

**HOUSE JOURNAL**  
OF THE  
**Forty-Eighth Legislature**  
OF THE  
**STATE OF WASHINGTON**  
AT  
**Olympia, the State Capitol**

**VOLUME I**

**1983 Regular Session**

**Convened January 10, 1983**

**Adjourned Sine Die April 24, 1983**



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**Wayne Ehlers, Speaker**  
**John L. O'Brien, Speaker Pro Tempore**  
**Dean R. Foster, Chief Clerk**  
**Eljo Sutherland, Minute/Journal Clerk**

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Compiled, Edited and Indexed by  
Dean R. Foster, *Chief Clerk*  
Eljo Sutherland, *Minute/Journal Clerk*



## FIRST DAY

## NOON SESSION

House Chamber, Olympia, Wash., Monday, January 10, 1983

The Chief Clerk of the House of Representatives of the Forty-seventh Legislature, Franz Wiechers-Gregory, called the House to order at 12:00 noon.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tiffany Olson and John Cameron. Prayer was offered by The Reverend Ron Tellefson of Pacific Lutheran University, Parkland:

"The Book of Daniel offers these words for us: 'Blessed be the name of God forever and ever, to whom belongs wisdom and might. He changes times of seasons; he removes kings and sets up kings. He gives wisdom to the wise and knowledge to those who have understanding.' Let us pray:

"We need You, Gracious Lord. Our states needs You. Our cities and towns and our rural areas need You. The nation and the whole world depends upon You. Send Your wisdom, justice, love and peace to these men and women who face long and challenging days before them. Grant courage and strength to our governor. Nurture a spirit of understanding and fairness among the leaders of both houses. Be with all the members of this house and always support them in their public service. Keep them mindful of the common need and of the common good. We pray, particularly, for those who are new among us, that they may be guided in their work. In the heat of deliberations keep our motives pure, our vision clear, our speech clean, our judgment fair and our consciences unbetrayed. Help us to develop work patterns which sustain the spirit, nourish the mind and strengthen the will. Give us grace to make time for family and home. Finally, Lord, while the times engage many with perplexity, poverty, and even peril, give us faith to go on with good courage, confident of our goal, with Your hand leading us and Your love supporting us. Through Jesus Christ our Lord. Amen."

The Chief Clerk appointed Representatives Armstrong and Padden to escort The Honorable Justice Carolyn Dimmick of the Supreme Court to the rostrum.

## MESSAGES FROM THE SECRETARY OF STATE

The Honorable,  
Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that the following is a full, true, and correct list of the persons elected to the office of State Representative at the State General Election held in the State of Washington on the second day of November, 1982, as shown by the official returns of said election now on file in the office of the Secretary of State:

DISTRICT	NAME	COUNTIES REPRESENTED
No. 1	Nancy S. Rust Donn Charnley	King, part, and Snohomish, part
No. 2	Wayne Ehlers Duane L. Kaiser	Pierce, part, and Thurston, part
No. 3	Lois Stratton Dennis A. Dellwo	Spokane, part
No. 4	Ren Taylor Mike Padden	Spokane, part
No. 5	B. Jean Silver Richard H. Barrett	Spokane, part
No. 6	James E. West R. M. "Dick" Bond	Spokane, part

No. 7	Steve Fuhrman Louis M. Egger	Ferry, Lincoln, Okanogan, part, Pend Oreille, Spokane, part, and Stevens
No. 8	Ray Isaacson	
No. 9	Shirley W. Hankins Darwin R. Nealey Eugene A. Prince	Benton, part Adams, part, Asotin, Columbia, Garfield, Franklin, part, and Whitman
No. 10	Simeon R. Wilson Mary Margaret Haugen	Island, Skagit, part, and Snohomish, part
No. 11	Avery Garrett Eugene V. Lux	King, part
No. 12	Clyde Ballard Earl F. Tilly	Chelan, Douglas, Grant, part, Kittitas, part, and Okanogan, part
No. 13	Glyn Chandler Curt Smith	Adams, part, Grant, part, Kittitas, part and Yakima, part
No. 14	Jerry Ellis Jim Lewis	Yakima, part
No. 15	Lyle J. Dickie Harold R. Clayton	Benton, part, and Yakima, part
No. 16	Gene Struthers Doc Hastings	Benton, part, Franklin, part, and Walla Walla
No. 17	Dennis L. Heck Dean A. Sutherland	Clark, part, Klickitat, and Skamania
No. 18	Alan Thompson Joe Tanner	Clark, part, and Cowlitz, part
No. 19A	Bob Williams	Cowlitz, part and Wahkiakum, part
No. 19B	Carol Monohon	Grays Harbor, part, Pacific, and Wahkiakum, part
No. 20	Stuart A. Halsan J. Vander Stoep	Lewis and Thurston, part
No. 21	Katherine Allen Gary A. Nelson	Snohomish, part
No. 22	Myron "Mike" Kreidler Jennifer Belcher	Thurston, part
No. 23	Paul Zellinsky, Sr. Karen Schmidt	Kitsap, part
No. 24	Richard E. Fisch Barney McClure	Clallam, Grays Harbor, part, and Jefferson
No. 25	George W. Walk Dan Grimm	Pierce, part
No. 26	Carolyn Powers Bill Smitherman	Kitsap, part, and Pierce, part
No. 27	Ruth Fisher Art Wang	Pierce, part
No. 28	Art Broback Stanley C. Johnson	Pierce, part
No. 29	P.J. "Jim" Gallagher Brian Ebersole	Pierce, part
No. 30	Dick Schoon Jean Marie Brough	King, part, and Pierce, part
No. 31	Mike Todd Ernest F. Crane	King, part, and Pierce, part
No. 32	Joanne Brekke Dick Nelson	King, part
No. 33	Lorraine A. Hine Richard O. Barnes	King, part
No. 34	Bruce Addison Paul Pruitt	King, part
No. 35	Doug Sayan Max Vekich, Jr.	Grays Harbor, part, Kitsap, part, Mason, and Thurston, part
No. 36	Helen Sommers	

	Seth Armstrong	King, part
No. 37	John L. O'Brien	
	Gary F. Locke	King, part
No. 38	Richard King	
	John Martinis	Snohomish, part
No. 39A	James E. Mitchell	Snohomish, part
No. 39B	Charles Moon	Snohomish, Part
No. 40	Pat Fiske	San Juan, Skagit, part, and Whatcom part
	Patrick R. McMullen	
No. 41	Emilio Cantu	
	Joseph L. Williams	King, part
No. 42	Dennis Braddock	
	Roger Van Dyken	Whatcom, part
No. 43	Janice Niemi	
	Bill Burns	King, part
No. 44	Jeanine H. Long	
	Paul H. King	King, part, and Snohomish, part
No. 45	John W. Betrozoff	
	Louise Miller	King, part
No. 46	Marlin Appelwick	
	Ken Jacobsen	King, part
No. 47	Bruce Holland	
	Michael E. Patrick	King, part
No. 48	Dan McDonald	
	Paul Sanders	King, part
No. 49	Joseph E. King	
	Shirley A. Galloway	Clark, part

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this tenth day of January, A.D., 1983.  
(Seal)

Ralph Munro, Secretary of State

January 10, 1983

The Honorable,  
Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

I respectfully transmit herewith the attached documents which have been received by this office regarding the resignation of Alan Thompson from the position of State Representative, Eighteenth District, and the appointment of Oliver Ristuben to that position by the joint boards of County Commissioners of Clark and Cowlitz Counties.

Sincerely,  
Ralph Munro, Secretary of State

#### RESIGNATION OF MEMBER

November 17, 1982

The Honorable John Spellman,  
Governor, State of Washington  
Olympia, Washington  
Dear Governor Spellman:

Having been duly appointed by the Cowlitz County Commission and the Clark County Commission as Senator for the 18th District of the State of Washington, I am herein tendering my resignation as State Representative, 18th District, effective at 12:00 noon on November 17, 1982.

Sincerely,  
Alan Thompson, State Representative

December 16, 1982

The Honorable John Spellman,  
Governor of Washington State  
Olympia, Washington

Dear Governor Spellman:

The joint boards of Clark and Cowlitz Commissioners did meet Thursday, December 16, 1982, and selected from the list of three submitted by the Washington State Democratic Central Committee, Oliver Ristuben for appointment to position number one, Eighteenth District, Washington State House of Representatives.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
OF CLARK COUNTY, WASHINGTON  
Dave Sturdevant, Chairman  
John McKibbin, Commissioner  
Vernon V. Veysey, Commissioner

BOARD OF COUNTY COMMISSIONERS  
OF COWLITZ COUNTY, WASHINGTON  
Walter Church, Jr., Chairman  
Van A. Youngquist, Commissioner  
Beryl Robison, Commission

#### ROLL CALL

The roll was called and all members were present.

#### OATH OF OFFICE

Justice Dimmick issued the oath of office to the members of the House of Representatives.

#### RESOLUTION

HOUSE RESOLUTION NO. 83-1, by Representatives Heck and McDonald:

BE IT RESOLVED, That the House Rules Committee shall meet no later than Friday, January 14, 1983, the fifth legislative day, to consider and make a recommendation on permanent rules for the House of Representatives; and

BE IT FURTHER RESOLVED, That no later than Thursday, January 20, 1983, the eleventh legislative day, the House of Representatives shall meet to consider adoption of permanent rules for the Forty-eighth Legislature; and

BE IT FURTHER RESOLVED, That temporary House Rules for the Forty-Eight Legislature be adopted as follows:

#### HOUSE RULE NO.

- |                    |   |
|--------------------|---|
| RULE 1             | Definitions   |
| RULE 2             | Chief Clerk to Call to Order  |
| RULE 3             | Election of Speaker, Speaker Pro tempore, Chief Clerk, Assistant Chief Clerk and Sergeant at Arms (amended) |
| RULE 4             | Powers and Duties of the Speaker (amended)  |
| <del>RULE 5</del>  | <del>Committee Appointment (omit)</del>   |
| RULE 6 5           | Chief Clerk and Sergeant at Arms (amended)  |
| RULE 7 6           | Duties of Employees   |
| RULE 8 7           | Admittance to the Floor   |
| RULE 9 8           | Absentees and Courtesy  |
| RULE 10 9          | Bills, Memorials and Resolutions -- Introductions (amended)   |
| <del>RULE 11</del> | <del>Bills, Memorial and Resolutions -- Limits (omit)</del>   |
| RULE 12 10         | Amendatory Bills -- Form  |
| RULE 13 11         | Reading of Bills (amended)  |
| RULE 14 12         | Amendments  |
| <del>RULE 15</del> | <del>Budget Amendments (omit)</del>   |
| <del>RULE 16</del> | <del>The Committee of the Whole (omit)</del>  |
| RULE 17 13         | Final Passage   |
| RULE 18 14         | Hour of Meeting, Roll Call and Quorum (amended)   |
| RULE 19 15         | Daily Calendar and Order of Business (amended)  |
| RULE 20 16         | Motions (amended and omit E & F)  |
| RULE 21 17         | Members Right to Debate   |
| RULE 22 18         | Rules of Debate (amended)   |
| RULE 23 19         | Ending of Debate  |
| RULE 24 20         | Voting  |
| RULE 25 21         | Method of Voting (amended)  |
| RULE 26 22         | Call of the House (amended)   |

RULE 27	23	Appeal from Decision of Chair
RULE 28	24	Committee and Membership (amended)
RULE 29	25	Duties of Committees (amended)
RULE 30	26	Free Conference Committee Report
RULE 31	27	Suspension of Compensation
RULE 32	28	Standing Rules Amendment
RULE 33	29	Smoking
RULE 34	30	Parliamentary Rules
RULE 35	31	Rules to Apply for Assembly

## DEFINITIONS

RULE 1. "Absent" means an unexcused failure to attend.

"Assembly" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the assembly in accordance with Article 2 § 12 of the State Constitution.

"Committee" means any standing or select committee of the house as so designated by rule or resolution.

"Measure" means terminology used to describe a bill, joint memorial or joint resolution.

## CHIEF CLERK TO CALL TO ORDER

RULE 2. It shall be the duty of the chief clerk of the previous assembly to call the assembly to order and to conduct the proceedings generally until a speaker is chosen.

## ELECTION OF SPEAKER, SPEAKER PRO TEMPORE, CHIEF CLERK, ASSISTANT CHIEF CLERK AND SERGEANT AT ARMS

RULE 3. The house shall elect the following officers at the commencement of each assembly: Its presiding officer, who shall be styled speaker of the house, a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker, a chief clerk of the house, an assistant chief clerk of the house and a sergeant at arms. Such officers shall hold office during all sessions until the convening of the succeeding assembly: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their vote shall be entered on the journal. If any office is declared vacant the house shall fill such vacant office as hereinafter provided.

In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their vote shall be entered on the journal.

## POWERS AND DUTIES OF THE SPEAKER

RULE 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) ~~He~~ The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same, and may order the ~~arrest of sergeant at arms to remove~~ any person creating any disturbance within the house chamber or legislative area.

(C) ~~He~~ The speaker may speak to points of order in preference to other members, arising from ~~his~~ the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) ~~He~~ The speaker shall, in open session, sign all ~~acts, memorials, and resolutions~~ measures, acts and floor resolutions.

(E) ~~He~~ The speaker shall sign all writs, warrants and subpoenas issued by order of the house, all of which shall be attested by the chief clerk.

(F) ~~He~~ The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment, nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) ~~The speaker shall refer all measures to the appropriate committee or committees and may require joint or concurrent action by the committees. In appointing the committee members to standing committees, the speaker shall name~~

members in the same ratio as the membership of the respective parties in the house. Committee members will be selected by each party's caucus. The majority party caucus will select all committee chairmen/chairwomen.

Members of the Rules Committee will be selected in the same manner and same ratio as provided above, and the speaker will serve as the chair of the Rules Committee.

Other committee memberships will be elected by the respective caucuses, unless otherwise provided by law, on a basis of statutory and geographical representation; otherwise, the same ratio between the parties will prevail in the caucus election of other committee members.

Patronage will be divided proportionately by the party caucuses, following as closely as possible the ratio between the parties.

~~(H) He~~ The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties; ~~and he shall have general control of the house chamber and lobby.~~

(I) The speaker pro tempore shall exercise the duties, powers and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act, until the speaker's successor shall be elected.

#### COMMITTEE APPOINTMENT

~~RULE 5. The speaker shall appoint all conference, select, joint and hereinafter named standing committees on the part of the house.~~

#### CHIEF CLERK AND SERGEANT AT ARMS

RULE 6 5. The chief clerk and sergeant at arms shall perform the usual duties pertaining to their offices, and they shall hold office until their successor has been elected.

The chief clerk shall employ, upon the recommendation of the employment committee and subject to the approval of the speaker, all other house employees; and the hours of duty and assignments of all house employees shall be under his directions and instructions, and they may be dismissed by him with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and transmit the same as is appropriate. The assistant chief clerk shall exercise the duties, powers and prerogatives of the chief clerk in the event of the chief clerk's death, illness, removal or inability to act until the chief clerk's successor shall be elected.

The sergeant at arms shall supervise all employees assigned to his office.

#### DUTIES OF EMPLOYEES

RULE 7 6. The staff of the house shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the speaker, and such other duties as the house may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

No house employee shall seek to influence the passage or rejection of proposed legislation.

#### ADMITTANCE TO THE FLOOR

RULE 8 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) Except as is provided otherwise in subsection (B) of this rule, the following persons shall be entitled to admittance to the third and fourth floor of the house chamber (excluding the galleries):

1. Senate officers and members of the senate.
2. Persons in the exercise of official duty directly connected with the business of the house.
3. Reporters who have been designated by the speaker and who have received press cards of admittance, subject to revocation.
4. Former members of the legislature not advocating any pending or proposed legislation, upon presentation of cards of admittance issued by the speaker and subject to revocation.

5. The immediate family of members, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation, may be admitted when the house is not in session.

6. Other persons, upon presentation of cards of admittance issued by the speaker and subject to revocation, may be admitted except for one-half hour prior to the convening of each day's session and for one-half hour immediately following adjournment each day the house is in session.

(B) No lobbyist, Washington state employee or public official shall be admitted to the house chamber either when the house is convened into its daily session or one-half hour immediately prior to and following the convening of its daily session, except with the consent of the speaker.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited at all times unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

#### ABSENTEES AND COURTESY

RULE 9 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session only the speaker shall recognize visitors and former members.

#### BILLS, MEMORIALS AND RESOLUTIONS -- INTRODUCTIONS

RULE 10 9. Any member, member-elect or committee may introduce a bill, memorial or resolution commencing thirty days before a session to and including the final day of that session: PROVIDED, That a committee introduction shall be governed by the provisions of Rule 11: PROVIDED FURTHER, That if such introduction is within the last ten days of a regular session it cannot be considered without a direct vote of two-thirds of all the members elected to each house with such vote recorded and entered upon the journal (Art. II § 36).

Introductions shall be filed with the chief clerk and shall be endorsed with a statement of the title and the name of the member, members, or committee introducing the same. Any member desiring to introduce a measure on or after the opening day of any session, shall file the same with the chief clerk not later than 12:00 (noon), on the day before the next convening session; and which measure shall be numbered and read on the next convening day, in the order filed. The chief clerk shall attach to all introductions a substantial cover bearing only the title and sponsors and shall number each introduction. All measures shall be printed unless otherwise ordered by the house.

Any measure introduced at any session during the assembly shall be eligible for action at all subsequent sessions during the assembly.

#### BILLS, MEMORIAL AND RESOLUTIONS -- LIMITS

RULE 11. No member shall introduce as a prime sponsor more than ten (10) measures during any legislative term. Members may introduce an unlimited number of ideas as follows:

(A) Members may introduce house concurrent resolutions in the manner provided in house Rule 10:

(B) Members may introduce house floor resolutions in accordance with procedures established by the chief clerk:

(C) Members may introduce an unlimited number of proposed measures to the rules committee, by filing one copy of the same with the chief clerk. The chief clerk shall prepare a simplified form to facilitate such informal introductions. The rules committee may consider proposed measures and may refer such proposal to the appropriate committees for further consideration:

(D) Any committee may by majority vote of its members petition the rules committee to refer a previously filed proposed measure to it for consideration. The rules committee may instruct the chief clerk to have the measure prepared for first reading in the manner set forth in Rule 10: PROVIDED, That the prime sponsor shall be the committee which requested the measure and that at least one elected member shall be a co-sponsor. The chairman of the committee to which a measure is being referred shall designate the co-sponsoring member(s) subject to the approval of the member(s) so designated:

(E) Any committee chairman may petition the rules committee to refer either a previously filed proposed measure or a newly proposed measure to his committee for its consideration. The rules committee may instruct the chief clerk to have the measure prepared for first reading in the manner set forth in Rule 10: PROVIDED, That the prime sponsor shall be the committee whose chairman requested the

~~measure and that at least one elected member shall be a co-sponsor. The chairman of the committee to which a measure is being referred shall designate the co-sponsoring member(s) subject to the approval of the member(s) so designated.~~

#### AMENDATORY BILLS -- FORM

**RULE ~~12~~ 10.** Bills introduced in the house of representatives intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION." in upper case type and such designation shall be underlined.

#### READING OF BILLS

**RULE ~~13~~ 11.** Every measure shall be read on three separate days: PROVIDED, That when only five (5) days remain before a session must end by law this rule may be suspended by a majority vote.

(A) First Reading. The first reading of a measure shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the measure shall be referred to an appropriate committee ~~or committees~~ : PROVIDED, That house floor resolutions shall initially be referred to the rules committee.

Upon being reported back by committee, all measures shall go to the rules committee.

The rules committee may, by majority vote, refer any bill in its possession to a committee ~~or committees~~ for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) Second Reading. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No bills shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the rules committee. No amendment shall be considered by the house until it shall have been sent to the desk in writing, distributed to the desk of each member and read by the clerk. All amendments adopted on the second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments. When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) Substitute Bills. When a committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute the first time and have the same printed.

A motion for the substitution shall not be in order until the second reading of the original bill.

(D) Recommitment of Bill. No amendments to a bill shall be received on its third reading but it may be referred or recommitted for the purpose of amendment.

(E) Third Reading. Only the last line of the bills on third reading shall be read unless a majority of the members present demand its reading in full, ~~and no amendment shall be entertained.~~

#### AMENDMENTS

**RULE ~~14~~ 12.** The right of any member to offer amendments to proposed legislation shall not be limited except as follows:

(A) Amendments to be Offered in Proper Form. The chief clerk shall furnish members with an appropriate form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) Committee Amendments. An amendment to a bill made by a committee shall be in writing and fastened to the original copy of the committee report.



When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house in the same manner as amendments that may be offered from the floor.

(C) Senate Amendments to House Bills. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to appropriate committee and shall take the same course as for original bills.

(D) Amendments to be Germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) Scope and Object not to be Changed. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

(F) No Amendment by Reference. No act shall ever be revised or amended without being set forth at full length.

#### BUDGET AMENDMENTS

~~RULE 15.—Bills appropriating money may be considered in committee of the whole house, and no change in the amount appropriated shall be made outside of the committee of the whole. PROVIDED, That the report of the committee of the whole with amendments incorporated thereto may be adopted by a majority vote of the members present on the 2nd reading. No amendment to the general appropriation bill, commonly known as the budget, adding any new item, or items, thereto not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of two-thirds of the representatives elected. No amendments may be offered to change the budget other than in the committee of the whole and no division of the question shall be in order after leaving the committee of the whole.~~

#### THE COMMITTEE OF THE WHOLE

~~RULE 16.—The house may from time to time decide to debate an issue as a committee of the whole at such times the procedures in effect shall be as follows:~~

~~(A) Rules in the Committee of the Whole. The rules of the house shall apply to proceedings in committee of the whole, except that at no time shall votes be recorded for the journal and neither the previous question, the motion to lay on the table or the call for the yeas and nays shall be in order. The committee may limit the number of times that any member may speak at any stage of the proceedings during the sitting.~~

~~(B) Suspend Rules for Committee of the Whole. The house may at any time, by the vote of the majority of the members present, suspend the rules and orders of the house for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the house.~~

~~(C) Formation of the Committee of the Whole. In forming the committee of the whole, the speaker shall preside, and all bills considered shall be read and the speaker shall call for amendments and debates thereon at the conclusion of the reading. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the chief clerk on a separate paper as the same shall be agreed to by the committee, and so reported to the house for action.~~

~~(D) Report of Committee of the Whole. A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.~~

~~(E) Message Received While Committee of the Whole Sits. Messages may be received by the speaker while the committee of the whole is sitting.~~

#### FINAL PASSAGE

RULE 17 13. Rules relating to bills on final passage are as follows:

(A) Recommitment before Final Passage. A measure may be recommitted at any time before its final passage.

