGinnis, Monohon, Newhouse, O'Brien, Sanders, Smith C. P., Taller.

Engrossed Substitute Senate Bill No. 2929 without certain 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.

## INTERIM COMMITTEE APPOINTMENT

Speaker Berentson appointed Representatives Berentson and Warnke to the International Performing Festival Arts Steering Commission.

## RESOLUTION

HOUSE RESOLUTION NO. 79-114, by Representatives King and Polk:

WHEREAS, The First Extraordinary Session of the Forty-sixth 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;

BE IT RESOLVED, By the House of Representatives, That there is hereby created the Executive Rules Committee, which shall consist of the Speakers and four additional members who shall be appointed by the Speakers from the Rules Committee. The Chief Clerks of the House shall be the nonvoting secretaries of the Committee; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee is authorized to assign subject matters to standing committees for study during the interim, and the Speakers are authorized to create special committees as may be necessary to carry out the functions of

the House in an orderly manner and appoint members thereto with the approval of the Executive Rules Committee; and

• **BE IT FURTHER RESOLVED**, That immediately prior to adjournment sine die, all bills, memorials and resolutions shall be referred to committee, and the Executive Rules Committee shall approve the list of referrals; and

**BE IT FURTHER RESOLVED**, That during the interim between legislative sessions, standing committees may take executive action on bills in committee at the close of the previous legislative session. Committee reports adopted during the interim shall be read in under the proper order of business on the first day of the ensuing legislative session, and the bills so reported upon shall be referred to the Rules Committee for second reading; and

**BE IT FURTHER RESOLVED**, That during the interim the Executive Rules Committee shall authorize schedules and locations for meetings of any standing committees, subcommittees or special committees, and such committees may conduct hearings and scheduling without a quorum being present.

**BE IT FURTHER RESOLVED**, That during the interim standing committees shall have the power of subpoena, the power to administer oaths and the power to issue commissions for the examination of witnesses in accordance with the provisions of Chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

**BE IT FURTHER RESOLVED**, That the Chief Clerks of the House of Representatives are directed to complete the work of the First Extraordinary Session of the Forty-sixth Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House for the First Extraordinary Session; and

**BE IT FURTHER RESOLVED**, That the Sergeants at Arms are hereby directed to complete the necessary work of the First Extraordinary Session of the Forty-sixth 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;

**BE IT FURTHER RESOLVED**, That the Speakers and the Chief Clerks be and they are hereby authorized and directed to retain such additional employees with the approval of the Speakers, 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 Chief Clerks 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 neither the Speakers nor the Chief Clerks shall approve or sign any personal service contract without the express approval of the Executive Rules Committee; 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 Chief Clerks of the House of Representatives

and he is authorized to deliver the warrants to a Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

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 Legislatures, 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 Speakers may authorize the attendance of members and staff members at such courses or meetings as may be deemed 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 rate prescribed by RCW 44.04.120, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursements 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 established by law, 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 Chief Clerks are 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 established by law; and

BE IT FURTHER RESOLVED, That the Chief Clerks are hereby authorized and directed, during the interim, and as authorized by the Speakers and the Employment Committee, 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 committee reports, committee bills, 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 after the adjournment of the First Extraordinary Session of the Forty-sixth 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 Speakers and the Chief Clerks of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerks are 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 Clerks are authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

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

#### MOTION

Mr. Polk moved that the floor resolutions remaining on the Chief Clerks' desk be referred to the Executive Rules Committee and the Executive Rules Committee be authorized to act on those resolutions.

## POINT OF INQUIRY

Mr. Zimmerman: "In connection with this motion, some of us do have resolutions that have an effect on the near future. How soon would the Executive Rules Committee act on them? Do you have any idea?"

Mr. Polk: "Representative Zimmerman, the first meeting of the Executive Rules Committee has not been scheduled yet. I'm sure the committee will take this up at the earliest possible time when they do first meet."

## MOTION

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

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2979, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Revising laws relating to energy facility siting permits.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day ex. sess., May 2, 1979.)

On motion of Ms. McCormick, the committee amendments were adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2979 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2979 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 2; not voting, 24.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hurley, Isaacson, Keller, King, Martinis, Maxie, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Patterson, Polk, Pruitt, Rohrbach, Salatino, Sanders, Schmitt, Scott, Struthers, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Smith R., Sommers.

Not voting: Representatives Barr, Bender, Charnley, Eng, Flanagan, Hughes, Jovanovich, Knowles, Kreidler, Lux, May, McGinnis, Monohon, Oliver, Owen, Rosbach, Sherman, Smith C. P., Sprague, Taller, Tilly, Valle, Walk, Whiteside.

Engrossed Substitute Senate Bill No. 2979 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. Heck, Engrossed Substitute Senate Bill No. 2979 as amended by the House was ordered transmitted immediately to the Senate.

## MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2062,  
SUBSTITUTE SENATE BILL NO. 3008,  
SENATE CONCURRENT RESOLUTION NO. 110,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2901, except for sections 1 and 2, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Ms. Becker moved that the House do recede from the amendments to sections 1 and 2 of Senate Bill No. 2901.

## POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, the action by the Senate is improper by our rules that we must accept or reject an entire amendment. They have adopted a rather unusual procedure here of attempting to accept part of an amendment and rejecting the other part. I suggest we should not recognize the motion to recede from part of the amendment."

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

## INTERIM COMMITTEE APPOINTMENTS

Speaker Berentson announced the following interim committee appointments:

ARTS COMMISSION: Representative Houchen;

INTERSTATE COMPACT COMMISSION: Representatives Heck and Schmittin;

ORGANIZED CRIME: Representatives Ehlers, Knowles, Deccio and Tilly;

OCEANOGRAPHIC COMMISSION: Representative Vrooman;

SALMON ADVISORY COUNCIL: Representative Martinis;

STATUTE LAW COMMITTEE: Representatives Smith (R) and Knowles;

GAMBLING COMMISSION: Representatives Struthers and Owen;

JUDICIAL COUNCIL: Representatives Tilly and Smith (R);

JOINT LEGISLATIVE COMMITTEE ON WASHINGTON/BRITISH COLUMBIA COOPERATION: Representatives Scott and Fancher;

JAIL COMMISSION: Representatives Becker and Rohrbach;

JOINT SELECT COMMITTEE ON LOCAL CONTROL: Representatives Charnley, Garrett, North, Zimmerman, Rosbach and Van Dyken;

EXECUTIVE RULES COMMITTEE: Speakers Bagnariol and Berentson; Representatives Bauer, King, Patterson, Polk.

## MESSAGE FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate refuses to recede from its amendment to HOUSE JOINT RESOLUTION NO. 31, and once again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Erickson, the House again refused to concur in the Senate amendment to House Joint Resolution No. 31, and asked the Senate to recede therefrom.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

HOUSE BILL NO. 191,

SUBSTITUTE HOUSE BILL NO. 740.

## MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2929 as amended by the House.

Bill Gleason, Assistant Secretary.

June 1, 1979

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2979, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 3101 as amended by the House.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 191,  
SUBSTITUTE HOUSE BILL NO. 740,  
SUBSTITUTE SENATE BILL NO. 2929,  
SUBSTITUTE SENATE BILL NO. 2979,  
SUBSTITUTE SENATE BILL NO. 3101,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 117,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 117, by Senators Walgren and Odegaard:

Status of interim bills, resolutions and memorials.

## MOTIONS

On motion of Mr. Zimmerman, the rules were suspended, and Senate Concurrent Resolution No. 117 was placed on second reading and read the second time in full.

On motion of Mr. Zimmerman, 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.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SENATE BILL NO. 2062,  
SUBSTITUTE SENATE BILL NO. 2505,  
SUBSTITUTE SENATE BILL NO. 2929,  
SUBSTITUTE SENATE BILL NO. 2979,  
SUBSTITUTE SENATE BILL NO. 3008,  
SUBSTITUTE SENATE BILL NO. 3101.

## , INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 21, by Representatives King and Polk:

Notifying the Governor of sine die adjournment.

## MOTIONS

On motion of Mr. Dunlap, 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. Dunlap, 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.

## APPOINTMENT OF SPECIAL COMMITTEE

Speaker Berentson appointed Representatives Craswell, Deccio, Galloway and Brekke as a special committee to notify the Senate the House was about to adjourn sine die.

## COMMITTEE FROM SENATE

A committee from the Senate appeared at 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.

## REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was ready to adjourn sine die appeared before the Bar of the House and reported they had accomplished their mission.

The report was received and the committee retired.

## APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the provisions of House Concurrent Resolution No. 21, Speaker Berentson appointed Representatives McCormick, Maxie, Teutsch and Rosbach to notify the Governor, along with the Senate committee, that the Legislature was about to adjourn sine die.

## MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The President has signed:

## SENATE CONCURRENT RESOLUTION NO. 117,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1979

Mr. Speaker:

The Senate has adopted:

## HOUSE CONCURRENT RESOLUTION NO. 21,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 1, 1979

Mr. Speaker:

The Senate has failed to pass SUBSTITUTE HOUSE BILL NO. 1138, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

HOUSE CONCURRENT RESOLUTION NO. 21,  
SENATE CONCURRENT RESOLUTION NO. 110,  
SENATE CONCURRENT RESOLUTION NO. 117.

## POINT OF PERSONAL PRIVILEGE

Mr. King: "I think the Co-Speakers should be commended by this Legislature for doing something that really didn't happen in any place in the United States this year, or from what I've been able to tell, in history. That is to move the business of the state in an amicable way to the advantage of the citizens of the state. Other places in this country, where they have had the same kind of thing happen where they had a tie, weren't able to put together the kind of cooperation we have had. We have had our differences, there's no question about that, but we've worked together very well and I think in the final analysis, under the leadership of Co-Speakers Berentson and Bagnariol, we've done a good job."

## POINT OF PERSONAL PRIVILEGE

Mr. Dunlap: "We heard a very moving poem read here earlier that spoke of the impossible dream and I think it's fair to say that most of us believed that operating this session under this most difficult 49-49 split was going to be nigh onto impossible, but Speakers Berentson and Bagnariol were able to bring this session off to, what I believe, a most successful conclusion. I'd like to make just one observation: That is that I think the spirit of cooperation that

has been led by Duane and John has carried over into committee work and subcommittee work, and I would like to think the next legislative session and the legislative sessions to follow are never going to be quite the same. They are going to be a little bit better because each of us have come to have a good respect, an increased appreciation, for the talents that exist across the aisle. So, John, Duane, to you, on behalf of all of us, thanks for a good session."

#### POINT OF PERSONAL PRIVILEGE

Mr. Barnes: "Mr. Speaker, we have just considered 2,683 bills in an attempt to enforce ten Commandments."

#### POINT OF PERSONAL PRIVILEGE

Mr. Van Dyken: "My college roommate is a member of the House of Representatives of a house so mixed, such as we are, in the state of Minnesota. We've had opportunity to keep tabs on one another's mixed houses by telephone in these intervening months. Now, when we're ready to sine die, he will have just gotten his committee assignments and his office. He had backed the wrong person for Speaker. They resolved their impasse' by having a Republican Speaker and a Democratic Chairman of Rules, at which point the Republican Speaker found out he didn't have anything to preside over unless the Democrats wanted to give them some bills. They resolved their impasse' and I was reluctant to let this body know how they resolved it at the time. They no longer have a tie in Minnesota; they discovered a rule in their procedures under which a member who is under censure and about to be ousted from the body cannot vote on his own behalf. One political party (I shall not say which party) decided to oust a member of the other political party and exactly two weeks ago tonight, by a one-vote margin, they took care of their even situation and they are no longer a split house in the State of Minnesota."

#### MESSAGES FROM THE SENATE

June 1, 1979

Mr. Speaker:

The President has signed:

#### HOUSE CONCURRENT RESOLUTION NO. 21,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 1, 1979

Mr. Speaker:

Under the provisions of Senate Concurrent Resolution No. 117, we are returning herewith the following House bills:

	ENGROSSED HOUSE BILL NO.	2,
	SUBSTITUTE HOUSE BILL NO.	10,
	SUBSTITUTE HOUSE BILL NO.	19,
	ENGROSSED SUBSTITUTE HOUSE BILL NO.	20,
	ENGROSSED SUBSTITUTE HOUSE BILL NO.	29,
	SUBSTITUTE HOUSE BILL NO.	38,
	ENGROSSED SUBSTITUTE HOUSE BILL NO.	39,
	SUBSTITUTE HOUSE BILL NO.	43,
	HOUSE BILL NO.	45,
	ENGROSSED HOUSE BILL NO.	46,
	SUBSTITUTE HOUSE BILL NO.	51,
	HOUSE BILL NO.	52,
	HOUSE BILL NO.	71,
	ENGROSSED HOUSE BILL NO.	87,
	ENGROSSED SUBSTITUTE HOUSE BILL NO.	103,
	SUBSTITUTE HOUSE BILL NO.	105,
	SUBSTITUTE HOUSE BILL NO.	131,
	ENGROSSED HOUSE BILL NO.	132,
	HOUSE BILL NO.	145,
	HOUSE BILL NO.	167,
	ENGROSSED HOUSE BILL NO.	168,
	SUBSTITUTE HOUSE BILL NO.	171,
	SUBSTITUTE HOUSE BILL NO.	177,
	HOUSE BILL NO.	183,
	ENGROSSED HOUSE BILL NO.	207,
	HOUSE BILL NO.	209,
	ENGROSSED SUBSTITUTE HOUSE BILL NO.	210,

	HOUSE BILL NO.	218,
	ENGROSSED HOUSE BILL NO.	238,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	240,
	HOUSE BILL NO.	277,
	HOUSE BILL NO.	284,
	HOUSE BILL NO.	296,
	SUBSTITUTE HOUSE BILL NO.	299,
	ENGROSSED HOUSE BILL NO.	305,
	SUBSTITUTE HOUSE BILL NO.	306,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	312,
	SUBSTITUTE HOUSE BILL NO.	315,
	HOUSE BILL NO.	322,
	HOUSE BILL NO.	325,
	SUBSTITUTE HOUSE BILL NO.	326,
	ENGROSSED HOUSE BILL NO.	329,
	SUBSTITUTE HOUSE BILL NO.	340,
	ENGROSSED HOUSE BILL NO.	357,
	SUBSTITUTE HOUSE BILL NO.	363,
SECOND	SUBSTITUTE HOUSE BILL NO.	370,
	SUBSTITUTE HOUSE BILL NO.	391,
	SUBSTITUTE HOUSE BILL NO.	395,
	ENGROSSED HOUSE BILL NO.	397,
	SUBSTITUTE HOUSE BILL NO.	405,
	ENGROSSED HOUSE BILL NO.	427,
	SUBSTITUTE HOUSE BILL NO.	430,
	HOUSE BILL NO.	431,
	SUBSTITUTE HOUSE BILL NO.	436,
	SUBSTITUTE HOUSE BILL NO.	440,
	SUBSTITUTE HOUSE BILL NO.	451,
	ENGROSSED HOUSE BILL NO.	461,
	HOUSE BILL NO.	465,
	SUBSTITUTE HOUSE BILL NO.	471,
	SUBSTITUTE HOUSE BILL NO.	498,
	SUBSTITUTE HOUSE BILL NO.	505,
	HOUSE BILL NO.	514,
	SUBSTITUTE HOUSE BILL NO.	515,
	HOUSE BILL NO.	537,
	HOUSE BILL NO.	540,
	SUBSTITUTE HOUSE BILL NO.	541,
	ENGROSSED HOUSE BILL NO.	542,
	SUBSTITUTE HOUSE BILL NO.	551,
	SUBSTITUTE HOUSE BILL NO.	556,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	557,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	562,
	HOUSE BILL NO.	570,
	SUBSTITUTE HOUSE BILL NO.	578,
	HOUSE BILL NO.	601,
	HOUSE BILL NO.	604,
	SUBSTITUTE HOUSE BILL NO.	615,
	HOUSE BILL NO.	625,
	HOUSE BILL NO.	638,
	SUBSTITUTE HOUSE BILL NO.	639,
	ENGROSSED HOUSE BILL NO.	642,
	SUBSTITUTE HOUSE BILL NO.	644,
	ENGROSSED HOUSE BILL NO.	672,
	HOUSE BILL NO.	676,
	SUBSTITUTE HOUSE BILL NO.	703,
	SUBSTITUTE HOUSE BILL NO.	715,
	HOUSE BILL NO.	721,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	725,
	SUBSTITUTE HOUSE BILL NO.	726,
	SUBSTITUTE HOUSE BILL NO.	746,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	748,
	HOUSE BILL NO.	762,
	SUBSTITUTE HOUSE BILL NO.	763,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	779,
	HOUSE BILL NO.	782,
	HOUSE BILL NO.	783,

	HOUSE BILL NO.	785,
	ENGROSSED HOUSE BILL NO.	792,
	SUBSTITUTE HOUSE BILL NO.	799,
	HOUSE BILL NO.	807,
	SUBSTITUTE HOUSE BILL NO.	810,
	HOUSE BILL NO.	814,
	ENGROSSED HOUSE BILL NO.	821,
	ENGROSSED HOUSE BILL NO.	829,
	HOUSE BILL NO.	836,
	SUBSTITUTE HOUSE BILL NO.	841,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	858,
	SUBSTITUTE HOUSE BILL NO.	864,
	ENGROSSED HOUSE BILL NO.	870,
	ENGROSSED HOUSE BILL NO.	891,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	894,
	SUBSTITUTE HOUSE BILL NO.	898,
	HOUSE BILL NO.	903,
	HOUSE BILL NO.	919,
	SUBSTITUTE HOUSE BILL NO.	943,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	958,
	SECOND SUBSTITUTE HOUSE BILL NO.	1000,
	SUBSTITUTE HOUSE BILL NO.	1008,
	SUBSTITUTE HOUSE BILL NO.	1084,
	HOUSE BILL NO.	1106,
	HOUSE BILL NO.	1109,
	SECOND SUBSTITUTE HOUSE BILL NO.	1141,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	1147,
	SUBSTITUTE HOUSE BILL NO.	1196,
	SUBSTITUTE HOUSE BILL NO.	1210,
	SUBSTITUTE HOUSE BILL NO.	1261,
	ENGROSSED HOUSE BILL NO.	1263,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	1307,
	HOUSE BILL NO.	1317,
	SUBSTITUTE HOUSE BILL NO.	1359,
	HOUSE JOINT MEMORIAL NO.	4,
	SUBSTITUTE HOUSE JOINT RESOLUTION NO.	7,
	SUBSTITUTE HOUSE JOINT RESOLUTION NO.	21,
	HOUSE JOINT RESOLUTION NO.	22,
	SUBSTITUTE HOUSE JOINT RESOLUTION NO.	26,
	HOUSE JOINT RESOLUTION NO.	31,
	ENGROSSED HOUSE CONCURRENT RESOLUTION NO.	2,
	ENGROSSED HOUSE CONCURRENT RESOLUTION NO.	3,
	SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO.	6,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF COMMITTEE

The special committee appointed to notify the Governor that the Legislature was about to adjourn sine die, appeared at the Bar of the House and reported they had accomplished their mission.

The message was received and the committee retired.

#### MOTION

On motion of Mr. Dunlap, reading of the Journal of the Seventy-third Day of the First Extraordinary Session of the Forty-sixth Legislature was dispensed with and it was ordered to stand approved.