(B) Final Passage. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded as voting in its favor. (See also Constitution, Art. II § 22.)

(C) Bills Passed--Certification. When a bill shall pass, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

#### HOUR OF MEETING, ROLL CALL AND QUORUM

RULE ~~18~~ 14. The house shall begin business as soon as a quorum appears. The rules relating to the acquisition of a quorum appear below:

(A) Hour of Meeting. The speaker shall call the house to order each day of sitting at ~~10:00~~ 11:00 a.m., unless the house shall have adjourned to some other hour.

(B) Roll Call and Quorum. Before proceeding to business, the roll of the members shall be called and the names of those absent shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. ~~PROVIDED, That less than a quorum may adjourn from day to day until a quorum can be had.~~ PROVIDED FURTHER, That if 49 members are present they Seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to call the house and may compel the attendance of absent members in the manner provided in Rule 26 22(B). For the purpose of determining whether a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8.)

(C) Interruption of Roll Call. When once begun, the roll call may not be interrupted.

#### DAILY CALENDAR AND ORDER OF BUSINESS

RULE ~~19~~ 15. The rules relating to the daily calendar and order business are as follows:

(A) Daily Calendar. The rules committee shall have charge of the daily calendar of the house and direct the chief clerk the order in which the business of the house shall be transacted: PROVIDED, That:

(1) A bill in the rules committee may be placed on the calendar by the affirmative vote of ~~three-fifths (3/5)~~ a majority of all members of the house.

(2) Messages from the governor or senate or any communication from any state officer may be read at any time.

(B) Order of Business. Business shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(C) Unfinished Business. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

#### MOTIONS

RULE ~~20~~ 16. Rules relating to motions are as follows:

(A) Motions to be Entertained or Debated. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated, and by the consent of the house may be withdrawn before amendment or action.

(B) Motions in Order During Debate. When a motion has been made and seconded and stated by the chair the following motions are in order, in the rank named:

- (1) Privileged motions:  
 Adjourn  
 Adjourn to a time certain  
 Recess to a time certain  
 Reconsideration  
 Demand for division  
 Question of privilege  
 Orders of the day
- (2) Subsidiary motions:  
 First rank: Question of consideration  
 Second rank: To lay on the table  
 Third rank: For the previous question  
 Fourth rank: To postpone to a day certain  
                   To commit or recommit  
                   To postpone indefinitely  
 Fifth rank: To amend
- (3) Incidental motions:  
 Points of order and appeal  
 Method of consideration  
 Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question

(C) The Effect of Postponement. No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) Without Debate. A motion to adjourn, to take a recess, to lay on the table and a call for the previous question shall be decided without debate.

All incidental questions of order arising after a motion is made for any of the questions named in this rule and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.

~~(E) Question of Consideration. The question of consideration may be raised as to any measure, motion or amendment. The question shall not be put until the measure, motion or amendment has been read. The question shall be carried by a majority vote of the members present and should the question fail as to a motion or amendment the underlying measure shall stand before the body as if the motion or amendment had never been offered.~~

~~(F) Table an Amendment. A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.~~

#### MEMBERS RIGHT TO DEBATE

RULE 21 17. The methods by which a member may exercise his or her right to debate are as follows:

(A) Recognition of Speaker. When any member is about to speak in debate or deliver any matter to the house the member shall rise and respectfully address the speaker, pause until recognized, shall confine all remarks to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.

(B) Order of Speaking. When two or more member arise at once, the speaker shall name the one who is to speak.

(C) Right of Member to Speak. No member shall speak longer than ten minutes without consent of the house: PROVIDED, That when only five (5) days remain before a session must end by law no member shall speak more than three minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the

chairman/chairwoman of the committee or the mover of the question may close debate so long as the act is consistent with Rule 19(B) (Previous Question).

#### RULES OF DEBATE

**RULE 22 18.** The rules for debate in the house are as follows:

(A) Question of Privilege. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) Withdrawal of Motion, Bill, Etc. After a motion is stated by the speaker, or a bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) Reading of a Paper. When the reading of any paper is called for, and is objected to by any member, it shall be determined by a vote of the house.

(D) Order of Questions. All questions, whether in committee or in the house, shall be propounded in the order in which they are named, except that in filling blanks the largest sum and the longest time shall be put first.

(E) Division of Points of Debate. Any member may call for a division of a question, ~~other than to the general appropriation bill except as provided in Rule 15,~~ which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition: ~~PROVIDED, That if blanks are being filled the largest sum and longest time must be put first.~~

(F) Decorum of Members. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(G) Exception to Words Spoken in Debate. If any member be called to order for words spoken in debate the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(H) Transgression of Rules--Appeal. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to decide the case without debate; if there be no appeal, the decision of the chair shall be submitted to.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

#### ENDING OF DEBATE

**RULE 23 19.** The rules for ending debate are as follows:

(A) Putting of Question. Question shall be put in this form, to-wit: "As many as are in favor of (as the question shall be) say 'Aye';" and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) Previous Question. The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds (2/3) of the members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED, HOWEVER, That one of the sponsors of a bill, memorial, or resolution, or the chairman/chairwoman of the committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered.

(C) Putting the Motion Ending Debate. The previous question is not debatable and cannot be amended. The previous question shall be put in this form: "Representative . . . . . demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer, without debate, proceeds to put the question.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

(D) Motion to Adjourn. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move an adjournment when another member has the floor.

#### VOTING

RULE 24 20. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

(A) Voting within Bar Only. Upon a division and count of the house on the question, only members at their desk within the bar of the house shall be counted.

(B) Change of Vote—Private Interest. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When the oral roll call is used, no member shall be allowed to change a vote after the result has been announced. No member shall vote on any question in the event of which that member is immediately or particularly interested,\* or in any case when that member is not within the bar of the house before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound the question, "Were you within the bar of the house when the last name was called?"

\*"A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon." (See also Constitution, Art. II § 30.)

#### METHOD OF VOTING

RULE 25 21. ~~A method of voting shall be as follows:~~

(A) Clerk's Desk During Voting. No member or other person shall visit or remain by the clerk's desk while the yeas and nays are being called.

(B) Yeas and Nays. Upon the final passage of any measure, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when ~~the house is sitting as the house and the same shall be~~ demanded by one-sixth (1/6) of the members present. (Art. II § 21.)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question it shall be entered upon the journal of the house, ~~except when the house is in the committee of the whole.~~

(C) Tie Vote, Question Loses. In case of an equal division, the question shall be lost.

If the speaker is in doubt, or if division is called for and is supported by at least seventeen members, the house shall divide and a recorded vote shall be taken.

(D) Reconsideration. Notice of a motion for reconsideration ~~of any vote on the final passage of bills~~ may be made only on the day the vote to be reconsidered was made.

The motion must be made by a member who voted on the prevailing side and may be acted upon on a succeeding day: PROVIDED, That the reconsideration of the vote by which a bill passed or failed must be taken on the next working day after such vote was taken: PROVIDED FURTHER, That when only five days remain before a session must end by law then reconsideration of votes on the final passage of measures must be taken on the same day as the original date.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

(E) Veto Bills--No Reconsideration. The veto message of the governor accompanying any bill passed by the legislature, together with the bill vetoed, shall be read in the house. It shall then be in order to proceed to the reconsideration of the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house.

Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house which have not been passed notwithstanding the veto of the governor shall remain in the custody of the officers of the house until the close of the session, after which they shall be filed with the secretary of state.

#### CALL OF THE HOUSE

RULE 26 22. A majority One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) Doors to be Closed. A call of the house being ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) Sergeant at Arms to Bring in the Absentees. The clerk shall call a roll of the members immediately and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) House Under Call: Raising Call. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to suspend further proceedings under the call of the house, or a motion to excuse absentees, any of which motions shall be determined by viva voce vote unless a roll call is demanded by one-sixth of the members present. The motion to suspend further proceedings under the call or to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof.

(D) Call of House Raised when Absentees Return. When the sergeant at arms shall make a report showing that all who were absent without leave are present the call of the house may be dispensed with; or the house may proceed under the call, on a majority vote of the members elected, with its regular business.

#### APPEAL FROM DECISION OF CHAIR

RULE 27 23. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

#### COMMITTEE AND MEMBERSHIP

RULE 28 24. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture	14
2. Labor and Economic Development	16

3. Education	18
4. Energy and Utilities	18
5. Financial Institutions and Insurance	14
6. Higher Education	10
7. Institutions	10
8. Ethics, Law and Justice	14
9. Local Government	18
10. Natural Resources and Environmental Affairs	21
11. Human Services	17
12. Rules Committee	21
13. State Government	16
14. Transportation	23
15. Ways and Means	10
Appropriations	
Human Services	12
Education	12
General Government	12
Revenue	12
1. Agriculture	13
2. Commerce & Economic Development	26
3. Constitution, Elections & Ethics	13
4. Education	19
5. Energy & Utilities	19
6. Environmental Affairs	15
7. Financial Institutions & Insurance	18
8. Higher Education	19
9. Judiciary	19
10. Labor	14
11. Local Government	18
12. Natural Resources	22
13. Rules	17
14. Social & Health Services	16
15. State Government	17
16. Transportation	26
17. Ways & Means	26

## DUTIES OF COMMITTEES

RULE 29 25. House committees shall operate as follows:

(A) Notice of Committee Meeting. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity; PROVIDED, That this rule shall not apply when only fifteen (15) days remain before a session must end by law.

(B) Committee Quorum. A majority of any committee shall constitute a quorum for the transaction of business.

(C) Session Meetings. No committee shall sit while the house is in session without special leave of the speaker.

(D) Duties of Standing Committees.

(1) Standing committees shall act upon all referred bills, memorials and resolutions. Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out; PROVIDED, That ~~three-fifths (3/5)~~ a majority of the members elected to the house may require a committee to report a bill back to the house during the order of business at which it may be considered. Majority recommendations of a committee can only be "do pass", "do pass as amended", or that "the attached substitute be substituted therefor and that the substitute bill do pass."

(3) Minority reports, "do not pass" or "without recommendation", may be submitted with the majority report. Members of the committee not concurring in

the majority report may prepare a written minority report containing a different recommendation, which shall be signed by those members of the committee subscribing thereto.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a measure out of committee shall be taken by the yeas and nays, and the names of the members voting for and against as well as the names of members absent shall be recorded on the committee report and spread upon the journal. Any member may call for a recorded vote, including the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills ~~including having a direct negative revenue impact or a direct appropriation of or having a fiscal impact of fifty thousand dollars (\$50,000) or more shall be referred to the ways and means committee before their final passage. The chairman of the ways and means committee shall be a defacto voting member on all appropriation and revenue committees.~~

(7) No standing committee shall vote on any issue by secret written ballot.

(8) During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

#### FREE CONFERENCE COMMITTEE REPORT

**RULE 30 26.** No floor vote may be taken on any free conference report within twenty-four hours of its placement on each member's desk, unless the free conference committee made no changes in the bill as it was last acted upon by the house.

#### SUSPENSION OF COMPENSATION

**RULE 31 27.** (1) Any member of the House of Representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, and office space facilities and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the House may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since his sentencing shall be forthwith paid to him, and the member shall thereafter have the rights and privileges of other members.

#### STANDING RULES AMENDMENT

**RULE 32 28.** Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted in writing to the members together with notice of the consideration thereof at least one day in advance.

Any standing rule or order of business may be suspended temporarily by a two-thirds vote of the members present: PROVIDED, That when only five days remain before a session must end by law, bill reading may be advanced by majority vote. (Rule 11)

#### SMOKING

**RULE 33 29.** Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives.

No smoking signs shall be posted in all committee rooms of the house of representatives.



## PARLIAMENTARY RULES

RULE 34 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

## RULES TO APPLY FOR ASSEMBLY

RULE 35 31. The permanent house rules adopted at the beginning of the assembly are to govern all acts of the house during the course of the assembly unless amended or repealed.

## MOTION

Mr. Heck moved adoption of the resolution and spoke in favor of it. Mr. McDonald spoke against it.

House Resolution No. 83-1 was adopted.

## ELECTION OF SPEAKER

The Chief Clerk announced that nominations were in order for election of Speaker of the House.

Mr. Heck: "I would place in nomination the name of Representative Wayne Ehlers of the 2nd Legislative District for Speaker of the House. It is a singular honor for me to share some observations, and I hope some insight, about our next Speaker, Wayne Ehlers. Wayne is ready for this work; in his decade of service in this Chamber, he has come to know intimately the guts of both the legislature and state government. He's served in several leadership capacities, including minority leader and Democratic organization leader. He has chaired the State Government Committee which oversees all state agencies, and for several terms has served on both the Appropriations Committee and the Legislative Budget Committee, so he has had a first-hand look at the inside of the fiscal engine of state government. Wayne is well-tempered for this work. Since the time he has been elected as Speaker-designate, there has been the obligatory flurry of press accounts about Wayne, and they have separately characterized him as 'tough,' 'smart,' 'compassionate'; a man who knows how to laugh at himself and a straightforward man of decent instincts. To these observations about the character and personality of Wayne, I would add one other: He is unafraid. Wayne is not afraid to ask for help from Democrats and Republicans. He is not afraid to delegate responsibility to veterans and freshmen. He's not afraid to share the spotlight in anything. Wayne is also not afraid of the crisis in which we find ourselves nor of the fact that all of our policy alternatives appear somewhat ugly. Wayne is confident. He's confident in himself; he's confident in each of us. He sees our circumstance as an opportunity—not his, but ours—and he's right.

"Over the last year and one-half, Wayne has brought those of us on this side of the aisle together, and now I know that he's going to bring all of us together to stare down this crisis and to realize the opportunity. It is indeed an honor, a pleasure and a privilege for me to place the name of my very good friend, Wayne Ehlers, in nomination for the position of Speaker of the Washington State House of Representatives, because, as one columnist put it, 'Wayne is a creature of the House, the best part of it.'"

Mr. Grimm: "I rise, ladies and gentlemen of the House, to second the nomination of Representative Wayne Ehlers as Speaker of the House of Representatives. I became acquainted with Wayne in 1976 when I first came down here as a member, and I came to know him as an unpretentious, good-natured individual; somebody who had held onto the spirit of youth; somebody who, as a result of working with young people as he does, brought to us that unfettered enthusiasm and curiosity and commitment—not only to people, but, as Representative Heck has pointed out, also to the legislative process.

"Since 1976, he has maintained that curiosity, that intellectual enthusiasm, and he has also been tireless. As an aside, I should point out that Wayne is the only nonfarmer I know of who can give you the farm report every morning. He gets up before the rest of us even think about it, and he begins to work. In the years since 1976, he has demonstrated a commitment to this institution, through the legislature, to the extent that he has been willing to be unpopular in the making of difficult

decisions. He has been willing to give the time and the energy, and he has done so without pretension; he has done so without the pomposity; he has done so without that political pride from which too many of us, I'm afraid, occasionally suffer.

"The session before us is the most difficult in the history of this state. We knew that when each one of us filed for this office. It is no less and, indeed, it is greater today than it was six months ago. Our work will commence immediately. We know that we will be tested, each and every one of us, on each and every critical vote. No one will be tested greater than Representative Ehlers; no one is capable of rising to that test better than Representative Ehlers. He may, indeed, have shirttails that are occasionally too short, pantlegs that are occasionally too long, and his pockets may occasionally be stuffed with calendars and notes and pens and pencils and all the paraphernalia of the legislature; but, ladies and gentlemen, he is the best of us because he is committed and dedicated to bringing out the best in all of us.

"I think she's here today, and I'm probably, under protocol, abusing the privileges of the floor, but I believe Representative Ehlers' mother is here, and I just wanted to say, 'Ma, you've done a good job.'

"I also realize that not everyone here will vote for Wayne to be the next Speaker of the House of Representatives. Notwithstanding that, Wayne will work with you. He is a man of ideas and ideals, but if you have a better idea, whether you're a Democrat or a Republican, whether you're an old member or a new one, he's willing to work with you and will continue to be willing to work with you. He's even willing, on occasion, to work with the Senate; and that's a new development as far as the legislature is concerned. Just in case somebody may have a mistaken impression, I want to make sure that at least a significant number of people on this side of the aisle do realize that Wayne is supposed to win this election and if, indeed, he comes up with fewer than about fifty-four votes, you will have the opportunity to again hear Representative Heck.

"Seriously, we have a really significant opportunity before us. Wayne, in the face of adversity, will be the one to lead us as legislators through the next two or three months. I urge your support for Wayne Ehlers, and I appreciate the opportunity to say these few words."

Mr. Hastings: "I'd like to nominate the gentleman from the 21st District, Representative Gary Nelson. It's already been said a couple of times, in the small amount of talk we've had on the floor, about the crisis we're facing, about the difficult times we're facing, and I guess, indeed, if we don't know about this, we have to ask ourselves: 'Where have we been?' I think that's precisely the backdrop of the type of individual we have to have as the Speaker of the House in this 48th Legislature. I think the man I have nominated, Representative Nelson, fits that to a tee.

"This is Gary's sixth term in the House of Representatives. He has experience that's not just to one factor. As a matter of fact, Gary has served on every committee that this House has thought of since he's been here, with the exception of the Agriculture Committee; and those of us from Eastern Washington forgive him for that. When we talk about a crisis, we have to realize that this crisis probably came down from the budgetary process. Among the many committees that Gary has served on, he was Republican Chairman of the House Appropriations Committee when we had Appropriations separate from Revenue. Those were good times; but, nevertheless, you have to know what the process is all about and he learned that process. He was also a member of the Legislative Budget Committee and if that wasn't enough, he expanded himself by being on the Executive Board of the National Conference of State Legislatures. Last term he served as majority leader here in the House of Representatives. I believe that Representative Gary Nelson from Edmonds is eminently qualified to be the Speaker of the House in this 48th Session, and I urge your support."

Mr. Barrett: "It's with a great deal of pride that I represent all of the Republican delegation of this august body to second the nomination of Gary Nelson. We know him as a man of intense personal integrity and legislative ability. I think we would all remind you that he would make an ideal and perfect Speaker of the House. I join his mother in urging his election."

## MOTION

On motion of Mr. Heck, nominations for election of Speaker of the House were closed.

## ROLL CALL

The Clerk called the roll and Representative Ehlers was elected Speaker of the House of Representatives by the following vote: Mr. Ehlers, 53; Mr. G. Nelson, 44; not voting, 1.

Those voting for Mr. Ehlers were: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, J. King, P. King, R. King, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, D. Nelson, G. Nelson, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky.

Those voting for Mr. G. Nelson were: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ehlers, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, B. Williams, J. Williams, Wilson.

Not voting: Representative Garrett.

The Chief Clerk appointed Representatives Heck and Nelson, G. to escort Representative Ehlers to the rostrum.

Justice Dimmick issued the oath of office to Representative Ehlers.

The Chief Clerk presented the gavel to the Speaker.

## POINT OF PERSONAL PRIVILEGE

Mr. Nelson, G.: "It's a privilege for me to be the first to address you, Mr. Speaker, with your new title. I began to feel like it might have been fixed when I saw the scoreboard up there with your name already there, and I figured I was in trouble right away. I'd also, perhaps, like to have the privilege of being the first to ask for a ruling, and my question: Is it at all possible that the ruling of reconsideration be used in elections?"

The Speaker: "The Speaker would like to note that we do have a couple of people on this side of the aisle who would like that."

Mr. Nelson, G.: "Mr. Speaker, on behalf of the Republican caucus, we certainly would like to congratulate you on your election as Speaker of this body, and we wish you the best of success in our attempts to solve the problems facing the citizens of the State of Washington. We especially would like to offer our help, and we intend to provide all the enthusiasm and dedication needed in seeking out those solutions throughout the course of this session. We pledge those efforts and, hopefully, we will have a very productive session and a very speedy one in one hundred five days."

The Speaker: "I'd like to take a couple of moments of personal time. Last Saturday, I was writing my remarks for today, and I thought about writing some comments about some people whom I feel very much for and I love very much. It seems rather presumptuous and, certainly, not something that words could describe and that I could commit to paper. I could tell about the love that I have for some people who are here today, numerous dear friends who are here--my mother, Maxine Ehlers--please stand. (Applause) Forty-four years ago she brought me into this world. My oldest son, Jeff, is here today and Mark, my thirteen-year-old, is here. I can't thank you enough for your caring and your support. There are some other people here. I have two more relatives here, Nancy and Ray Fowler, my aunt and uncle--please stand. (Applause) I have so many dear friends out there, I'm afraid I may have pushed some into the wings. I must apologize for that, but I certainly do not apologize for them being here. There are so many of them--if you could please stand, I would appreciate it. (Applause)

"It has almost become a cliché to say that an up-and-coming session of the Legislature faces a crisis not confronted at any other time in our state's history; however, in this case, it is not a cliché. This state has the highest number of unemployed citizens and business failures since the Great Depression of the 1930's. We see no clear signs of an economy that will provide relief in the near future. What then, can we in the legislature--Democrats and Republicans--do during the next two years to ease the economic impact and to prepare for the recovery that we will eventually get here? We must seize the opportunity to enact legislation and policies that, once and for all, recognize and deal with the fact that every ten years this state's economy goes into a major tailspin. Each decade it has become more pronounced. Legislators--Democrats and Republicans--have resorted to gimmicks, lightbulb switches and economic voodoo to convince the public and ourselves that the problem has been resolved. The continuing lowering of our bond rating does not speak well for our collective political courage. We must examine old programs and ideas. We must sort out the good from the bad, and not just give across-the-board increases or cuts to all agencies and programs. All that does is penalize good managers and rewards the incompetents. Spending priorities must be established. We decry inequitable taxes and then add to that problem by continuing to narrow its base so that fewer and fewer people pay more and more of the burden. We undoubtedly will add more inequity before we leave here this year, but let us not adjourn until we allow voters the opportunity this fall to consider an alternative proposal that assures equity and also funds a balanced basic budget. We must develop a mechanism that triggers revenues to fund basic programs without causing repeated sessions of this legislature. At the same time, if the revenues do unexpectedly increase, we must channel them into specific purposes such as a rainy-day reserve account; or to eliminate budget gimmicks--such as the twenty-fifty month--or to pay our pension obligations. In any case, the surplus should only be available for emergencies, not for new programs. Restoring the fiscal integrity and credit rating of our state has to be one of our highest priorities. This proposal will help achieve that.

"Legislative ethics, an independent redistricting commission, jobs and economic development are issues that have been discussed for years; now is the time to act. The threat of a default by WPPSS may cause this legislature to become more of a focal point. We must be willing to serve as a forum for the public debate that is needed to understand the potential impact on our state's citizens. Some have said, and some have certainly asked, what kind of Speaker, what kind of leader, am I going to be. I certainly lead my political party. I believe I am the Speaker of the House, not the Speaker only for the Democratic majority. We must raise the policies of cooperation rather than confrontation. We must enforce legislative compromise rather than political partisanship. We must break down the philosophical polarization that has developed in this House. We must encourage business and labor to work closer together, and help them to recognize the problems and more should bind them than separate them. We must pledge our time and efforts to achieve these goals. To do otherwise would be a disservice to the citizens of this state that we all serve.

"Thus far, Representative Gary Nelson, the Republican Minority Leader, and I have worked together with the planning of the economic development workshop, with the orientation program and with cooperation during the transition. We are going to continue to involve everyone in the process. There are forty-three new members here today. We are not interested in old wounds; we are dedicated to finding solutions to solve the problems. I commend you for that. As I speak to you today, it is clear that much of what I have outlined will take yours and my--our--best effort, and when we have finished, there will certainly be more than enough credit and blame to spread around. The people back home may not have parades to welcome our return; however, when we are evaluated for our performance, I hope that they can say that this was a legislature in action and not one of inaction."

## ELECTION OF SPEAKER PRO TEMPORE

The Speaker declared nominations for Speaker Pro Tem were open.

Ms. Stratton: "It is an honor for me to place in nomination for Speaker Pro Tem the name of a gentleman who is your friend and mine, John L. O'Brien. John O'Brien has been adorning these halls for more years than most of us are old. I should have said most of you are old. About the only new thing that I could add to a nomination for John O'Brien would be, perhaps, to clarify his age. I asked John if he would tell me how old he was so I could congratulate him, and he said when I tell him how old I am, he would tell me how old he is; so I do not know how old John O'Brien is.

"John brings to this legislature many, many, many years of parliamentary procedure from which we all benefit. Each incoming class of freshmen--Democrat and Republican--is carefully trained and taught by John O'Brien. Most importantly, however, John has earned the respect and admiration of members serving in the House today and of past members, too. He is a cool, calm, collected (most of the time), individual. Sometimes he gets his dander up, but he is usually not too hard to calm down when he does lose his cool. I can think of no person who can help steer us through the difficult session ahead any better than John O'Brien. He is an institution; he is, practically, this legislature. In fact, I would almost go so far as to say he is almost the State of Washington. I am very honored and very proud to place his name in nomination for Speaker Pro Tem."

Mr. Garrett: "It is a pleasure for me to rise and second the nomination of Representative John L. O'Brien. I might be able to enlighten you a little bit on John's age. When I came down here the first time, and I hate to divulge this, but in 1959 John was then Speaker of the House and had been for as long as anyone could remember. I've known him and worked with him in one way or another from that time on. He has been recognized as a leader of the National State Legislators, and he is recognized not only in the state of Washington, but also in many states and has friends among many leaders of the other states in this nation. I think we are very fortunate to have one of ours as well-schooled and knowledgeable in rules; and when you go to these training classes that he has, it may be that when you want to ask him some questions and he's talking about Reed's and Roberts' and all those others, you might ask him a question or two about O'Brien's Rules, because he has some of them, too. This is a pleasure for me, and I urge everyone--let's elect John O'Brien as Speaker Pro Tem."

Mr. Gallagher: "It has been my pleasure to serve with John for these past twenty-two years. He is one of the leading people in the State of Washington, known as a leader. He is also one of the leaders recognized throughout the United States for his legislative ability. It's further to my pleasure to give you my seconding speech."

## MOTION

On motion of Mr. Heck, the nominations for Speaker Pro Tempore, were closed and John L. O'Brien was unanimously elected Speaker Pro Tem.

The Speaker appointed Representatives Monohon and Hastings to escort Representative O'Brien to the rostrum. Justice Dimmick issued the oath of office to Speaker Pro Tem O'Brien.

## ELECTION OF CHIEF CLERK

The Speaker declared nominations for Chief Clerk were open.

Mr. Kreidler: "I would like to place the name of Dean R. Foster in nomination for Chief Clerk. We're really quite fortunate to have somebody of Dean Foster's recognized ability to elect to this particular position of Chief Clerk of the House of Representatives. This is a job of critical importance to our body. It's a position whereby we need an individual who can supervise staff, who can maintain the Journal, and other reporting and record keeping that is essential to us. It is essential to us for carrying out the statutory and constitutional responsibilities that each of us has to the people of the State of Washington. That's why we're fortunate to have

somebody of Dean Foster's ability to consider for this position. Dean Foster is a person who was first elected to the position of Chief Clerk back in 1973. Hard to imagine, but if you look at him, he was the youngest person in the United States to be Chief Clerk in 1973. As you look at him, you realize how well he has aged since that time.

"Dean Foster came to that position in 1973 with a background that enabled him to take that position and to do a very credible job as Chief Clerk. It started back in 1959 when he came here while still a high school student at Carnation High School, and he served in the Senate as a committee clerk. From there he went on to the University of Washington, earned a degree in--what else--political science. From there, during the Vietnam period, he served for five years as an Air Force intelligence officer, rising to the rank of captain, no less. After that, he had the opportunity to return to the legislature in a working position in the Chief Clerk's office. Then, in 1973, he was elected Chief Clerk. After that, he was again elected three more times, to the position of Chief Clerk; and in 1979-80, in the most trying of times with the 49-49 split. In fact, it's remarkable that he's even come back after that experience, to want to keep the position of Chief Clerk after experiencing those very troublesome days. We are really quite fortunate to have somebody of Dean's talents and abilities. During his period as Chief Clerk, he's gained a national reputation; and no less than the respect that he feels for each of us, above all, he has the keen respect for the process which he holds most dear and to which we are elected. Mr. Speaker, members, it is with a great deal of pleasure and it is an honor for me to nominate Dean R. Foster for the position of Chief Clerk of the Washington State House of Representatives."

Mr. Prince: "It gives me a great deal of pleasure to rise and second the nomination of Dean Foster for Chief Clerk. It gives me pleasure to do this today for a couple of reasons. The first is personal, purely personal; the second is, I think, important to all of you. The first reason, the personal reason, is that Dean and I both started in these chambers as bill clerks in 1959; and because of the opportunity to start at that time, one has a depth of experience. Dean has had the opportunity to understudy the man I consider to be the master Chief Clerk of our chambers, Ward Bowden. Ward Bowden in turn studied from Cy Holcomb. Sid Snyder, the current Secretary of the Senate, is also out of that legacy. Because of the opportunity when Dean first began to look at these masters--people who placed pride in the position of Chief Clerk--he brings today to that position not only the pride of the past, but also the pragmatism of the present. Because of that, he will add honor and glory to the position. As he does that, he will add honor and glory to the House of Representatives and the State of Washington."

#### MOTION

On motion of Mr. Heck, further nominations for the position of Chief Clerk were closed, and Dean R. Foster was unanimously elected Chief Clerk of the House of Representatives.

The Speaker appointed Representatives Kreidler and Prince to escort Dean R. Foster to the rostrum. Justice Dimmick issued the oath of office to him.

#### ELECTION OF ASSISTANT CHIEF CLERK

The Speaker declared nominations for Assistant Chief Clerk were open.

Mr. Heck: "I place in nomination the name of Sharon Case of Olympia for the position of Assistant Chief Clerk. The office of Assistant Chief Clerk is one, as I remarked earlier, that is only intermittently elected on this floor. I can't think of a more appropriate person to select than Sharon Case as we reinstitute this position.

"For those of you who may not know Sharon--and I presume there are at least forty-three of you here who do not know her well--she has been a very long-time dedicated employee of the legislature, serving in a variety of capacities in both the House and the Senate, dating back (and I know she is going to be very upset when I reveal this) fourteen years now. Initially, she had primarily clerical responsibilities; in fact, I don't think there's a one around here she hasn't had. She has served as secretary for individual members, secretary for the caucus, secretary to

more committees than I can remember; but about seven years ago some enlightened soul around here determined that Sharon was capable and willing to have more responsibility, so she was named coordinator of constituent services of the House, both Democrat and Republican. Then, during the tie, she served in that capacity just for the Democrats. She became probably the top legislative expert in this state on matters relating to senior citizen issues. At the same time all of that was going on, Sharon, in the evenings and on a part-time basis, was earning her Masters Degree in counseling. That is a skill that has served her in very good stead while being an employee of the legislature. In fact, it's a great utility around here especially when we get down toward the closing days and it's altogether too stressful for each of us to deal with. I know Sharon's door is always going to be open.

"There are three very important reasons that I feel such a point of pride in being a part of electing Sharon today. One is somewhat personal, like Gene's (Prince) relationship with Chief Clerk Foster, which goes back awhile. Actually, Sharon's and my paths began crossing before either of us had any notion of getting involved in politics. She was doing her student teaching at Columbia River High School in Vancouver at the same time I was attending it. It was her last year in college, and my last year in high school. The second very important reason is that Sharon's love of this institution, especially its nobler aspects, is exceeded only by her love of people, all kinds of people that are a part of this process. Thirdly, lastly and most importantly, is the simple fact that Sharon deserves it. Please join me in supporting Sharon Case for the position of Assistant Chief Clerk of the House of Representatives."

Mr. Wang: "It's my pleasure and privilege to second the nomination of Sharon Case for the position of Assistant Chief Clerk. Sharon and I worked together on the staff of the House for four years; we even shared the same office over in the House Office Building for two years and despite that, we're still friends.

"Sharon is exceptionally qualified for the position. Representative Heck referred to her past history in working for the House. I just want to add a couple of things. She knows the facilities; she knows the resources, not only of the legislature, but she also knows the facilities of the entire capitol campus area. She has been a pioneer in organizing the office of legislative assistants for dealing with constituent problems. Representative Heck referred to that. I think it's important to realize the impact that she has had in dealing with constituent problems. Ever since she took over that responsibility, that kind of function has been known as 'Case-work.' It's my pleasure to second the nomination of Sharon Case."

Mr. R. King: "Dean Foster is fortunate that we are nominating and seconding the nomination of Sharon Case to the position of Assistant Chief Clerk, because of all the many, many people he might have been able to find. I think Sharon is the one who brings together so many kinds of qualities which she has learned over the years. I take some pride in being an enlightened individual, because my idea is that we needed to have that kind of function on a bipartisan basis. We got so many requests from constituents who had problems that we didn't really have the time to deal with, literally, during the legislative session, because we were making laws at the same time that people had problems with workers' compensation and problems with all areas of state government and with the federal government. Sharon took on all of that and just did an excellent job of it, and as a result, has contacts throughout the state and throughout the nation. People respect her ability, and I suppose it's that counseling skill she has. She is one person who can put herself between an angry, upset, frustrated constituent and somebody in government who has the wherewithal and the way of solving the problem of that constituent. She did an excellent job, Dean, and I think you are really going to be fortunate to have Sharon as your assistant."

#### MOTION

On motion of Mr. Heck, further nominations for the position of Assistant Chief Clerk were closed, and Sharon Case was unanimously elected Assistant Chief Clerk of the House of Representatives.

The Speaker appointed Representatives Heck and Hankins to escort Sharon Case to the rostrum, and Justice Dimmick issued the oath of office to her.

#### ELECTION OF SERGEANT AT ARMS

The Speaker declared nominations for Sergeant at Arms was open.

Ms. Hine: "I would like to place in nomination the name of Ross Young for Sergeant at Arms. We've had a lot of very important people chosen to help lead us in this legislative session. We've all been sworn in to hold this very important office that the people have entrusted us to hold; but without Ross Young, who, in fact, makes it possible, gives us the tools to do our jobs, we would fail miserably. Ross is one who carries out that function in a very efficient, quiet manner. He is responsible for our security; he's the one to holler for if your car breaks down, if you can't get into your office or you haven't got the materials you need. Somehow or other, he will just quietly see to it that you get that material. He does all this with a twinkle in his eye, usually. Once in awhile, the eyes get a little hard, and you know you've 'maybe' stepped over the bounds. Some of you today, as Ross approaches the rostrum, will probably not recognize him. He is, in fact, out of costume. Normally, it's so easy to find Ross; you just look for the one with the deliberately garish, atrocious, loud, florescent--fill in your own adjectives--tie. Today, in honor of the occasion--maybe it forebodes the tone he intends for us to set during this session--you will not see that trademark. But rest assured, I know it will be back tomorrow; so you don't have to worry about not knowing for sure who he is.

"It is really with distinct pride and personal pleasure that I do place Ross' name in nomination. He has great respect for this institution, and has already shown great respect for each of us who work within it. Mr. Speaker, I'm pleased to put his name in nomination."

Mr. Charnley: "Everybody we've heard speak so far has said, 'it's an honor,' and although it's redundant, it is. I've known Ross since the time I have been down here, twelve years, and have watched him work. I cannot really add adequately to what has been said by our caucus chair in terms of the kind of person he is except to emphasize and to inform the freshmen here on both sides of the aisle, that he is, indeed, a rock over which all waves break but which stands afterwards. His calmness and his ability to perceive what the problem is and anticipate us is what makes this place function so well. I am very, very happy to second him, and I know we are going to be very happy working with him."

#### MOTION

On motion of Mr. Heck, further nominations for the position of Sergeant at Arms were closed, and Ross Young was unanimously elected Sergeant at Arms of the House of Representatives.

The Speaker appointed Representatives Hine and West to escort Ross Young to the rostrum. Justice Dimmick administered the oath of office to him.

The Speaker instructed Representatives Armstrong and Padden to escort Justice Dimmick from the House Chamber.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-2, by Representatives Heck and G. Nelson:

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

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

#### APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Monohon, Charnley and Fiske to notify the Senate that the House was organized and ready for business.



## MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

## INTRODUCTION AND FIRST READING

HCR 1 by Representatives Heck and G. Nelson

Notifying the Governor that the 1983 regular session of the 48th Legislature is organized and inviting the Senate to a Joint Session.

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage and adopted.

## APPOINTMENT OF SPECIAL COMMITTEE

In accordance of the terms of House Concurrent Resolution No. 1, the Speaker appointed Representatives Hine, O'Brien and Struthers to notify the Governor that the Legislature was now organized and ready for business.

## COMMITTEE FROM SENATE

A special committee from the Senate, consisting of Senators Rinehart, Granlund and Barr, appeared at the bar of the House and reported that the Senate was organized and ready for business.

The report was received and the committee returned to the Senate.

## REPORT OF SPECIAL COMMITTEE

The special committee, appointed under the provisions of House Resolution No. 83-2, appeared at the bar of the House and reported they had notified the Senate the House was organized and ready for business.

The report was received and the committee was dismissed.

## INTRODUCTIONS AND FIRST READING

HB 1 by Representatives Brekke, R. King, Vekich, Wang, Lewis, Sutherland, Tanner, Johnson, Fisch, Rust, B. Williams, Patrick, Isaacson, Halsan, Martinis, Locke, Silver, Todd, Jacobsen, Lux, Long and Ebersole

AN ACT Relating to unemployment compensation; amending section 2, chapter 1, Laws of 1971 as last amended by section 2, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.22.010; and declaring an emergency.

Referred to Committee on Labor.

HB 2 by Representatives Todd, Barnes, D. Nelson, Armstrong, Hine, Wang, Vekich, Charnley, Rust, Jacobsen, Crane and Lux

AN ACT Relating to energy-related building standards; amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030; amending section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075; repealing section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200; repealing section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210; repealing section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220; repealing section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230; repealing section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240; repealing section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250; repealing section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260; repealing section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270; repealing section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280; repealing section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290; repealing section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300; repealing section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310; repealing section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 3 by Representatives West and Lewis

AN ACT Relating to nonpayment of rent by public assistance recipients; adding a new section to chapter 74.04 RCW; and creating a new section.

Referred to Committee on Judiciary.

**HB 4** by Representative B. Williams

AN ACT Relating to vehicle licensing; amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 1, chapter 148, Laws of 1977 ex. sess. and RCW 46.16.010; amending section 46.16.020, chapter 12, Laws of 1961 as last amended by section 5, chapter 169, Laws of 1975 1st ex. sess. and RCW 46.16.020; amending section 46.16.230, chapter 12, Laws of 1961 as amended by section 19, chapter 25, Laws of 1975 and RCW 46.16.230; amending section 60, chapter 145, Laws of 1967 ex. sess. and RCW 46.16.237; amending section 46.16.240, chapter 12, Laws of 1961 as last amended by section 10, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.240; amending section 46.16.260, chapter 12, Laws of 1961 as last amended by section 3, chapter 113, Laws of 1979 ex. sess. and RCW 46.16.260; amending section 46.16.270, chapter 12, Laws of 1961 as last amended by section 7, chapter 169, Laws of 1975 1st ex. sess. and RCW 46.16.270; amending section 46.16.280, chapter 12, Laws of 1961 as amended by section 20, chapter 32, Laws of 1967 and RCW 46.16.280; amending section 46.16.290, chapter 12, Laws of 1961 and RCW 46.16.290; amending section 46.16.310, chapter 12, Laws of 1961 as last amended by section 1, chapter 143, Laws of 1982 and RCW 46.16.310; amending section 3, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.315; amending section 46.16.320, chapter 12, Laws of 1961 as last amended by section 10, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.320; amending section 46.16.330, chapter 12, Laws of 1961 as amended by section 22, chapter 32, Laws of 1967 and RCW 46.16.330; amending section 46.16.340, chapter 12, Laws of 1961 as last amended by section 43, chapter 171, Laws of 1974 ex. sess. and RCW 46.16.340; amending section 1, chapter 201, Laws of 1961 as amended by section 25, chapter 32, Laws of 1967 and RCW 46.16.370; amending section 6, chapter 192, Laws of 1979 ex. sess. and RCW 46.16.380; amending section 3, chapter 200, Laws of 1973 1st ex. sess. as amended by section 2, chapter 59, Laws of 1975 and RCW 46.16.565; amending section 5, chapter 200, Laws of 1973 1st ex. sess. and RCW 46.16.575; amending section 6, chapter 200, Laws of 1973 1st ex. sess. and RCW 46.16.580; amending section 7, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 51, chapter 136, Laws of 1979 ex. sess. and RCW 46.16.585; amending section 8, chapter 200, Laws of 1973 1st ex. sess. as amended by section 5, chapter 59, Laws of 1975 and RCW 46.16.590; amending section 9, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 52, chapter 136, Laws of 1979 ex. sess. and RCW 46.16.595; amending section 1, chapter 77, Laws of 1979 ex. sess. and RCW 46.16.620; amending section 2, chapter 22, Laws of 1977 ex. sess. as amended by section 1, chapter 152, Laws of 1980 and RCW 46.44.170; amending section 46.76.030, chapter 12, Laws of 1961 as amended by section 92, chapter 32, Laws of 1967 and RCW 46.76.030; amending section 46.76.040, chapter 12, Laws of 1961 and RCW 46.76.040; amending section 6, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.060; amending section 46.80.060, chapter 12, Laws of 1961 and RCW 46.80.060; amending section 13, chapter 106, Laws of 1963 as amended by section 4, chapter 222, Laws of 1981 and RCW 46.85.130; amending section 81.80.320, chapter 14, Laws of 1961 as last amended by section 5, chapter 143, Laws of 1971 ex. sess. and RCW 81.80.320; amending section 82.44.030, chapter 15, Laws of 1961 as amended by section 51, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.030; amending section 82.44.060, chapter 15, Laws of 1961 as last amended by section 12, chapter 222, Laws of 1981 and RCW 82.44.060; amending section 82.44.070, chapter 15, Laws of 1961 as last amended by section 234, chapter 158, Laws of 1979 and RCW 82.44.070; amending section 82.44.090, chapter 15, Laws of 1961 and RCW 82.44.090; amending section 55, chapter 299, Laws of 1971 ex. sess. as last amended by section 1, chapter 123, Laws of 1979 and RCW 82.50.400; adding a new section to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Transportation.

**HB 5** by Representatives D. Nelson, Rust and Lux

AN ACT Relating to revenue and taxation; adding a new section to chapter 43.17 RCW; and adding a new section to chapter 84.40 RCW.

Referred to Committee on Ways & Means.

**HB 6** by Representatives D. Nelson, Brekke, Vekich, Rust, Patrick, Jacobsen and Lux

AN ACT Relating to unemployment compensation; and amending section 78, chapter 35, Laws of 1945 as last amended by section 6, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.100.

Referred to Committee on Labor.