#### MOTION

On motion of Mr. King, the House of Representatives of the First Extraordinary Session of the Forty-sixth Legislature adjourned sine die.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## HOUSE LEGISLATIVE LEADERS – 1979–1981

## DEMOCRATIC LEADERSHIP

Speaker .....	John A. Bagnariol
Speaker Pro Tempore .....	John L. O'Brien
Floor Leader .....	Richard A. King
Caucus Chairman .....	Al Bauer
Caucus Vice Chairwoman .....	Marion Kyle Sherman
Caucus Secretary .....	Geraldine McCormick
Democratic Whip .....	Walt Knowles
Assistant Whip .....	Ron Keller
Assistant Whip .....	Bill Burns
Assistant Floor Leader .....	Jim Salatino

## REPUBLICAN LEADERSHIP

Speaker .....	Duane Berentson
Speaker Pro Tempore .....	Otto Amen
Caucus Chairman .....	William Polk
Republican Whip .....	E. G. "Pat" Patterson
Republican Leader .....	Ron Dunlap
Republican Leader .....	Alex A. Deccio
Organization Leader .....	Earl Tilly
Caucus Vice Chairman .....	Gary A. Nelson
Assistant Whip .....	Joe Taller
Assistant Whip .....	Gene Struthers
Assistant Organization Leader .....	Steve Tupper

APPENDIX  
HOUSE ROSTER - 1979  
FORTY-SIXTH SESSION

NAME OF MEMBER	Mailing Address	Age	Birthplace
Adams, A. A. ....	601 No. Yakima Tacoma 98403	78	Washington
Addison, Bruce .....	5274 45th Ave.SW Seattle 98136	26	Oregon
Amen, Otto .....	Rt. 1, Box 45 Ritzville 99169	66	Washington
Bagnariol, John .....	2008 S.E. 17th Ct. Renton 98055	47	Washington
Barnes, Richard O. ....	18118 6th Ave. SW Seattle 98166	57	Iowa
Barr, Scott .....	Rt.1, Box 130 Edwall 99008	62	Washington
Bauer, Albert .....	13611 N.E. 20th Vancouver 98665	50	Montana
Becker, Mary Kay .....	P.O. Box 81 Bellingham 98225	32	Washington
Bender, Rick S. ....	3511 N.E. 158th Pl. Seattle 98155	29	Alaska
Berentson, Duane L. ....	P. O. Box 426 Burlington 98233	50	Washington
Blair, Scott .....	8712 25th N.E. Seattle 98115	49	Washington
Bond, R. M. "Dick" .....	S. 4226 Crestline Spokane 99203	55	Washington
Brekke, Joanne J. ....	6525 Sycamore NW Seattle 98117	44	Washington
Brown, Wendell B. ....	5615 S. Ferdinand Tacoma 98409	33	Washington
Burns, Bill .....	2511 W. Montlake Seattle 98112	52	Arkansas
Chandler, Rod .....	13003 N.E. 143rd Kirkland 98033	36	Oregon
Charnley, Donn .....	19344 11th Ave. Seattle 98177	51	Michigan



Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Retired Chiropractor	27 D	Pierce, pt.....	1969 thru 1977 Ex.
Account Executive	34 R	King,pt.....	None
Farmer, Pharmacist	9 R	Adams, Asotin, Garfield, Columbia, pt. Grant, pt Whitman, pt.....	1967 thru 1977 Ex.
Insurance	11 D	King, pt.....	1967 thru 1977 Ex.
Systems Analyst	33 R	King, pt.....	1974 Ex.- 1977 Ex.
Grain & Cattle Producer	7 R	Lincoln, Pend Oreille, Stevens,Ferry, Okanogan, pt. Spokane,pt.....	1977-77 Ex.
Rancher/ Educator	49 D	Clark, pt.....	1971 thru 1977 Ex.
Law Student	42 D	Whatcom, pt.....	1975 thru 1977 Ex.
Fed. Project: Emergency Serv.	1 D	King,pt Snohomish, pt.....	1973 thru 1977 Ex.
Broker, Dealer in Securities	40 R	San Juan Skagit Whatcom, pt.....	1963 thru 1977 Ex.
Mechanical Engineer	46 R	King, pt.....	1971 thru 1977 Ex.
Gas Company President	6 R	Spokane, pt.....	1975 thru 1977 Ex.
Homemaker	32 D	King,pt.....	None
Claim's Representative	29 D	Pierce,pt.....	None
Self Empl. Consultant	43 D	King, pt.....	1977-77 Ex.
Chandler- Corcoran Communications	45 R	King, pt.....	1975 thru 1977 Ex.
Professor	44 D	King, pt.....	1971 thru 1977 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Clayton, Harold R.....	P.O. Box 351 Toppenish 98948	59	Idaho
Craswell, Ellen .....	11826 Kitsap Way Bremerton 98310	47	Washington
Dawson, Dan .....	5322 78th Ave. NW Gig Harbor 98335	46	Washington
Deccio, Alex.....	P.O. Box 1343 Yakima 98901	51	Washington
Douthwaite, Jeff .....	5518 31st N.E. Seattle 98105	49	Canada
Dunlap, Ron .....	3129 109th S.E. Bellevue 98004	41	Indiana
Eberle, Bob .....	Rt. 2, Box 206 Vashon 98070	44	Missouri
Ehlers, Wayne.....	14301 S. Yakima Parkland 98444	40	Washington
Eng, John.....	P.O. Box 18088 Seattle 98118	37	Hong Kong
Erak John.....	617 West 3rd St. Aberdeen 98520	47	Washington
Erickson, Phyllis K. ....	P.O. Box 44487 Parkland 98444	55	Texas
Fancher, Helen.....	Aeneas Route Tonasket 98855	48	Washington
Flanagan, S.E. "Sid" .....	Rt. 2, 989 Rd S NW Quincy 98848	69	Washington
Fuller, W.H. "Bill" .....	330 Brockway Rd. Chehalis 98532	65	Idaho
Gallagher, P.J. "Jim" .....	125 S. 72nd Tacoma 98408	63	Washington
Galloway, Shirley A .....	1602 N. Devine Rd. Vancouver 98661	44	Arkansas
Garrett, Avery .....	602 SW Langston Rd. Renton 98055	62	Georgia
Granlund, Barbara.....	3777 Pine Tree Dr. Port Orchard 98366	50	Nebraska
Greengo, Irv .....	3203 N.E. 88th Seattle 98115	53	Iowa

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Farmer, Owner Clayton Grain	15 R	Yakima, pt	1977-77 Ex.
Retail Merchant Art Shop	23 R	Kitsap, pt	1977-77 Ex.
Farmer	26 R	Kitsap, pt. Pierce, pt	None
Insurance Broker	14 R	Yakima, pt	1975 thru 1977 Ex.
Professor	43 D	King, pt	1971 thru 1977 Ex.
Engineer/ Economist	41 R	King, pt	1975 thru 1977 Ex.
Engineer & Training Spec.	30 R	King, pt	1963-63 Ex.
Educator	2 D	Pierce, pt. Thurston, pt	1973 thru 1977 Ex.
Accountant	37 D	King, pt	1973 thru 1977 Ex.
Educator	19 D	Grays Harbor Pacific, pt	App't'd. 77, thru 77 Ex.
Homemaker	2 D	Pierce, pt Thurston, pt	1973 thru 1977 Ex.
Cattle Rancher Bookkeeper	7 R	Ferry, Stevens Pend Oreille, Lincoln, Spokane, pt. Okanogan, pt	1977-77 Ex.
Farmer, Cattleman	13 R	Kittitas Grant, pt Yakima, pt	1961 thru 1975 Ex.
Supermarket Operator	20 R	Lewis, Wahkiakum Cowlitz, pt. Thurston, pt. Pacific, pt	1977-77 Ex.
Pierce Cty. Bldg. Insp.	29 D	Pierce, pt	1961 thru 1977 Ex.
Homemaker/ School Bd. Mbr.	49 D	Clark, pt	None
Boeing	11 D	King, pt	1959 - 1969 Ex.
Household Executive	26 D	Kitsap, pt. Pierce, pt	None
Design Engineer	46 R	King, pt	1975 thru 1977 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Grimm, Dan .....	904 7th Ave. SW Puyallup 98371	30	Washington
Gruger, Audrey .....	3727 N.E. 193 Seattle 98155	49	No. Dakota
Haley, Ted .....	5800 100th S.W. Tacoma 98499	58	Washington
Hastings, Richard "Doc" .....	5505 W. Sylvester Pasco 99301	38	Washington
Heck, Dennis L .....	707 N.E. 118th Vancouver 98664	26	Washington
Houchen, Joan .....	471 E No. Camano Dr. Camano Island 98292	48	Minnesota
Hughes Jerry M .....	Rt. 11, Box 101 Spokane 99208	35	New York
Hurley, Margaret .....	730 E. Boone Ave. Spokane 99202		Minnesota
Isaacson, Ray .....	2106 Lee Blvd. Richland 99352	50	Arizona
Jovanovich, John .....	2001 S. 142nd Seattle 98168	48	Iowa
Keller, Ron .....	1319 Dickinson Olympia 98502	42	Washington
King, Richard A .....	309 77th Pl. SW Everett 98203	44	Washington
Knowles, Walt O .....	E. 8423 Liberty Spokane 99206	62	Washington
Kreidler, Myron B .....	129 San Mar Dr. Olympia 98506	35	Washington
Lux, Eugene V .....	11675 Beacon So. Seattle 98178	52	Nebraska
Martinis, John .....	209 Bridgeway Everett 98201	48	Washington
Maxie, Peggy Joan .....	3302 E. Pine Seattle 98122	42	Texas
May, William J.S. ....	W. 3231 Boone Ave. Spokane 99201	77	England
McCormick, Geraldine .....	1829 Northridge Ct. Spokane 99208		Washington
McDonald, Dan .....	4650 92nd NE Bellevue 98004	35	Washington
McGinnis, Michael R .....	S 2206 Crestline Spokane 99202	32	Washington

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Personnel Management	25 D	Pierce, pt. King,pt .....	1977-77 Ex.
Homemaker, Citizen Volun.	1 D	King,pt. Snohomish,pt .....	1976 2nd Ex.- 1977-77 Ex.
Physician	28 R	Pierce, pt.....	1975 thru 1977 Ex.
Businessman Inst/Janitorial Supplies	16 R	Franklin, Walla Walla, Columbia,pt .....	None
Public Relations	17 D	Skamania, Klickitat, Clark,pt .....	1977-77 Ex.
Homemaker	10 R	Island, Snohomish,pt .....	None 1976 2nd Ex.-
Educator	5 D	Spokane,pt .....	1977 Ex.
Educator	3 D	Spokane, pt .....	1953 thru 1975 Ex.
Mgr. Sys. Integ. Basalt Nuc. Waste Isolation Prog.	8 R	Benton, Yakima,pt .....	None
Businessman/ Marine Supply	31 D	King,pt .....	None
Self Employed Displays	22 D	Thurston,pt .....	1977-77 Ex.
College Teacher	38 D	Snohomish, pt.....	1965 thru 1977 Ex.
Attorney	4 D	Spokane, pt Whitman, pt .....	1971 thru 1977 Ex.
Optometrist	22 D	Thurston,pt .....	1977-77 Ex.
Building Contractor	35 D	King, pt .....	1975 thru 1977 Ex.
Fisheries Consultant	38 D	Snohomish, pt.....	1969 thru 1977 Ex.
Social Worker	37 D	King, pt.....	1971 thru 1977 Ex.
Ret. Ex. Sec. Labor Council	3 D	Spokane, pt .....	1961 thru 1977 Ex.
Homemaker	5 D	Spokane, pt .....	1969 thru 1977 Ex.
Mechanical Eng. Economist	48 R	King,pt .....	None
Wholesale Paper	6 R	Spokane,pt .....	None

NAME OF MEMBER	Mailing Address	Age	Birthplace
Mitchell, James B .....	1015 Stitch Rd. Lake Stevens 98258	55	Washington
Monohon, Carol .....	Rt 1, Box 136 Raymond 98577	33	Washington
Nelson, Gary A .....	9710 Wharf St. Edmonds 98020	43	Washington
Nelson Richard P .....	3612 Whitman No. Seattle 98103	42	Washington
Newhouse, Irving .....	Rt. 1, Box 130 Mabton 98935	58	Washington
Nisbet, Andrew	645 D Kitchen Dick Lane Rd. Sequim 98382	57	California
North, Frances .....	Box 441 North Bend 98045	60	Washington
O'Brien, John L. ....	1305 Joseph Vance Bldg. Seattle 98101	67	Washington
Oliver Claude L .....	302 S. Reed Kennewick 99336	32	Washington
Owen, Brad .....	918 Ellinor St. Shelton 98584	29	Washington
Patterson, E.G. "Pat" .....	N.E. 400 Campus Pullman 99163	59	Washington
Polk, William M .....	7220 92nd Ave. SE Mercer Island	43	Texas
Pruitt, Paul .....	7537 31st Ave. SW Seattle 98126	57	Nebraska
Rohrbach, Eric J .....	18979 Marine View Dr. Normandy Park 98166	27	Washington
Rosbach, Wilma .....	407 N Market Blvd. Chehalis 98352	57	No. Dakota
Salatino, James E .....	1010 N.J., Apt. 9 Tacoma 98403	29	Washington
Sanders, Paul .....	2680 169th SE Bellevue 98008	51	Maine
Schmittin, Rolland A .....	408 S. Division Cashmere 98815	34	Washington
Scott, Gary H .....	12913 307th SE Sultan 98294	36	Washington

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Pharmacist	39	R	King,pt. Snohomish,pt	None
Homemaker	19	D	Grays Harbor, Pacific,pt	1976, Appt. Senate, 1977
Engineer Supr. Technical Ed.	21	R	Snohomish, pt	1973 thru 1977 Ex.
Technical Consultant	32	D	King,pt	1977-77 Ex.
Diversified Rancher	15	R	Yakima, pt	1965 thru 1977 Ex.
Retired Army Officer	24	R	Clallam,Mason, Jefferson Thurston,pt	None
Homemaker	47	D	King, pt	1973 thru 1977 Ex.
CPA	35	D	King, pt	1941-1945 1949-1977 Ex.
Banker	8	R	Benton, Yakima,pt	1977-77 Ex.
Grocery Owner	24	D	Clallam,Mason, Jefferson, Thurston,pt	1976 2nd Ex. 1977-77 Ex.
Retired WSU Alumni Director	9	R	Adams, Asotin, Garfield, Colum- bia,pt., Grant,pt. Whitman, pt	1973 thru 1977 Ex.
Architect	41	R	King, pt	1971 thru 1977 Ex.
Minister	34	D	King, pt	1977-77 Ex.
Business/ Direct Mail	33	R	King,pt	Appt.-Senate 6/1977
Retail Merchant	20	R	Lewis, Wahkiakum, Cowlitz,pt,Pacific,pt. Thurston, pt	None
Educator	27	D	Pierce, pt	1977-77 Ex.
Airplane Prog. Manager	48	R	King, pt	1976 2nd Ex.- 1977 Ex.
Timber Res. Manager	12	R	Chelan, Douglas Grant, pt. Okanogan, pt	1977-77 Ex.
Journeyman Lineman	39	D	King,pt. Snohomish,pt	None

NAME OF MEMBER	Mailing Address	Age	Birthplace
Sherman, Marion Kyle .....	24629 S.E. 200th Maple Valley	53	Washington
Smith C. P. ....	Rt.1, 875 I NW Ephrata 98823	62	Nebraska
Smith, Rick .....	P.O. Box 68 Silverdale 98383	37	Oregon
Sommers, Helen .....	2516 14th W. Seattle 98119	47	New Jersey
Sprague, Walt .....	20006 50th Ave.W. Lynnwood 98036	60	Washington
Struthers, Gene .....	1887 Home Ave. Walla Walla 99362	55	Washington
Taller Joe .....	2852 42nd W. Seattle 98199	45	Washington
Taylor, Ren .....	N 4710 Ella Rd. Spokane 99206	55	Washington
Teutsch, Delores E .....	7334 Champagne Pt. Kirkland 98033	43	Washington
Thompson, Alan .....	112 Pleasant Hill Kelso 98626	52	Iowa
Tilly, Earl F .....	P.O. Box 1845 Wenatchee 98801	44	Oregon
Tupper, Steve .....	815 NW 122nd Seattle 98177	34	Illinois
Valle, Georgette .....	1434 S.W. 137th Seattle 98166	54	Minnesota
Van Dyken, Roger .....	1251 Garden Circle Lynden 98264	34	California
Vrooman, Jerry L .....	3120 Marlee Dr. Burlington 98233	38	Oregon
Walk George W .....	904 9th St. SW Puyallup 98371	30	Washington
Warnke, Frank J .....	29457 51st So. Auburn 98002	46	Montana
Whiteside, Jim .....	3612 Howard Ave. Yakima 98902	55	Washington
Williams, Bob .....	111 Victoria Longview 98632	37	Pennsylvania
Wilson, Simeon .....	P.O. Box 145 Marysville 98270	51	Oregon
Winsley Shirley J .....	539 Buena Vista Ave. Fircrest 98466	44	Minnesota



Occupation	Dis- Poli- trict ties	County	Previous Sessions Served
Writer	47 D	King, pt . . . . .	1975 thru 1977 Ex.
Farmer/ Dairyman	13 R	Kittitas, Grant, pt. Yakima, pt . . . . .	None
Attorney	23 D	Kitsap, pt . . . . .	1973 thru 1977 Ex.
Economist	36 D	King, pt . . . . .	1973 thru 1977 Ex.
Landscape Contractor	21 R	Snohomish, pt . . . . . Walla Walla, Franklin, Columbia, pt . . . . .	None
Retail Mgmt.	16 R	Columbia, pt . . . . .	1977-77 Ex.
Boeing Indus. Rel. Mgr.	36 R	King, pt . . . . .	1977-77 Ex.
Supt.-County Schools	4 R	Spokane, pt. Whitman, pt. . . . .	None
Comm. wrkr/ Home Coordin.	45 R	King, pt . . . . .	None
Publisher	18 D	Cowlitz, pt Clark, pt . . . . . Chelan, Douglas Grant, pt Okanogan, pt . . . . .	1965 thru 1977 Ex. 1973 thru 1977 Ex.
Mgr/Tilly Equipment	12 R	King, pt . . . . .	None
Public Rel. Acct. Mgr.	44 R	King, pt . . . . .	1965-65 Ex. 1973-77 Ex.
Homemaker	31 D	King, pt . . . . .	1965-65 Ex. 1973-77 Ex.
Farmer/Organi- zation Mgr.	42 R	Whatcom, pt . . . . .	None
Oil Company Operator	40 D	San Juan, Skagit, Whatcom, pt . . . . . Pierce, pt. King, pt . . . . .	1977-77 Ex. 1977-77 Ex.
Teacher	25 D	King, pt . . . . .	1977-77 Ex.
Exec. Dir. Pub. School Emp.	30 D	King, pt . . . . .	1965-1965 Ex. 1973-1977 Ex.
Owner, Home Cleaning Bus.	14 R	Yakima, pt . . . . .	1975 thru 1977 Ex.
Financial Analyst	18 R	Cowlitz, pt. Clark, pt . . . . .	None
Newspaper Publisher	10 R	Island Snohomish, pt . . . . .	1973 through 1977 Ex.
Homemaker	28 R	Pierce, pt . . . . .	1974 3rd Ex. 1977-77 Ex.

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NAME OF MEMBER	Mailing Address	Age	Birthplace
Zimmerman, Harold S .....	1432 N.E. 6th Ave. Camas 98607	56	No. Dakota

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Name of Officer	Title	Mailing Address	County
Chiechi, Vito T .....	Chief Clerk	2055 Beverly Bch Olympia 98502	Thurston
Foster, Dean R .....	Chief Clerk	Leg. Bldg. Olympia 98504	Thurston
Lapham, Harry	Sergeant at Arms	8345 Zangle NE Olympia 98506	Thurston
Young, Ross .....	Sergeant at Arms	620 O'Farrell Olympia 98501	Thurston

Occupation	Dis- Poli- trict ties	County	Previous Sessions Served
Newspaper Ed.- Publisher	17 R	Klickitat Skamania Clark, pt .....	1967 thru 1977 Ex.
Birthplace	Age	Occupation	Previous Sessions
Washington	53	Chief Clerk	None
Washington	38	Chief Clerk	1973 thru 1977 Ex.
Florida	72	Maj/Retired Army	None
Washington	49	Retired/ USAF	1975-77 Ex.

**HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Sixth Legislature – 1979  
Regular and First Extraordinary Sessions

House No.	Relating to:	Chapter No.	Effective Date
	1 Razor clamming licenses	243 Ex.	7/1/79
	4 Adoption birth certificate	101 Ex.	9/1/79
	6 Locomotive operator, license	75	6/7/79
S	16 Senior citizen programs	109	6/7/77
	18 Uniform child custody	98	6/7/79
S	22 Power of arrest/traffic	28 Ex.	9/1/79
	25 Dog bite liability	148	6/7/79
	26 Highways, environmental, repealer	7	6/7/79
S	29 Joint leg. comm. agency rules	Vetoed	
	30 Criminal cost bills	129	6/7/79
	33 Secretary of State, fees	133 Ex.	9/1/79
	41 Local fire protect contracts	102 Ex.	9/1/79
	44 Hunt/fish lic., issuing fees	3 Ex.	9/1/79
	48 Small irrigation districts	4 Ex.	9/1/79
	50 Landowners, limited liability	53	6/7/79
S	56 Local Govt. self-insur	256 Ex.	9/1/79
S	57 Local officials, election	126 Ex.	9/1/79
	58 Motion pic. exhibits, bids	29 Ex.	9/1/79
	65 Columbus Day recognized	77	6/7/79
	66 Civil proced. correct	97	6/7/79
	69 WSU, forest tree nursery	52	6/7/79
S	76 Home rule, local gov., clarify	194 Ex.	9/1/79
S	77 Special purpose districts	5 Ex.	9/1/79
S	78 Special purpose districts	30 Ex.	9/1/79
S	79 Surplus reading materials	134 Ex.	9/1/79
S	80 Institutional industries	160 Ex.	9/1/79
S	82 Cemetery prearrange. contract	21	6/7/79
	86 Regulating debt adjusters	156	6/30/79
S	88 Screening for scoliosis	47	6/7/79
S	92 Industrial ins. eligibility	128	6/7/79
S	96 Ride sharing operations	111	6/7/79
S	97 Farm vehicles carrier exempt	6 Ex.	9/1/79
S	99 Prospective juror selection	135 Ex.	9/1/79
	100 State Route 27/Pullman	195 Ex.	9/1/79
	101 Negligent driving/Racing	136 Ex.	7/1/80
S	109 Insurance policies, cancel	133	6/7/79
S	112 Sunset review schedule	99	3/23/79
	113 Vocational rehab. purchases	14 Ex.	4/17/79
	114 Handicap parking privileges	7 Ex.	9/1/79
S	125 Dependent children support	171 Ex.	9/1/79
	126 Term papers, sale	43	6/7/79
	127 Sunset Act of 1977	22	6/7/79
S	133 Special districts bids	137 Ex.	9/1/79
S	139 Special dist. comp. plan	23	6/7/79
	140 Port dist. levy flexibility	76	6/7/79
	141 Proportional registration	134	6/7/79
S	144 State inst; govt. reimbur	108 Ex.	9/1/79
	149 County law libraries	126	3/26/79
	155 Financial resp., bankruptcy	78	6/7/79
S	156 Fiscal notes, legislation	112 Ex.	9/1/79