- HB 7** by Representatives Bond, G. Nelson, Ballard, Fuhrman, Tilly, Hastings, Sanders and Chandler
- AN ACT Relating to food stamp recipients; and adding new sections to chapter 74.04 RCW.
- Referred to Committee on Social & Health Services.
- HB 8** by Representatives Bond, Lewis, West, Nealey, Fuhrman, Padden and J. Williams
- AN ACT Relating to fuel taxation; and amending section 56, chapter 37, Laws of 1980 as amended by section 2, chapter 147, Laws of 1980 and RCW 82.12.0256.
- Referred to Committee on Transportation.
- HB 9** by Representatives Padden, Lewis, G. Nelson, West, Egger, Stratton, McMullen, Niemi, Struthers, Miller, Broback, Mitchell, Nealey, Patrick, Isaacson, Addison, Silver, Johnson and Tilly
- AN ACT Relating to the criminally insane; and amending section 15, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 112, Laws of 1982 and RCW 10.77.150.
- Referred to Committee on Judiciary.
- HB 10** by Representatives Stratton, Lewis, Wilson, West, Ballard, Miller, Mitchell, Isaacson, Addison, Johnson, Tilly, Hastings and Egger
- AN ACT Relating to juveniles; amending section 17, chapter 155, Laws of 1979 and RCW 13.32A.030; amending section 26, chapter 155, Laws of 1979 and RCW 13.32A.120; amending section 23, chapter 155, Laws of 1979 as amended by section 7, chapter 298, Laws of 1981 and RCW 13.32A.090; amending section 15, chapter 298, Laws of 1981 and RCW 13.32A.175; amending section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 13, chapter 299, Laws of 1981 and RCW 13.40.160; amending section 74, chapter 291, Laws of 1977 ex. sess. as amended by section 70, chapter 155, Laws of 1979 and RCW 13.40.200; adding a new section to chapter 13.40 RCW; and prescribing penalties.
- Referred to Committee on Social & Health Services.
- HB 11** by Representatives Patrick, Holland, Schoon, Brough, Isaacson, Schmidt and J. Williams
- AN ACT Relating to counties; amending section 36.82.040, chapter 4, Laws of 1963 as last amended by section 41, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.82.040; amending section 1, chapter 25, Laws of 1971 ex. sess. as last amended by section 32, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.33.220; and adding a new section to chapter 36.82 RCW.
- Referred to Committee on Local Government.
- HB 12** by Representatives Pruitt, R. King, Martinis, Vekich and Moon
- AN ACT Relating to modifying congressional district boundaries; amending section 8, chapter 2, Laws of 1982 and RCW 29.69.010; amending section 9, chapter 2, Laws of 1982 and RCW 29.69.020; amending section 11, chapter 2, Laws of 1982 and RCW 29.69.040; amending section 12, chapter 2, Laws of 1982 and RCW 29.69.050; amending section 13, chapter 2, Laws of 1982 and RCW 29.69.060; and amending section 15, chapter 2, Laws of 1982 and RCW 29.69.080.
- Referred to Committee on Constitution, Elections & Ethics.
- HB 13** by Representatives Pruitt and Vekich
- AN ACT Relating to modifying congressional district boundaries; amending section 11, chapter 2, Laws of 1982 and RCW 29.69.040; amending section 12, chapter 2, Laws of 1982 and RCW 29.69.050; and amending section 15, chapter 2, Laws of 1982 and RCW 29.69.080.
- Referred to Committee on Constitution, Elections & Ethics.
- HB 14** by Representatives Pruitt, Vekich, Wang, Sommers, R. King, Fisch, Armstrong, Tilly, Tanner, Rust, D. Nelson, Galloway, Egger, Stratton, Moon, Halsan, Kreidler, Locke, Powers, J. King, Todd, P. King, Ristuben, Crane, Lux, Fisher, Hine, Ellis, McMullen, Kaiser, Burns and Belcher

AN ACT Relating to reapportionment and redistricting; creating a new chapter in Title 44 RCW; and providing for a contingent effect.

Referred to Committee on Constitution, Elections & Ethics.

**HB 15** by Representatives B. Williams, Lewis, G. Nelson, Smith, Dickie, Allen, Isaacson, Addison, J. Williams, Struthers and Schoon

AN ACT Relating to state government; and adding a new chapter to Title 43 RCW.

Referred to Committee on Ways & Means.

**HB 16** by Representatives Heck, Hastings, Grimm, Patrick, Monohon, Vekich, Wang, Lewis, Wilson, G. Nelson, Rust, Garrett, Tanner, Martinis, Addison, Haugen, Ballard, Schoon, Miller, Moon, Mitchell, Nealey, Holland, Allen, Isaacson, Tilly, Todd, P. King, Ristuben, Smitherman, Zellinsky, Jacobsen, Hankins, Ellis, McMullen, Chandler, Burns and Ebersole

AN ACT Relating to the Washington public employees retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 6, chapter 256, Laws of 1981 and RCW 41.40.010; and amending section 1, chapter 23, Laws of 1973 and RCW 41.40.450.

Referred to Committee on Ways & Means.

**HB 17** by Representatives R. King, Lux, B. Williams, Walk, Struthers, Barrett, Prince, Garrett, Isaacson, Sanders and Betrozoff

AN ACT Relating to real estate signs; amending section 2, chapter 96, Laws of 1961 as last amended by section 1, chapter 258, Laws of 1977 ex. sess. and RCW 47.42.020; and amending section 4, chapter 96, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1979 and RCW 47.42.040.

Referred to Committee on Transportation.

**HB 18** by Representatives Pruitt and Vekich

AN ACT Relating to congressional district boundaries; adding new sections to chapter 29.69 RCW; repealing section 8, chapter 2, Laws of 1982 and RCW 29.69.010; repealing section 9, chapter 2, Laws of 1982 and RCW 29.69.020; repealing section 10, chapter 2, Laws of 1982 and RCW 29.69.030; repealing section 11, chapter 2, Laws of 1982 and RCW 29.69.040; repealing section 12, chapter 2, Laws of 1982 and RCW 29.69.050; repealing section 13, chapter 2, Laws of 1982 and RCW 29.69.060; repealing section 14, chapter 2, Laws of 1982 and RCW 29.69.070; and repealing section 15, chapter 2, Laws of 1982 and RCW 29.69.080.

Referred to Committee on Constitution, Elections & Ethics.

**HB 19** by Representatives Monohon and Tanner (by State Board of Accountancy request)

AN ACT Relating to the board of accountancy; and adding a new section to chapter 18.04 RCW.

Referred to Committee on Ways & Means.

**HB 20** by Representatives Pruitt, R. King, Vekich, Sommers, Jacobsen, Ristuben, P. King, Charnley, Fisch, Rust, Moon, Halsan, Locke, Tanner, Armstrong, Powers, Todd, Fisher, Hine, Ellis, Kaiser and Burns

AN ACT Relating to congressional reapportionment and redistricting; creating new sections; repealing section 8, chapter 2, Laws of 1982 and RCW 29.69.010; repealing section 9, chapter 2, Laws of 1982 and RCW 29.69.020; repealing section 10, chapter 2, Laws of 1982 and RCW 29.69.030; repealing section 11, chapter 2, Laws of 1982 and RCW 29.69.040; repealing section 12, chapter 2, Laws of 1982 and RCW 29.69.050; repealing section 13, chapter 2, Laws of 1982 and RCW 29.69.060; repealing section 14, chapter 2, Laws of 1982 and RCW 29.69.070; repealing section 15, chapter 2, Laws of 1982 and RCW 29.69.080; repealing section 16, chapter 2, Laws of 1982 and RCW 29.69.900; repealing section 18, chapter 2, Laws of 1982 and RCW 29.70.010; repealing section 19, chapter 2, Laws of 1982 and RCW 29.70.020; repealing section 20, chapter 2, Laws of 1982 and RCW 29.70.030; repealing section 21, chapter 2, Laws of 1982 and RCW 29.70.040; repealing section 22, chapter 2, Laws of 1982 and RCW 29.70.050; repealing section 23, chapter 2, Laws of 1982 and RCW 29.70.060; repealing section 24, chapter 2, Laws of 1982 and RCW 29.70.070; repealing section 25, chapter 2, Laws of 1982 and RCW 29.70.080; repealing section 26, chapter 2, Laws of 1982 and RCW 29.70.090; repealing section 27, chapter 2, Laws of 1982

and RCW 29.70.100; repealing section 28, chapter 2, Laws of 1982 and RCW 29.70.110; repealing section 29, chapter 2, Laws of 1982 and RCW 29.70.120; repealing section 30, chapter 2, Laws of 1982 and RCW 29.70.130; repealing section 31, chapter 2, Laws of 1982 and RCW 29.70.900; repealing section 33, chapter 2, Laws of 1982 and RCW 29.70.910; and declaring an emergency.

Referred to Committee on Constitution, Elections & Ethics.

**HB 21** by Representatives Heck, Galloway, R. King, Lux, Grimm, Allen, Hine, B. Williams, Vekich, Wang, Charnley, Rust, McMullen, Garrett, Moon, Halsan, Kreidler, J. King, Todd, P. King, Ristuben, Walk, Jacobsen, Kaiser, Burns, Locke and Belcher

AN ACT Relating to school employees' compensation; amending section 2, chapter 16, Laws of 1981 and RCW 28A.58.095; repealing section 4, chapter 16, Laws of 1981 and RCW 41.56.960; repealing section 3, chapter 16, Laws of 1981 and RCW 41.59.935; and declaring an emergency.

Referred to Committee on Labor.

**HJM 1** by Representatives D. Nelson, Rust and Brekke

Requesting Congress to remove the prohibition on taxing retail sales on military bases.

Referred to Committee on State Government.

**HJM 2** by Representatives D. Nelson and Rust

Requesting Congress to enact legislation permitting state to impose service charges on federal property for reimbursement of vital services.

Referred to Committee on State Government.

**HJR 1** by Representative Barnes

Requiring the uniform taxation of income after the deduction of business expenses and limiting the tax to 1% without a vote of the people.

Referred to Committee on Ways & Means.

**HJR 2** by Representatives Barnes, Pruitt, Miller and Schoon

Requiring full funding of state-managed retirement systems.

Referred to Committee on Ways & Means.

**HJR 3** by Representative Pruitt, Vekich, Wang, Sommers, Charnley, R. King, Powers, Armstrong, Tanner, Fisch, Rust, D. Nelson, Stratton, Miller, Patrick, Halsan, Martinis, Locke, J. King, Todd, Ristuben, Jacobsen, Hine, McMullen, Kaiser and Burns

Providing for a redistricting commission.

Referred to Committee on Constitution, Elections & Ethics.

**HJR 4** by Representatives B. Williams, Lewis, G. Nelson, Smith, Dickie, Isaacson, Addison, Hastings, J. Williams and Van Dyken

Modifying provisions relating to state government fiscal responsibility.

Referred to Committee on Ways & Means.

**HJR 5** by Representatives B. Williams, Lewis, G. Nelson, Mitchell, Dickie, Patrick, Isaacson, Addison, Schmidt, Struthers, Long and Schoon

Requiring full funding of public retirement systems.

Referred to Committee on Ways & Means.

#### MESSAGE FROM SECRETARY OF STATE

The Honorable,  
Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the votes cast for and against the initiatives and the constitutional amendment which were submitted to the vote of the people at the state general election held on the 2nd day of November, 1982, that the total number of ballots cast at this state general election was 1,404,831 and that the total number of votes cast for and against each of these measures was as follows:

INITIATIVE MEASURE 412

Shall the maximum interest rate on retail sales be the higher of 12% or 1% over the federal discount rate?

YES .....	452,710
NO .....	880,135

INITIATIVE MEASURE 414

Shall a system requiring a minimum five cent refund on sales of beer, malt and carbonated beverage containers be established?

YES .....	400,156
NO .....	965,951

INITIATIVE MEASURE 435

Shall corporate franchise taxes, measured by net income, replace sales taxes on food and state corporate business and occupation taxes?

YES .....	453,221
NO .....	889,091

SENATE JOINT RESOLUTION 143

Shall financing of public improvements from taxes on increased property values as a result of such improvements be constitutionally authorized?

YES .....	393,030
NO .....	882,194

I, further certify that the following is a full, true, and correct abstract of votes cast at the State General Election held on the 2nd day of November, 1982, as canvassed by me from the returns received from the County Auditors of the thirty-nine counties of the state for all federal offices and for offices in joint judicial districts.

U. S. SENATE

Doug Jewett .....	Republican	332,273
Henry M. Jackson .....	Democrat	943,655
King Lysen .....	Independent Candidate	72,297
Jesse Chiang .....	Independent Candidate	20,251

U. S. REPRESENTATIVE, 1st DISTRICT

Joel Pritchard .....	Republican	123,956
Brian Long .....	Democrat	59,444

U. S. REPRESENTATIVE, 2nd DISTRICT

Joan Houchen .....	Republican	68,622
Al Swift .....	Democrat	101,383

U. S. REPRESENTATIVE, 3rd DISTRICT

J.T. Quigg .....	Republican	59,686
Donald L. Bonker .....	Democrat	97,323
O'Dean Williamson .....	Independent Candidate	5,049

U. S. REPRESENTATIVE, 4th DISTRICT

Sid Morrison .....	Republican	112,148
Charles D. Kilbury .....	Democrat	45,990
Michael Leroy Burns .....	Free Peoples	2,530

U. S. REPRESENTATIVE, 5th DISTRICT

John Sonneland .....	Republican	60,816
Thomas S. Foley .....	Democrat	109,549

## U. S. REPRESENTATIVE, 6th DISTRICT

Ted Haley	Republican	47,720
Norman D. Dicks	Democrat	89,985
Jayne H. Anderson	Independent Candidate	6,193

## U. S. REPRESENTATIVE, 7th DISTRICT

Bob Dorse	Republican	51,759
Mike Lowry	Democrat	126,313

## U. S. REPRESENTATIVE, 8th DISTRICT

Rod Chandler	Republican	79,209
Beth Bland	Democrat	59,824

## STATE SUPREME COURT, Position 1

Robert F. Brachtenbach	Nonpartisan	758,111
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## STATE SUPREME COURT, Position 2

Charles F. Stafford	Nonpartisan	764,912
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## STATE SUPREME COURT, Position 3

Vernon R. Pearson	Nonpartisan	742,433
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COURT OF APPEALS, Division 1, District 3  
(Island, San Juan, Skagit and Whatcom Counties)

Ward Williams	Nonpartisan	45,130
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COURT OF APPEALS, Division 2, District 3  
(Clark, Cowlitz, Lewis, Pacific, Skamania, and Wahkiakum Counties)

Edward P. Reed	Nonpartisan	64,951
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COURT OF APPEALS, Division 3, District 1  
(Ferry, Lincoln, Okanogan, Pend Oreille, Spokane and Stevens Counties)

James (Ben) McInturff	Nonpartisan	101,163
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## SUPERIOR COURT, Ferry-Pend Oreille-Stevens

Larry M. Kristianson	Nonpartisan	11,380
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IN WITNESS WHEREOF, I have set my hand and affixed the seal of the state of Washington, this 10th day of January, 1983.

(Seal)

RALPH MUNRO, Secretary of State

## STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following standing committee assignments:

AGRICULTURE: Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland, Moon, Prince, Todd.

COMMERCE & ECONOMIC DEVELOPMENT: Representatives J. King, Chair; Tanner, Vice Chair; B. William, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Haugen, Haisan, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk, Wilson.

CONSTITUTION, ELECTIONS & ETHICS: Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner, Vander Stoep, Zellinsky.

EDUCATION: Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor, Zellinsky.

ENERGY & UTILITIES: Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong,

Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Jacobsen, Locke, Martinis, Miller, Moon, Nealey, Pruitt, Sutherland.

ENVIRONMENTAL AFFAIRS: Representatives Rust, Chair; Powers, Vice Chair; Allen, Ranking Minority Chair; Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Patrick, Pruitt, Van Dyken, J. Williams.

FINANCIAL INSTITUTIONS & INSURANCE: Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Monohon, Vekich, Wang, West.

HIGHER EDUCATION: Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland, Tanner.

JUDICIARY: Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly, Wang.

LABOR: Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, Smith, Struthers.

LOCAL GOVERNMENT: Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman, Todd.

NATURAL RESOURCES: Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, Martinis, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich, B. Williams, Wilson.

RULES: Representatives Ehlers, Chair; O'Brien, Vice Chair; Addison, Barrett, Charnley, Gallagher, Garrett, Hastings, Heck, Hine, Lux, McDonald, Monohon, G. Nelson, Struthers, Taylor, Wang.

SOCIAL & HEALTH SERVICES: Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West, B. Williams.

STATE GOVERNMENT: Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor, Vekich.

TRANSPORTATION: Representatives Martinis, Chair; Egger, Vice Chair Eastern Washington; Sutherland, Vice Chair, Western Washington; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk, J. Williams.

WAYS & MEANS: Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly, Vander Stoep.

#### REPORT OF SPECIAL COMMITTEE

The special committee, appointed under the provisions of House Concurrent Resolution No. 1, appeared at the bar of the House and reported that they had notified the Governor that the legislature was organized and ready for business.

The report was received and the committee was discharged.

The Speaker declared the House to be at ease until 2:15 p.m.

The House was called to order at 2:15 p.m.

#### JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.



The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate, Lieutenant Governor John A. Cherberg, President Pro Tem H. A. "Barney" Goltz and Vice President Pro Tem A. L. "Slim" Rasmussen to seats on the rostrum beside the Speaker.

The Speaker invited the Senators to seats within the House Chamber.

The Secretary of the Senate called the roll of the Senate and all members were present except Senator Conner, who was excused.

The Clerk of the House called the roll of the House and all members were present.

The Speaker announced the Joint Session had been called for the purpose of receiving the Governor's State of the State message.

The Speaker presented the gavel to the President of the Senate.

The President of the Senate appointed Representatives Gallagher, Martinis and Tilly and Senators Gaspard, Newhouse and Bauer to notify the Governor that the Senate and House were in Joint Session and ready to receive his message.

The President of the Senate appointed Representatives Niemi, McMullen, Wang, Lewis and Schmidt and Senators Talmadge, Clarke, Thompson and Hemstad to escort the Supreme Court Justices to seats within the House Chamber.

The President of the Senate appointed Representatives R. King, Sommers and Schoon and Senators Moore, Sellar and McDermott to escort the state elected officials to seats within the House Chamber.

The Sergeants at Arms of the Senate and the House announced the arrival of the Governor at the bar of the House, and the President instructed the committee to escort him to the rostrum.

The President of the Senate introduced Governor John Spellman.

#### GOVERNOR'S STATE OF THE STATE ADDRESS

Governor Spellman: "Mr. President, Mr. Speaker, ladies and gentlemen of the legislature, distinguished Chief Justice and members of the Supreme Court, distinguished elected officials, ladies and gentlemen, my fellow Washingtonians: I take particular pleasure today in welcoming the new members of the House and Senate. Great things are expected of you and I am certain that you will meet that challenge. I pledge both you and your colleagues my full support, my time and cooperation, in reaching the goals that the people have in this state.

"We are convened in difficult times under the most critical domestic conditions ever experienced in the state of Washington and under an unmistakable mandate from the people to turn the facilities and powers of government toward the relief and solution of those economic, social, and political problems that can be relieved and solved by legislation and by administration.

"We who have been chosen to carry out this mandate are confronted with a great responsibility, but it is reassuring and inspiring to realize that the responsibility is no greater than the opportunity. It will help if we, in our minds and in our hearts, minimize the responsibility and glorify the opportunity--the opportunity to help those who have been deprived of gainful employment.

"It is true, of course, that the restoration of prosperity, as that term is commonly understood, depends on the rest of the country, if not on the other countries of the world, but in the meantime, we in Washington have certain positive duties and responsibilities to recognize and to discharge. We have the positive duty to help ourselves, to manifest faith in ourselves, faith in our commonwealth, and faith in our future. We have the positive responsibility to put our state in the best possible fiscal order so that we may be in the proper position to join the national march of progress to the inevitable turn of the economic tide.

"Fortunately, while it may be difficult for a single state to create and maintain a distinct and a superior industrial and cultural order, Washington has the materials and the tools and the people with which to work, to work out a modern and measurably superior economic and social structure. Surely Washington is a land of plenty. Surely with such resources as we have at hand we need only the spirit to

seek, the determination to build, the genius to create and the readiness to cooperate toward a common development.'

'Do you think that I have overstated the situation? I doubt that I have. But let the record show that those words were first spoken fifty years ago in these chambers, on January 11, 1933, by Governor Clarence D. Martin, to the 23rd Legislature.

'The days of the 47th session, the last two years, were not typical times for the people and for their decision-makers. The people in particular have suffered greatly in this state. Businesses have suffered. At the time I took office, and many of you took office two years ago, we inherited a state that had been pretending for a long time that there would be no tomorrow. I am reminded of the parable of the grasshopper and the ant--the state spent a good deal of time out playing in the sunshine and not storing up anything for that rainy day. Well, today did come, and it was a sobering time. We had no money in the bank and had made no provisions for such times. Never again should the state go through that type of syndrome. We extended programs in those years, reduced the base of revenues, spent surpluses and entered this depression, recession, flat on our back as a state. That should never be allowed to occur again. I think that must be one of the goals of this session.

'We have, throughout that 47th session and to date, seen plummeting revenues, hundreds of millions of dollars of revenues that were projected that did not come in. The legislature was forced to make very difficult decisions. Tax rates were repeatedly raised and deep cuts were made, and still the revenues did not come up. They didn't remain steady. They have continued to drop. There have been difficult decisions made to hold the system together: the educational system, the institutions, and those vital social programs so necessary at a time like this.

'The hardships that have been felt in the last two years have been broadly shared. The legislature itself has had an all-time record, six sessions in that period--how well you know it--and worked hard late nights to get the business of the people done. Local government has suffered along with state government. The state employees, who have a very high calling to serve the people, doing those jobs that no one in the private sector wants to do or can make a profit from, have borne more than their share of this suffering. I want to publicly thank them and tell them of my determination that we are going to keep the state employees who are here employed because they are necessary to provide those services.

'The citizens, of course, have suffered time after time with declining personal revenues, with loss of jobs, with all of the inconveniences and terrible tragedies that come from such an economic time.

'Now this 48th Legislature convenes, as Clarence Martin said, '...in difficult times under the most critical domestic conditions.' We are all aware of the conditions in the affairs of the state. This is the worst and the longest recession, if it can be called a recession, since World War II, and the highest unemployment since the Great Depression. A full quarter of a million people in the state of Washington are on the lists of the unemployed. There are more, but there are a quarter of a million on the list. Almost half of those people received no unemployment compensation because they were not insured under the program. Their families and those individuals are suffering terribly.

'We have inherited a Washington Public Power Supply System problem that is consuming our energies and our minds in trying to come up with answers. It is an overriding concern, an area of chaos. If there is appropriate legislative action that can be taken to assist at a given time, certainly I will ask for it, and I know that you will cooperate in doing that.

'What we see around us at this point, as Clarence Martin saw fifty years ago, is a global depression. Our big businesses suffer and employees are laid off. Small businesses are suffering and reserves are gone. State government directly feels the impact of the drop in the level of transactions by small and big businesses. Our revenue shortfalls are a barometer directly reflecting the transactions made in the private sector and they are way, way down.