House No.	Relating to:	Chapter No.	Effective Date
S 163	Veterinary board, lay member	31 Ex.	9/1/79
164	Motor vehicles revisions	113 Ex.	9/1/79
S 175	Salmon licenses extend limit	135	6/7/79
178	DNR services available	100	6/7/79
S 186	Christmas trees, exporting	32 Ex.	9/1/79
187	DNR surplus land	24	6/7/79
S 188	Snag removal; fire protection	8 Ex.	9/1/79
191	School district bonds	PV 257 Ex.	9/1/79
S 194	Budgets; programs; schools	Vetoed	
S 195	Savings & loan assoc.	113	6/7/79
196	Interest proportional regis	149 Ex.	9/1/79
S 201	Students, resid. status	15 Ex.	9/1/79
2S 204	Criminal justice division	79	3/21/79
S 219	Basic science law	114 Ex.	9/1/79
226	Tuition; fees; reciprocity	80	6/7/79
S 227	School district levies	172 Ex.	9/1/79
229	Public livestock markets	91 Ex.	9/1/79
230	Certificated feed lots	81	3/21/79
S 247	Commission merchants revis.	115 Ex.	9/1/79
S 248	Real estate; exec. sessions	42	6/7/79
S 249	National health act 1974	161 Ex.	9/1/79
	Sections 10, 11, 12 & 21		1/1/82
S 254	Public assist. fair hearings	92 Ex.	9/1/79
S 259	Controlled sub., research	136	3/27/79
S 262	Death certificates	162 Ex.	9/1/79
S 264	Life sustaining med proced	112	6/7/79
279	Small civil claims	102	5/1/79
S 280	Contractor req. penalties	116 Ex.	1/1/80
288	Nonpolluting fuel use	48	7/1/79
S 291	Tax laws; misc. rev.	95 Ex.	4/27/79
S 295	National guard scholarships	90 Ex.	9/1/79
S 298	Controlling veh emission	163 Ex.	9/1/79
	Section 11		1/1/82
S 302	Tax rates, exempt, ded	196 Ex.	7/1/79
307	Crimes classification	244 Ex.	7/1/79
308	Unclaimed property modif	117 Ex.	9/1/79
S 311	Crim. justice costs; asses	164 Ex.	7/1/80
S 319	High. ed. employ, tuition	82	6/7/79
320	Levy limit extended	218 Ex.	6/4/79
S 328	Energy fac. site locations	41	3/16/79
330	Game licenses by fraud	127 Ex.	9/1/79
S 333	Salmon charter boat restrict	101	1/1/80
335	New comm. coll. district	Vetoed	
338	Marriage—legal requir	128 Ex.	9/1/79
341	Double amend; real estate	25	3/13/79
342	Double amend; securities	8	3/2/79
343	Double amend; historical soc	9	3/2/79
344	Double amend; govt. agencies	10	3/2/79
345	Double amend; motor veh	11	3/2/79
346	Double amend; revenue and tax	12	3/2/79
347	Double amend; revenue and tax	13	3/2/79
348	Double amend; higher ed	14	3/2/79
351	Agric. commod. assess. fees	93 Ex.	9/1/79
S 352	Parent—child relationship	165 Ex.	5/11/79
358	Comm. colleges, fee waivers	148 Ex.	9/1/79
365	Credit unions satellite fac.	137	6/7/79
S 367	Schools accreditation	173 Ex.	9/1/79

House No.	Relating to:	Chapter No.	Effective Date
	376 Pacific NW festival facil . . . . .	197 Ex.	5/24/79
	380 State highway routes . . . . .	33 Ex.	9/1/79
S	398 Higher education; governance . . . . .	103 Ex.	9/1/79
S	402 Irrigation funds . . . . .	83	6/7/79
	413 School dist. real prop. sales . . . . .	16 Ex.	9/1/79
	415 Local assessment, appeals . . . . .	100 Ex.	9/1/79
2S	418 Sexual assault victims act . . . . .	219 Ex.	9/1/79
	419 UW faculty center; liquor lic . . . . .	104 Ex.	9/1/79
	424 Court filing fee nego . . . . .	129 Ex.	9/1/79
S	425 Civil actions arbitration . . . . .	103	7/1/80
	433 Water pollution control . . . . .	PV 267 Ex.	9/1/79
S	437 Educational clinic act changes . . . . .	174 Ex.	9/1/79
S	438 Domestic violence law enforce . . . . .	105 Ex.	9/1/79
	441 UTC regulation, penalty fees . . . . .	198 Ex.	9/1/79
S	446 Water use permits . . . . .	166 Ex.	9/1/79
	450 Nurses continuing educ . . . . .	106 Ex.	9/1/79
	455 Employee welfare trust funds . . . . .	34 Ex.	9/1/79
S	459 Ins. fees, taxes refunds . . . . .	130 Ex.	9/1/79
	460 Specialized forest products . . . . .	94 Ex.	9/1/79
S	480 Discrimination, handicaps . . . . .	127	6/7/79
S	481 Property sale documents . . . . .	107 Ex.	9/1/79
	482 Savings bks, certif. deposit . . . . .	51	6/7/79
S	486 Shorelands 2nd class sale . . . . .	150	6/7/79
	491 Senior citizens' services . . . . .	147 Ex.	9/1/79
S	500 State retirement benefits . . . . .	96 Ex.	4/30/79
S	502 Immunization of children . . . . .	118 Ex.	9/1/79
S	504 Park pass, sen. citiz., vets . . . . .	131 Ex.	9/1/79
	516 Omnibus, capital budget . . . . .	PV 270 Ex.	7/1/79
2S	527 Search and rescue compensat. . . . .	268 Ex.	9/1/79
S	535 Nonprofit shipping assns. . . . .	138 Ex.	9/1/79
S	546 Examiners for insurers . . . . .	35 Ex.	9/1/79
S	554 Shelters domestic violence . . . . .	245 Ex.	9/1/79
	571 Criminal records privacy act . . . . .	36 Ex.	9/1/79
S	574 Bonds, water supply facil . . . . .	258 Ex.	9/1/79
	576 Apprenticeship council . . . . .	37 Ex.	9/1/79
	585 Forest products institute . . . . .	50	6/7/79
	588 Limited licenses insurance . . . . .	138	6/7/79
	602 CPA's audit insurance exam . . . . .	139	6/7/79
	612 Permanent partial disabil . . . . .	104	3/23/79
s	617 Tax relief farmlands . . . . .	84	6/7/79
S	619 Drugs . . . . .	139 Ex.	5/7/79
	622 MV excise tax bond retire . . . . .	175 Ex.	9/1/79
	Sections 1,2,3,4 effective		1/1/80
S	624 Controlled sub, prescript . . . . .	119 Ex.	5/2/79
	630 Public works reserve fund . . . . .	38 Ex.	9/1/79
	636 Aircraft noise impact . . . . .	85	6/7/79
	645 Community educ. programs . . . . .	120 Ex.	9/1/79
	650 Unemploy. comp. penalties . . . . .	190 Ex.	9/1/79
S	663 Remediation assistance . . . . .	149	6/7/79
S	665 Alcohol, traffic offenders . . . . .	176 Ex.	9/1/79
	666 Student transfers, food serv . . . . .	140 Ex.	5/7/79
	668 Employ. security records . . . . .	177 Ex.	9/1/79
	677 Sheriff clothing allow . . . . .	132	6/7/79
	689 Litter control violators . . . . .	39 Ex.	9/1/79
	691 WSU extension employees . . . . .	9 Ex.	4/13/79
S	697 Replevin law revised . . . . .	132 Ex.	9/1/79
S	704 DWI, regulations revised . . . . .	Vetoed	

House No.	Relating to:	Chapter No.	Effective Date
S 706	Small claims settlement	167 Ex.	9/1/79
S 729	Panel medicine plans	125	6/7/79
S 735	Ins. contracts, nonforfeit.	PV 157	6/7/79
S 740	Bond issue handicapped fac.	221 Ex.	Ref. 37
S 749	Spokane River toll bridge	131	3/26/79
S 750	Trails, paths, program funds	121 Ex.	9/1/79
S 751	Highway priority programs	122 Ex.	9/1/79
S 754	workers' comp. payments	108	6/7/79
S 755	Abandoned veh., removal	178 Ex.	5/14/79
S 759	Libraries, recruit, expenses	40 Ex.	9/1/79
S 768	Higher ed. retire. plans	259 Ex.	6/21/79
S 774	Stolen goods pawnbroker, fee	41 Ex.	9/1/79
S 778	Ag coops voting, dissolve	86	6/7/79
S 781	Geoducks, clams, licenses	141 Ex.	5/8/79
S 788	Banks, trusts, fiduciaries	105	6/7/79
S 791	Retirement, public service	PV 249 Ex.	6/15/79
S 795	Charitable gift annuities	130	6/7/79
S 796	Hydroplane races admission	26	6/7/79
S 802	Debentures co. definit	140	6/7/79
S 803	Guidelines unissued shares	106	6/7/79
S 806	Cease & desist, mut. sav. banks	46	6/7/79
S 808	Trust business deposits	45	6/7/79
S 815	Prescrip. drugs, substitute	110	6/7/79
S 845	Insurance licenses	269 Ex.	4/1/80
S 846	Revenue dept. statutory ref	107	3/23/79
S 847	DSHS, statutory references	141	3/27/79
S 848	OFM, statutory references	PV 151	3/29/79
S 849	Licensing dept., statutory ref	PV 158	3/30/79
S 860	Boundary review guidelines	142 Ex.	9/1/79
S 862	Hosp. trustees travel reimburse.	17 Ex.	9/1/79
S 871	DOT budgets	168 Ex.	5/11/79
S 872	DOT/Motor veh. fund approp	169 Ex.	5/11/79
S 874	Forest fire advisory board	49	6/7/79
S 875	Banks, trust co. real estate	142	6/7/79
S 888	Rehabilitation center use	42 Ex.	9/1/79
S 907	People's lodge ownership	246 Ex.	9/1/79
S 912	Solar easements	170 Ex.	9/1/79
S 913	Aquaculture lands/leases	123 Ex.	9/1/79
S 923	Public emp. relations comm	PV 146 Ex.	9/1/79
S 933	Public hospital districts	143 Ex.	9/1/79
S 952	Adverse claim honoring	143	6/7/79
S 954	Code cities annexation	124 Ex.	9/1/79
S 962	Fishing vessels buy-back	43 Ex.	9/1/79
S 972	Cities, fire protection dist	179 Ex.	9/1/79
S 983	Comm. coll. leaves, costs	44	6/7/79
S 989	UTC lease approval, facility	125 Ex.	9/1/79
S 1013	Cogeneration tax credits	191 Ex.	9/1/79
S 1018	Group life ins. assoc	44 Ex.	9/1/79
S 1031	Transportation studies	192 Ex.	7/1/79
S 1032	SR 90, bonds, appropriation	180 Ex.	5/14/79
S 1033	Hood Canal bridge	27	3/13/79
S 1034	Cities, highway improve	181 Ex.	7/1/79
S 1045	CETA, retire. elig	45 Ex.	7/1/79
S 1057	Service purchase contracts	46 Ex.	4/23/79
S 1064	Sick leave acct funding	247 Ex.	9/1/79
S 1075	Thermal power plants, audits	PV 220 Ex.	9/1/79
1114	Session laws approp.	144	3/27/79

House No.	Relating to:	Chapter No.	Effective Date
	1115 Environ., hearings office .....	47 Ex.	9/1/79
S	1121 Insurance revisions .....	PV 199 Ex.	9/1/79
S	1126 Legislature convening date .....	48 Ex.	1/1/80
	1133 Continuing political funds .....	50 Ex.	9/1/79
	1175 Claims against state settle. ....	144 Ex.	9/1/79
S	1176 Federal lands juris .....	49 Ex.	9/1/79
	1207 Day care demonstration proj. ....	248 Ex.	9/1/79
2S	1239 Emerg. medical serv. levy .....	200 Ex.	9/1/79
	1241 Open space, parks, exempt .....	193 Ex.	9/1/79
S	1258 Juvenile truancy .....	201 Ex.	9/1/79
S	1281 Snowmobiles regulated .....	PV 182 Ex.	9/1/79
S	1308 Mobile home landlord-tenant .....	PV 186 Ex.	9/1/79
	1325 Optional municipal code .....	18 Ex.	9/1/79
S	1347 Mental health services, fees .....	145 Ex.	9/1/79



**HOUSE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Sixth Legislature – 1979  
Regular and First Extraordinary Sessions

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No.            Subject:

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**HOUSE JOINT MEMORIALS**

3            Sugar beet price support requested  
16          Gasohol production barriers removed

**HOUSE JOINT RESOLUTIONS**

None

**HOUSE CONCURRENT RESOLUTIONS**

1            Joint session, Governor's address  
5            Joint session, Memorial Service  
15          Regular session adjourned sine die, Governor notified  
16          Legislative bills, reintroduction  
17          Bills consideration cut-off date  
19          Amending HCR 17  
20          Memorial Day recess  
21          Adjourn sine die, Governor notified

SENATE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Sixth Legislature - 1979  
Regular and First Extraordinary Sessions

Senate No.	Relating to:	Chapter No.	Effective Date
	2005 Liquor licenses, class H . . . . .	87	6/7/79
S	2010 Housing auth. mobile homes, sr. citiz . . . . .	187 Ex.	9/1/79
	2015 Square dance, official dance . . . . .	10 Ex.	9/1/79
S	2016 Handicap parking space/cards . . . . .	26 Ex.	9/1/79
	2021 Corrections inst. contraband . . . . .	121	3/26/79
	2026 Public transport. studies . . . . .	59	6/7/79
S	2028 Telephone lines, police . . . . .	28	3/13/79
S	2030 Sick leave, public employees . . . . .	152	6/7/79
S	2032 Driver training schools . . . . .	51 Ex.	9/1/79
	2033 State purchasing . . . . .	88	6/7/79
	2040 Handicap parking lic. plates . . . . .	27 Ex.	9/1/79
S	2042 Students, consular parents . . . . .	19 Ex.	4/17/79
	2045 Salmon guides exclusion . . . . .	60	3/21/79
	2053 Joint park, rec. dist. . . . .	11 Ex.	4/17/79
S	2058 Public lands sale or lease . . . . .	109 Ex.	9/26/79
	2060 Health officers, vital stat . . . . .	52 Ex.	9/1/79
	2062 Perform visual arts centers . . . . .	222 Ex.	9/1/79
	2065 Urban arterial bonds . . . . .	5	1/26/79
	2066 Travel trailers, campers tax . . . . .	123	6/7/79
	2067 Driver licensing changes . . . . .	61	6/7/79
	2068 Habitual traffic offenders . . . . .	62	6/7/79
	2069 Vehicle license fees, refund . . . . .	120	6/7/79
S	2071 Motor vehicle dealer license . . . . .	251 Ex.	9/1/79
	2077 Utility service reduced rate . . . . .	116	6/7/79
	2078 Accident records - fee . . . . .	34	6/7/79
	2094 MV operator instruct. permit . . . . .	63	6/7/79
S	2095 Superior court judges . . . . .	PV 202	9/1/79
S	2097 Mopeds . . . . .	213 Ex.	9/1/79
	2101 Veterans, size of estates . . . . .	64	6/7/79
	2102 State soldiers' home . . . . .	65	6/7/79
	2106 Personal property exempt . . . . .	65 Ex.	9/1/79
	2111 Timber taxation . . . . .	6	3/1/79
S	2117 Sewage improvement districts . . . . .	35	3/16/79
S	2118 Agency-interlocal cooperation . . . . .	36	6/7/79
	2119 Business corporation act . . . . .	16	6/7/79
	2121 Embalmers eye removal . . . . .	37	6/7/79
	2124 Food fish, shellfish sellers . . . . .	66	6/7/79
	2130 ESD's services to schools . . . . .	66 Ex.	9/1/79
	2131 School food commodities approp . . . . .	20 Ex.	9/1/79
S	2132 Funds, school buildings . . . . .	89	6/7/79
	2136 Multistate dental license . . . . .	38	6/7/79
	2138 Counterfeit contr. substances . . . . .	67	3/21/79
S	2140 Scholarships, performing arts . . . . .	1 Ex.	9/1/79
S	2141 Practice of pharmacy . . . . .	90	6/7/79
S	2142 Physical damage to animals . . . . .	145	6/7/79
	2143 School district directors . . . . .	183 Ex.	7/1/79
S	2144 Rewards, statutes modified . . . . .	53 Ex.	4/25/79
	2147 Food donations liability . . . . .	115	6/7/79
S	2148 Supplemental budget . . . . .	15	3/2/79
S	2149 Bilingual instruction . . . . .	95	6/7/79

Senate No.	Relating to:	Chapter No.	Effective Date
	Section 3		9/1/80
	2155 Schools nonprofit meals	58	6/7/79
S	2158 Conserv. rights/conveyances	21 Ex.	4/19/79
	2159 DNR sales exchanges	54	3/19/79
S	2161 Small public works projects	PV 89 Ex.	9/1/79
	2173 Superior court commissioners	54 Ex.	9/1/79
	2175 Criminal justice commission	55 Ex.	9/1/79
	2176 State debts; limitations	204 Ex.	9/1/79
	2178 Standby guardians	32	6/7/79
	2179 Law enforcement, parks	Vetoed	
	2180 Agricultural activities	122	6/7/79
S	2181 Inheritance taxes	209 Ex.	5/29/79
S	2182 Gift taxes	210 Ex.	1/1/80
S	2184 Recycling facilities bonds	68	6/7/79
	2186 Utility pole attachments	33	6/7/79
	2191 Geothermal resources rights	2 Ex.	9/1/79
S	2192 Sick leave remuneration	150 Ex.	9/1/79
S	2194 Higher ed public works bids	12 Ex.	9/1/79
S	2197 Uranium, thorium milling	110 Ex.	1/1/80
	2206 Commercial feed inspections	91	1/1/80
	2218 DNR-local govt. planning	56 Ex.	9/1/79
	2221 Medical malpractice records	17	6/7/79
	2224 Volunteer firemen, pensions	157 Ex.	9/1/79
S	2226 Port district - property	72	3/21/79
	2233 Small loan companies	18	6/7/79
	2242 State boards; governor member	57 Ex.	9/1/79
S	2243 Higher ed. fac. bonds	223 Ex.	6/15/79
S	2244 Fisheries facil. bonds	224 Ex.	6/15/79
S	2249 Fire serv. train. center bonds	225 Ex.	6/15/79
S	2250 Comm. colleges bonds	226 Ex.	6/15/79
S	2251 Social & Health Services bonds	252 Ex.	6/21/79
S	2252 Transportation suppl. budget	30	3/13/79
S	2254 Agriculture laws update	PV 154	6/7/79
S	2255 Pesticide control law update	146	6/7/79
	2256 Investments, custody, funds	119	6/7/79
S	2265 Pesticides application revis	92	6/7/79
S	2273 Trust funds superior court	227 Ex.	9/1/79
S	2274 County treasurers investing	57	6/7/79
S	2275 Horse racing; revisions	31	3/16/79
	2277 School bus stop signs	69	6/7/79
S	2284 Harbor areas leasing	97 Ex.	4/30/79
	2290 DOT, powers, duties	58 Ex.	9/1/79
S	2291 State highway fund expend.	39	6/7/79
	2295 Obsolete funds, accounts	67 Ex.	9/1/79
	Section 20		7/1/80
	Sections 11,12,18		7/1/81
	2296 Veterans' Affairs	59 Ex.	9/1/79
	2297 Higher ed. assist. authority	60 Ex.	9/1/79
S	2301 Personal services contracts	61 Ex.	9/1/79
S	2304 Special fuel tax, regulations	40	6/7/79
	2305 Escrow agents, bonds & insur.	70	6/7/79
S	2306 Franchise invest. protection	13 Ex.	9/1/79
S	2308 Emergency medical services	PV 261 Ex.	9/1/79
S	2310 State treas. wage pay finan. inst.	93	6/7/79
	2311 Credit unions cert. powers	98 Ex.	9/1/79
	2314 Securities act modified	68 Ex.	9/1/79
S	2317 Workers' comp. payment recov	151 Ex.	5/10/79

Senate No.	Relating to:	Chapter No.	Effective Date
	2321 Game dept. materials fees	56	6/7/79
S	2336 Nursing home resident care	211 Ex.	1/1/80
	Section 64		5/30/79
S	2337 Medical care claims fraud	152 Ex.	9/1/79
	2338 Nursing home patients	228 Ex.	9/1/79
	2339 Nursing homes assistants cert.	114	6/7/79
	2354 Bids, highway projects	69 Ex.	9/1/79
	2355 Ostopaths regulations	117	6/7/79
S	2357 Outdoor recreation fac. bonds	229 Ex.	6/15/79
S	2361 State gov't. projects bonds	230 Ex.	6/15/79
	2362 Rentals, condo., child status	70 Ex.	9/1/79
	2366 Lake Forest Park harbor line	19	6/7/79
S	2374 Residential prop tax exempt	214 Ex.	6/4/79
S	2375 Sheriffs, civil service	153 Ex.	9/1/79
S	2376 Local improve. guaranty fund	55	6/7/79
	2378 Pensions court ordered payments	205 Ex.	5/25/79
	2385 Funeral costs disclosure	62 Ex.	9/1/79
S	2388 Food, shellfish privil. fees	203 Ex.	9/1/79
S	2393 Noxious weeds spread prevent	118	3/26/79
	2398 Expense payment, lost warrants	71 Ex.	9/1/79
	2399 County prisoners care reimburs.	147	3/27/79
	2402 Indus. insur. pay recovery	231 Ex.	6/15/79
	2403 Mun. corp services rendered	71	6/7/79
	2406 Displaced homemaker act	73	6/7/79
S	2411 Local government judgment payment	72 Ex.	9/1/79
S	2415 Mental illness; commitment	215 Ex.	9/1/79
	2417 Victims of crimes restitution	29	6/7/79
S	2422 Professional discipline	111 Ex.	5/2/79
	2430 PERC/DOT labor disputes	73 Ex.	9/1/79
S	2434 Ed services registration act	188 Ex.	1/1/80
S	2439 Fisheries violations	99 Ex.	9/1/79
S	2442 Gov. energy emergency powers	158 Ex.	9/1/79
S	2451 Tuition, fee waivers, higher ed	PV 262 Ex.	9/1/79
	2462 Investments state funds	154 Ex.	9/1/79
	2466 Construction contracts	264 Ex.	9/1/79
	2467 Driver's lic., revoke, susp.	74 Ex.	9/1/79
	2468 Drivers, police stop orders	75 Ex.	9/1/79
	2474 State building code updated	76 Ex.	9/1/79
	2479 Bank investments	124	6/7/79
S	2482 Partnership regulations	22 Ex.	7/1/79
	2486 Apple commission assess	20	6/7/79
	2492 Telephone service; deaf	63 Ex.	9/1/79
	2502 Medal of honor license plate	77 Ex.	9/1/79
S	2504 Water supply fac. drought	PV 263 Ex.	6/25/79
S	2505 Jail facilities bonds	232 Ex.	6/15/79
	2506 Mandating retirement	159 Ex.	9/1/79
	2508 Insurance premium taxes	233 Ex.	1/1/80
	2511 Recycling litter control	94	3/23/79
S	2532 Hospital districts mortgages	155 Ex.	9/1/79
	2562 Voter registration transfers	96	6/7/79
	2565 Polling places; handicapped	64 Ex.	9/1/79
	2569 Reciprocal surcharge camping	153	6/7/79
	2602 Beer, wine distr. liq. sales	23 Ex.	9/1/79
2S	2610 TESC masters degree, enroll	78 Ex.	9/1/79
	2630 Buena Camp migrant housing	79 Ex.	4/26/79
*S	2639 Water supply fac., public	234 Ex.	9/1/79

\*Referendum Bill 38

Senate No.	Relating to:	Chapter No.	Effective Date
S 2685	Public disclosure	265 Ex.	6/25/79
S 2709	Basic education	PV 250 Ex.	8/15/79
2727	Insur. co. arson information	80 Ex.	9/1/79
2736	State recreation guide	24 Ex.	9/1/79
S 2744	Student finan. aid program	235 Ex.	9/1/79
2753	Public assistance revisions	81 Ex.	9/1/79
2763	Civil procedures' judgements	236 Ex.	9/1/79
2765	Schools, funds apportionment	237 Ex.	9/1/79
S 2768	Procedures families conflict	PV 155	3/29/79
S 2791	Dairy products commission	238 Ex.	9/1/79
S 2794	Water, water rights revisions	216 Ex.	6/4/79
S 2798	Employ. agcy advis. board sunset	82 Ex.	9/1/79
2852	Uniformed personnel coll. barg.	184 Ex.	5/14/79
2905	Electricians, licensing	156 Ex.	9/1/79
2923	Vietnam vets. tuition, fees	83 Ex.	9/1/79
2925	Expo '74 site; Spokane	25 Ex.	9/1/79
S 2929	Taxation revisions, mobile homes	266 Ex.	6/25/79
2S 2944	Vocational tech. salaries	206 Ex.	5/25/79
S 2952	Pilots; licensure	207 Ex.	9/1/79
S 2957	DOT, property disposal	189 Ex.	7/1/79
S 2958	Hood Canal Bridge	84 Ex.	4/26/79
S 2964	Higher ed. facil. bonds	253 Ex.	6/21/79
S 2967	Forest fire protect. funds	208 Ex.	5/25/79
S 2976	Energy conservation funds	239 Ex.	*12/6/79
	*Pending approval of SJR 120		
S 2979	Energy facility site permits	254 Ex.	6/21/79
S 2993	Public utility districts	240 Ex.	9/1/79
S 3008	State officials salaries	255 Ex.	7/1/79
S 3022	Found, unclaimed property	85 Ex.	9/1/79
2S 3033	Irrigation districts	185 Ex.	5/14/79
S 3034	Columbia River toll bridge	212 Ex.	5/30/79
S 3066	OFM, revenue, auditor duties	86 Ex.	9/1/79
3077	Photo ID drivers' license	87 Ex.	9/1/79
S 3100	Vessels, regulations	74	6/7/79
S 3101	School facilities bonds	241 Ex.	6/15/79
3115	Higher education insurance	88 Ex.	9/1/79
3117	Residential schools ed. prog	217 Ex.	9/1/79
S 3126	Manicurists licenses	242 Ex.	9/1/79
S 3129	Performing arts centers	260 Ex.	6/25/79

**SENATE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Sixth Legislature - 1979  
Regular and First Extraordinary Sessions

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No.            Subject:

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**SENATE JOINT MEMORIALS**

107            BPA pilot development plants

**SENATE JOINT RESOLUTIONS**

S 110          Annual legislative sessions  
112          Legislators civil service  
S 120          Public utilities loan money

**SENATE CONCURRENT RESOLUTIONS**

101          Legislature organized, Governor notified  
102          Bills consideration, cut-off  
106          Wash/BC cooperation legislative committee  
110          NCSL invitation, Seattle, 1982  
112          State transportation policy  
114          Bills, transmit, retain  
115          Legislature organized, Governor notified  
117          Status of bills, session conclusion

GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED

Regular and First Extraordinary Session - 1979

For Veto Message on SUBSTITUTE HOUSE BILL NO. 29, see page 1493.

June 21, 1979

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 of HOUSE BILL NO. 191, entitled:

"AN ACT Relating to school district bonds;"

Section 2 of this bill would reduce the state's matching ratio for school district capital construction. Buildings are an integral part of an educational program and to reduce the state matching ratio for capital at the same time the state has increased its commitment to 100 percent of basic education operating costs would be inconsistent. In addition, decreasing the state's matching ratio for capital construction would increase property tax levies at a time when the Legislature has approved, and I have signed, several measures designed to decrease property taxes.

A major thrust of my administration has been to place the common schools on a sound financial basis and reduce property taxes as a primary source of support. To reduce the state's funding for school construction would be in conflict with my basic commitment to both goals. While I do not endorse buildings that are unnecessary, I believe the voters of the individual school districts are best able to judge the necessity for construction of school buildings when they cast their special levy votes.

With the exception of Section 2, which I have vetoed, the remainder of House Bill No. 191 is approved.

Respectfully submitted,  
Dixy Lee Ray, Governor.

For Veto Message on SUBSTITUTE HOUSE BILL NO. 194, see page 1775.

For Veto Message on HOUSE BILL NO. 335, see page 1710.

June 25, 1979

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to the two last sentences in Subsection (3) of Section 1 of HOUSE BILL NO. 433, entitled:

"AN ACT Relating to water pollution control;"

House Bill No. 433 was and is for the single purpose of authorizing the Department of Ecology to participate in the Federal Water Pollution Control Act as "amended;" this single word, plus an added "or her" in line 23,

is all that was deemed necessary to allow the state to carry out the dictates of the federal law. The addition of your two sentences:

"The enactment of this 1979 act does not extend the eligibility for or increase the amount of exemptions or credits available under chapter 82.34 RCW: PROVIDED, That this amendatory provision relating to tax exemptions or credits shall not apply to any facility eligible for a certificate as described in RCW 82.34.010(5)." does nothing to further this authorization and in fact involves an entirely different subject. The inclusion of these sentences may also be construed to amend a separate law by reference, clearly which is prohibited by the state's Constitution.

I veto this part not because I'm not in sympathy with the Legislature in what the intentions were, but, simply because I feel these provisions introduce separate subjects that are inconsistent with the purpose of the bill and that if allowed to become law, will surely lead to much misinterpretation and possible litigation.

With the exception of the last two sentences of Subsection (3) of Section 1, which I have vetoed, the remainder of House Bill 433 is approved.

Respectfully submitted,  
Dixy Lee Ray, Governor.

June 25, 1979

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, HOUSE BILL NO. 516, entitled:

"AN ACT Adopting the budget;"

The specific items and sections which I have vetoed are as follows:

1. Insurance Contributions

On pages 7 and 8, I have vetoed the proviso contained in subsection (14)(2)(g) which provides "that the funds contained in this subsection (2)(g) and (e) shall be expended exclusively for the maintenance of the level of health benefits being provided on the effective date of this act." This limit on employee benefits is inconsistent and possibly in direct conflict with the provisions of subsection (i). Subsection (i) was added to provide a means whereby benefits could be improved if funds were available. It would be impossible to distinguish between the funds referenced in subsections (14)(2)(g) and (2)(e) and those in other sections of the bill. Therefore, any refunds or dividends used to improve benefits could well be in conflict with the proviso.

2. Military Department

On page 22, section 50, I have vetoed subsection (1) which reads, "No general fund moneys shall be expended for administration, operation or maintenance of the Washington State Guard."

I am vetoing this subsection because I believe that the State Guard is an important element of the total Military Department operations. It is essential that continuity exist in the State Guard if it is to be effective in time of emergency. The prohibition on using general fund money might very well impair the operation of the Washington State Guard,



### 3. Department of Social and Health Services – Developmental Disabilities

On page 28, section 56, I have vetoed subsection (5) which directs that "\$120,000 shall be used to provide protection and advocacy services for the handicapped."

The budget already contains \$100,000 in federal funds for a protection and advocacy system for the developmentally disabled. An additional \$78,000 in state funds is included for legal services. It is inappropriate to divert state funding from direct services to establish a separate and duplicative advocacy function.

If there is truly a need for increased client advocacy, it should be funded from the private sector. An advocacy system ideally operates as an intermediary between the individual client and the service provider. It creates an inherent conflict of interest to expect the state, as primary service provider, also to fund significant advocacy activities.

### 4. Department of Social and Health Services – Income Maintenance Grants Program

On page 32, section 59, I have vetoed subsection (4) which provides that:

"\$6,646,000 from state funds shall be expended for noncontinuing general assistance except that after the recipient has been determined eligible for such assistance for six consecutive weeks, the recipient's grant will be equivalent to two times the food only standard plus twenty dollars."

The General Assistance noncontinuing program is designed to provide temporary assistance to those individuals who will become employed or who will be found eligible for other state or federal assistance programs. I am therefore requesting the Secretary, DSHS to review the General Assistance–Unemployable portion of the caseload to see if these persons can be provided help and needed services.

### 5. Department of Social and Health Services – Community Social Health Services Grants

On pages 33, 34, and 35, I have vetoed subsections (1) through (3) of section 60. The stricken language provides that specified amounts shall be expended for vendor rate increases, child day care payments, and adult chore services. Given my commitment to improve conditions for senior citizens, and the difficulty associated with a precise determination of need and cost at this early time, I find it necessary to veto provisions that impose both upper and lower spending limits on a major portion of the funding for the Community Social Services program. It should be understood, however, that I strongly support the intent conveyed in these sections and as a consequence, will direct the DSHS to develop a spending plan that will reflect the purpose of the Legislature and my own concerns regarding the provision of services to the elderly.

### 6. Department of Social and Health Services – Public Health Program

On page 36, section 62, I have vetoed subsection (3):

"Not less than \$674,000 (of which \$506,000 shall be from federal funds) and 42 FTE staff years shall be spent for administration of the

early periodic screening, testing, diagnosis, and treatment program (EPSDT)."

"(a) Local offices are to provide outreach for the EPSDT program.

(b) The department shall develop a screening/billing form to be used by EPSDT providers as a requirement for payment.

(c) The department shall develop a reporting system which will enable follow-up to the EPSDT diagnosis and treatment process.

(d) 2 FTE's shall be used by the department for the coordination and management of the EPSDT program."

In this subsection the Legislature is setting forth detailed instructions in how to manage the early, periodic screening, diagnosis, and treatment program. This unduly intrudes upon the role of the Executive Branch.

#### 7. Department of Social and Health Services – Community Services Administration

On page 38, section 65, I have vetoed subsection (3) which directs that "...not more than 306 FTE staff years and \$13,844,000 (of which \$8,901,000 shall be from federal funds) shall be utilized in the medical assistance administration program." One of the major initiatives in the Medical Assistance program is to contain costs through expanded surveillance and utilization review activities; this may require added staff within the available funds. The proviso unnecessarily restricts the department in this area since it does not allow for full implementation of cost-containment initiatives in this program.

#### 8. Donations of Real Estate

I have vetoed section 85(2) on page 46, Section 90(3) on pages 48 and 49, and section 221 on page 166. In each of these instances, agencies are restricted from receiving or making contractual agreements to receive any donation of real property which commits the agency to future operating, development, or acquisition costs without prior approval of the Legislative Budget and/or House Appropriations and Senate Ways and Means Committees.

I believe that this language is excessively restrictive, will generate serious delays in the acquisition and management of public lands, and may discourage future donations. On the other hand, the provisos reflect a legitimate legislative concern in an area that needs improved control. Accordingly, I have directed the Office of Financial Management to conduct a thorough review of real property acquisition policies by state agencies, and to propose statutory language changes, where appropriate, to the next legislative session.

#### 9. Board of Education – Superintendent of Public Instruction

On page 156, section 196, I have vetoed all of the language starting on line 25 and concluding on line 54. This language would restrict the application of State Board of Education rules governing the K-12 capital program. The unprecedented level of construction demand, and erratic nature of the dedicated fund source, make retention of state board administrative prerogatives essential. In addition, the proviso language improperly modifies a substantive statute, RCW 28.47.802, that provides the board members necessary authority to accommodate changing conditions.

#### 10. Northern State Hospital Transfer

I have vetoed Section 199 on page 159 which reads as follows: "The director of general administration shall transfer to the department of social and health services the facility known as Northern State Hospital, along with all attached real estate under the jurisdiction of the department of general administration."

At present, several agencies are housed in the facilities at Northern State Hospital, including the Department of Social and Health Services. I believe that it is in the best interest of the state for the Department of General Administration to manage multi-purpose real estate.

#### 11. Federal Funds Loss

I have vetoed Section 205, page 161. This section requires that no additional state funds be provided to programs supported in whole or in part by federal funds, in the event that the program's anticipated federal funds are reduced or eliminated. This kind of provision is appropriate for programs that are wholly dependent upon federal funding, but many worthy activities do not fall into this category.

The state continually looks for ways to use available federal moneys for expenses that would otherwise be funded from state sources. If anticipated federal funds do not materialize, there must be the capability to provide for essential programs from state funds.

#### 12. Capitol Facilities

I have vetoed Section 224 on pages 168 and 169, which reads as follows:

"Expenditure of moneys appropriated by Section 174 of this act shall be made in consultation with the prior approval (sic) of the state capitol committee in accordance with the provisions of Chapter 79.24 RCW. In addition, the department of general administration shall consult with and obtain the approval of the joint legislative committee on capitol facilities prior to expenditure of moneys appropriated by this section on projects involving capitol buildings occupied wholly or in part by the legislature."

Cooperation with the Capitol Committee and the Joint Legislative Committee on Capitol Facilities is appropriate and I will direct General Administration to consult with these committees. However, the section if allowed to stand, would unduly restrict the executive branch in its responsibility to complete the capitol projects in an efficient and timely manner.

With the exception of the foregoing sections and items which I have vetoed for the reasons stated, the remainder of House Bill No. 516 is approved.

Respectfully submitted,  
Dixy Lee Ray, Governor.

June 15, 1979

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to twelve sections, SUBSTITUTE HOUSE BILL NO. 791, entitled:

"AN ACT Relating to retirement from public service;"

Sections 12 through 23 of Substitute House Bill No. 791, which, were added by floor amendment, are identical to sections 1 through 12 of Senate Bill No. 2378. Senate Bill No. 2378, having already passed the Legislature and been approved by me, became chapter 205, Laws of 1979 1st ex. sess. and took effect on May 25, 1979. As a result, sections 12 through 23 of Substitute House Bill No. 791, as amended, are unnecessary and have been vetoed.

With the exception of these twelve sections which I have vetoed, the remainder of Substitute House Bill No. 791, as amended, is approved.

Respectfully submitted,  
Dixy Lee Ray, Governor.

For Veto Message on HOUSE BILL NO. 848, see page 925.

For Veto Message on HOUSE BILL NO. 849, see page 951.

For Veto Message on HOUSE BILL NO. 923, see page 1699.

June 4, 1979

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, SUBSTITUE HOUSE BILL NO. 1075, entitled:

"AN ACT Relating to operating agencies;"

The obvious intent of this bill as contained in Section 1 is to assure the opportunity for review of thermal power plant construction and management by both qualified auditors and the general public. This is a reasonable practice in the management of public services. Section 2 makes the construction and management of thermal power plants subject to the "disclosure" and "public meeting" laws. It does so by citing both of these statutes. The problem arises in Section 2, where the definition of scope is set out. The terms, "participating agency or other internal organization thereof" are not consistent with the scope of either of the two cited statutes, nor do the terms have any more exact definition by statutes or in common usage. Therefore, the limits of application for this section are unclear. It could be interpreted to demand public meetings for contractors who are supplying pencils to the power plant. The mandate is unreasonable and it would be impossible to comply. Further, since thermal power plants are now subject to the disclosure and public meeting statutes, a more certain application of these laws should be used.

For these reasons, I have vetoed Section 2 of Substitute House Bill No. 1075.

Respectfully submitted,  
Dixy Lee Ray, Governor.

For Veto Message on SUBSTITUE HOUSE BILL NO. 1121, see page 1827.

For Veto Message on HOUSE BILL NO. 1281, see page 1775.

For Veto Message on SUBSTITUE HOUSE BILL NO. 1308, see page 1791.

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	23	816	944			
1. (Sub) .....			944	944, 2094	1763, 2055, 2093	Ch.243 Ex.
2. ....	24	282	557,611	741,763		
3. ....	24					
4. ....	24	123	165	165,763		Ch.101 Ex. 1399
5. ....	24					
6. ....	24	253	395	395		Ch. 75 Ex. 813
7. ....	24					
8. ....	24					
9. ....	24					
10. ....	25	379	558			
10. (Sub.) .....			558	742,763		
11. ....	25					
12. ....	25					
13. ....	26					
14. ....	26					
15. ....	26					
16. ....	26	189	239			
16. (Sub) .....			239	389		883 Ch. 109
17. ....	26					
18. ....	26	107	125	152	684,737	848 Ch. 98
19. ....	26	123	191			
19. (Sub) .....			191	955		Ch. 75
20. ....	26	282,564	675		285	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
20. (Sub)			675, 707-710	1006		
21.	26	236			238, 1093	
22.	27	762	919			
22. (Sub)			919	919		1241 Ch. 28 Ex.
23.	27					
24.	27					
25.	27	107	125, 136	166, 685	684	925 Ch.148
26.	27	107	137	152		675 Ch. 7
27.	27	236			946	
28.	27					
29.	27	123	193			
29. (Sub)			193	208,764, 1205, 1496	687,739, 742,1200, 1494	1493 Vetoed
30.	27	189	395	395		883 Ch.129
31.	28	108, 136	330	330, 764	168,1733 2055	
32.	28	108				
33.	28	108	137	152, 765		1592 Ch.133 Ex.
34.	28					
35.	28					
36.	28	108,136 564				
37.	28					
38.	28	253	574,886		256	
38. (Sub)			886	886		Ch.118

# HISTORY OF HOUSE BILLS

2149

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
39. ....	28	180,323 565	1000		329	
39. (Sub) .....			1000	1000		
40. ....	31					
41. ....	31	485	886	886, 1205	1205	1399 Ch.102 Ex.
42. ....	31					
43. ....	31	486	523			
43. (Sub) .....			523	523,765		
44. ....	31	147	166	209, 765		1163 Ch. 3 Ex.
45. ....	31	206	396	396,765		
46. ....	31	282	396	396, 766	63,285 344	
47. ....	31				63	
48. ....	31	207	336	336, 766		1163 Ch. 4 Ex.
49. ....	31	619, 947	1806- 1809		631, 1804	
50. ....	32	108	126	153, 691	691	813 Ch.53
51. ....	32	164	192			
51. (Sub) .....			192	211,766		
52. ....	32	108	126	167,767		
53. ....	32					
54. ....	32					
55. ....	32					
56. ....	32	180	239			
56. (Sub) .....			239	519,767, 2054	2052	Ch.256 Ex.
57. ....	32	123	460			

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
57. (Sub)			460	460,767, 1217	1217	1576 Ch.126 Ex.
58.	33	491	920	920		1241 Ch. 29 Ex.
59.	33					
60.	33					
61.	33					
62.	33					
63.	34					
64.	34					
65.	34	376	383	384		813 Ch. 77
66.	34	189	441	441		848 Ch. 97
67.	34					
68.	34					
69.	35	108	137	210		813 Ch. 52
70.	35					
71.	35	681	887	887		
72.	35					
73.	35					
74.	35				63	
75.	35				63	
76.	35	164	239			
76. (Sub)			239	392,768 1718	1273, 1718	1826 Ch.194 Ex.
77.	36	124	441			
77. (Sub)			441	441,768		1163 Ch. 5 Ex.
78.	36	124	148			