'Unfortunately, there has been no drop in demand for the services of state government. Our product is still in demand. It is more in demand now than it is in normal times. As I said before, it is necessary for us to do those jobs that cannot be

done in the private sector because nobody can make a profit providing those services.

"Indeed, we have difficult problems to face, but the spirit of cooperation within this government that came to a zenith in the special session last summer is still alive. If we will maintain that spirit, I am confident this will be remembered as a very good session in hard times. I pledge you my total efforts and support to achieve that goal.

"The 48th Legislature convenes facing an immediate \$135 million shortfall. It is the latest of a long series of shortfalls. We have, for the past two years, cut repeatedly to meet those shortfalls. We have increased the rates of revenues, but the revenues have always come in in smaller amounts.

"There remain today less than six months in this biennium. After all of the cuts, there is no time for solutions other than revenue solutions. The educational system, the social system, is on the ropes now and simply cannot get by with less than the meager amount that is left in the budget. It must be funded and it must be funded immediately. It cannot be funded with gimmicks. It must be funded in this biennium and not by repeating the mistakes of the past, by somehow trying to bump it over to the next one. We need quick, decisive action. Then we should get on with the business of setting the course for the new biennium, the following two years.

"Let there be no doubt where I stand on the critical issues that are confronting this session. My program is before you on your desks in detail--in the budget documents, in the executive request bills. I would like to briefly discuss this with you.

"Let there be no doubt about where I stand on education. It is the best-spent dollar the State of Washington spends. You will never see a recession when education is not needed. It is needed more in a recession than in good times, and you will never see prosperity unless there is a sustained dedication and commitment to education in this state, to the skills and the talents necessary to meet the challenges of the modern world. Basic education simply must be fully funded. Higher education must be rebuilt to the quality necessary to provide those skills so that we may be competitive within the country and in the world. We must have increased enrollments. We must have adequate funding. This is a problem not only in this state, but also in the nation. The lamp of education is flickering. I am not prepared to watch it go out, and neither are you. This time we turn the spigot (whatever it is on a lamp) and turn the wick up a little bit and let a little brightness come. The budget that is before you does that and it is time we did that. It is an investment in the future.

"Let there be no doubt in your minds about where I stand on social services. Those services in place in the State of Washington are more needed now than they have been in fifty years. I will not go in great lengths through the trauma, the tragedy, that exists. We must restore additional dollars to those programs to meet the needs of today. That is spelled out in the budget.

"Let there be no doubt about the correctional needs of this state. We cannot wish problems away. We cannot wish there were not prisoners in our jails. There is no projection by any source that indicates that we do not need the jails, the prisons presently planned to be built. They must be built. The facilities are necessary and it is necessary to have industries within the prisons. It is necessary to have education within the prisons. That cannot be done in the current overcrowding of almost catastrophic proportion. Now, some people think we are putting everybody in jail and they say, 'Well, couldn't we ease up a bit?' The fact of the matter is the national average is that about fifty percent of those convicted of crimes go to prison. In the State of Washington, eighty percent go into alternative programs and twenty percent go to prison, and we still have this problem. So, I want to emphasize to you, unless we continue on the course that you set in the last session, we can be facing the potential of an Attica or a New Mexico. That simply is not an option we should ever undertake.

"Let there be no doubt about my position on pensions. This administration inherited a very sick pension system. You, and the others who were here in the last two years, helped to increase the ratio of funding. We must do so again. Again, there is no substitute for paying the bills. If those pensions are going to be paid when the people retire in the years to come, you have to pay in the money now, every year, just like they do on your private insurance policy. No gimmicks, no

deferrals, each biennium you must pay the bills of this biennium before this biennium is over and then fully fund them again in the next biennium.

"Let there be no doubt about my position on the 25th month. It has got to go. It was another one we inherited. The 25th month, which, as you will recall, pretends there are 25 months in a two-year period and is actually not just a thirty-day month or a thirty-one-day month, it is a forty-day month. For forty days no revenues come in at the beginning of the biennium. I think it's time we end that dream, which has become a real nightmare to state government. It's time we dispel that fiction and look at the stark reality. The state will not be fiscally sound until we have removed that. The budget that I suggest buys back twenty of those forty days. I hope, by the end of this biennium, our economy will be strong enough so we can buy back the remaining twenty.

"Let there be no doubt about where we should be going on redistricting. I think the events of the last two years have shown us that it is a technical and not a political problem. The courts have, in effect, deflated the political football. I think it is time to pass that deflated football to an independent commission to do the technical task. I suggest that problem should be done by constitutional means. It is about time.

"Let there be no doubt about where I stand on the environment. Together with the people, the environment of this state is our greatest asset. Upon it depends our business, our economy and our life style. The businesses we are seeking want to come here because this is where their people want to live. There will be before you a SEPA bill -- State Environmental Policy Act bill. Two years ago, you created a committee to study that problem and the committee has worked very hard for two years and has come up with a unanimous bill. It has said the environment shall remain inviolable, and it has said we can do so by refining some of the bureaucratic roles. I think the thoughtfulness of two years of work by a committee representing all points of view requires your adoption, and not getting involved in another two years of amending and attempting to come up with a different product. Something that has been worked out that hard deserves an early consideration and your adoption.

"With regard to that I have to say, you will have my thorough cooperation in every area in which you are engaged.

"Now, I have recommended a number of executive request bills to you. They are before you and they reflect some of the principle goals of this administration.

"First is the Housing Finance Commission. That should be passed as soon as possible. It will assist our depressed housing, timber and real estate industries. It will help to provide affordable housing that is so needed by the people of this state. It will do so without creating a bureaucracy, without expending state funds, and without jeopardizing the future of the State of Washington. If it is delayed, the federal program may go away; and we will not be able to talk about it in the future.

"Secondly, there is a need for a rewriting of the state energy code to conserve energy in the construction of new buildings, both private homes and commercial buildings. Meeting the model standards that are being set by the Regional Power Council, we can save dollars for homeowners, for ratepayers--in many cases up to half the dollars--by an adequate conservation program. We can conserve the energy that is needed in this state for jobs. It will create jobs in the process, I might add.

"We must strengthen our drunk-driving laws. Many of you have suggested programs to do that, and I thank you. I hope that you will act on them soon and firmly. Carnage on the highway simply must be stopped. We did well last year in terms of past performances, but still, in December, forty people were killed. Totals represent not just statistics, but lives and permanent injuries. It is essential that that be done. I think the public is ready for such legislation. They are demanding it.

"In terms of transportation, if we are to maintain sufficient and uninterrupted service to commuters on our ferries system, we simply must pass the legislation that passed the Senate the last time through. We can't forget history; we can't pretend that this state has not had a history of collective bargaining over the years. It is a strong part of the private sector. Nor can we ignore the fact that a service like that must go on uninterrupted.

"It is important that you urge Congress to ratify the low-level nuclear compact that has been approved by the State of Washington and its neighboring states. We've hammered it out, and we are the only region in the United States to have done so. It is important that Congress adopt that, and then get on with the business of requiring the other regions of the United States to dispose of their own wastes instead of sending them to us. I would appreciate your help on that.

"There is no more profound need in this state than for jobs and economic development. You, each caucus and each House, have packages. I have a package. What we are trying to do is provide jobs--and it seems to me in the current situation--we need some jobs now, yet we always think futuristically about this--we need some retraining now to suit people in the types of industries that are emerging in our state. We need education in all levels, both academic--don't forget the academic--and vocational, technical and engineering. We, in essence, need the skills to be competitive in the modern world with the other nations in the world, and certainly in the United States.

"My 1983-85 budget proposals support these goals which I've outlined to you. But how do we pay for it? I've told you what the program is; how do we pay for it? Certainly not with gimmicks. I think that every lightbulb has been snatched. Not with higher taxes; the economy will not support that at this time. We should, and we must for the next biennium, extend the current taxes that have been enacted over the last two years. We must replace, with an optional tax, the grocery tax. That isn't going to come back. We've all agreed to that a long time ago.

"I think we should immediately begin the work of broadening the tax base, closing the loopholes. The biggest loophole that every Governor who stood at this podium--with the exception of one, I think, in modern history--has recommended is the extension of sales' taxes to the services in addition to the goods. That will broaden the tax base. It is equitable. I've heard some people say it's hard. First of all, it's fair. Why should one transaction be taxed and another not? Who ever said it was going to be easy? What tax is easy? It's fair; it broadens the base; it addresses the basic need of the state, and funds the programs. I urge you not to brush it aside because you haven't been able to do it in the past. Give it your real effort this time. I think it can be done. It really should be done.

"Income tax will come up during this session. It isn't going to come up until we have dealt with problems of the supplemental, the need for revenues to get through the next less-than six months. It shouldn't come up for any final disposition until we have figured out how we're going to fund the budget that you approve for the next biennium and provide revenues, hopefully broad-based revenues, to support that budget for the next biennium. Certainly the work of the Tax Advisory Commission should be and will be put into a bill. That bill will be put before you. It will have my serious work and consideration, together with yours, to see if we can get it passed. In essence--and I think you all know, and if you don't you should--it is not a new tax or a new level of taxes. It is not a tax increase. It is an alternative form of raising the revenues for the plan that you will adopt in this session. That's the only way the Tax Commission has recommended it, and that's the only way I think you will find the votes to get two-thirds of each House. It is certainly the only proposal the people of this state would give serious consideration. Those are the guidelines, and I'll work with you on that. I think, clearly, there must be constitutional lids in order for such a proposal to have serious consideration.

"I mentioned awhile ago the cooperation that became apparent in the summer session. I want to thank each of you for that--those of you who were here. For the first time, across the aisle, between the Houses, people started to manifest good faith and put aside the rancor and the partisanship and do the work. I am pleased that people and leadership at this point were members of the group that met regularly during that special session and learned to respect one another. I think that can bear great fruit in this session, and it should. I would urge you to do everything possible to keep that spirit of cooperation alive. I can personally assure you that I shall.

"I will continue to carry out my program of making legislators the first persons on my priority list during this session. You are the people that have my time, individually or in groups. I will cooperate with you. I will meet with you. I will share ideas with you, and I think there is reason to be optimistic that we can get our job

done responsibly. As I said earlier, people will look back on this as a very good session in a very tough time.

"The Speaker last week--I heard and I think a couple of you heard--referred to a basic definition of the blues, as it is reflected in all the songs, all the blues songs. He said the blues always say essentially this: Yesterday was awful, tomorrow's going to be great. Unfortunately, it's today. And that's where we are. These have been hard times, but they are not the time to put aside our strong faith in this state and in the future.

"With resources superior to those of any other equal area, with a population that is as enterprising as it is courageous, with a climate that commends itself to all who experience it occupying a position at the gateway of the Oriental and the Occidental commerce of the future, there is no reason why the state of Washington should not, in the near future, take rank among the most prominent states in the Union; or why our people should not enjoy the priceless blessings of prosperity, health and happiness.

"Those words weren't spoken today, or fifty years ago. They were spoken almost ninety-five years ago by the state's first Governor to the first legislative session, Elisha P. Ferry, in November of 1889. What he said holds true today, many times over. He had the vision and the foresight to see what could occur in this state. It has occurred, and we have a bright future as a state.

"People want to live here. Corporations want to settle here. We have seen rapid growth, even in tough times, of high technology within this state. It is the fastest-growing industry in this state and it should be encouraged.

"We are still planting trees in the State of Washington. That timber is still worth something and will be very important in the future of the world. Our fish are still in the ocean and we should make sure there are more of them because it's an important industry in this state. Our educational institutions have been through a couple of tough years. They shouldn't be allowed to suffer longer because they are fundamental to achieving this future of the state.

"Our Director of Agriculture was talking to the freshmen, as I recall, and he said something I hadn't heard before. I'll share it with the rest of you. He said that the farmers in the State of Washington are lean, hungry and very efficient compared to the rest of the United States. They have grown up with that tradition because they not only had to grow the crop that grows more efficiently, but they also had to add a lot of transportation charges on to take it to the markets of the United States. That has changed. The markets for our agricultural products are to the west, to the rim of the Pacific. We are closer than any other part of the United States to those new markets. Our farmers are closer, our industries are closer, our educational institutions are closer. The opportunities are limitless. We are sitting in the pivotal point of our world at a critical time with the greatest opportunity. It is important that we not allow the temporary tough times to diffuse the educational and social programs that will hold this state together until we reach that future. We are on the launching pad. Let's not blow out the fuse now.

"I wish you God speed in your deliberations."

The President of the Senate instructed the committee to escort Governor Spellman from the House Chamber.

The President instructed the committee to escort the Supreme Court Justices from the House Chamber.

The President instructed the committee to escort the state elected officials from the House Chamber.

#### MOTION

On motion of Mr. Heck, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker.

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort Lieutenant Governor John Cherberg, President Pro Tem Goltz and Vice President Pro Tem Rasmussen and the Senators from the House Chamber.

MOTION

On motion of Mr. Heck the House was adjourned until 11:00 a.m., Tuesday, January 11, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 11, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske and Tilly, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Betsy Redmond and Joshua Sutton. Prayer was offered by Father Ted Marmo, 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

January 10, 1983

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION No. 1.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 1.

The House advanced to the eighth order of business.

## RESOLUTION

On motion of Mr. Heck, the rules were suspended to allow consideration of House Resolution No. 83-4.

HOUSE RESOLUTION NO. 83-4, by Representatives B. Williams, Heck, Addison, Allen, Appelwick, Armstrong, Baillard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, J. Williams, Wilson and Zellinsky:

WHEREAS, The death of Tom McCall, Governor of the State of Oregon from 1967 through 1974, is a great loss to the people of Oregon, the Pacific Northwest, and this nation; and

WHEREAS, The stature of the man is demonstrated by his parting gift that despite his great pain from terminal cancer, he successfully campaigned against the passage of an initiative that would have repealed Oregon's statewide land use planning laws; and

WHEREAS, Tom McCall faced death as he faced life and all his personal challenges, candidly and openly; and

WHEREAS, Tom McCall's inspired leadership in protecting the environment left the whole Pacific Northwest region with the legacy of holding the land in trust for future generations and preserving our natural beauty as a gift to be treasured and not consumed; and



WHEREAS, Tom McCall was a leader's leader and by his examples in turning the Willamette River from a cesspool to a pristine river for swimming, boating, and fishing and preserving public access to Oregon's beautiful beaches showed that the environment can successfully be protected; and

WHEREAS, Tom McCall epitomized the Pacific Northwest with his tall stature which was more than equaled by his dynamic presence and eloquent, highly quotable, and communicative manner of speaking with which he expressed his feelings for the State of Oregon which he loved more than life; and

WHEREAS, Tom McCall was a true leader of a democratic government working and communicating with the people of Oregon and believing strongly in and working for the rights of the individual;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the legislature on behalf of the people of the State of Washington not only express their grief at the loss of a genuine hero, but also express their joy and gratitude in benefiting from the services of this great man; and

BE IT FURTHER RESOLVED, That copies of this resolution be presented to Tom McCall's wife, Audrey and to the Governor of Oregon, Vic Atiyeh.

On motion of Mr. Williams, House Resolution No. 83-4 was adopted.

The House advanced to the eleventh order of business.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Hastings.

Mr. Hastings: "Representative O'Brien, in the last legislative session this body asked you to sit down with pen in hand and write a book. As a matter of fact, I think everybody in the 47th Legislature signed onto that, and you were to report back at the first part of this session. Do you have a report to make to us at this time?"

Mr. O'Brien: "Your question is quite timely, as a matter of fact. All I need is \$30,000 to pay the author. I have an author selected and if you can help me raise \$30,000, we'll get the book going. Right now we have some of the chapters outlined, and the gentleman I'm talking with seems to be well-informed on state government. As a matter of fact, he's written a book on our state. You and I should sit down and talk this matter over."

On motion of Mr. Heck, the following remarks by Representative Pruitt were ordered inserted into the Journal:

Mr. Pruitt: "I want to announce that there will be a hearing on redistricting in House Office Building, Hearing Room A, this afternoon at 3:30 p.m. I understand that, even though it was a surprise that this would come back from the courts and we'd be in redistricting again, our committee, both sides of the aisle, is very happy and excited about dealing with redistricting. We start at 3:30 and there will be some of you who are very interested in that. We are doing what the court has suggested in the way courts suggest things --the plan of congressional redistricting, SHB 787, was unconstitutional, and that we should look at all of the plans that were put in, all of the plans that the 47th Legislature had looked at. We have tried to do that through a path of picking up everything you would see on the agenda about everything that we could find to try to comply with that request of the courts and cooperate with them. In addition to that, there will be some new ones that we will place forward, and they will be on the agenda and will be discussed. This is an opportunity for you to be there, not only the committee, but also for the rest of you to ask questions."

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Friday, January 14, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 14, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Grimm, Johnson, McDonald, G. Nelson, Van Dyken and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cheryl Murfin and Robert Schluter. Prayer was offered by The Reverend Leo Brown, Pastor of True Vine Church of Tacoma.

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

## MESSAGE FROM THE SENATE

January 12, 1983

Mr. Speaker:

The President has signed:

## HOUSE CONCURRENT RESOLUTION NO. 1.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 22 by Representatives Stratton, Lux, B. Williams, R. King, Struthers, Lewis, Ebersole, Prince, Walk, Taylor, Wang, Grimm, Johnson, Egger and Tanner

AN ACT Relating to real estate salesmen; and amending section 7, chapter 139, Laws of 1972 ex. sess. as amended by section 2, chapter 370, Laws of 1977 ex. sess. and RCW 18.85.095.

Referred to Committee on Commerce & Economic Development.

HB 23 by Representatives R. King, Clayton and Gallagher (by Department of Labor and Industries request)

AN ACT Relating to industrial insurance coverage; amending section 51.12.090, chapter 23, Laws of 1961 as last amended by section 16, chapter 63, Laws of 1982 and RCW 51.12.090; and declaring an emergency.

Referred to Committee on Labor.

HB 24 by Representatives R. King, Clayton, McMullen, Gallagher and Belcher (by Department of Labor and Industries request)

AN ACT Relating to self-insurers; amending section 32, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.080; and amending section 33, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.090.

Referred to Committee on Labor.

HB 25 by Representatives R. King and Clayton (by Department of Labor and Industries request)

AN ACT Relating to rehabilitation of injured workers; amending section 7, chapter 14, Laws of 1980 and RCW 51.16.120; amending section 3, chapter 63, Laws of 1982 and RCW 51.\_\_\_\_\_; amending section 5, chapter 63, Laws of 1982 and RCW 51.\_\_\_\_\_; and amending section 6, chapter 63, Laws of 1982 and RCW 51.\_\_\_\_\_.

Referred to Committee on Labor.

HB 26 by Representatives R. King, Kreidler, B. Williams, Lewis, Struthers, Mitchell, Grimm, Prince, Stratton, Taylor, Isaacson and Barrett

AN ACT Relating to the division of land; amending and reenacting section 2, chapter 271, Laws of 1969 ex. sess. as amended by section 1, chapter 292, Laws of 1981 and by

section 2, chapter 293, Laws of 1981 and RCW 58.17.020; amending and reenacting section 4, chapter 271, Laws of 1969 ex. sess. as last amended by section 2, chapter 292, Laws of 1981 and by section 3, chapter 293, Laws of 1981 and RCW 58.17.040; amending section 14, chapter 271, Laws of 1969 ex. sess. as last amended by section 7, chapter 293, Laws of 1981 and RCW 58.17.140; amending section 15, chapter 271, Laws of 1969 ex. sess. as amended by section 8, chapter 293, Laws of 1981 and RCW 58.17.150; and amending section 18, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.180.

Referred to Committee on Local Government.

**HB 27** by Representatives Grimm, Walk, Struthers, Lux, Lewis, Taylor, Prince, Johnson, Isaacson, Addison and Barrett

AN ACT Relating to the award of costs of litigation in actions to challenge governmental regulation; adding a new chapter to Title 4 RCW; and declaring an emergency.

**HB 28** by Representatives R. King, Walk, B. Williams, Lewis, Struthers, Mitchell, Grimm, Prince, Stratton, Taylor, Ebersole, Johnson, Fisher, Isaacson, Dellwo and Barrett

AN ACT Relating to local government planning agencies; amending section 36.70-.590, chapter 4, Laws of 1963 and RCW 36.70.590; amending section 35A.63.070, chapter 119, Laws of 1967 ex. sess. and RCW 35A.63.070; and adding a new section to chapter 35.63 RCW.

Referred to Committee on Local Government.

**HB 29** by Representatives Patrick, Walk, Ballard, Brough, Schoon, Chandler, Padden, Miller, Crane, Egger, Stratton, Holland, Hankins, Silver, Mitchell, Lewis, Long and Barrett

AN ACT Relating to prostitution; and amending section 9A.88.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 15, chapter 244, Laws of 1979 ex. sess. and RCW 9A.88.030.

Referred to Committee on Judiciary.

**HB 30** by Representatives Locke, Armstrong, Tilly, Miller, Kreidler, Padden, Brekke, Pruitt, Galloway, Grimm, Todd, Charnley, Holland, Belcher, Addison, Rust, Lux, Niemi, G. Nelson, McDonald, Ristuben, Crane, Isaacson, P. King, Ballard, Dellwo, Garrett, Halsan, Tanner and Moon

AN ACT Relating to the election of district court judges; and amending section 1, chapter 10, Laws of 1970 ex. sess. as amended by section 5, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.150.

Referred to Committee on Constitution, Elections & Ethics.