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
78. (Sub)			148	167,769		1241, Ch. 30 Ex.
79.	36	189	442		63	
79. (Sub)			442	442,769 1275	1274	1592 Ch. 134 Ex.
80.	36	486	887			
80. (Sub)			887	887, 1511	1321, 1511	1732 Ch.160 Ex.
81.	36					
82.	36	348	461			
y 82. (Sub)			461	462		814 Ch. 21
83.	37					
84.	37					
85.	37					
86.	37	283	534- 538	539		980 Ch.156
87.	37	236	412	515,769		
88.	37	180	337		181,212	
88. (Sub)			337	337,692	692	813 Ch. 47
89.	37					
90.	37					
91.	38					
92.	38	387	476		281	
92. (Sub)			476	533	477	883 Ch.128
93.	38					
94.	38					
95.	38					
96.	38	283	404			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
96. (Sub)			404	404,692	692	883 Ch.111
97.	38	422	493			
97. (Sub)			493	493,770		1163 Ch. 6 Ex.
98.	38	207				
99.	38	124	166			
y 99. (Sub)			166	210,770, 1282	1281	1592 Ch.135 Ex.
100.	39	422	493	493, 770		1826 Ch.195 Ex.
101.	39	108	126, 514	393,514, 770, 1272	393, 1242	1592 Ch.136 Ex.
102.	39					
103.	39	423	539			
103. (Sub)			539,540, 920-922	922	539	
104.	39					
105.	39	136	191		94	
105. (Sub)			191	211,771		
106.	39					
107.	39					
108.	40					
109.	40	379	429			
109. (Sub)			429	430,693	693	883 Ch.133
110.	40					
111.	40					
112.	40	124	192			
112. (Sub)			192	209		848 Ch. 99

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NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
113. ....	53	207	337	518, 771	78	1172 Ch. 14 Ex.
114. ....	53	253	442	442, 771		1163 Ch. 7 Ex.
115. ....	53	147	240			
116. ....	53					
117. ....	53					
118. ....	53				63	
119. ....	53					
120. ....	53	109,124				
121. ....	54					
122. ....	54					
123. ....	54					
124. ....	54	669			677	
125. ....	54	581	735	735,772, 1293	1282	1791 Ch.171 Ex.
126. ....	57	109	137	168		813 Ch. 43
127. ....	57	124	166	211		814 Ch. 22
128. ....	57	581, 1138			611	
129. ....	57					
130. ....	57					
131. ....	57	237	442			
131. (Sub) .....			442	443,772		
132. ....	58	237	503	503,772		
133. ....	58	253	443			
133. (Sub) .....			443	443,773, 1293	694,739, 1293	1592 Ch.137 Ex.
134. ....	58					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
135. ....	58	237	503			
135. (Sub) .....			503	504		
136. ....	58					
137. ....	58					
138. ....	58	254	443	443,773	1500	
139. ....	58	254	338			
139. (Sub) .....			338	338		814 Ch. 23
140. ....	58	323	462	462		814 Ch. 76
141. ....	59	254	430	430,694	693	883 Ch.134
142. ....	59					
143. ....	59					
144. ....	59	456	520			
144. (Sub) .....			520	521,773		1399, 1523 Ch. 108 Ex.
145. ....	59	254	444	444,774		
146. ....	59					
147. ....	59					
148. ....	59					
149. ....	59	419	492	492,737	695,737	883 Ch. 126
150. ....	60					
151. ....	60					
152. ....	60					
153. ....	60					
154. ....	60					
155. ....	60	283	444	444, 696	696	814 Ch. 78

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
156. ....	60	402	462			
156. (Sub) .....			462	463,774, 1206	1206	1523 Ch.112 Ex.
157. ....	60					
158. ....	60	456				
159. ....	60					
160. ....	61					
161. ....	61					
162. ....	61					
163. ....	61	237	409			
163. (Sub) .....			409	410, 774		1241 Ch. 31 Ex.
164. ....	61	254	445	445,775, 1220	1218	1523 Ch.113 Ex.
165. ....	61					
166. ....	65	348,457			457	
167. ....	65	254	445	445,775		
168. ....	65	189	240	390,775		
169. ....	65					
170. ....	65					
171. ....	66	164	239			
171. (Sub) .....			239	393,776		
172. ....	66					
173. ....	66					
174. ....	66					
175. ....	66	164	411			
175. (Sub) .....			411	411		883 Ch. 135
176. ....	66					
177. ....	66	387	430			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
177. (Sub)			430	431,776		
178.	66	147	166	210		848 Ch. 100
179.	66					
180.	67					
181.	67					
182.	67	254			256, 1093	
183.	67	147	240	390,776		
184.	67					
185.	67					
186.	67	165	239			
186. (Sub)			239	515, 777		1241 Ch. 32 Ex.
187.	67	387	412	412		814 Ch. 8 Ex.
188.	67	165	240			
188. (Sub)			240	392, 777		1163 Ch. 8 Ex.
189.	68				110	
190.	68					
191.	68	387	501- 502, 520	520, 777, 2104	502,2056, 2090, 2097, 2104	Ch.257 Ex. PV
192.	68					
193.	68					
194.	68	207	412			
194. (Sub)			412	518, 777	1294, 1399	1775 Vetoed
195.	68	283	463			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
195. (Sub)			463	463		883 Ch.113
196.	69	255	405	405,778, 1513	1512	1732 Ch.149 Ex.
197.	69					
198.	69					
199.	69					
200.	69	546	710			
200. (Sub)			710	711,778		
201.	69	379	494		78	
201. (Sub)			494	494, 778		1172 Ch. 15 Ex.
202.	69	423			95,470	
203.	70					
204.	70	147,255	338		75	
204. (2nd Sub)			338	338, 696	696	814 Ch. 79
205.	70					
206.	70					
207.	70	189	331	331,779		
208.	70	190	329,342, 384,386, 388		377	
209.	70	190	331	331		
210.	70	180	256			
210. (Sub)			256, 279	343, 779		
211.	71					
212.	71					
213.	71					
214.	71					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
215. ....	71					
216. ....	71					
217. ....	71					
218. ....	71	165	191	520,780		
219. ....	71	180	445			
219. (Sub) .....			445	446,780 1221	1220	1523 Ch. 114 Ex.
220. ....	72					
221. ....	72					
222. ....	72					
223. ....	72					
224. ....	72					
225. ....	72					
226. ....	72	181	238	392		814 Ch. 80
227. ....	72	917	1013			
227. (Sub) .....			1013-1017, 1026, 1036	1036, 1506	1504	1791 Ch. 172 Ex.
228. ....	73					
229. ....	73	165	240	516, 781		1389 Ch. 91 Ex.
230. ....	73	165,190, 255	413	516		814 Ch. 81
231. ....	73					
232. ....	73					
233. ....	73					
234. ....	73					
235. ....	73	1166	1167		1166	
235. (Sub) .....			1167-1170, 1175- 1190	1198, 1708	1199, . 1213	



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
236. ....	73	811	821			
					1402-1493, 1592,1685, 1707,1713, 1799,1802, 1804,1815, 1824	
236. (Sub) .....			821-822, 834-847 848-850 851-859 862-881	881		
237. ....	74					
238. ....	80	379	484	484,781		
239. ....	80					
240. ....	80	379	559			
240. (Sub) .....			559,571	572,781		
241. ....	80					
242. ....	81	551				
243. ....	81					
244. ....	81					
245. ....	81					
246. ....	81					
247. ....	81	237	446			
247. (Sub) .....			446	782, 1234	1234	1523 Ch. 115 Ex.
248. ....	81	348	463			
248. (Sub) .....			463	464, 698	697	813 Ch. 42
249. ....	81	255	413			
249. (Sub) .....			413	413,782, 1356	1356	1732 Ch. 161 Ex.
250. ....	81					
251. ....	82					
252. ....	82					
253. ....	82					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
254. ....	82	451	964			
254. (Sub) .....			964	965		1389 Ch. 92 Ex.
255. ....	82					
256. ....	82					
257. ....	82	237				
258. ....	83					
259. ....	83	148	431		257	
259. (Sub) .....			431	431,698	698	883 Ch. 136
260. ....	83					
261. ....	83	348, 1094			396	
262. ....	83	423	494			
262. (Sub) .....			494	494,782, 1222	1221, 1321, 1400	1732 Ch. 162 Ex.
263. ....	83					
264. ....	83	148	191			
264. (Sub) .....			191	240		883 Ch. 112
265. ....	83					
266. ....	84	929				
267. ....	84					
268. ....	84	486				
269. ....	84	387				
270. ....	84					
271. ....	84					
272. ....	84					
273. ....	84				94	
274. ....	84					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
275.	84					
276.	85					
277.	85	148	446	446,783		
278.	85	207				
279.	85	237	405	405, 714	699, 714	Ch. 102
280.	85	457	523			
280. (Sub)			523	524,783, 1208	1207	1523 Ch. 116 Ex.
281.	85					
282.	86					
283.	86					
284.	86	491	887	888		
285.	86					
286.	86					
287.	86					
288.	86	283	406	406, 736	736	813 Ch. 48
289.	87					
290.	87					
291.	87	718	888			
291. (Sub)			888	888, 1338	1336	1399 Ch. 95 Ex.
292.	87					
293.	87					
294.	87					
295.	88	379	431			
295. (Sub)			431	433,783, 1223	1222	1389 Ch. 90 Ex.
296.	88	546	612	612,784		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
297. ....	88	486				
298. ....	88	388	413			
298. (Sub) .....			413- 415	519,784, 1348	1347	1732 Ch. 163 Ex.
299. ....	88	929	984			
299. (Sub) .....			984	984		
300. ....	88					
301. ....	88					
302. ....	88	681	736	736,784, 1763	1756	1826 Ch. 196 Ex.
303. ....	89					
304. ....	89				126	
305. ....	89	283	464	464,785		
306. ....	89	451	965			
306. (Sub) .....			965	965		
307. ....	89	402	464	465, 785, 1829	1223- 1227, 1566, 1829	Ch. 244 Ex.
308. ....	89	505	889	889		1523 Ch. 117 Ex.
309. ....	90					
310. ....	90					
311. ....	90	554	922			
311. (Sub) .....			922	922, 1514	1513	1732 Ch. 164* Ex.
312. ....	91	1018	1514			
312. (Sub) .....			1515- 1520	1520		
313. ....	91					
314. ....	92	190	332	332	785	
315. ....	92	324	539			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
315. (Sub)			539	539,785		
316.	93					
317.	93					
318.	101	977				
319.	102	207	406			
319. (Sub)			406	407, 722	701, 722	814 Ch. 82
320.	102	505	559	742,786, 1777	1776	Ch. 218 Ex.
321.	102					
322.	102	565	889	889	126	
323.	102					
324.	102	619				
325.	102	718	932	932		
326.	102	719	889			
326. (Sub)			889	890		
327.	103					
328.	103	237	339			
328. (Sub)			339	517		813 Ch. 41
329.	103	255	447	447,786		
330.	103	207	340	340,786, 1227	1227	1576 Ch. 127 Ex.
331.	103	208	495	495		
332.	103					
333.	103	255	415			
333. (Sub)			415	517		848 Ch. 101
334.	103	348	890			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
334. (Sub)			890	890	1720- 1728	
335.	103	379	433	434, 787, 1503	1294- 1502	1710 Vetoed
336.	103					
337.	104					
338.	104	719	906	906, 1228	1227	1576 Ch. 128 Ex.
339.	104					
340.	104	457	521			
340. (Sub)			521	787		
341.	104	124	148	148		814 Ch. 25
342.	104	124	149	149		675 Ch. 8
343.	104	125	149	149		675 Ch. 9
344.	104	125	149	150		675 Ch. 10
345.	105	125	150	150		675 Ch. 11
346.	105	125	150	150		675 Ch. 12
347.	105	125	151	151		675 Ch. 13
348.	105	125	151	151		675 Ch. 14
349.	105					
350.	106					
351.	106	208	407	407, 787		1389 Ch. 93 Ex.
352.	106	208	332			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
352. (Sub)			332	332, 788, 1514	1348- 1352, 1514	1732 Ch. 165 Ex.
353.	106					
354.	106					
355.	106					
356.	106					
357.	106	324	465	465,788		
358.	107	917	956	956		1732 Ch. 148 Ex.
359.	114					
360.	114					
361.	114				123	
362.	114					
363.	114	284	447			
363. (Sub)			447	447,789		
364.	114					
365.	115	284	495	495		883 Ch. 137
366.	115					
367.	115	256	416			
367. (Sub)			416	515,789, 1321	1320	1791 Ch. 173 Ex.
368.	115					
369.	115	348				
370.	115	581	743,932		611	
370. (2nd Sub)			932	933		
371.	116					
372.	116					
373.	116					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
374.	116					
375.	116					
376.	116	208	333- 335	394,789, 1751	1749	1826 Ch. 197 Ex.
377.	116				212	
378.	116					
379.	116	380			147,396	
380.	117	403	465	466, 790		1241 Ch. 33 Ex.
381.	117					
382.	117	491				
383.	117					
384.	117				147	
385.	117	238				
386.	117					
387.	117					
388.	118	284	448	448	790	
389.	118					
390.	118					
391.	118	419	521			
391. (Sub)			521	522,790		
392.	118					
393.	118					
394.	118	885				
395.	118	457	952			
395. (Sub)			952	952		
396.	118					
397.	118	380	416	416,790		
398.	119	380	466			



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
398. (Sub)			466	466,791, 1229	1228	1399 Ch. 103 Ex.
399.	119					
400.	119					
401.	119					
402.	119	256	416			
402. (Sub)			416	417, 701	701	814 Ch. 83
403.	120					
404.	120					
405.	120	505	557			
405. (Sub)			558	618,791		
406.	120	403	434-436	517		
407.	120					
408.	120	419, 1309			420	
409.	120					
410.	120					
411.	120					
412.	121					
413.	121	486	522	522, 791		1172 Ch. 16 Ex.
414.	121		495	496,792	376	
415.	121	324	466	466,792, 1230	1230	1399 Ch. 100 Ex.
416.	121					
417.	121					
418.	122	486, 1094	1304		490	
418. (2nd Sub)			1304	1304, 1779	1777	Ch. 219 Ex.

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NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
419. ....	122	324	485	485,792 1208	1208	1399 Ch. J04 ex.
420. ....	122					
421. ....	122				147	
422. ....	122	917				
423. ....	122					
424. ....	122	419	524	525,793, 1230	1230	1576 Ch. 129 Ex.
425. ....	122	324	448			
425. (Sub) .....			448	448		848 Ch. 103
426. ....	122					
427. ....	122	419	966	966		
428. ....	123					
429. ....	123					
430. ....	127	947	986			
430. (Sub) .....			986	986		
431. ....	127	324	476	476,793		
432. ....	127	977				
433. ....	127	505	942	943, 2095	2095	Ch. 267 Ex. PV
434. ....	127					
435. ....	127	284	436-441, 479		480	
436. ....	127	284	467			
436. (Sub) .....			467	467,793		
437. ....	128	487	939			
437. (Sub) .....			939	940, 1354	1352	1791 Ch. 174 Ex.
438. ....	128	487	923			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
438. (Sub)			923	923, 1209	1208	1399 Ch. 105 Ex.
439.	128					
440.	128	348	496			
440. (Sub)			496	496,794		
441.	128	284	458	458, 794	153	1826 Ch. 198 Ex.
442.	128					
443.	128					
444.	128					
445.	129	451			147	
446.	129	505	907		147	
446. (Sub)			907	907, 1355	1355	1732 Ch. 166 Ex.
447.	129	420			420	
448.	129					
449.	129				147	
450.	129	487	952	953, 1209	1209	1399 Ch. 106 Ex.
451.	129	917	966			
451. (Sub)			966	967		
452.	129	380			153	
453.	129					
454.	129	181	407-409			
455.	130	238	410	410, 794		1241 Ch. 34 Ex.
456.	130					
457.	130					
458.	130					
459.	130	208	410			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
459. (Sub)			410	410,795, 1231	1231	1576 Ch. 130 Ex.
460.	130	388	434	434, 795		1389 Ch. 94 Ex.
461.	131	947	1105	1105		
462.	131					
463.	131					
464.	131					
465.	131	1059	1105	1105		
466.	131					
467.	131					
468.	131	451			147	
469.	131					
470.	131					
471.	131	551	908			
471. (Sub)			908	908		
472.	132					
473.	132					
474.	132					
475.	132					
476.	132	349			376	
477.	132					
478.	132					
479.	132					
480.	133	349,565	613		396	
480. (Sub)			613	613, 739	738	883 Ch. 127
481.	133	380	417			
481. (Sub)			417	418,795, 1210	1210	1399 Ch. 107 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
482. ....	133	191	330	330		813 Ch. 51
483. ....	133					
484. ....	133				147	
485. ....	133					
486. ....	133	451	496			
486. (Sub) .....			496	497, 702	702	925 Ch. 150
487. ....	133					
488. ....	133					
489. ....	134					
490. ....	134					
491. ....	134	349, 1138	1394	1394, 1579	372, 1390, 1578	Ch. 147 Ex.
492. ....	134					
493. ....	134					
494. ....	134					
495. ....	135					
496. ....	135				147	
497. ....	135					
498. ....	135	821	909			
498. (Sub) .....			909	910		
499. ....	135					
500. ....	135	743	910			
500. (Sub) .....			910	910, 1235	1235	1399 Ch. 96 Ex.
501. ....	135					
502. ....	135	487,743	933		153,490	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
502. (Sub)			933, 934	935, 1236	1235	1523 Ch. 118 Ex.
503.	135					
504.	135	403	467			
504. (Sub)			467	467,796, 1237	1236	1576 Ch. 1131 Ex.
505.	136	324	340		329	
505. (Sub)			340	341,796		
506.	139				146,344	
507.	139					
508.	139					
509.	140					
510.	140					
511.	140					
512.	140					
513.	140					
514.	141	505	910	910	146	
515.	141	551	911			
515. (Sub)			911	911		
516.	141		1830- 1924	1924, 2038	1830, 1946- 2038	Ch. 270 Ex. PV
517.	141					
518.	141					
519.	141					
520.	141	929				
521.	141					
522.	141					
523.	142					
524.	142					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
525.	142					
526.	142					
527.	142	506,947	986		677	
527. (2nd Sub)			987	987, 2079	2079	Ch. 268 Ex.
528.	142					
529.	142					
530.	142					
531.	142	977				
532.	142					
533.	143					
534.	143					
535.	143	403	911			
535. (Sub)			911	911		1592 Ch. 138 Ex.
536.	143					
537.	143	565	912	912		
538.	143				146	
539.	143				188	
540.	143	565	912	912		
541.	143	380	468			
541. (Sub)			468	468,796		
542.	144	487, 743	953- 955	955		
543.	144					
544.	144					
545.	144					
546.	144	238	458			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
546. (Sub)			458	459, 797		1241 Ch. 35 Ex.
547.	144					
548.	144				397	
549.	144					
550.	145					
551.	145	554	967			
551. (Sub)			967	967		
552.	145					
553.	145					
554.	145	487,1094	1304		.490	
554. (Sub)			1304	1928, 2082	2081	Ch. 245 Ex.
555.	145	325	341	342,797	329	
556.	145	380	573			
556. (Sub)			573	573,797		
557.	145	388	1001			
557. (Sub)			1001	1001	1359- 1364, 1718	
558.	146					
559.	146					
560.	146					
561.	146	947				
562.	146	325	460			
562. (Sub)			461	461,798		
563.	154					
564.	154					
565.	154	380	1002	1068	212,2039, 2088	



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
566. ....	154					
567. ....	155					
568. ....	155	719			721	
569. ....	155					
570. ....	155	403	497	497,798		
571. ....	155	506	912	913		1241 Ch. 36 Ex.
572. ....	155					
573. ....	156					
574. ....	156	1711	2050			
574. (Sub) .....			2050	2051	2096	Ch. 258 Ex.
575. ....	156					
576. ....	156	238	459	459, 798		1241 Ch. 37 Ex.
577. ....	156					
578. ....	156	349	418			
578. (Sub) .....			418	418,799		
579. . 156						
580. ....	156					
581. ....	157	325			377	
582. ....	157					
583. ....	157					
584. ....	157	669			188	
585. ....	158	325	468	468	164	813 Ch. 50
586. ....	158					
587. ....	158	491	552			
588. ....	158	284	418	419		883 Ch. 138
589. ....	158					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
590.	158	420			420	
591.	159					
592.	159	457	975		540	
593.	159					
594.	159	451				
595.	159					
596.	159	506	937			
597.	159					
598.	159					
599.	159					
600.	160					
601.	160	566	655	655,799		
602.	160	256	411	411		883 Ch. 139
603.	160					
604.	160	632	956	956		
605.	161					
606.	161					
607.	161					
608.	161					
609.	161					
610.	161					
611.	161					
612.	161	381	477	533	478	848 Ch. 104
613.	161	451				
614.	162					
615.	162	669	913			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
615. (Sub)			913	913		
616.	162					
617.	162	285	424		164	
617. (Sub)			424	425, 740	740	814 Ch. 84
618.	162					
619.	162	349	425			
619. (Sub)			425	425,799, 1280	1232, 1280	1592 Ch. 139 Ex.
620.	162					
621.	162					
622.	162	403	481, 482	483,800, 1499	481, 1496	1791 Ch. 176 Ex.
623.	162					
624.	163	487	522			
624. (Sub)			522	523,800, 1232	1232	1523 Ch. 119 Ex.
625.	163	285	459	459,800		
626.	163					
627.	163					
628.	163	581	972	972	188,1792	
629.	163					
630.	163	423	497	498, 800		1241 Ch. 38 Ex.
631.	170					
632.	170				188	
633.	170				189	
634.	170					
635.	171					
636.	171	325	469	469		814 Ch. 85