**HB 31** by Representatives Wang, Armstrong, Padden, Johnson, Brough, McMullen, Ristuben, Miller, Fuhrman, Holland, Broback, Isaacson, Silver, P. King, Hastings, Bond, Addison, Mitchell, R. King, B. Williams, Patrick, Lewis, Allen, Tanner, Long, Brekke, Barrett and West

AN ACT Relating to crimes; amending section 3, chapter 10, Laws of 1982 as amended by section 11, chapter 192, Laws of 1982 and RCW 9A.44.040; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 32** by Representative Lux

AN ACT Relating to credit unions; amending section 12, chapter 173, Laws of 1933 as last amended by section 2, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.160; amending section 14, chapter 173, Laws of 1933 as last amended by section 3, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.180; amending section 21, chapter 173, Laws of 1933 as last amended by section 4, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12-.240; amending section 4, chapter 245, Laws of 1977 ex. sess. and RCW 31.12.325; amending section 27, chapter 173, Laws of 1933 as last amended by section 12, chapter 81, Laws of 1981 and RCW 31.12.330; and adding new sections to chapter 31.12 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 33** by Representatives Martinis, Charnley, Wilson, Zellinsky, Fisch and Gallagher

AN ACT Relating to motor freight carriers; amending section 3, chapter 59, Laws of 1963 as amended by section 2, chapter 115, Laws of 1973 and RCW 81.04.405; adding new sections to chapter 81.80 RCW; and prescribing penalties.

Referred to Committee on Transportation.

**HB 34** by Representatives Sommers, B. Williams, G. Nelson, Kaiser, Crane, Isaacson, Braddock, Haugen, Hastings, Lewis and Tanner (by Legislative Budget Committee request)

AN ACT Relating to adult correctional facility construction; amending section 5, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.050; amending section 6, chapter 96, Laws of 1974 ex. sess. as last amended by section 5, chapter 12, Laws of 1981 2nd ex. sess. and RCW 19.27.060; and amending section 2, chapter 176, Laws of 1974 ex. sess. and RCW 43.17.200.

Referred to Committee on State Government.

**HB 35** by Representatives Kaiser, West, Nealey, Broback, Isaacson, Silver, Bond, Ballard, Addison, Struthers, R. King, Allen, Smith and Dickie

AN ACT Relating to cities and towns; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

**HB 36** by Representatives Hastings, Hine, Isaacson and Mitchell

AN ACT Relating to sewer district formation; and adding a new section to chapter 56.04 RCW.

Referred to Committee on Local Government.

**HB 37** by Representatives Sommers, Hastings, Kaiser, Prince, Galloway, Zellinsky, Johnson, Isaacson and Clayton

AN ACT Relating to bakery products; adding a new section to chapter 19.92 RCW; creating a new section; repealing section 10, chapter 194, Laws of 1927, section 1, chapter 214, Laws of 1937, section 1, chapter 61, Laws of 1955 and RCW 19.92.100; repealing section 3, chapter 61, Laws of 1955 and RCW 19.92.110; and repealing section 4, chapter 61, Laws of 1955 and RCW 19.92.120.

Referred to Committee on Agriculture.

**HB 38** by Representatives Sommers, Pruitt, Barnes, Fisch, Miller, Rust, Allen, Kaiser, McMullen, Charnley, B. Williams, Tanner, Todd, Armstrong and P. King

AN ACT Relating to establishing a redistricting commission; creating a new chapter in Title 44 RCW; and providing a contingent effective date.

Referred to Committee on Constitution, Elections & Ethics.

**HB 39** by Representatives Walk, Lewis, Dickie, Brough, Miller, Sayan, Nealey, Hankins, Isaacson, Silver, Hastings, Addison, Tilly, Struthers, Mitchell, Allen, J. Williams, Barrett and Clayton

AN ACT Relating to sunset review; amending section 1, chapter 153, Laws of 1965 as last amended by section 42, chapter 158, Laws of 1979 and RCW 18.44.010; amending section 11, chapter 245, Laws of 1971 ex. sess. as amended by section 14, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.240; amending section 30, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.360; amending section 2, chapter 212, Laws of 1971 ex. sess. and RCW 18.104.020; amending section 3, chapter 289, Laws of 1977 ex. sess. and RCW 43.131.030; amending section 4, chapter 289, Laws of 1977 ex. sess. and RCW 43.131.040; amending section 8, chapter 289, Laws of 1977 ex. sess. and RCW 43.131.080; amending section 9, chapter 289, Laws of 1977 ex. sess. and RCW 43.131.090; amending section 12, chapter 289, Laws of 1977 ex. sess. as amended by section 2, chapter 22, Laws of 1979 and RCW 43.131.120; amending section 1, chapter 99, Laws of 1979 and RCW 43.131.150; adding new sections to chapter 43.131 RCW; decodifying RCW 43.131.140, 43.131.151, 43.131.152, 43.131.155, 43.131.156, 43.131.157, 43.131.158, 43.131.161, 43.131.163, 43.131.164, 43.131.165, 43.131.166, 43.131.167, 43.131.168, 43.131.171, 43.131.172, 43.131.175, 43.131.176, 43.131.183, 43.131.184, 43.131.191, 43.131.192, 43.131.193, 43.131.194, 43.131.233, and 43.131.234; repealing section 8, chapter 245, Laws of 1971 ex. sess., section 12, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.210; repealing section 29, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.215; repealing section 9, chapter 212, Laws of 1971 ex. sess., section 55, chapter

34. Laws of 1975-76 2nd ex. sess. and RCW 18.104.090; and repealing section 86, chapter 99, Laws of 1979 and RCW 43.131.145.

Referred to Committee on State Government.

**HB 40** by Representatives Charnley, Locke, Lux, Burns, Jacobsen and Brekke

AN ACT Relating to revenue and taxation; adding a new title to the Revised Code of Washington, to be numbered Title 82A RCW; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 41** by Representatives Charnley, Lux, Burns, Jacobsen, Niemi and Patrick

AN ACT Relating to fireworks; amending section 18, chapter 228, Laws of 1961 and RCW 70.77.205; amending section 19, chapter 228, Laws of 1961 as amended by section 9, chapter 230, Laws of 1982 and RCW 70.77.210; amending section 27, chapter 228, Laws of 1961 as amended by section 12, chapter 230, Laws of 1982 and RCW 70.77.250; amending section 28, chapter 228, Laws of 1961 as amended by section 14, chapter 230, Laws of 1982 and RCW 70.77.255; amending section 29, chapter 228, Laws of 1961 as amended by section 15, chapter 230, Laws of 1982 and RCW 70.77.260; amending section 19, chapter 230, Laws of 1982 and RCW 70.77.311; amending section 43, chapter 228, Laws of 1961 as amended by section 22, chapter 230, Laws of 1982 and RCW 70.77.330; amending section 45, chapter 228, Laws of 1961 as amended by section 24, chapter 230, Laws of 1982 and RCW 70.77.340; amending section 62, chapter 228, Laws of 1961 as amended by section 35, chapter 230, Laws of 1982 and RCW 70.77.425; adding a new section to chapter 70.77 RCW; repealing section 2, chapter 230, Laws of 1982 and RCW 70.77.131; repealing section 3, chapter 230, Laws of 1982 and RCW 70.77.136; repealing section 9, chapter 228, Laws of 1961, section 6, chapter 230, Laws of 1982 and RCW 70.77.160; repealing section 10, chapter 228, Laws of 1961 and RCW 70.77.165; repealing section 11, chapter 228, Laws of 1961, section 7, chapter 230, Laws of 1982 and RCW 70.77.170; repealing section 12, chapter 228, Laws of 1961 and RCW 70.77.175; repealing section 20, chapter 228, Laws of 1961, section 10, chapter 230, Laws of 1982 and RCW 70.77.215; repealing section 23, chapter 228, Laws of 1961, section 11, chapter 230, Laws of 1982 and RCW 70.77.230; repealing section 33, chapter 228, Laws of 1961 and RCW 70.77.280; repealing section 34, chapter 228, Laws of 1961, section 16, chapter 230, Laws of 1982 and RCW 70.77.285; repealing section 35, chapter 228, Laws of 1961 and RCW 70.77.290; repealing section 36, chapter 228, Laws of 1961, section 17, chapter 230, Laws of 1982 and RCW 70.77.295; repealing section 48, chapter 228, Laws of 1961, section 26, chapter 230, Laws of 1982 and RCW 70.77.355; repealing section 49, chapter 228, Laws of 1961, section 27, chapter 230, Laws of 1982 and RCW 70.77.360; repealing section 56, chapter 228, Laws of 1961, section 31, chapter 230, Laws of 1982 and RCW 70.77.395; repealing section 58, chapter 228, Laws of 1961, section 32, chapter 230, Laws of 1982 and RCW 70.77.405; repealing section 59, chapter 228, Laws of 1961 and RCW 70.77.410; repealing section 60, chapter 228, Laws of 1961, section 33, chapter 230, Laws of 1982 and RCW 70.77.415; repealing section 79, chapter 228, Laws of 1961, section 40, chapter 230, Laws of 1982 and RCW 70.77.510; repealing section 80, chapter 228, Laws of 1961, section 41, chapter 230, Laws of 1982 and RCW 70.77.515; and repealing section 13, chapter 230, Laws of 1982 and RCW 70.77.570.

Referred to Committee on Commerce & Economic Development.

**HB 42** by Representatives Sutherland, Heck, Egger, Fuhrman, J. King, Ellis, Lewis, Padden, Ristuben, Ballard and Todd

AN ACT Relating to hunting and fishing licenses; amending section 20, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 20, chapter 310, Laws of 1981 and RCW 77.32.101; and adding a new section to chapter 77.21 RCW.

Referred to Committee on Natural Resources.

**HB 43** by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sycan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Deliw, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton

AN ACT Relating to social and health services; and amending section 22, chapter 6, Laws of 1981 1st ex. sess. as last amended by section 1, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.700.

Referred to Committee on Social & Health Services.

**HB 44** by Representatives P. King, Crane, Todd and Allen

AN ACT Relating to solid waste facilities; and amending section 8, chapter 175, Laws of 1982 and RCW 36.58.080.

Referred to Committee on Local Government.

**HB 45** by Representatives Egger, Prince, Ballard, Stratton, Smith, Fuhrman and Struthers

AN ACT Relating to state route number 21; and amending section 18, chapter 51, Laws of 1970 ex. sess. as amended by section 1, chapter 63, Laws of 1975 and RCW 47.17.085.

Referred to Committee on Transportation.

**HB 46** by Representatives Egger, Taylor, Dellwo, Stratton, Fuhrman, Isaacson, Hastings, Bond, Barrett and West

AN ACT Relating to property taxation; and adding a new chapter to Title 84 RCW.

Referred to Committee on Ways & Means.

**HB 47** by Representatives Garrett, Walk, Hankins, Johnson, Stratton and Hine

AN ACT Relating to the municipal research council; amending section 2, chapter 108, Laws of 1969 as last amended by section 129, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.110.010; adding a new section to chapter 43.88 RCW; repealing section 32, chapter 99, Laws of 1979 and RCW 43.131.211; repealing section 74, chapter 99, Laws of 1979 and RCW 43.131.212; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

**HB 48** by Representatives P. King, Crane, Todd and Allen

AN ACT Relating to solid waste facilities; and repealing section 8, chapter 175, Laws of 1982 and RCW 36.58.080.

Referred to Committee on Local Government.

**HB 49** by Representatives Grimm and Cantu (by Governor Spellman request)

AN ACT Adopting the budget; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 50** by Representatives Grimm, Cantu and Kaiser (by Governor Spellman request)

AN ACT Relating to salaries of elected officials; amending section 1, chapter 144, Laws of 1953 as last amended by section 4, chapter 255, Laws of 1979 ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 5, chapter 255, Laws of 1979 ex. sess. and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 6, chapter 255, Laws of 1979 ex. sess. and RCW 2.08.090; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 255, Laws of 1979 ex. sess. and RCW 43.03.010; making appropriations; declaring an emergency; and providing an effective date.

Referred to Committee on State Government.

**HB 51** by Representatives Grimm, Cantu, McMullen, Ristuben, Miller, Sayan, Stratton, Nealey, Powers, Appelwick, Locke, Holland, Zellinsky, Isaacson, Braddock, P. King, Haugen, Wang, Sutherland, Addison, Walk, Struthers, R. King, Garrett, Belcher, D. Nelson, O'Brien, Hine, Tanner, Smith, Dickie, West, Todd, Moon and Armstrong (by Governor Spellman request)

AN ACT Relating to retirement from public service; adding a new section to chapter 2.12 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 43.43 RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 52** by Representatives Grimm and Cantu (by Governor Spellman request)

AN ACT Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter ... (EX-25/83), Laws of 1983 and RCW 82.08.020; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 2, chapter ... (EX-25/83), Laws of 1983 and RCW 82.02.030; amending section 14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 3, chapter 130, Laws of 1975-76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020; amending section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 as amended by section 10, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020; amending section 28A-45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 53** by Representatives Grimm and Cantu (by Office of Financial Management request)

AN ACT Relating to transfer of moneys from the institutional long-term loan fund for higher educational institutions' financial problems; amending section 14, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.825; decodifying RCW 28B.15.825; declaring an emergency; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 54** by Representatives Grimm and Cantu (by Governor Spellman and State Treasurer request)

AN ACT Relating to limitations on the debt contracted by the state; amending section 6, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 204, Laws of 1979 ex. sess. and RCW 39.42.060; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 55** by Representatives Grimm and Cantu (by Governor Spellman request)

AN ACT Adopting the capital budget; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 56** by Representatives Grimm, Cantu, Powers and Charnley (by Governor Spellman request)

AN ACT Relating to institutions of higher education, including the community college system; providing for the acquisition, construction, remodeling, furnishing, and equipping of certain state buildings and facilities for institutions of higher education and the financing thereof by the issuance of bonds; and adding new sections to chapter 28B.14F RCW.

Referred to Committee on Ways & Means.

**HB 57** by Representatives Grimm and Cantu (by Governor Spellman request)

AN ACT Relating to state government; providing for the acquisition, construction, remodeling, furnishing, and equipping of state buildings and facilities; providing for the financing thereof by the issuance of bonds; and adding new sections to chapter 43.83 RCW.

Referred to Committee on Ways & Means.

**HB 58** by Representatives Grimm, Cantu, Isaacson and Charnley (by Governor Spellman request)

AN ACT Relating to the support of state government; providing for the planning, acquisition, construction, remodeling, refurbishing, improving, and equipping of fisheries facilities; providing for the financing thereof by the issuance of bonds and anticipation notes; and adding new sections to chapter 43.831 RCW.

Referred to Committee on Ways & Means.

**HB 59** by Representatives R. King, Clayton, Grimm, Sutherland, Todd, Isaacson, Addison, Hankins, Gallagher, Lux, Dellwo, Garrett and Lewis

AN ACT Relating to apprenticeship; and repealing section 1, chapter 39, Laws of 1982 1st ex. sess. and RCW 49.04.075.

Referred to Committee on Labor.

**HB 60** by Representatives Barrett, Fuhrman and Isaacson

AN ACT Relating to property taxation; amending section 84.41.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 46, Laws of 1982 1st ex. sess. and RCW 84.41.030; and amending section 2, chapter 131, Laws of 1974 ex. sess. as last amended by section 2, chapter 46, Laws of 1982 1st ex. sess. and RCW 84.41.041.

Referred to Committee on Ways & Means.

**HB 61** by Representatives Grimm, Tilly and Isaacson (by Department of Revenue request)

AN ACT Relating to revenue transfers among timber tax accounts; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 6, chapter 4, Laws of 1981 and RCW 84.33.080; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 62** by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to revenue and taxation; adding a new chapter to Title 83 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 63** by Representatives Kreidler, Lewis, Wang, Ballard and Isaacson (by Department of Licensing request)

AN ACT Relating to practical nurses; amending section 1, chapter 222, Laws of 1949 as last amended by section 1, chapter 79, Laws of 1967 and RCW 18.78.010; amending section 2, chapter 222, Laws of 1949 as amended by section 2, chapter 79, Laws of 1967 and RCW 18.78.020; amending section 3, chapter 222, Laws of 1949 and RCW 18.78.030; amending section 4, chapter 222, Laws of 1949 as last amended by section 45, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78.040; amending section 5, chapter 222, Laws of 1949 as last amended by section 64, chapter 158, Laws of 1979 and RCW 18.78.050; amending section 6, chapter 222, Laws of 1949 as last amended by section 26, chapter 292, Laws of 1971 ex. sess. and RCW 18.78.060; amending section 7, chapter 222, Laws of 1949 and RCW 18.78.070; amending section 10, chapter 222, Laws of 1949 as last amended by section 66, chapter 158, Laws of 1979 and RCW 18.78.090; amending section 11, chapter 222, Laws of 1949 as amended by section 1, chapter 68, Laws of 1971 and RCW 18.78.100; amending section 12, chapter 222, Laws of 1949 as amended by section 46, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78.110; amending section 17, chapter 222, Laws of 1949 and RCW 18.78.160; amending section 18, chapter 222, Laws of 1949 as amended by section 5, chapter 79, Laws of 1967 and RCW 18.78.170; amending section 7, chapter 79, Laws of 1967 and RCW 18.78.175; amending section 6, chapter 79, Laws of 1967 as amended by section 2, chapter 68, Laws of 1971 and RCW 18.78.182; adding new sections to chapter 18.78 RCW; repealing section 13, chapter 222, Laws of 1949, section 47, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78.120; repealing section 14, chapter 222, Laws of 1949 and RCW 18.78.130; repealing section 15, chapter 222, Laws of 1949, section



60, chapter 81, Laws of 1971 and RCW 18.78.140; and repealing section 16, chapter 222, Laws of 1949 and RCW 18.78.150.

Referred to Committee on Social & Health Services.

**HB 64** by Representatives Rust, Allen, Brough, Miller, Appelwick, Holland, Burns, Broback, Lux, Silver, Niemi, Charnley, R. King, Long, Brekke and Todd

AN ACT Relating to hazardous waste disposal; amending section 8, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.080; amending section 9, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.090; and adding a new section to chapter 70.105 RCW.

Referred to Committee on Environmental Affairs.

**HB 65** by Representatives B. Williams, Schoon, Mitchell, Stratton, Monohon, Tilly, Struthers, Lewis, Tanner and West

AN ACT Relating to the youth conservation corps; adding a new chapter to Title 43 RCW; creating new sections; repealing section 43.51.500, chapter 8, Laws of 1965, section 1, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.500; repealing section 43.51.510, chapter 8, Laws of 1965 and RCW 43.51.510; repealing section 43.51.530, chapter 8, Laws of 1965, section 3, chapter 96, Laws of 1969 ex. sess., section 1, chapter 7, Laws of 1975 and RCW 43.51.530; repealing section 43.51.540, chapter 8, Laws of 1965, section 2, chapter 7, Laws of 1975, section 1, chapter 70, Laws of 1982 and RCW 43.51.540; repealing section 3, chapter 48, Laws of 1965 ex. sess. and RCW 43.51.545; repealing section 43.51.550, chapter 8, Laws of 1965 and RCW 43.51.550; repealing section 43.51.560, chapter 8, Laws of 1965 and RCW 43.51.560; repealing section 43.51.570, chapter 8, Laws of 1965, section 85, chapter 154, Laws of 1973 1st ex. sess., section 3, chapter 7, Laws of 1975 and RCW 43.51.570; repealing section 1, chapter 48, Laws of 1965 ex. sess. and RCW 43.51.580; repealing section 2, chapter 48, Laws of 1965 ex. sess. and RCW 43.51.590; and providing an expiration date.

Referred to Committee on Commerce & Economic Development.

**HB 66** by Representatives Martinis, Wilson, Charnley, Betzoff, Rust, Holland, Garrett, Patrick, Wang, Long, Lux, Mitchell, Vekich, R. King, Powers, Jacobsen, Zellinsky, Haugen, Locke, Tanner, Belcher, Hine, Dellwo, Burns, Brekke, Walk, Todd, P. King, Pruitt, Fisch, Schoon, Chandler, McMullen, Ristuben, Crane, Egger, Stratton, Appelwick, Broback, Isaacson, Silver, D. Nelson, Allen and Armstrong (by Legislative Transportation Committee request)

AN ACT Relating to motor vehicles; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Transportation.

**HB 67** by Representatives Chandler, Egger, Hastings, Galloway, Fuhrman, Sommers, Miller, Isaacson, Silver, Bond, Struthers and Clayton

AN ACT Relating to education; amending section 1, chapter 95, Laws of 1979 and RCW 28A.58.800; amending section 2, chapter 95, Laws of 1979 and RCW 28A.58.802; amending section 3, chapter 95, Laws of 1979 and RCW 28A.58.804; amending section 4, chapter 95, Laws of 1979 and RCW 28A.58.806; amending section 5, chapter 95, Laws of 1979 and RCW 28A.58.808; amending section 6, chapter 95, Laws of 1979 and RCW 28A.58.810; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and providing an effective date.

Referred to Committee on Education.

**HB 68** by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to revenue and taxation; amending section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050; amending section 82.12.040, chapter 15, Laws of 1961 as last amended by section 11, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.040; amending section 82.32.290, chapter 15, Laws of 1961 as amended by section 89, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.290; amending section 48, chapter 26, Laws of 1967 ex. sess. as last amended by section 50, chapter 209, Laws of 1979 ex. sess. and RCW 82.03.190; amending section 82.32.060, chapter 15, Laws of 1961 as last amended by section 4, chapter 95, Laws of 1979 ex. sess. and RCW 82.32.060; amending section 82.32.150, chapter 15, Laws of 1961 and RCW 82.32.150; amending section 82.32.170, chapter 15, Laws of 1961 as amended by

section 50, chapter 26, Laws of 1967 ex. sess. and RCW 82.32.170; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; repealing section 82.32.160, chapter 15, Laws of 1961, section 8, chapter 28, Laws of 1963 ex. sess., section 49, chapter 26, Laws of 1967 ex. sess., section 4, chapter 158, Laws of 1975 1st ex. sess. and RCW 82.32.160; and prescribing penalties.

Referred to Committee on Ways & Means.

**HB 69** by Representatives Wang, Johnson, Burns, Niemi, Allen, Locke, Patrick, Smitherman, O'Brien, Fisher, D. Nelson, Belcher, Lux, Egger, Powers, Rust, Addison, Charnley, McClure and Lewis

AN ACT Relating to holidays; amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 77, Laws of 1979 and RCW 1.16.050; and amending section 13, chapter 283, Laws of 1969 ex. sess. as last amended by section 2, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 28A.02.061.

Referred to Committee on State Government.