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
637.	171					
638.	171	719	913	913		
639.	171	452	914			
639. (Sub)			914	914		
640.	171					
641.	171	488				
642.	171	566	613	613,801		
643.	171					
644.	171	551	914			
644. (Sub)			914	914		
645.	172	488	573, 612	915, 1211	490, 512, 1211	1523, 1524 Ch. 120 Ex.
646.	172					
647.	172					
648.	172					
649.	172					
650.	172	833	937	937, 1585	1584	1801 Ch. 190 Ex.
651.	172					
652.	173					
653. (Sub)	173	488				
654.	173					
655.	173					
656.	173					
657.	173				213	
658.	174					
659.	174	918				
660.	174	381				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
661. ....	174	1309				
662. ....	174					
663. ....	174	381	426			
663. (Sub) .....			426	427, 703	702	925 Ch. 149
664. ....	175					
665. ....	175	885	933			
665. (Sub) .....			933,936, 962-964	964, 1388	1384- 1387	1792 Ch. 176 Ex.
666. ....	175	488	524	524,801, 1300	1299	1592 Ch. 140 Ex.
667. ....	175					
668. ....	175	420	498	498,801, 1358	189, 1357	1792 Ch. 177 Ex.
669. ....	175					
670. ....	175					
671. ....	176					
672. ....	176	238,620	731	731,802	189,238	
673. ....	176					
674. ....	176					
675. ....	176				1773	
676. ....	176	821,1310	1520	1521	864	
677. ....	176	488	525	525		883 Ch. 132
678. ....	176					
679. ....	176					
680. ....	177					
681. ....	183					
682. ....	183	492				
683. ....	183					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
684.	183					
685.	184					
686.	184					
687.	184					
688.	184	506				
689.	184	507	968, 973	973		1241 Ch. 39 Ex.
690.	184					
691.	184	381	428	428, 802		1163 Ch. 9 Ex.
692.	184					
693.	184					
694.	185	507				
695.	185					
696.	185					
697.	185	420	469			
697. (Sub)			469	469,802, 1233	1233	1576 Ch. 132 Ex.
698.	185					
699.	185					
700.	186					
701.	186					
702.	186					
703.	186	681	933			
703. (Sub)			933	934		
704.	186	488	525			
704. (Sub)			525	526		950 Vetoed
705.	186					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
706. ....	186	947	957			
706. (Sub) .....			957	957, 1364	1364	1732 Ch. 167 Ex.
707. ....	186					
709. ....	187					
710. ....	187					
711. ....	187					
712. ....	187					
713. ....	187					
714. ....	187	452				
715. ....	187	762	903			
715. (Sub) .....			903	903		
716. ....	187					
717. ....	188					
718. ....	188					
719. ....	188					
720. ....	195					
721. ....	196	457	526	526,803		
722. ....	196					
723. ....	196					
724. ....	196					
725. ....	196	551	902		253	
725. (Sub) .....			902	903		
726. ....	196	452	498			
726. (Sub) .....			498	498,803		
727. ....	196					
728. ....	196	566				
729. ....	196	403	481			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
729. (Sub)			481	481, 729	715	883 Ch. 125
730.	196					
731.	197					
732.	197	404,1094			453	
733.	197				253,279	
734.	197				206	
735.	197	381	428	428		950 Ch. 157 PV
736.	197					
737.	197					
738.	197				279	
739.	197					
740.	198	1401	2049			
740. (Sub)			2050	2050, 2105	2105	Ch. 221 Ex.
741.	198	1310				
742.	198				253,279	
743.	198					
744.	198					
745.	198				961-962	
746.	198	1191	1306			
746. (Sub)			1306	1306		
747.	198					
748.	198	551	901			
748. (Sub)			901	902		
749.	199	452	526			
749. (Sub)			526	526, 717	717	883 Ch. 131



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
750.	199	861	931	932		1523 Ch. 121 Ex.
751.	199	861	901			
751. (Sub)			901	901		1523 Ch. 122 Ex.
752.	199					
753.	199					
754.	199	452	479	534	479	883 Ch. 108
755.	199	918	957			
755. (Sub)			957	957, 1357	1356	1792 Ch. 178 Ex.
756.	200					
757.	200					
758.	200					
759.	200	488	527	527, 803		1241 Ch. 40 Ex.
760.	200					
761.	200					
762.	200	381	900	901		
763.	200	948	1066			
763. (Sub)			1066	1066		
764.	201					
765.	201					
766.	201					
767.	201					
768.	201	554	900			
768. (Sub)			900	900, 1928	1719, 1927	Ch. 259 Ex.
769.	201					
770.	201	489				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
771.	205					
772.	205					
773.	205					
774.	205	457	527			
774. (Sub)			527	527, 804		1241 Ch. 41 Ex.
775.	205					
776.	205					
777.	205					
778.	214	382	470	471		814 Ch. 86
779.	214	457	528			
779. (Sub)			528	528,804		
780.	214					
781.	214	507	968, 973	974, 1281	1236, 1281	1699 Ch. 141 Ex.
782.	214	555	900	900		
783.	215	948	1065	1065		
784.	215	1095				
785.	215	555	899	899		
786.	215					
787.	215					
788.	216	382	429	429		848 Ch. 105
789.	216					
790.	216					
791.	216	555	899			
791. (Sub)			899,	899, 2078	2065- 2078	Ch. 249 Ex. PV
792.	216	489	528	529,804		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
793.	216	581			344	
794.	217					
795.	217	382	471	471, 705	236, 704	883 Ch. 130
796.	217	489	529			
796. (Sub)			529	529		814 Ch. 26
797.	217					
798.	218					
799.	218	566	898			
799. (Sub)			898	898		
800.	218					
801.	218					
802.	218	423	499	499		883 Ch. 140
803.	218	382	429			
803. (Sub)			429	429, 706	706	848 Ch. 106
804.	218					
805.	218					
806.	218	382	471	472		813 Ch. 46
807.	219	555	958	958		
808.	219	382	472	472		813 Ch. 45
809.	219					
810.	219	930	984			
810. (Sub)			984	984		
811.	219					
812.	219					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
813. ....	219	452			253, 2064	
814. ....	219	762	958	958	344,476	
815. ....	219	457	530			
815. (Sub) .....			530	530		883 Ch. 110
816. ....	220					
817. ....	220					
818. ....	220					
819. ....	220					
820. ....	220					
821. ....	220	669	944	946		
822. ....	220					
823. ....	220					
824. ....	220					
825. ....	221	719			257	
826. ....	221					
827. ....	221					
828. ....	221					
829. ....	221	489	530	530,805		
830. ....	221					
831. ....	221				253	
832. ....	221					
833. ....	221					
834. ....	222					
835. ....	222					
836. ....	222	382	472	472,805		
837. ....	222					
838. ....	222					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
839. ....	222					
840. ....	222	1192				
841. ....	222	1060	1105			
841. (Sub) .....			1106	1106		
842. ....	223					
843. ....	223					
844. ....	223					
845. ....	223	581	964	964, 2092	2091	Ch. 269 Ex.
846. ....	223	382	473	473		848 Ch. 107
847. ....	224	383	473	473		883 Ch. 141
848. ....	229	383	473	474		925 Ch. 151 PV
849. ....	231	383	474	474		951 Ch. 158 PV
850. ....	235					
851. ....	235				236	
852. ....	243					
853. ....	243					
854. ....	243					
855. ....	244					
856. ....	244	669,977			344,672	
857. ....	244					
858. ....	244	885	958		811	
858. (Sub) .....			959	959		
859. ....	244					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
860.	244	404	482	482,805, 1273	1233, 1272	1699 Ch. 142 Ex.
861.	244	930				
862.	245	674	898, 905	905		1172 Ch. 17 Ex.
863.	245					
864.	245	452	499			
864. (Sub)			499	499,806		
865.	245					
866.	245					
867.	245					
868.	245					
869.	245					
870.	245	423	500	500,806		
871.	245	1085	1275			
871. (Sub)			1275, 1276	1277, 1511	1510	1732 Ch. 168 Ex.
872.	245	1085	1275			
872. (Sub)			1275	1276		1732 Ch. 169 Ex.
873.	246					
874.	246	388	474	474		813 Ch. 49
875.	246	383	475	475		883 Ch. 142
876.	246					
877.	246					
878.	246					
879.	247					
880.	247					
881.	247					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
882.	247					
883.	247					
884.	247					
885.	247					
886.	247					
887.	247					
888.	247	812	897	898		1241 Ch. 42 Ex.
889.	248					
890.	248					
891.	248	489	531	531,806		
892.	248					
893.	248					
894.	248	881	955			
894. (Sub)			955, 1322- 1325	1325	955, 1211	
895.	248					
896.	248					
897.	248				257	
898.	248	812	969			
898. (Sub)			969	969		
899.	249				344	
900.	249					
901.	249					
902.	249					
903.	249	566	897	897		
904.	250					
905.	250					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
906.	250					
907.	250	1310	2049			
907. (Sub)			2049	2049		Ch. 246 Ex.
908.	250					
909.	250				344	
910.	250					
911.	251					
912.	251	743	1002			
912. (Sub)			1002	1002, 1510	1365- 1368, 1510	1732 Ch. 170 Ex.
913.	251	948	959	959, 1237	1237	1523 Ch. 123 Ex.
914.	251					
915.	251					
916.	251					
917.	251					
918.	251					
919.	251	918	959	959		
920.	251					
921.	252	918				
922.	252					
923.	252	918	960	960, 1296	1296	1699 Ch. 146 Ex. PV
924.	258					
925.	259					
926.	259					
927.	260					
928.	260					



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
929. ....	260					
930. ....	260					
931. ....	260					
932. ....	260					
933. ....	260	492	897	897, 1302	1300	1699 Ch. 143 Ex.
934. ....	261					
935. ....	261					
936. ....	261					
937. ....	261					
938. ....	261					
939. ....	261					
940. ....	261					
941. ....	261					
942. ....	261					
943. ....	262	1060	1106			
943. (Sub) .....			1106	1106		
944. ....	262					
945. ....	263					
946. ....	263					
947. ....	263					
948. ....	263					
949. ....	263					
950. ....	263					
951. ....	263					
952. ....	264	383	475	475		883 Ch. 143
953. ....	264					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
954. ....	264	763	943	943, 1234	1234	1523 Ch. 124 Ex.
955. ....	264					
956. ....	264					
957. ....	264					
958. ....	264	1060	1120			
958. (Sub) .....			1120	1120		
959. ....	264					
960. ....	265					
961. ....	265					
962. ....	265	452	504			
962. (Sub) .....			504	504,807		1241 Ch. 43 Ex.
963. ....	265					
964. ....	266					
965. ....	266					
966. ....	266					
967. ....	266					
968. ....	266					
969. ....	266					
970. ....	266					
971. ....	266					
972. ....	266	744	938			
972. (Sub) .....			938	938, 1303	1302	1792 Ch. 179 Ex.
973. ....	266					
974. ....	267					
975. ....	267					
976. ....	267					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
977.	267					
978.	267					
979.	267					
980.	267					
981.	267					
982.	267	632			974	
983.	267	453	500	500		813 Ch. 44
984.	267					
985.	268					
986.	268					
987.	268					
988.	268					
989.	268	458	531	531, 807		1523 Ch. 125 Ex.
990.	269					
991.	269					
992.	269					
993.	269					
994.	269	566			569	
995.	269					
996.	269				344	
997.	269					
998.	269					
999.	269					
1000.	270	1019,1174, 1686	1930		1036, 1189	
1000. (2nd Sub)			1930	1930		
1001.	270					

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1002.	270					
1003.	270					
1004.	270					
1005.	270					
1006.	270					
1007.	270					
1008.	271	453	501			
1008. (Sub)			501	501,807		
1009.	271					
1010.	271					
1011.	271					
1012.	271					
1013.	271	744	896			
1013. (Sub)			896	896, 1588	1585	1801 Ch. 191 Ex.
1014.	271					
1015.	271					
1016.	271					
1017.	272					
1018.	272	861	896		812	
1018. (Sub)			896	896		1241 Ch. 44 Ex.
1019.	272					
1020.	272					
1021.	272					
1022.	272					
1023.	272					
1024.	272					
1025.	272					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1026.	272					
1027.	272					
1028.	273					
1029.	273					
1030.	273					
1031.	273	918	960			
1031. (Sub)			960	960, 1584	1580	1801 Ch. 192 Ex.
1032.	273	1216	1277		547	
1032. (Sub)			1277- 1279	1279		1792 Ch. 180 Ex.
1033.	273	632	707		547,707	
1033. (Sub)			707	707		814 Ch. 27
1034.	273	1213	1305		1170	
1034. (Sub)			1305	1306		1792 Ch. 181 Ex.
1035.	273					
1036.	273				1332- 1335	
1037.	273					
1038.	273					
1039.	273					
1040.	273					
1041.	273	404				
1042.	274					
1043.	274					
1044.	274					
1045.	274	492,744	895			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1045 (Sub)			895	895		1241 Ch. 45 Ex.
1046.	274					
1047.	274	458			458	
1048.	274					
1049.	274					
1050.	274					
1051.	274					
1052.	274					
1053.	274					
1054.	274					
1055.	275				903	
1056.	275					
1057.	275	833	895		811	
1057. (Sub)			895	895		1241 Ch. 46 Ex.
1058.	275					
1059.	275					
1060.	275					
1061.	275					
1062.	275					
1063.	275					
1064.	275	1401	1930		1279	
1064. (Sub)			1930	1930, 2080	2079	Ch. 247 Ex.
1065.	275	885			864	
1066.	275	489,744			397,984	
1067.	275					
1068.	275					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1069.	276					
1070.	276					
1071.	276					
1072.	276					
1073.	276				560	
1074.	276					
1075.	276	744	1002		376	
1075. (Sub)			1002	1003, 1590	1589	Ch. 220 Ex. PV
1076.	276					
1077.	276					
1078.	276					
1079.	276					
1080.	276					
1081.	277					
1082.	277					
1083.	277					
1084.	277	999,1086	1106			
1084. (Sub)			1106	1107		
1085.	277					
1086.	277					
1087.	277					
1088.	277					
1089.	277					
1090.	277					
1091.	277					
1092.	277					
1093.	277					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1094. ....	277					
1095. ....	277					
1096. ....	278					
1097. ....	278					
1098. ....	278					
1099. ....	278					
1100. ....	278					
1101. ....	278					
1102. ....	278					
1103. ....	278					
1104. ....	278					
1105. ....	278					
1106. ....	285	581	894	894		
1107. ....	285	918				
1108. ....	285					
1109. ....	285		1325	1326	1093	
1110. ....	285					
1111. ....	286					
1112. ....	286					
1113. ....	286					
1114. ....	286	566	731	731		884 Ch. 144
1115. ....	286	674	894	894		1241 Ch. 47 Ex.
1116. ....	286					
1117. ....	286					
1118. ....	286					
1119. ....	287					
1120. ....	287					



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1121.	287	861	907			
1121. (Sub)			907	908, 1716	1715	1827 Ch. 199 Ex. PV
1122.	287					
1123.	287					
1124.	287					
1125.	287					
1126.	287	834	893			
1126. (Sub)			893	894		1241 Ch. 48 Ex.
1127.	287					
1128.	288					
1129.	288					
1130.	288					
1131.	288	507				
1132.	288					
1133.	288	508	893	893		1241 Ch. 50 Ex.
1134.	288					
1135.	288					
1136.	288					
1137.	288					
1138.	288	1019	1065			
1138. (Sub)			1065	1065	2113	
1139.	288					
1140.	289					
1141.	289	508,948	985		560	
1141. (2nd Sub)			985	986		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1142.	289	508			961	
1143.	289					
1144.	289					
1145.	289					
1146.	289					
1147.	289	918	955		344	
1147. (Sub)			955, 1326	1326	1093	
1148.	289					
1149.	289					
1150.	290					
1151.	290					
1152.	290					
1153.	290					
1154.	290					
1155.	291	881, 1524			882, 1822	
1156.	291					
1157.	291					
1158.	291					
1159.	291					
1160.	291	1139				
1161.	292					
1162.	292					
1163.	292					
1164.	292					
1165.	292					
1166.	292					
1167.	293					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1168.	293					
1169.	293					
1170.	293					
1171.	293					
1172.	293					
1173.	293					
1174.	293					
1175.	293	948	1066	1067		1699 Ch. 144 Ex.
1176.	293	489	531			
1176. (Sub)			532	532,808		1241 Ch. 49 Ex.
1177.	294					
1178.	294				344	
1179.	294					
1180.	294					
1181.	294					
1182.	294		1946	1946	1941-1943, 1945	
1183.	294	423				
1184.	295					
1185.	295					
1186.	295					
1187.	295					
1188.	295				344	
1189.	295					
1190.	295					
1191.	295				344,376	
1192.	295					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1193.	296	930				
1194.	296					
1195.	296					
1196.	296	881	938			
1196. (Sub)			938	939		
1197.	296	490				
1198.	296					
1199.	296					
1200.	296					
1201.	296					
1202.	297					
1203.	297					
1204.	297					
1205.	297					
1206.	297					
1207.	297	719	1522	1929, 2080	721, 1093, 2080	Ch. 248 Ex.
1208.	297					
1209.	297					
1210.	297	834	892			
1210. (Sub)			893	893		
1211.	297					
1212.	298					
1213.	298					
1214.	298					
1215.	298					
1216.	298					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1217.	298					
1218.	298					
1219.	298				344	
1220.	298					
1221.	298	821	892	892		
1222.	298					
1223.	299				470	
1224.	299				344	
1225.	299				1162	
1226.	299					
1227.	299					
1228.	299					
1229.	299					
1230.	299					
1231.	299					
1232.	300					
1233.	300					
1234.	300					
1235.	300					
1236.	300					
1237.	300	567,581			611	
1238.	300					
1239.	300	719, 1213	1327		812	
1239. (2nd Sub)			1327	1328, 1756	1756	1826 Ch. 200 Ex.
1240.	300					
1241.	300	508	892	892, 1702	1702	1801 Ch. 193 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1242.	301					
1243.	301					
1244.	301					
1245.	301				344	
1246.	301					
1247.	301					
1248.	301					
1249.	301					
1250.	301					
1251.	301				344	
1252.	301				344	
1253.	301					
1254.	302	919			344	
1255.	302					
1256.	302					
1257.	302					
1258.	302	978	1041			
1258. (Sub)			1041, 1048	1049, 1764	1701, 1764	1826 Ch. 201 Ex.
1259.	303					
1260.	303					
1261.	303	490	532			
1261. (Sub)			532	532,808		
1262.	303	1060				
1263.	303	719	891	891		
1264.	303					
1265.	303					
1266.	303	882				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1267.	304					
1268.	304					
1269.	304	508	1002			
1270.	304					
1271.	304					
1272.	304				344	
1273.	305					
1274.	305					
1275.	305					
1276.	305					
1277.	305					
1278.	305					
1279.	305					
1280.	305					
1281.	305	948	971		344	
1281. (Sub)			971	971, 1358	1358	1775 Ch. 182 Ex. PV
1282.	306					
1283.	306					
1284.	306					
1285.	306					
1286.	306					
1287.	306					
1288.	307					
1289.	307					
1290.	307					
1291.	307					
1292.	307					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1293.	308					
1294.	308					
1295.	308					
1296.	308					
1297.	308					
1298.	309					
1299.	309					
1300.	309					
1301.	309					
1302.	310					
1303.	310					
1304.	311					
1305.	311					
1306.	311					
1307.	311	633	935			
1307. (Sub)			935	936		
1308.	311	930	961			
1308. (Sub)			961	961, 1382	1375	1791 Ch. 186 Ex. PV
1309.	312					
1310.	312				344	
1311.	312					
1312.	312					
1313.	312					
1314.	312					
1315.	312					
1316.	312					



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1317.	312	1019	1066	1066		
1318.	313					
1319.	313					
1320.	313					
1321.	313					
1322.	313					
1323.	313					
1324.	313					
1325.	313	490	532	533, 808		1172 Ch. 18 Ex.
1326.	314					
1327.	314					
1328.	314					
1329.	314					
1330.	314					
1331.	314					
1332.	314					
1333.	314					
1334.	314					
1335.	314					
1336.	315					
1337.	315					
1338.	315					
1339.	315					
1340.	315					
1341.	315	681	931		677, 1279	
1342.	315					
1343.	315					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1344.	315					
1345.	315					
1346.	315				397	
1347.	315	861	891		817	
1347. (Sub)			891	891		1699 Ch. 145 Ex.
1348.	315					
1349.	315				470	
1350.	316					
1351.	316					
1352.	316					
1353.	316					
1354.	316					
1355.	316					
1356.	316					
1357.	316					
1358.	316					
1359.	316	861	890		817	
1359. (Sub)			890	890		
1360.	316					
1361.	316					
1362.	316					
1363.	316					
1364.	317					
1365.	317					
1366.	317					
1367.	317					
1368.	317					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1369.	317					
1370.	317				666	
1371.	317'					
1372.	317					
1373.	317					
1374.	317					
1375.	317					
1376.	317					
1377.	317					
1378.	318				903	
1379.	318					
1380.	318					
1381.	318					
1382.	318					
1383.	318					
1384.	318					
1385.	318					
1386.	318					
1387.	318					
1388.	318					
1389.	318					
1390.	318					
1391.	318					
1392.	319					
1393.	319					
1394.	319					
1395.	319					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1396.	..... 319					

## HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st R'd'g	& Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	55					
2. ....	74					
3. ....	74,75		75	76	80	
4. ....	93	148	192	212,808		
5. ....	163					
6. ....	177	948				
7. ....	177				178-180	
8. ....	236					
9. ....	278					
10. ....	278					
11. ....	319					
12. ....	319					
13. ....	319					
14. ....	319					
15. ....	319	509	670			
15. (Sub) .....			670,723			
16. ....	319	681	940	940		
17. ....	319					
18. ....	319					
19. ....	320					

## HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	62					
2. ....	62					
3. ....	74					
4. ....	74					
5. ....	74					
6. ....	75					
7. ....	93	256	483			
7. (Sub) .....			483	484,810		
8. ....	93					
9. ....	93					
10. ....	93				974	
11. ....	93					
12. ....	93					
13. ....	107					
14. ....	107					
15. ....	107					
16. ....	123					
17. ....	123					
18. ....	136					
19. ....	146					
20. ....	146					
21. ....	163	388	475			
21. (Sub) .....			475	476,810		
22. ....	164	1060	1329- 1331	1331		
23. ....	188	509				
24. ....	205	490			969-971	
25. ....	236					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
26. ....	252	834	915			
26. (Sub) .....			915,941	942		
27. ....	252					
28. ....	278					
29. ....	279					
30. ....	320					
31. ....	320	349	541	542, 810	540,1717, 2095,2111	
32. ....	320					
33. ....	320					
34. ....	320					
35. ....	320					
36. ....	320	1038				

## HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & Committee 1st R'd'g Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	62	62	62		
2. ....	94	151,391	391,809		
3. ....	94	732	732,809		
4. ....	136	349			
5. ....	206	206	206		
6. ....	206	882	935		
6. (Sub) .....		935	935		
7. ....	279				
8. ....	320	681			
9. ....	320				
10. ....	320				
11. ....	320				
12. ....	320				
13. ....	321	509			
14. ....	321				
15. ....	753	753	753		
16. ....	762	762	762		
17. ....	817	817	817		
18. ....	885	885	885		
19. ....	923	923	923,937	937	
20. ....	1828	1828	1828		



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NO.	Intro. & Committee 1st R'd'g Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
21. ....	2112	2112	2112		

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## INITIATIVES

NO.	Intro. & Committee 1st R'd'g Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
61. ....	101,398			564	
62. ....	111-113	387	546,552	741	

## HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
1. Representatives Bagnariol, Berentson: Adopting House Rules.	4-19		19
2. Representatives Polk, King: Notifying Senate House organized.	21	21	
3. Representatives King, Polk: Salaries of members and staff.	23	23	
4. Representatives Polk, King: Appointment of photographer	63	63	
5. Representatives O'Brien, Deccio, Bagnariol, Erickson, gallagher, Maxie, Eng, May, Bender, Taller, North: Condolences, Father A.A. Lemieux.	78	78	
6. Representatives Maxie, Bender, Burns, Douthwaite, Granlund, Greengo, Isaacson, Lux, May, McDonald, Nelson (D), North, O'Brien, Salatino, Sanders, Scott, Teutsch, Tilly, Tupper, Van Dyken, Winsley: Homage, Reverend Dr. Martin Luther King, Jr.	94	95	
7. Representatives Scott, King, Heck, Bauer, Becker, Clayton, Dunlap, Erak, Flanagan, Galloway, Jovanovich, Lux, Martinis, Monohon, Owen, Pruitt, Smith (C), Thompson, Williams, Zimmerman: Appeal to paper industry to end strike.	169	169	
8. Representatives Zimmerman, Adams, Amen, Barnes, Barr, Bauer, Bond, Craswell, Ehlers, Erickson, Fancher, Flanagan, Greengo, Heck, King, Kreidler, Maxie, McCormick, McDonald, Nelson (G), Rosbach, Teutsch, Thompson, Tilly, Sommers, Van Dyken, Whiteside, Williams, Winsley: Condolences regarding death of Governor Rockefeller.	181	181	
9. Representatives King, Polk, Adams, Addison, Amen, Barnes, Bauer, Bender, Blair, Burns, Chandler, Charnley, Clayton, Dawson, Dunlap, Eng, Ehlers, Erickson, Fancher, Galloway, Greengo, Gruger, Haley, Hastings, Heck, Houchen, Isaacson, Knowles, Lux, McDonald, McGinnis, Mitchell, Owen, Nisbet, Patterson, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Walk, Whiteside, Williams, Winsley, Zimmerman: Information to voters regarding special levies.	193	194	
10. Representative Heck: Commending Goldendale and the Goldendale Observatory on attention given solar eclipse.	386	387	
11. Representatives Haley, Addison, Blair, Chandler, Nelson (D), Nisbet, Patterson, Rohrbach, Sprague, Tupper, Williams: Calling for management change of Washington Public Power Supply System.	420		421
12. Representative Nelson (G): Congratulating Rosalynn Dianne Sumners, figure skating champion.	409	409	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
13. Representative Granlund: Congratulating Mark Alger for participation in United States National Squash tournament.	470	470	
14. Representatives Galloway, Bauer, Thompson, Williams, Zimmerman: Urging license renewal for commercial television channel.	547	547	
15. Representatives O'Brien, Burns, Brekke, Douthwaite, Nelson (D): Urging U of W board of regents to retain Olympic Hotel.	619	619	
16. Representatives O'Brien, Lux, Douthwaite, Nelson (D), Burns, Brekke: Congratulating Seattle-based Friends of the Rag for national recognition.	745	745	
17. Representatives Grimm, Barnes, Craswell, Dunlap, Fuller, Greengo, Haley, Hastings, Keller, Maxie, McCormick, Mitchell, Newhouse, Nisbet, Oliver, Polk, Rohrbach, Sanders, Scott, Smith (C), Struthers, Taylor, Tilly, Williams, Winsley: Recognizing Business Week 1978 students, teachers and participants.	671	672	
19. Representatives Kreidler, Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Sympathy to Family of Willi Unsoeld.	677	678	
20. Representatives Dawson, Valle, Mitchell: Commending Lions Club for contributions to blind.	746	746	
21. Representatives King, Polk: Interim business.	748	749	
22. Representatives King, Polk: Notifying Senate House about to adjourn sine die.	754	754	
23. Representative Bagnariol: Recognizing steel industry's contribution.	747	747	
24. Representatives Polk, King: Granting use of House Chamber for YMCA Youth Legislature.	747	748	
25. Representatives Struthers, Hastings: Congratulating Wa-Hi Blue Devils Girls' basketball team.	745	745	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
26. Representatives Polk, King: Notifying Senate House organized for extraordinary session.	759	759	
27. Representative Teutsch: Paying tribute to Albert Einstein.	811	811	
28. Representatives Deccio, Owen: Commending efforts of White House Conference on Small Business staff.	1570	1571	
29. Representatives Garrett, North, Bagnariol: Commending John Prizdick for work with handicapped children.	811	811	
30. Representatives Oliver, Isaacson: Richland High School Bombers basketball team, state AAA basketball champions.	851	851	
31. Representatives Dunlap, Bagnariol, Barnes, Bond, Brown, Ehlers, Gallagher, Greengo, Hastings, King, Lux, O'Brien, Owen, Pruitt, Scott, Teutsch, Vrooman, Zimmerman: Paying tribute to signers of Israeli-Egyptian peace treaty.	850	850	
32. Representatives Douthwaite, Adams, Bauer, Bender, Brekke, Brown, Burns, Charnley, Erak, Gallagher, Granlund, Grimm, Gruger, Hughes, Hurley, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson (D), North, O'Brien, Owen, Pruitt, Salatino, Scott, Smith (R), Sommers, Vrooman, Walk, Warnke: Requesting DSHS to design a "Scared straight" program.	850	851	
34. Representatives King, Nelson (G): Congratulating Snohomish county Irish Under-14 Girls' Soccer Team.	1371	1371	
35. Representatives Hurley, Amen, Bagnariol, Barr, Blair, Bond, Brown, Burns, Charnley, Dawson, Douthwaite, Gallagher, Haley, Hastings, Isaacson, King, Knowles, Martinis, Maxie, May, McCormick, Nelson (D), North, Oliver, Polk, Salatino, Sanders, Struthers, Taller, Tilly, Van Dyken, Walk, Warnke, Wilson, Winsley, Zimmerman: Directing feasibility study of high-speed train line through Western Washington.	1571	1572	
36. Representatives O'Brien, Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders,			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Regards to Dr. Hugh A. Bone on retirement from U of W staff.	1157	1157	
37. Representatives Dunlap, Addison, Barnes, Craswell, Dawson, Eberle, Erickson, Fancher, Hastings, Houchen, Hughes, McCormick, McGinnis, Mitchell, Nisbet, Owen, Rohrbach, Rosbach, Sanders, Schmitt, Sprague, Taller, Taylor, Teutsch, Tilly, Tupper, Whiteside, Williams: Requesting Congress to achieve fiscal control to reduce inflation.	1372	1373	
38. Representatives Fuller, Hastings, Oliver, Erickson, Eberle, Barnes: Directing Committee on Constitution, Elections and Governmental Ethics to review public disclosure law.	1572	1572	
41. Representative Salatino: Designation of Tacoma Tugs Day.	1175	1175	
42. Representatives Heck, Zimmerman: Supporting Congressman Mike McCormick in efforts to defend the property rights of Conboy Lake area.	1372	1372	
43. Representatives Struthers, Becker, Deccio, Owen, Polk, Nelson (D), Amen, Clayton, Dawson, Nisbet, Sanders, Smith (C), Tilly, Williams: Directing Committee on Institutions to develop a master plan for institutional buildings and programs.	1170	1170	
44. Representatives Erickson, Chandler, Bauer, Thompson, Winsley, Heck, Galloway, Kreidler, Williams, Haley, Ehlers, Rosbach, Fuller: Supporting station KCPQ as public broadcasting channel.	1568	1569	
45. Representatives Pruitt, Haley, Gruger, Williams, McCormick, Becker, Monohon, Sherman, Nelson (D), Nisbet, Tupper, Burns, Kreidler, Lux, Teutsch: Directing energy study by Committee on Energy and Utilities.	1214,1374		1215,1374
46. Representatives Grimm, Barnes: Requiring review of educational needs with reciprocity arrangements.	1572	1573	
47. Representatives Houchen, Teutsch, Chandler, Haley, Williams, Isaacson, Bond, Deccio, Tupper, Zimmerman, Smith (C), Oliver, Nisbet, Sprague, Wilson, Sanders, Fuller, Rosbach, Mitchell, Dunlap, Taylor, Dawson, McGinnis: Directing Committee on Energy and Utilities to appoint subcommittee to develop comprehensive plan on energy.	1339		1338,1341-1344
49. Representatives Lux, O'Brien, Eng, Maxie: Congratulating Franklin High school debate and speech team.	1369	1370	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
51. Representatives Deccio, Berentson, Bagnariol, Polk, King, Dunlap, O'Brien, Tilly, Patterson, Knowles, Salatino, Amen: Recognizing Secretaries Day.	1373		1374
52. Representatives Polk, O'Brien, Adams, Gallagher, Greengo, Houchen, Lux, McDonald, North, Rohrbach: Holocaust Remembrance Week.	1372	1372	
53. Representatives King, Newhouse, Scott, Polk: Review of industrial insurance system.	1371	1371	
54. Representatives Dunlap, McCormick, Scott: Directing a study of consumer taxation on utilities.	1573	1573	
56. Representatives Warnke, Greengo: Directing study of convention centers.	1573	1574	
58. Representatives Whiteside, Adams, Blair, Thompson, Struthers, Becker, Newhouse, Smith (R): Establishing special committee to examine mental health services.	1575	1575	
59. Representatives Patterson, Amen: Designating new Snake River bridge as Red Wolf Crossing.	1569	1570	
62. Representatives Taller, McDonald, Sommers, Blair, Douthwaite, Thompson, Ehlers: Directing review of disability retirements of law enforcement and fire fighters.	1570	1570	
65. Representatives Taylor, McGinnis, Smith (C), Jovanovich, Erak, Chandler, Barr, Monohon, Rosbach: Establishing committee to review Washington state National guard.	1574		1574
92. Representatives Keller, Kreidler, Grimm: Asking Congress to issue permanent visas to Dean family.	1829	1829	
114. Representatives King, Polk: Creating Executive Rules Committee.	2107	2109	
116. Representatives Bagnariol, Berentson, Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Congratulating Sonics.	2097	2098	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
117. Representatives Bagnariol, Berentson, Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Douthwaite, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Haley, Hastings, Heck, Houchen, Hughes, Hurley, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Congratulating Sonics and Coach Lenny Wilkens.	2098	2098	



## HISTORY OF SENATE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2005. ....	252	666	727	727		Ch. 87
2010. (Sub) .....	927	1060	1107	1107,1579	1579	Ch. 187 Ex.
2014. (Sub) .....	1018					
2015. ....	206	567	1044	1045		Ch. 10 Ex.
2016. (Sub) .....	927	1026	1128	1129		Ch. 26 Ex.
2021. ....	321	567	618	618		Ch. 121
2023. (2nd Sub) ....	884	1027			1093	
2024. (Sub) .....	401					
2026. ....	252	574	637	637		Ch. 59
2028. (Sub) .....	449	560	614	615		Ch. 28
2030. (Sub) .....	543	674	728	728		Ch. 152
2032. (Sub) .....	513	666	1107	1108		Ch. 51 Ex.
2033. ....	321	674	728	728		Ch. 88
2034. ....	139					
2040. ....	927	1050	1118	1118		Ch. 27 Ex.
2042. (Sub) .....	346	567	987	1071		Ch. 19 Ex.
2044. ....	927	1095	1392	1393, 1567	1394, 1506	
2045. ....	401	620	637	637		Ch. 60
2053. ....	206	567	1045	1045		Ch. 11 Ex.
2055. (Sub) .....	449	582	987			
2058. (Sub) .....	544	949	987	1003, 1238	1237	Ch. 109 Ex.
2060. ....	975	1009	1119	1119		Ch. 52 Ex.
2062. ....	378, 860	560, 989	1395- 1398	1398, 2106	1213,1577, 1591,1719, 2106	Ch. 122 Ex.
2065. ....	107		107,109	109		Ch. 5
2066. ....	236	574	638	638		Ch. 123

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2067. ....	378	574	638	638		Ch. 61
2068. ....	346	621	638	638		Ch. 62
2069. ....	206	555	615	615		Ch. 120
2071. (Sub) .....	1242	1508	1931	1931, 1940	1933	Ch. 251 Ex.
2077. ....	139	285	569	635		Ch. 116
2078. ....	236	621	639	639		Ch. 34
2084. ....	513					
2094. ....	139	582	639	639		Ch. 63
2095. (Sub) .....	346	930	1390	1391	1566	Ch. 202 Ex. PV
2097. (Sub) .....	206	560	656	656, 1369	1369	Ch. 213 Ex.
2101. ....	347	621	640	640		Ch. 64
2102. ....	347	622	656	656		Ch. 65
2106. ....	513	633	988, 1068	1068		Ch. 65 Ex.
2108. ....	981	1038	1131	1132		
2111. ....	449	509	558	558		Ch. 6
2117. (Sub) .....	401	562	570	635		Ch. 35
2118. (Sub) .....	323	562	640	640		Ch. 36
2119. ....	136	350	558	559		Ch. 16
2121. ....	347	567	640	641		Ch. 37
2124. ....	139	622	641	641		Ch. 66
2130. ....	544	567	661	1069		Ch. 66 Ex.
2131. ....	139	744	1080, 1085	1085	1080	Ch. 20 Ex.
2132. (Sub) .....	449	568	661	742		Ch. 89
2133. ....	321					
2135. ....	139					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2136. ....	449	622	641	641		Ch. 38
2138. ....	347	622	642	642		Ch. 67
2140. (Sub) ....	449	568	988	1004		Ch. 1 Ex.
2141. (Sub) ....	401	622	642	642		Ch. 90
2142. (Sub) ....	402	622	642	643,721	721	Ch. 145
2143. ....	164	623	988	1004	1303	Ch. 183 Ex.
2144. (Sub) ....	816	1033	1108	1108		Ch. 53 Ex.
2147. ....	321	568	615	635		Ch. 115
2148. (Sub) ....	164	325	372-376	376		Ch. 15
2149. (Sub) ....	544	626	661	663		Ch. 95
2154. ....	975					
2155. ....	544	582	643	643		Ch. 58
2158. (Sub) ....	347	556	570	1069		Ch. 21 Ex.
2159. ....	206	556	570	636		Ch. 54
2161. (Sub) ....	544,816	1033	1130	1131		Ch. 89 Ex. PV
2162. ....	717	1009				
2165. ....	206	1051	1931		1931	
2173. ....	402	989	1133	1133		Ch. 54 Ex.
2175. ....	976	1060	1108	1108		Ch. 55 Ex.
2176. ....	449	1401	1769	1769		Ch. 204 Ex.
2177. (Sub) ....	544, 816	1034	1123- 1125	1126	1298	
2178. ....	449	556	616	616		Ch. 32
2179. ....	450	568	643	643		Vetoed
2180. ....	402	627	663	663		Ch. 122
2181. (Sub) ....	321	1139	1692-1698, 1705, 1728	1789		Ch. 209 Ex.
2182. (Sub) ....	321	1147	1764	1765		Ch. 210 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2184. (Sub) . . . . .	402	627	663	664		Ch. 68
2186. . . . .	454	568	616	616		Ch. 33
2191. . . . .	323	628	664	1005		Ch. 2 Ex.
✓ 2192. (Sub) . . . . .	544	720	988	1070, 1297	1297, 1400	Ch. 150 Ex.
2194. (Sub) . . . . .	819	978	1046	1046		Ch. 12 Ex.
2197. (Sub) . . . . .	819	1038	1120, 1158	1158	1121, 1238, 1280	Ch. 110 Ex.
2204. . . . .	681					
2206. . . . .	252	383	617	617		Ch. 91
2209. (Sub) . . . . .	544					
2212. (2nd Sub) . . . . .	884	1061				
2213. (Sub) . . . . .	252	582			669	
2218. . . . .	816	1019	1135	1135		Ch. 56 Ex.
2221. . . . .	450	562	570	570		Ch. 17
2224. . . . .	717	1104	1499	1499		Ch. 157 Ex.
2226. (Sub) . . . . .	450	607	644	644		Ch. 72
2229. . . . .	513	1009			1137	
2233. . . . .	450	562	570	570		Ch. 18
2235. . . . .	981					
2236. . . . .	378				1067	
2237. . . . .	450	628			631	
2238. (Sub) . . . . .	884	1034			1093	
2241. . . . .	884	1039			1211	
2242. . . . .	347	568	1109	1109		Ch. 57 Ex.
2243. (Sub) . . . . .	1700		2039	2039	2039	Ch. 223 Ex.
2244. (Sub) . . . . .	1700		2039	2040	2039	Ch. 224 Ex.
2249. (Sub) . . . . .	1755		2046	2047	2039	Ch. 225 Ex.

# HISTORY OF SENATE BILLS

2227

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2250. ....	1700		2040	2041	2039	Ch. 226 Ex.
2251. (Sub) .....	1701		2042	2042	2039	Ch. 252 Ex.
2252. (Sub) .....	378	556	661,675	686	661,685	Ch. 30
2254. (Sub) .....	450	628, 683	659, 735	735	660, 677	Ch. 154 PV
2255. (Sub) .....	454	562	644,646	646		Ch. 146
2256. ....	454	629	646	647		Ch. 119
2257. ....	455					
2259. ....	455					
2262. ....	455	607				
2265. (Sub) .....	455	568	647	647		Ch. 92
2267. ....	816					
2268. (Sub) .....	816	1061				
2272. ....	402	629			669	
2273. (Sub) .....	1059	1192	1931	1932		Ch. 227 Ex.
2274. (Sub) .....	544	607	647	647		Ch. 57
2275. (Sub) .....	554	666	729	729		Ch. 31
2277. ....	450	607	648	648		Ch. 69
2278. ....	816					
2284. (Sub) .....	976	1019	1117, 1158	1159	1118	Ch. 97 Ex.
2290. ....	347	1019	1109	1109		Ch. 58 Ex.
2291. (Sub) .....	347	607	648	649		Ch. 39
2294. (Sub) .....	347	607,1039	1134	1134	903	
2295. ....	455	720	1071- 1077	1077		Ch. 67 Ex.
2296. ....	445	720	1109	1109		Ch. 59 Ex.
2297. ....	347	919	1110	1110		Ch. 60 Ex.
2299. (Sub) .....	544					

## HISTORY OF SENATE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2301. (Sub)	981	1019	1110	1110		Ch. 61 Ex.
2304. (Sub)	544	574	649	649		Ch. 40
2305.	450	608	649	649		Ch. 70
2306. (Sub)	455	568	1046	1046		Ch. 13 Ex.
2308. (Sub)	927		1816- 1821	1821	1728	Ch. 261 Ex. PV
2310. (Sub)	455	629	650	650		Ch. 93
2311.	816	882	1047	1047		Ch. 98 Ex.
2314.	916	1051	1121	1121	979	Ch. 68 Ex.
2316. (Sub)	1037					
2317. (Sub)	717	834	1047	1047	1400	Ch. 151 Ex.
2321.	455	557	651	651		Ch. 56
2325.	981					
2332.	916					
2333.	717	931	1529- 1551	1551	1522	
2335. (Sub)	513				672	
2336. (Sub)	513	682,1711	1822	1823	1093	Ch. 211 Ex.
2337. (Sub)	513	1019	1383	1384	1400	Ch. 152 Ex.
2338.	513	682,1711	1822	1822	1093	Ch. 228 Ex.
2339.	514	629	730	730, 751	669,748, 750	Ch. 114
2341.	916					
2343.	545	608	656,660		657	
2349.	347					
2354.	402	1022	1111	1111		Ch. 69 Ex.
2355.	545	568	650	650		Ch. 117
2357. (Sub)	1701		2042, 2087	2088	2039, 2043	Ch. 229 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2361. (Sub) . . . . .	1711		2043	2043	2039	Ch. 230 Ex.
2362. . . . .	545	633	988	1005		Ch. 70 Ex.
2366. . . . .	455	557	571	571		Ch. 19
2367. . . . .	976			/		
2372. (Sub) . . . . .	545	633			1137	
2373. (Sub) . . . . .	455	608			669	
2374. (Sub) . . . . .	455	1686	1815	1816		Ch. 214 Ex.
2375. (Sub) . . . . .	820	989	1079	1079, 1354	1354, 1400	Ch. 153 Ex.
2376. (Sub) . . . . .	456	610	651	651		Ch. 55
2378. . . . .	1242	1401	1792	1792		Ch. 205 Ex.
2385. . . . .	456	569	1111	1111	547	Ch. 62 Ex.
2388. (Sub) . . . . .	718	1192	1560- 1562	1562		Ch. 203 Ex.
2393. (Sub) . . . . .	450	629	651	652		Ch. 118
2394. (Sub) . . . . .	1008	1061	1111	1112, 1126	1112, 1126	
2396. . . . .	927					
2398. . . . .	456	720	1112	1112		Ch. 71 Ex.
2399. . . . .	718		730	730	723	Ch. 147
2402. . . . .	718		1768	1769	1698	Ch. 231 Ex.
2403. . . . .	450		652	652	453	Ch. 71
2406. . . . .	545	631	655	655	631,637	Ch. 73
2408. . . . .	976					
2411. (Sub) . . . . .	1008	1061	1112	1113		Ch. 72 Ex.
2412. . . . .	976					
2414. (Sub) . . . . .	820					
2415. (Sub) . . . . .	884	990, 1553	1785- 1788	1788	1093	Ch. 215 Ex.
2417. . . . .	456	569	617	617		Ch. 29

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2418. (Sub)	347	1022	1134			
2420. (Sub)	976					
2422. (Sub)	718	1061	1113	1113, 1239	1238	Ch. 111 Ex.
2423.	545	682			979	
2426.	927					
2429.	976	1012	1932			
2430.	976	1012	1114	1114		Ch. 73 Ex.
2433.	718	1040, 1712			1189	
2434. (Sub)	916	1012	1562, 1564	1565, 1704	1703	Ch. 188 Ex.
2439. (Sub)	545	631	1081- 1083	1083		Ch. 99 Ex.
2442. (Sub)	1037	1174	1562	1563		Ch. 158 Ex.
2451. (Sub)	927	1310	2052, 2088	2090		Ch. 262 Ex. PV
2454. (Sub)	976					
2461.	348					
2462.	718	885	1382	1383		Ch. 154 Ex.
2465. (2nd Sub)	820					
2466.	820	1054	1127	1937- 1940		Ch. 264 Ex.
2467.	976	1023	1133	1133		Ch. 74 Ex.
2468.	820	1023	1077	1078		Ch. 75 Ex.
2473.	860	1346				
2474.	860	1035	1122	1122		Ch. 76 Ex.
2475.	916					
2479.	545	569	652	652		Ch. 124
2482. (Sub)	928	1054	1080	1080		Ch. 22 Ex.