**HB 70** by Representatives Nealey, B. Williams, Schoon, Isaacson and Hastings

AN ACT Relating to state government; amending section 3, chapter 319, Laws of 1977 ex. sess. as last amended by section 3, chapter 182, Laws of 1982 and RCW 19.02.030; amending section 3, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.030; amending section 1, chapter 179, Laws of 1973 1st ex. sess. and RCW 43.21C.070; amending section 2, chapter 179, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 278, Laws of 1977 ex. sess. and RCW 43.21C.080; amending section 14, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.087; amending section 10, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.130; amending section 1, chapter 99, Laws of 1975-'76 2nd ex. sess. and RCW 43.21C.135; amending section 13, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.160; amending section 3, chapter 289, Laws of 1981 and RCW 43.21C.204; amending section 5, chapter 7, Laws of 1982 and RCW 43.21C.500; amending section 3, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 13, Laws of 1982 1st ex. sess. and RCW 90.58.030; amending section 26, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.260; amending section 30, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.300; amending section 2, chapter 185, Laws of 1973 1st ex. sess. as amended by section 2, chapter 54, Laws of 1977 and RCW 90.62.020; amending section 8, chapter 185, Laws of 1973 1st ex. sess. as amended by section 6, chapter 54, Laws of 1977 and RCW 90.62.080; amending section 10, chapter 185, Laws of 1973 1st ex. sess. as amended by section 8, chapter 54, Laws of 1977 and RCW 90.62.100; amending section 11, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.110; amending section 12, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.120; amending section 9, chapter 54, Laws of 1977 and RCW 90.62.130; amending section 14, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.901; creating new sections; repealing section 4, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.100; and repealing section 5, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.105.

Referred to Committee on Environmental Affairs.

**HB 71** by Representatives D. Nelson, Isaacson, Sutherland, Long, Gallagher and Allen

AN ACT Relating to geothermal energy; and amending section 3, chapter 158, Laws of 1981 and RCW 43.140.030.

Referred to Committee on Energy & Utilities.

**HJM 3** by Representatives D. Nelson, Allen, P. King, Heck, Wang, Lux, Rust, Pruitt, McClure, Brekke, Locke, Appelwick, Todd, Fisher, Charnley, Burns, Niemi, Mitchell, Brough, Armstrong, Jacobsen, Hine, R. King, Kaiser, McMullen, Crane, Braddock, Haugen, Dellwo, Garrett, Belcher, Long and Moon

Calling for a freeze on nuclear weapons.

Referred to Committee on State Government.

**HJR 6** by Representatives Charnley, D. Nelson, Lux, Burns, Brekke, Appelwick, Todd, Jacobsen, Van Dyken, Allen, Schoon, Locke and Rust

Amending Constitution to allow gasoline excise tax revenues to be used for public transportation.

Referred to Committee on Transportation.

HJR 7 by Representatives Charnley, Pruitt, D. Nelson, Rust, Burns, McClure, Lux, Dellwo, Jacobsen, Powers, Brekke, Allen, Kaiser, McMullen, Crane, Sommers, P. King, Tanner, Todd and Armstrong

Amending the Constitution to establish redistricting by commission.

Referred to Committee on Constitution, Elections & Ethics.

HJR 8 by Representatives Sommers, Pruitt, Barnes, Fisch, Miller, Rust, Allen, Kaiser, McMullen, P. King, B. Williams, Patrick, Tanner and Todd

Amending the Constitution to establish a redistricting commission.

Referred to Committee on Constitution, Elections & Ethics.

HJR 9 by Representatives Charnley, Brekke, Lux, Burns, Appelwick, Jacobsen and Patrick

Amending the Constitution to establish a unicameral legislature.

Referred to Committee on Constitution, Elections & Ethics.

#### MOTIONS

Mr. Heck moved that the bills, memorials and resolutions on today's agenda be considered first reading under the fourth order of business and be referred to the committees designated.

Mr. Barrett moved that the motion by Representative Heck be amended and House Bill No. 34 be referred to Committee on State Government.

Representatives Barrett and Heck spoke in favor of the motion, and it was carried.

The motion by Representative Heck as amended was carried.

#### REPORT OF STANDING COMMITTEE

January 11, 1983

HB 1 Prime Sponsor, Representative Brekke: Modifying trigger for extended unemployment benefits to re comply with optional federal benefit program. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 1 after "percent" insert "; PROVIDED, That the six percent trigger shall apply only until April 30, 1984"

On page 2, line 11, after "years" insert "; PROVIDED, That the six percent trigger shall apply only until April 30, 1984"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Heck, HOUSE BILL NO. 8 was rereferred from Committee on Transportation to Committee on Ways and Means.

#### RESOLUTION

On motion of Mr. Heck, the rules were suspended to allow immediate consideration of House Resolution No. 83-5.

HOUSE FLOOR RESOLUTION NO. 83-5, by Representatives Wang, Locke, Smitherman, Pruitt, O'Brien, Patrick, McDonald, Burns, Fisher, Niemi, Lux, Garrett, Charnley, Heck, Tilly, Johnson, Brough, Galloway, Allen, Miller, Powers and Appelwick

WHEREAS, January 15, 1983, is the fifty-fourth anniversary of the birth of the Reverend Dr. Martin Luther King, Jr., whose daily life demonstrated his love of God and mankind; and

WHEREAS, We, the members of the House of Representatives, as we gather here together, feel honored to be able to pay homage to the Reverend Dr. Martin Luther King, Jr. who set an example of spirit and selfless conduct for all of us to emulate; and

WHEREAS, The Reverend Dr. Martin Luther King, Jr. devoted his life toward improving the lives of the oppressed and the poor in America, challenged injustices in our society, and endured much hardship to help each human being live with freedom and dignity; and

WHEREAS, This Nobel laureate, this citizen of the world, gave hope to millions by calling for the fulfillment of his dream, a dream depicting a world where prejudice, racial intolerance, poverty, hunger, and disease would be overcome; and

WHEREAS, The memory of Dr. King continually reminds us that our mutual obligation to provide the basic needs of the poor and disadvantaged must never be sacrificed to economic considerations; and

WHEREAS, This great American, champion of minorities and the oppressed and a guardian of freedom and humanity was assassinated while espousing his principles of pacifism, an act which deeply grieved every citizen of this nation and the world; and

WHEREAS, It is appropriate to recall the eloquent speeches and writings of Dr. King, which have left future generations with an inspirational legacy, constantly reminding us that injustice must never go unchallenged; and

WHEREAS, We dreamed with him of a day when all people would know the satisfaction and dignity of productive work, and we dreamed, as he dreamed "that one day this nation will rise up, and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal"; and

WHEREAS, On becoming the youngest person ever to be awarded the Nobel Peace Prize, Dr. King declared that "nonviolence is the answer to the crucial political and moral question of our time--the need for man to overcome oppression and violence without resorting to violence and oppression";

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the State of Washington, pause in our endeavors to pay homage to one of America's most honorable and honored citizens, the Reverend Dr. Martin Luther King, Jr., in order to call to the attention of the residents of this State Dr. King's wisdom and accomplishments and to rededicate ourselves to the pursuance of his principles of love, freedom, and equality for all; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to the various organizations throughout the state which are dedicated to the achievement of racial equality.

Mr. Wang moved adoption of the resolution. Representatives Wang, Pruitt and Lewis spoke in favor of it, and House Resolution No. 83-5 was adopted.

The Speaker called on The Reverend Mr. Brown, who spoke briefly about Martin Luther King, Jr.

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, January 17, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 17, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher, Brough, Niemi, Sommers and B. Williams. Representatives Belcher, Brough, Niemi and B. Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erleen Anderson and David Leon. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

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

## INTRODUCTIONS AND FIRST READING

HB 72 by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to revenue and taxation; amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010; amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; amending section 82.32.210, chapter 15, Laws of 1961 as amended by section 3, chapter 89, Laws of 1967 ex. sess. and RCW 82.32.210; amending section 82.32.220, chapter 15, Laws of 1961 as amended by section 6, chapter 304, Laws of 1961 and RCW 82.32.220; amending section 82.32.230, chapter 15, Laws of 1961 as amended by section 84, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.230; adding a new section to chapter 82.32 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 73 by Representatives Moon, Charnley and Wilson

AN ACT Relating to local government debt limits; and amending section 1, chapter 143, Laws of 1917 as last amended by section 1, chapter 218, Laws of 1971 ex. sess. and RCW 39.36.020.

Referred to Committee on Local Government.

HB 74 by Representatives Moon, Van Dyken and Egger

AN ACT Relating to municipal purchasing; and amending and reenacting section 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030.

Referred to Committee on Local Government.

HB 75 by Representatives J. Williams, B. Williams, Schoon, Betzoff, Zellinsky, Fisher, Ellis, Johnson, Sanders, Wilson, Mitchell, Martinis, Miller, Holland and Long

AN ACT Relating to the Washington state technology training fund; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Commerce & Economic Development.

HB 76 by Representatives Moon, Van Dyken, Egger and Ristuben

AN ACT Relating to cumulative reserve funds of cities and towns; and amending section 35.21.070, chapter 7, Laws of 1965 and RCW 35.21.070.

Referred to Committee on Local Government.

HB 77 by Representatives Martinis, Wilson, Moon, Johnson, Sanders, Zellinsky and Mitchell

AN ACT Relating to acquisition of property by port districts; and amending section 2, chapter 65, Laws of 1955 and RCW 53.08.010.

Referred to Committee on Local Government.

**HB 78** by Representatives Miller, Hine, Isaacson, Mitchell and Long

AN ACT Relating to water and sewer districts; amending section 44, chapter 210, Laws of 1941 as last amended by section 1, chapter 137, Laws of 1979 ex. sess. and RCW 56.08.070; and amending section 21, chapter 114, Laws of 1929 as last amended by section 2, chapter 137, Laws of 1979 ex. sess. and RCW 57.08.050.

Referred to Committee on Local Government.

**HB 79** by Representatives Moon and Van Dyken

AN ACT Relating to water and sewer connection charges; and amending section 35.92.025, chapter 7, Laws of 1965 and RCW 35.92.025.

Referred to Committee on Local Government.

**HB 80** by Representatives Grimm and Tilly (by Department of Revenue request)

AN ACT Relating to revenue and taxation; amending section 2, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 196, Laws of 1979 ex. sess. and RCW 82.29A.020; amending section 3, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030; amending section 4, chapter 61, Laws of 1975-76 2nd ex. sess. and RCW 82.29A.040; amending section 13, chapter 61, Laws of 1975-76 2nd ex. sess. and RCW 82.29A.130; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 81** by Representatives G. Nelson, B. Williams, Sommers, O'Brien, Johnson and Stratton (by Legislative Budget Committee request)

AN ACT Relating to historical activities; amending section 3, chapter 134, Laws of 1975 1st ex. sess. as amended by section 13, chapter 195, Laws of 1977 ex. sess. and RCW 27.53.030; adding a new chapter to Title 27 RCW; adding new sections to chapter 43.131 RCW; recodifying RCW 27.28.021, 27.28.022, and 27.36.020; repealing section 1, chapter 9, Laws of 1979 and RCW 27.28.010; repealing section 2, chapter 177, Laws of 1903 and RCW 27.28.020; repealing section 3, chapter 177, Laws of 1903, section 1, chapter 57, Laws of 1979 ex. sess. and RCW 27.28.030; repealing section 1, chapter 64, Laws of 1915 and RCW 27.28.040; repealing section 2, chapter 9, Laws of 1979 and RCW 27.32.010; repealing section 2, chapter 187, Laws of 1925 ex. sess., section 2, chapter 35, Laws of 1973 and RCW 27.32.020; repealing section 3, chapter 187, Laws of 1925 ex. sess., section 2, chapter 57, Laws of 1979 ex. sess. and RCW 27.32.030; repealing section 1, chapter 44, Laws of 1941, section 1, chapter 62, Laws of 1965 ex. sess., section 1, chapter 253, Laws of 1981 and RCW 27.36.010; repealing section 2, chapter 253, Laws of 1981 and RCW 27.36.015; repealing section 2, chapter 44, Laws of 1941, section 2, chapter 62, Laws of 1965 ex. sess., section 4, chapter 253, Laws of 1981 and RCW 27.36.030; repealing section 4, chapter 44, Laws of 1941, section 3, chapter 57, Laws of 1979 ex. sess., section 5, chapter 253, Laws of 1981 and RCW 27.36.040; repealing section 5, chapter 44, Laws of 1941, section 3, chapter 62, Laws of 1965 ex. sess., section 16, chapter 75, Laws of 1977, section 6, chapter 253, Laws of 1981 and RCW 27.36.050; repealing section 4, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.060; repealing section 5, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.070; repealing section 2, chapter 30, Laws of 1899 and RCW 27.40.020; repealing section 3, chapter 160, Laws of 1949, section 3, chapter 47, Laws of 1957 and RCW 27.48.030; repealing section 1, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.010; repealing section 2, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.020; repealing section 3, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.030; repealing section 17, chapter 195, Laws of 1977 ex. sess., section 124, chapter 151, Laws of 1979 and RCW 43.51A.040; repealing section 18, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.050; repealing section 4, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.060; repealing section 5, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.070; repealing section 6, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.080; repealing section 7, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.090; repealing section 8, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.100; repealing section 9, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.110; repealing section 10, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.120; repealing section 11, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.130; repealing section 19, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.140; repealing section 28, chapter 99, Laws of 1979 and RCW 43.131.203; repealing section 70, chapter 99, Laws of 1979 and RCW 43.131.204; repealing section 24, chapter 99, Laws of 1979 and RCW 43.131.195; repealing section 66, chapter 99, Laws of 1979 and RCW 43.131.196; repealing section 25, chapter 99, Laws of

1979 and RCW 43.131.197; repealing section 67, chapter 99, Laws of 1979 and RCW 43.131.198; repealing section 26, chapter 99, Laws of 1979 and RCW 43.131.199; repealing section 68, chapter 99, Laws of 1979 and RCW 43.131.200; repealing section 1 of this act; repealing section 2 of this act; repealing section 3 of this act; repealing section 4 of this act; repealing section 5 of this act; repealing section 6 of this act; repealing section 7 of this act; repealing section 8 of this act; repealing section 9 of this act; repealing section 10 of this act; repealing section 11 of this act; repealing section 12 of this act; repealing section 13 of this act; repealing section 14 of this act; repealing section 15 of this act; repealing section 16 of this act; repealing section 17 of this act; repealing section 18 of this act; repealing section 19 of this act; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on State Government.

**HB 82** by Representatives Sutherland, Tanner, Heck, Galloway, J. King, Monohon, B. Williams and Ristuben

AN ACT Relating to sales and use tax exemptions; and amending section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273.

Referred to Committee on Ways & Means.

**HB 83** by Representatives Sayan, Walk, Hankins and Johnson

AN ACT Relating to hearings and meetings of the state higher education personnel board; and amending section 7, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.070.

Referred to Committee on State Government.

**HB 84** by Representatives Haugen, McMullen, Moon, Braddock, Sayan, Ellis, Wilson, Fiske, Van Dyken, Isaacson and Mitchell

AN ACT Relating to voting rights in special purpose districts where land ownership is required to exercise voting rights; amending section 5, chapter 117, Laws of 1895 as last amended by section 1, chapter 84, Laws of 1915 and RCW 85.05.050; amending section 5, chapter 115, Laws of 1895 as last amended by section 1, chapter 183, Laws of 1941 and RCW 85.06.050; amending section 19, chapter 176, Laws of 1913 as last amended by section 1, chapter 89, Laws of 1925 ex. sess. and RCW 85.08.290; amending section 4, chapter 225, Laws of 1909 as amended by section 3, chapter 140, Laws of 1923 and RCW 85.24.040; and amending section 122, chapter 72, Laws of 1937 as last amended by section 71, chapter 292, Laws of 1971 ex. sess. and RCW 86.09.364.

Referred to Committee on Local Government.

**HB 85** by Representatives R. King and Patrick

AN ACT Relating to public employees' collective bargaining; amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.030; amending section 4, chapter 131, Laws of 1973 as last amended by section 2, chapter 184, Laws of 1979 ex. sess. and RCW 41.56.450; and repealing section 19, chapter 87, Laws of 1980 and RCW 41.56.452.

Referred to Committee on Labor.

**HB 86** by Representatives Kaiser, Struthers, Armstrong, Egger, McMullen, Halsan, Dickie, McClure, Haugen, Vekich, Fisch, Monohon, Galloway, Patrick, Gallagher, Johnson, Ebersole, Stratton, Burns, Hine, Clayton, Zellinsky, Smitherman, Isaacson, Martinis, Addison, Crane, Miller, Hankins, Todd, Smith, Wang, Tanner and Long

AN ACT Relating to grandparents' visitation rights; amending section 24, chapter 157, Laws of 1973 1st ex. sess. as amended by section 1, chapter 271, Laws of 1977 ex. sess. and RCW 26.09.240; and adding a new section to chapter 11.02 RCW.

Referred to Committee on Judiciary.

**HB 87** by Representatives Charnley and Brough

AN ACT Relating to special purpose district representation on metropolitan municipal corporations; and amending section 35.58.120, chapter 7, Laws of 1965 as last amended by section 3, chapter 190, Laws of 1981 and RCW 35.58.120.

Referred to Committee on Local Government.

**HB 88** by Representatives Brough, Wang, Patrick, Burns, Sommers, Van Dyken, Holland, Mitchell, Prince, Appelwick, Belcher, Locke, Smitherman,

Padden, Long, Armstrong, Fisch, Charnley, Galloway, Johnson, Ebersole, Lux, Ristuben, Halsan, Zellinsky, Haugen, Addison, Dellwo, Crane, Todd, Powers and B. Williams

AN ACT Relating to legislators' reports of honorariums; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections and Ethics.

**HB 89** by Representatives D. Nelson, Niemi, Lux, Isaacson, Rust, Haugen, Hankins, Johnson, Tanner and Brekke

AN ACT Relating to emergency services plans; and amending section 8, chapter 178, Laws of 1951 as amended by section 9, chapter 171, Laws of 1974 ex. sess. and RCW 38.52.070.

Referred to Committee on State Government.

**HB 90** by Representatives D. Nelson, Walk, Lux, Brekke, Johnson and Hankins

AN ACT Relating to age qualifications; amending section 8, chapter 172, Laws of 1935 and RCW 9.41.080; amending section 15.24.020, chapter 11, Laws of 1961 as last amended by section 23, chapter 240, Laws of 1967 and RCW 15.24.020; amending section 5, chapter 129, Laws of 1969 and RCW 15.26.050; amending section 15.28.030, chapter 11, Laws of 1961 as amended by section 2, chapter 191, Laws of 1967 and RCW 15.28.030; amending section 4, chapter 87, Laws of 1961 and RCW 15.63.040; amending section 23, chapter 256, Laws of 1961 and RCW 15.65.230; amending section 15.66.110, chapter 11, Laws of 1961 and RCW 15.66.110; amending section 3, chapter 133, Laws of 1969 and RCW 16.67.040; amending section 13, chapter 223, Laws of 1967 as last amended by section 9, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.097; amending section 7, chapter 57, Laws of 1970 ex. sess. as last amended by section 2, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.070; amending section 29.10.090, chapter 9, Laws of 1965 as amended by section 29, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.090; amending section 36.62.140, chapter 4, Laws of 1963 and RCW 36.62.140; amending section 6, chapter 51, Laws of 1979 ex. sess. and RCW 46.82.330; amending section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020; amending section 8, chapter 18, Laws of 1935 as last amended by section 1, chapter 303, Laws of 1981 and RCW 88.16.090; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on State Government.

**HB 91** by Representatives R. King, Miller, Todd and Gallagher

AN ACT Relating to the personal liability of fire safety directors and members of building staff fire fighting forces; and amending section 1, chapter 320, Laws of 1981 and RCW 4.24.400.

Referred to Committee on Judiciary.

**HB 92** by Representatives Lux, Struthers, Monohon, Prince, Tanner, Crane, Stratton, Isaacson, Hankins, Johnson and Wang

AN ACT Relating to personal property leasing; amending section 1, chapter 80, Laws of 1899 as amended by section 1, chapter 80, Laws of 1981 and RCW 19.52.010; amending section 1, chapter 236, Laws of 1963 as last amended by section 1, chapter 77, Laws of 1981 and RCW 63.14.010; creating a new section; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

**HB 93** by Representatives Struthers, Kaiser, Hastings, Isaacson, Johnson, Stratton, Clayton and Smith

AN ACT Relating to entrance requirements at state institutions of higher education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education.

**HB 94** by Representatives Schmidt, McMullen, Martinis and Wilson

AN ACT Relating to braking equipment; and amending section 1, chapter 11, Laws of 1979 and RCW 46.37.340.

Referred to Committee on Transportation.



**HB 95** by Representatives Rust, Patrick, Lux, Allen, Powers, Brekke, Armstrong, McClure, Charnley, Burns, Pruitt, Hine, Zellinsky, Smitherman, Jacobsen, D. Nelson, McMullen and Crane

AN ACT Relating to marine waters; adding a new section to chapter 90.58 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

**HB 96** by Representatives Martinis, Gallagher, Egger, Charnley, Powers, Walk, Heck, Garrett, Todd, Crane, Lux, Galloway and Patrick

AN ACT Relating to railroad crossings; adding a new section to chapter 81.53 RCW; and providing an effective date.

Referred to Committee on Transportation.

**HB 97** by Representatives Wang, Lewis, Todd, Tilly, Patrick, Burns, Pruitt, Zellinsky and Isaacson

AN ACT Relating to motor vehicles; amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506; amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 12, chapter 10, Laws of 1982 and RCW 46.63.020; adding new sections to chapter 46.61 RCW; adding a new chapter to Title 46 RCW; creating new sections; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 98** by Representatives Tilly, Wang, Ballard, West, Miller, Chandler, Smith, Holland, Allen, Schoon, B. Williams, Nealey, Bond, Broback, Brough, Sanders, Patrick, Johnson, Isaacson, Mitchell and Long

AN ACT Relating to motor vehicle offenses; amending section 1, chapter 244, Laws of 1975 1st ex. sess. as amended by section 26, chapter 47, Laws of 1982 1st ex. sess. and RCW 10.05.010; amending section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502; amending section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504; amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285; amending section 46.56.040, chapter 12, Laws of 1961 as last amended by section 3, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.520; amending section 12, chapter 10, Laws of 1982 and RCW 46.63.020; amending section 4, chapter 284, Laws of 1971 ex. sess. as last amended by section 1, chapter 188, Laws of 1981 and RCW 46.65.020; amending section 46.72.100, chapter 12, Laws of 1961 as amended by section 86, chapter 32, Laws of 1967 and RCW 46.72.100; amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 42, page 109, Laws of 1854 as last amended by section 1935, Code of 1881 and RCW 10.16.135; amending section 84, page 115, Laws of 1854 as amended by section 1040, Code of 1881 and RCW 10.22.010; creating a new section; adding new sections to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 99** by Representatives Wang and Tanner

AN ACT Relating to procedures governing defendants acquitted by reason of insanity; and amending section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110.