# HISTORY OF SENATE BILLS

2231

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2485. (Sub) . . . . .	981					
2486. . . . .	402	557	571	571		Ch. 20
2492. . . . .	456	631	1042	1043	669	Ch. 63 Ex.
2494. (Sub) . . . . .	1038					
2495. (Sub) . . . . .	976					
2502. . . . .	718	1012	1114	1114		Ch. 77 Ex.
2504. (Sub) . . . . .	820, 860	1152	1738-1743, 1752	2056	1753, 2052	Ch. 263 Ex. PV
2505. (Sub) . . . . .	1166	1310, 1524	2062- 2064	2064, 2097	1316, 2096	Ch. 232 Ex.
2506. . . . .	916	1104	1566	1566		Ch. 159 Ex.
2507. . . . .	916					
2508. . . . .	976	1174, 1692	1933	1934	1211	Ch. 233 Ex.
2511. . . . .	402	631	657	659		Ch. 94
2518. (Sub) . . . . .	545					
2532. (Sub) . . . . .	977	1040	1081	1081, 1298	1297	Ch. 155 Ex.
2561. . . . .	981					
2562. . . . .	456	610	653	653		Ch. 96
2563. . . . .	860	1023				
2565. . . . .	833	1012	1136	1136	1135	Ch. 64 Ex.
2569. . . . .	545	569	653	653		Ch. 153
2580. . . . .	456					
2584. . . . .	1307	1508				
2585. . . . .	1008					
2598. (Sub) . . . . .	1018				1170	
2602. . . . .	545	720	1043	1069		Ch. 23 Ex.
2610. (2nd Sub) . . . .	916	978	1048, 1049	1050		Ch. 78 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2630. ....	928	1013	1119	1119		Ch. 79 Ex.
2639. (Sub) .....	1711		2047	2047	2039	Ch. 234 Ex.
2644. ....	916					
2658. (Sub) .....	1008					
2666. (Sub) .....	928					
2667. (Sub) .....	1174	1316				
2676. (Sub) .....	928					
2685. (Sub) .....	916	1104	1794,2083- 2087	2087		Ch. 265 Ex.
2709. (Sub) .....	1009	1192	1771	1772, 2048	2048	Ch. 250 Ex. PV
2716. (Sub) .....	977					
2721. (Sub) .....	1401					
2727. ....	977	1040	1116, 1128	1128	1117	Ch. 80 Ex.
2735. (Sub) .....	928					
2736. ....	884	999	1080	1080		Ch. 24 Ex.
2744. (Sub) .....	928	979,1316, 1712	1753, 1934	1934	1093	Ch. 235 Ex.
2749. (Sub) .....	981					
2751. ....	820	1024, 1524			1058	
2753. ....	860	1013	1114	1114		Ch. 81 Ex.
2755. ....	884					
2756. ....	546	553,1025				
2763. ....	928	1025	1136, 1935	1935	1137	Ch. 236 Ex.
2765. ....	977		2048	2049	2039	Ch. 237 Ex.
2768. (Sub) .....	718		732	734, 750	723, 750	Ch. 155 PV
2771. (Sub) .....	928	1040				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2778. (Sub)	820					
2790. (Sub)	1401					
2791. (Sub)	981	1152	1743- 1746	1747	2055	Ch. 238 Ex.
2794. (Sub)	1307	1525	1780	1781		Ch. 216 Ex.
2798. (Sub)	514	666	1132	1132	1129	Ch. 82 Ex.
2830. (Sub)	514	557	654			
2852.	981	1013	1239	1567		Ch. 184 Ex.
2855. (Sub)	860					
2860.	928	1217			1279	
2862. (Sub)	982					
2865. (Sub)	917	1025				
2896.	989					
2901.	917	1054	1765	1770, 2103	2052, 2111	
2905.	820	1025	1239, 1382	1382	1400	Ch. 156 Ex.
2921.	928	1057				
2923.	820	919	1115	1115		Ch. 83 Ex.
2925.	820	999	1078	1078		Ch. 25 Ex.
2929. (Sub)	1174	1527	1782-1785, 1789,2058- 2060	2060, 2107	2094, 2107	Ch. 266 Ex.
2944. (2nd Sub)	1309		1796	1797	1795	Ch. 206 Ex.
2952. (Sub)	1686		1767	1768	1686	Ch. 207 Ex.
2957. (Sub)	982	1041	1078, 1084	1085, 1704	1565, 1704	Ch. 189 Ex.
2958. (Sub)	917	1057	1129	1130		Ch. 84 Ex.
2964. (Sub)	1701		2043	2044	2039	Ch. 253 Ex.
2967. (Sub)	1309	1712	1795	1795	1795	Ch. 208 Ex.
2974. (Sub)	1038					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2976. (Sub)	1307	1509	1810, 1812	1814	1805	Ch. 239 Ex.
2979. (Sub)	1164	1509	2110	2110		Ch. 254 Ex.
2980. (Sub)	1018					
2993. (Sub)	928	1026	1747- 1749	1749	977	Ch. 240 Ex.
3008. (Sub)	1213	1401	2099- 2102	2102		Ch. 255 Ex.
3011.	982					
3019. (Sub)	1038	1167	1793			
3022. (Sub)	929	1062	1117, 1122	1123	1117	Ch. 85 Ex.
3026.	982					
3030. (Sub)	820,982					
3033. (2nd Sub)	989	1086	1499, 1503	1504	1500	Ch. 185 Ex.
3034. (Sub)	1309	1509	1781	1781		Ch. 212 Ex.
3042. (Sub)	1733					
3044. (Sub)	1009	1057			1133, 1137	
3065. (3rd Sub)	1553					
3066. (Sub)	982	1035	1129	1129		Ch. 86 Ex.
3069.	1009					
3077.	982	1041	1115	1115		Ch. 87 Ex.
3087. (Sub)	1401					
3092.	929	1062				
3094. (Sub)	1309	1510				
3100. (Sub)	514	611	654	654		Ch. 74
3101. (Sub)	1701		2045, 2104	2046, 2104	2039,2096, 2103	Ch. 241 Ex.
3115.	982	1035	1116	1116		Ch. 88 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3117. ....	982	1316	1793	1793		Ch. 217 Ex.
3118. (Sub) .....	982					
3121. ....	982	1058				
3126. (Sub) .....	983	1692	1935	1935		Ch. 242 Ex.
3128. (Sub) .....	929					
3129. (Sub) .....	1733		2044	2044	2039	Ch. 260 Ex.
3132. ....	983	1174				
3140. (Sub) .....	983	1064			1137	
3142. (Sub) .....	983	1064				

### HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

NO.	Intro. & Committee 1st R'd'g Report	2nd R'd'g Committee Report	Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
103. ....	983	1064			1131	
104. ....	983					
106. ....	929	1041				
107. ....	1038	1175	1782	1782		
111. ....	983	1058				

### HISTORY OF SENATE JOINT RESOLUTIONS IN THE HOUSE

109. ....	546				644	
110. (Sub) .....	546		723-726	727,746	738	
112. ....	323	611,634	1048	1070		
120. (Sub) ....	1307	1402	1809	1810	1805	

## HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
101. ....	55		55	55		
102. ....	62		109	109		
103. (Sub) ....	929				1036	
106. ....	1216		1567	1567		
110. ....	1733		2099	2099	2099	
111. (Sub) ....	1038					
112. ....	929	1058	1116	1116		
113. ....	681					
114. ....	752		752	753		
115. ....	759		759	759		
117. ....	2112		2112	2112		

**ABANDONED PROPERTY**

Appraisal, surrender, required, \*Sub SB 3022, Ch. 85 Ex.  
 Presumption, disposition, \*HB 308, Ch. 117 Ex.

**ABANDONED VEHICLES**

Hulk hauler, scrap processor, revisions, HB 360  
 Registered disposers, licensing requirements, \*Sub HB 755, Ch. 178 Ex.  
 Removal, private property, procedures, Sub HB 451

**ABORTION**

Advertising, prohibited, HB 336  
 Medical assistance program, HB 1199

**ABSTRACTS**

Insurance, drivers, permissible uses, HB 1123  
 Insurance, speeding violations, Sub SB 2418, HB 406

**ABUSE**

Day care centers, DSHS demonstration project, \*HB 1207, Ch. 248 Ex.  
 Nursing homes, reporting system, \*SB 2338, Ch. 228 Ex.  
 Victims, domestic violence, law enforcement, \*Sub HB 438, Ch. 105 Ex.,  
 HB 439, \*Sub HB 554, Ch. 245 Ex.

**ACCIDENTS**

Air traffic safety, transportation department, annual report, HB 1271  
 Arrest, power, drivers without warrant, \*Sub HB 22, Ch. 28 Ex.  
 Central Washington University, emergency preparedness, HB 1109  
 Emergency medical services programs, broadened, 2nd Sub HB 1155  
 Hazardous materials, transportation, SJM 111  
 Industrial insurance, benefits, HB 539  
 Motor vehicles, reports, copy fees, \*SB 2078, Ch. 34  
 Motor vehicles, runaway, last driver, HB 814  
 Search and rescue, volunteers, costs reimbursement, HB 526, \*2nd Sub  
 HB 527, Ch. 268 Ex.  
 Snowmobiles, reports required, HB 1281,  
 Survival standards, minimum, recreational use, HB 1253  
 Workers' compensation, private companies, HB 924

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Budget, state, expenditures, limitations, HB 683  
 Insurers, examination, commission review, \*HB 602, Ch. 139  
 Sick leave account, general fund, created, \*Sub SB 2030, Ch. 152  
 Sick leave payment, social security exclusion, \*Sub HB 1064, Ch. 247  
 Ex.

**ACTS**

Arson reporting immunity, Sub HB 748, \*SB 2727, Ch. 80 Ex.  
 Automotive repair responsibility, HB 1132  
 Cardiovascular health promotion, HB 715  
 Controlled substances therapeutic research, \*Sub HB 259, Ch. 136  
 Cooperative forest management services, \*HB 178, Ch. 100  
 Corrections planning, HB 600  
 Dam safety, 2nd Sub HB 49



**ACTS**—cont.

- Detection of deception, HB 579
- Displaced homemaker, HB 590, \*SB 2406, Ch. 73
- Educational services registration, HB 361, \*Sub SB 2434, Ch. 188 Ex.
- Financial affairs privacy, HB 996
- Financial institutions fairness, HB 931,
- Floating home landlord-tenant, \*Sub HB 1308, Ch. 186 Ex. PV
- Gift tax, \*Sub SB 2182, Ch. 210 Ex.
- Interstate compact on agricultural grain marketing, HB 1134
- Mill tailings licensing and perpetual care, \*Sub SB 2197, Ch. 110 Ex.
- Motion picture fair competition, HB 283, \*HB 58, Ch. 29 Ex.
- Natural death, \*Sub HB 264, Ch. 112
- Natural hazards, HB 1135
- Nursing homes auditing and cost reimbursement, Sub SB 2335
- Parental involvement in education, HB 647
- Postsecondary proprietary school, HB 682
- Public buildings preservation, HB 968
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- Reapportionment and redistricting, HB 234
- Returnable beverage container, HB 733, Init. 61
- Sanitarian registration, HB 1181
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- Transitional bilingual instruction, HB 447, \*Sub SB 2149, Ch. 95
- Truth in taxation, HB 1247
- Uniform child custody jurisdiction, \*HB 18, Ch. 98
- Victims of sexual assault, \*2nd Sub HB 418, Ch. 219 Ex.
- Wastewater management, HB 1124

**ADJUSTMENT**

- Boards, actions, aggrieved persons, appeals, HB 61
- Insurance, terms, defined, HB 1320
- Retirement, higher education employees, cost of living, HB 764.
- Workers' compensation, benefits, SB 2580, \*HB 754, Ch. 108

**ADMINISTRATIVE HEARINGS OFFICE**

- Created, powers, duties, hearing examiners, HB 986

**ADMINISTRATIVE PROCEDURES ACT**

- Agencies, administrative rules, Sub SB 3030, HB 31, \*Sub HB 29 V
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- Air pollution control agency, ecology department, duties, HB 432
- Person, defined, state agencies, HB 737

**ADMINISTRATOR FOR THE COURTS**

- Salary, increased, \*Sub SB 3008, Ch. 255 Ex.
- Witness fees, felony convictions, \*HB 30, Ch. 129

**ADOPTIONS**

- Certificates, records, \*HB 4, Ch. 101 Ex.
- Parent-child relationship, termination procedures, Sub HB 1261, \*Sub HB 352, Ch. 165 Ex.
- Registry, establishment, natural parent disclosure, HB 318

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Arson reporting immunity act, enacted, Sub HB 748, \*SB 2727, Ch. 80 Ex.

Budget, accounting, expenditures, limitations, HB 683

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Discrimination, sexual orientation, prohibited, HB 876

Employees, political rights, expanded, HB 462

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Employment, exclusions, HB 168

Energy office, duties transferred, HB 899

Equipment, state-owned, inventory control, HB 147, \*SB 2033, Ch. 88

Executive officials, financial disclosure, Sub SB 2373

Family consultation and research center, created, HB 1223

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Game department, commission, duties, HB 532

Health promotion, office established, HB 889

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- Interlocal cooperation act, parks, HB 700, HB 1215, \*Sub SB 2118, Ch. 36
- Lobbying, regulated, HB 1221
- Offices, councils, commissions, abolished, HB 1288
- Open public meetings act, HB 11
- Organization, certain abolished, HB 1294
- Pay system, performance based, HB 159
- Personal services, contracts, HB 1130
- Personnel board, rules, authority, HB 1107
- Personnel fund, payments, HB 154
- Printer, public, general revisions, HB 349, SB 2257
- Professional services contracts, HB 1214
- Professions, occupations, regulation, Sub HB 315
- Property, real, public, lease, sale, HB 429
- Public buildings preservation act, HB 968
- Public employees, political activity permitted, HB 310
- Public opinion polls, election campaigns use, HB 206
- Purchasing, goods, services, competitive bidding, HB 856
- Purchasing, Washington vendors, preference, HB 289
- Real estate, disposition, public agencies, \*Sub HB 248, Ch. 42
- Records, employment security, \*HB 668, Ch. 177 Ex.
- Reorganizations, functions, modified, HB 1265
- Rules, certain, adopt, amend, fiscal impact, HB 293
- Rules, filing, code reviser, SB 3121
- Rules, proposed, fiscal impact statements, Sub SB 2676
- Small businesses, impact, state rules, HB 821
- Social service, state, modified, HB 1190
- Sunset act, review, \*Sub HB 112, Ch. 99, \*HB 127, Ch. 22
- Torts, claims against state, \*HB 1175, Ch. 144 Ex.
- Transportation department, duties, \*SB 2290, Ch. 58 Ex.
- Transportation policy, state, adopted, \*SCR 112
- Zoning, local, government lands, HB 824

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- Beer, wine wholesalers, manufacturers, HB 990, \*SB 2602, Ch. 23 Ex.
- Escrow, insurance bonding requirements, \*SB 2305, Ch. 70
- Insurance, cancellation, refunds, renewal notice requirements, \*Sub HB 1121, Ch. 199 Ex. PV
- Insurance, competitive rating system, HB 732
- Insurance, contracts, temporary, HB 547
- Insurance, financial institution employees, HB 620
- Insurance, licensing, continuing education, SB 2332, HB 197, \*HB 845, Ch. 269 Ex.
- Insurance, mortality tables, interest rates, \*HB 735, Ch. 157 PV
- Insurance, products liability, HB 403
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- Assumed names, business, \*Sub SB 2482, Ch. 22 Ex.
- Business certificates, filing transferred, \*Sub SB 2482, Ch. 22 Ex.
- Construction contracts, damage waiver, \*SB 2466, Ch. 264 Ex.
- Inventions, employees, certain terms, Sub SB 2420
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- Agricultural laws, updated, \*Sub SB 2254, Ch. 154 PV
- Animals, certain, damage, HB 684, \*Sub SB 2142, Ch. 145
- Apple commission, assessment increases, HB 836, \*SB 2486, Ch. 20
- Aquatic plants, animal resources, HB 189
- Beef, mutton, institutions, imported, prohibited, HB 190
- Bees, killing use of pesticides, study, HB 694
- Bees, poisoning, insecticides, federal action, HJM 5
- Brucellosis, indemnity payments, HB 1341, \*Sub SB 2791, Ch. 238 Ex.
- Carriers, private, U.T.C., regulations, HB 448
- Cattle markets, public, license fee, \*HB 229, Ch. 91 Ex.
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- Commission merchants, brokers, regulations, \*Sub HB 247, Ch. 115 Ex.
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- Dairy products, filled, definition, HB 1142
- Drought, facilities, irrigation, \*Sub SB 2504, Ch. 263 Ex. PV
- Employees, industrial insurance coverage, HB 28
- Family farm permits, marital community, SB 2921
- Farmland, current use classification, \*Sub HB 617, Ch. 84
- Farmland, inventory, agricultural use, HB 1237
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- Feed inspection, commercial, fees, \*SB 2206, Ch. 91
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- Land, current use valuation, farm, buildings, HB 1150
- Leases, sales, public lands, valuation, HB 572, \*Sub SB 2058, Ch. 109 Ex.
- Migrant labor housing, continued, fees, authorized, HB 672
- Motor vehicles, farm products, hauling, \*Sub HB 97, Ch. 6 Ex.
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DWI, alcohol, controlled substances, revisions, HB 198, HB 474

DWI, breathalyzer test, refusal, \*Sub HB 704 V

DWI, conviction, nonsuspendable sentences, HB 213

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- Budget, capital, 1979–81 biennium, Sub HB 235, Sub HB 236, \*HB 516, Ch. 270 Ex. PV
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- Commerce and economic development department, innovation service, HB 182
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- Prosecutors reimbursement revolving fund, created, Sub HB 1084
- Public broadcasting commission, created, HB 542
- Public disclosure commission, ethical standards, HB 1149
- Public school employees insurance board, created, HB 950
- Retirement systems department, benefits, \*Sub HB 500, Ch. 96 Ex.
- Retirement systems department, integrated retirement information, \*Sub HB 1064, Ch. 247 Ex.
- Retirement systems department, multiple retirement systems, HB 610
- Revenue department, tax relief, HB 716
- Risk management office, school, educational service district, SB 2426, HB 584
- Search and rescue account, created, emergency services, \*2nd Sub HB 527, Ch. 268 Ex.
- Seattle, city, south campus, access, HB 1172
- Social and health services department, cardiovascular health program, Sub HB 715
- Social and health services department, crime awareness, HB 255
- Social and health services department, criminal offenders, HB 202
- Social and health services department, emergency medical services, 2nd Sub HB 1155, \*Sub SB 2308, Ch. 261 Ex. PV
- Social and health services department, handicapped facilities, bonds, \*Sub HB 740, Ch. 221 Ex.
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- Social and health services department, nursing home audit and cost reimbursement act, Sub SB 2335
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- Social and health services department, radiation control, Sub HB 894
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