Referred to Committee on Judiciary.

**HB 100** by Representatives P. King, Pruitt, Barnes, Charnley, Lux, Rust, D. Nelson, Crane, Miller and Long

AN ACT Relating to absentee voting; and amending section 29.36.030, chapter 9, Laws of 1965 as last amended by section 77, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.030.

Referred to Committee on Constitution, Elections & Ethics.

**HB 101** by Representatives Tilly, Locke, Barnes and Miller

AN ACT Relating to nonpartisan primaries and elections; amending section 1, chapter 10, Laws of 1970 ex. sess. as amended by section 5, chapter 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.150; amending section 2, chapter 10, Laws of 1970 ex. sess. as last amended by section 8, chapter 183, Laws of 1979 ex. sess. and RCW 29.21.180; and providing an effective date.

Referred to Committee on Constitution, Elections & Ethics.

**HB 102** by Representatives R. King, Clayton, Lux, Addison, Monohon, Gallagher, Sayan, Vekich, Belcher, Fisch, Charnley, Ebersole, Ristuben, Isaacson, McMullen, Crane and Todd

AN ACT Relating to vocational rehabilitation; amending section 10, chapter 14, Laws of 1980 as amended by section 11, chapter 63, Laws of 1982 and RCW 51.32.095; amending section 13, chapter 63, Laws of 1982 and RCW 51.32.250; adding a new section to chapter 51.41 RCW; and declaring an emergency.

Referred to Committee on Labor.

**HB 103** by Representatives Lux, Charnley, Locke, Dickie, Dellwo, Isaacson, Jacobsen, Mitchell, D. Nelson, Crane, Todd and Tanner

AN ACT Relating to motor vehicles; amending section 2, chapter 11, Laws of 1979 as last amended by section 1, chapter 30, Laws of 1981 and RCW 46.52.030; amending section 12, chapter 10, Laws of 1982 and RCW 46.63.020; adding a new chapter to Title 46 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

**HB 104** by Representatives Fuhrman, Betzoff, Padden, Egger, Chandler, Nealey and Hastings

AN ACT Relating to art works in state buildings; and repealing section 2, chapter 176, Laws of 1974 ex. sess. and RCW 43.17.200.

Referred to Committee on State Government.

**HB 105** by Representatives Martinis, B. Williams and Stratton (by Department of Game request)

AN ACT Relating to game department property taxes; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 310, Laws of 1981 and RCW 77.12.170; repealing section 2, chapter 97, Laws of 1965 ex. sess., section 1, chapter 59, Laws of 1977 ex. sess., section 36, chapter 78, Laws of 1980 and RCW 77.12.201; repealing section 3, chapter 97, Laws of 1965 ex. sess., section 37, chapter 78, Laws of 1980 and RCW 77.12.203; and declaring an emergency.

Referred to Committee on Natural Resources.

**HB 106** by Representatives Sommers, B. Williams, Taylor and Galloway (by Legislative Budget Committee request)

AN ACT Relating to education; amending section 2, chapter 92, Laws of 1974 ex. sess. as last amended by section 9, chapter 359, Laws of 1977 ex. sess. and RCW 28A.02.201; amending section 12, chapter 282, Laws of 1971 ex. sess. as last amended by section 2, chapter 103, Laws of 1981 and RCW 28A.21.088; amending section 9, chapter 176, Laws of 1969 ex. sess. as last amended by section 18, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.090; amending section 14, chapter 176, Laws of 1969 ex. sess. as last amended by section 31, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.140; amending section 28A.48.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 68, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.48.030; amending section 28A.57.255, chapter 223, Laws of 1969 ex. sess. as last amended by section 97, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.255; amending section 28A.57.290, chapter 223, Laws of 1969 ex. sess. as last amended by section 98, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.290; amending section 28A.58.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 30, chapter 80, Laws of 1977 ex. sess. and RCW 28A.58.150; amending section 28A.59.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 118, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.59.150; amending section 1, chapter 111, Laws of 1973 as amended by section 21, chapter 43, Laws of 1975 and RCW 28A.60.328; amending section 16, chapter 15, Laws of 1970 ex. sess. as last amended by section 4, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.070; amending section 28A.70.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.130; amending section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as last amended by section 5, chapter 92, Laws of 1975-'76 2nd ex. sess. and RCW 28A.70.140; amending section 1, chapter 16, Laws of 1975-'76 2nd ex. sess.

and RCW 41.32.420; repealing section 27, chapter 104, Laws of 1903, section 1, page 320, chapter 97, Laws of 1909, section 1, chapter 163, Laws of 1955, section 25, chapter 176, Laws of 1969 ex. sess., section 39, chapter 275, Laws of 1975 1st ex. sess. and RCW 27.16-.010; repealing section 28, chapter 104, Laws of 1903, section 2, page 320, chapter 97, Laws of 1909, section 2, chapter 163, Laws of 1955, section 26, chapter 176, Laws of 1969 ex. sess., section 8, chapter 195, Laws of 1973 1st ex. sess., section 40, chapter 275, Laws of 1975 1st ex. sess. and RCW 27.16.020; repealing section 3, page 320, chapter 97, Laws of 1909, section 27, chapter 176, Laws of 1969 ex. sess., section 41, chapter 275, Laws of 1975 1st ex. sess. and RCW 27.16.030; repealing section 4, page 320, chapter 97, Laws of 1909, section 3, chapter 163, Laws of 1955, section 28, chapter 176, Laws of 1969 ex. sess., section 42, chapter 275, Laws of 1975 1st ex. sess. and RCW 27.16.040; repealing section 5, page 320, chapter 97, Laws of 1909, section 4, chapter 163, Laws of 1955, section 29, chapter 176, Laws of 1969 ex. sess., section 43, chapter 275, Laws of 1975 1st ex. sess. and RCW 27.16-.050; repealing section 6, page 320, chapter 97, Laws of 1909, section 5, chapter 163, Laws of 1955, section 30, chapter 176, Laws of 1969 ex. sess., section 44, chapter 275, Laws of 1975 1st ex. sess. and RCW 27.16.060; repealing section 18, chapter 176, Laws of 1969 ex. sess., section 24, chapter 282, Laws of 1971 ex. sess., section 20, chapter 75, Laws of 1974 ex. sess., section 34, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.180; repealing section 28A.44.060, chapter 223, Laws of 1969 ex. sess., section 16, chapter 48, Laws of 1971, section 34, chapter 282, Laws of 1971 ex. sess., section 61, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.44.060; repealing section 28A.44.070, chapter 223, Laws of 1969 ex. sess., section 17, chapter 48, Laws of 1971, section 35, chapter 282, Laws of 1971 ex. sess., section 62, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.44.070; repealing section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060; repealing section 28A.66-.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, Laws of 1971, section 130, chapter 275, Laws of 1975 1st ex. sess., section 32, chapter 118, Laws of 1975-76 2nd ex. sess. and RCW 28A.66.100; repealing section 28A.67.040, chapter 223, Laws of 1969 ex. sess., section 48, chapter 48, Laws of 1971, section 131, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.67.040; repealing section 21, chapter 15, Laws of 1970 ex. sess., section 140, chapter 175, Laws of 1975 1st ex. sess. and RCW 28A.87.030; repealing section 28A.87-.050, chapter 223, Laws of 1969 ex. sess., section 148, chapter 176, Laws of 1969 ex. sess., section 141, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.050; repealing section 22, chapter 15, Laws of 1970 ex. sess., section 142, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.080; repealing section 28A.87.100, chapter 223, Laws of 1969 ex. sess., section 151, chapter 176, Laws of 1969 ex. sess., section 144, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.100; repealing section 28A.87.110, chapter 223, Laws of 1969 ex. sess., section 152, chapter 176, Laws of 1969 ex. sess., section 145, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.110; and repealing section 28A.87.170, chapter 223, Laws of 1969 ex. sess., section 153, chapter 176, Laws of 1969 ex. sess., section 146, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.170.

Referred to Committee on Education.

**HB 107** by Representatives R. King, Betzoff, Clayton, Heck, O'Brien, Patrick, Galloway, Hine, Sanders and Mitchell

AN ACT Relating to industrial insurance self-insurance by hospitals, school districts, and educational service districts; amending section 80, chapter 289, Laws of 1971 ex. sess. and RCW 51.08.173; amending section 7, chapter 191, Laws of 1982 and RCW 51.14.150; and amending section 8, chapter 191, Laws of 1982 and RCW 51.14.160.

Referred to Committee on Labor.

**HB 108** by Representatives Fuhrman, B. Williams, Miller, Betzoff, Egger, Stratton, Clayton, Sanders, Mitchell, Smith, Holland and Long

AN ACT Relating to economic development; amending section 2, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.020; amending section 2, chapter 6, Laws of 1982 2nd ex. sess. (uncodified); amending section 16, chapter 117, Laws of 1972 ex. sess. as amended by section 1, chapter 6, Laws of 1982 2nd ex. sess. and RCW 43.31A.160; amending section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080; amending section 71, chapter 99, Laws of 1979 and RCW 43.131.206; adding new sections to chapter 43.160 RCW; and creating a new section.

Referred to Committee on Commerce & Economic Development.

HJM 4 by Representatives Moon, Fuhrman, Egger, Todd, Miller, D. Nelson, Sutherland, Isaacson and B. Williams

Petitioning that the federal government delegate all permitting authority for small scale hydroelectric facilities to the states.

Referred to Committee on Energy & Utilities.

HJM 5 by Representatives D. Nelson, Niemi, Lux, Isaacson, Hankins, Johnson and Brække

Opposing funding for civil defense programs designed to evacuate civilians in preparation for a nuclear attack.

Referred to Committee on State Government.

HJR 10 by Representatives Martinis, Wilson, B. Williams, Kreidler and Isaacson

Allowing harbor leases to last for fifty years.

Referred to Committee on Natural Resources.

HJR 11 by Representatives Tilly, Locke and Barnes

Repealing Article IV, section 29, of the Constitution pertaining to the election of superior court judges.

Referred to Committee on Constitution, Elections & Ethics.

HCR 2 by Representatives Moon, Van Dyken, Dellwo, Lux and Tanner

Calling for an interim study of the need for legislation regarding city-county consolidation.

Referred to Committee on Local Government.

HCR 3 by Representatives Charnley, Isaacson, Hine, Hankins, Hastings and Sanders

Continuing the Joint Ad Hoc Committee on Science and Technology.

Referred to Committee on State Government.

HCR 4 by Representatives Schmidt and Vekich

Adopting an honorary state ship.

Referred to Committee on Transportation.

#### MOTION

On motion of Mr. Heck, HOUSE BILL NO. 27 was referred to Committee on Local Government.

#### REPORT OF STANDING COMMITTEE

January 14, 1983

HB 20 Prime Sponsor, Representative Pruitt: Establishing a temporary congressional redistricting commission. Reported by Committee on Constitution, Elections and Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 1, by Representatives Brekke, R. King, Vekich, Wang, Lewis, Sutherland, Tanner, Johnson, Fisch, Rust, B. Williams, Patrick, Isaacson, Halsan, Martinis, Locke, Silver, Todd, Jacobsen, Lux, Long and Ebersole

Modifying trigger for extended unemployment benefits to re-comply with optional federal benefit program.

The bill was read the second time. Committee on Labor recommendation, Majority, do pass as amended. (For amendments, see Journal, 5th Day, January 14, 1983.)

On motion of Mr. R. King, the committee amendments were adopted.

The bill was ordered engrossed.

## MOTION

Mr. Heck moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1 be placed on final passage.

Representatives G. Nelson and Heck spoke in favor of the motion, and it was carried.

Representatives Brekke, Patrick and R. King spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Sanders.

Mr. Sanders: "Representative King, this bill would increase the benefit side of the formula. We do not want to get into the social security mess where benefits are always increased. What are your plans for increasing the revenue side of unemployment compensation?"

Mr. R. King: "We know that there is going to have to be something done for the fund because the fund itself is going to go broke. Passage of this bill is probably going to accelerate the time in which it will exhaust the moneys in the fund by less than one week, so that's what it's doing to us in terms of taking a look at the solution to the problem. The Senate is going to initiate hearings on that subject and move toward that. There are a variety of proposals that range from borrowing the money from the federal government, which the fund can do to continue funding at a ten percent rate. There are a whole series of different recommendations; and I say, in all candor, that there is not a particular solution that is favored at this time by any large number of people. It simply is a problem we know is there and has to be worked out this session. We will be dealing with it."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Bond, Sommers - 2.

Excused: Representatives Belcher, Brough, Niemi, Williams B - 4.

Engrossed House Bill No. 1, having received the 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 House Bill No. 1 was ordered immediately transmitted to the Senate.

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Tuesday, January 18, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 18, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher, Moon and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tami Froelich and Jeff Jones. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

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

## INTRODUCTIONS AND FIRST READING

HB 109 by Representatives McMullen, Braddock, Isaacson, Patrick, Haugen, Rust, Todd, Miller, Smith, Dickie, Wang and Schoon

AN ACT Relating to driving while intoxicated; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 46.04.580, chapter 12, Laws of 1961 and RCW 46.04.580; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515.

Referred to Committee on Judiciary.

HB 110 by Representatives Kreidler, Barrett, Heck, Garrett and Bond

AN ACT Relating to dental health care practitioners; amending section 2, chapter 112, Laws of 1935 as last amended by section 1, chapter 38, Laws of 1979 and RCW 18.32-.035; amending section 5, chapter 112, Laws of 1935 as amended by section 2, chapter 38, Laws of 1979 and RCW 18.32.040; amending section 28, chapter 16, Laws of 1923 as last amended by section 30, chapter 158, Laws of 1979 and RCW 18.29.020; amending section 29, chapter 16, Laws of 1923 as last amended by section 31, chapter 158, Laws of 1979 and RCW 18.29.030; amending section 1, chapter 130, Laws of 1951 as last amended by section 35, chapter 158, Laws of 1979 and RCW 18.32.030; amending section 27, chapter 52, Laws of 1957 as amended by section 6, chapter 277, Laws of 1981 and RCW 18.32.090; amending section 4, chapter 112, Laws of 1935 as last amended by section 28, chapter 52, Laws of 1957 and RCW 18.32.100; amending section 5, chapter 93, Laws of 1953 as last amended by section 28, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.32.120; amending section 13, chapter 112, Laws of 1935 as last amended by section 32, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.32.210; amending section 14, chapter 112, Laws of 1935 and RCW 18.32.220; adding a new section to chapter 18.32 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 111 by Representatives R. King, Isaacson, Miller and Hine

AN ACT Relating to treasurers of water and sewer districts; amending section 46, chapter 210, Laws of 1941 as last amended by section 7, chapter 272, Laws of 1971 ex. sess. and RCW 56.16.140; amending section 23, chapter 114, Laws of 1929 as amended by section 14, chapter 108, Laws of 1959 and RCW 57.20.140; adding a new section to chapter 56.16 RCW; and adding a new section to chapter 57.20 RCW.

Referred to Committee on Local Government.

HB 112 by Representatives Rust, Patrick and Powers

AN ACT Relating to water well construction; and amending section 12, chapter 212, Laws of 1971 ex. sess. and RCW 18.104.120.

Referred to Committee on Environmental Affairs.

HB 113 by Representatives Braddock, Van Dyken, Todd, Crane, McClure, D. Nelson, Chandler, McMullen, Sutherland, Haugen, Tanner, Monohon, P. King, Brekke and Miller (by Washington State Energy Office request)

AN ACT Relating to heating systems and services; and adding a new chapter to Title 35 RCW.

Referred to Committee on Energy & Utilities.

HB 114 by Representatives Sutherland, Chandler, Heck and D. Nelson (by Washington State Energy Office Request)

AN ACT Relating to the regulation of district heating systems and services; and adding a new chapter to Title 80 RCW.

Referred to Committee on Energy & Utilities.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-3, by Representatives Heck and McDonald:

BE IT RESOLVED, That pursuant to HFR 83-1, adopted on January 10, 1983, the first legislative day, the temporary rules of the House be considered by the House Rules Committee for adoption as permanent rules.

Mr. Heck moved adoption of House Resolution No. 83-3.

Mr. Heck moved adoption of the following amendment by the Rules Committee:

On page 3, line 89 insert "chairs" and delete "chairmen/chairwomen"

Representatives Heck and McDonald spoke in favor of the amendment, and it was adopted.

On motion of Mr. Heck, the following amendments by the Rules Committee were adopted:

On page 3, line 93 strike "electd" and insert "selected"

On page 13, line 320 before "seven" insert "in the absence of a quorum"

On page 13, line 322 after "authorized to" insert "demand a" and after "call" insert "of"

On page 21, line 516 insert "A recorded vote may be compelled by one-sixth (1/6) of the members present."

Mr. Taylor moved adoption of the following amendment by Representatives Taylor, G. Nelson, McDonald and Barrett:

On page 7, line 173 insert:

"Rule 10. With the exception of measures requested by state elected officials or state agencies, no member shall introduce or prime sponsor more than ten (10) measures during any legislative term unless an additional introduction shall have been approved by two-thirds (2/3) of the members present."

Renumber remaining rules consecutively.

Representatives Taylor and Lewis spoke in favor of the amendment, and Mr. Heck spoke against it.

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

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Heck, as you recall when we did not have a limit on bill introductions and we had a cutoff on introduction of bills, there was a circumvention of that, which resulted in, as you recall, literally hordes of bills marked t.o., t.o., t.o., for several pages, which were, of course, the members' insurance policy to get around the cutoff. We could just take a title-only bill and put whatever we wanted on it for a later time and disregard the cutoff. Is there anything in the rules that will cover that, or do you intend to have that procedure in force during this session?"



Mr. Heck: "I think it would be highly presumptive for me to tell you what the cutoff resolution will contain before we've had a chance to discuss it with the leadership from your side of the aisle. It seems not to have been our intention thus far. I think your leadership will attest to the fact that we have allowed every participation possible in the development not only of these rules, but also, I would expect, the cutoff resolution as well. I would not speak for our side of the aisle or for your leadership at this time because it would be highly premature."

#### POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. O'Brien.

Mr. O'Brien: "Representative Taylor, apparently you just adopted a portion of your rule that we had last session. Why didn't you go a little further and make it a little bit more democratic, the way you had it two years ago? You apparently have eliminated three subsections that gave the members, and also your committee chairpersons, a great amount of flexibility on introduction of bills. Why did you eliminate the three subsections that you had put such great pride in last session?"

Mr. Taylor: "Representative O'Brien, as alert as you are (and I seldom have seen anybody more alert than the Speaker Pro Tem because when we break the rules, you're the first one up on the floor), I guess you missed the first part of my remarks when I admitted to this entire body that our proposed measure system really didn't work out very well. I assume that's what you are referring to, so once again I'll confess our sins. The proposed measures were not good ones."

Mr. Taylor spoke again in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Taylor spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to page 7 of the House Rules by Representative Taylor and others, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; excused, 03.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 43.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zelinisky, and Mr. Speaker - 52.

Excused: Representatives Belcher, Moon, Wilson - 3.

Representative Wilson appeared at the bar of the House.

Mr. Johnson moved adoption of the following amendments:

On page 22, beginning on line 518, following "for" strike "and is supported by at least seventeen members" and insert "and is supported by at least seventeen members"

On page 22, line 519, strike "recorded" and insert "(recorded) division"

Mr. Johnson spoke in favor of the amendments, and Mr. Heck spoke against them.

#### POINT OF INQUIRY

Mr. Johnson yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Johnson, your arguments to me were quite technical. I wonder if you could disclose to the rest of the body your expertise in parliamentary procedure?"

Mr. Johnson: "I've been a member of the American Institute of Parliamentarians since 1968 and I've had a professional rating with that body since 1970. I just think we're making a blunder here."

Mr. McDonald spoke in favor of the amendments.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendments to the House rules by Representative Johnson, and the amendments were not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Belcher, Moon - 2.

Mr. McDonald moved adoption of the following amendment by Representatives McDonald, G. Nelson and Barrett:

On page 25, line 617 strike "26" and insert "(26) 41"

Representatives McDonald and Cantu spoke in favor of the amendment, and Mr. Grimm spoke against it.

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

Mr. McDonald spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to House Rules by Representatives McDonald, G. Nelson, Barrett and Taylor, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Galloway, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Belcher, Moon - 2.

Mr. Taylor moved adoption of the following amendment by Representatives Taylor, G. Nelson, McDonald and Barrett:

On page 26, line 633 beginning with "except upon the vote of a majority of" strike all language through "bill" on the second line 633 and insert "~~except upon the vote of a majority of the entire membership of the committee to consider another bill~~"

Representatives Taylor, Van Dyken and Hastings spoke in favor of the amendment, and Representatives Heck and Rust spoke against it.

Mr. Taylor spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taylor and others to page 26 of the House Rules, and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan,

Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representative Lux - 1.

Excused: Representatives Belcher, Moon - 2.

Mr. Barrett moved adoption of the following amendment:

On page 25, line 617, strike "26" and insert "26 33"

Representatives Barrett and G. Nelson spoke in favor of the amendment, and Representative Grimm spoke against it.

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

Mr. Heck spoke against adoption of the amendment, and Mr. Barrett spoke again in favor of it.

Mr. Grimm again opposed the amendment.

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, we're on the amendment and not on committee of the whole or a number of things that the speaker is straying into."

The Speaker: "Representative McDonald, I believe Representative Grimm is summing up now."

Mr. Grimm concluded his remarks in opposition to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barrett to page 25 of the House Rules, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Galloway, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Belcher, Moon - 2.

The Speaker stated the question before the House to be the adoption of House Resolution No. 83-3 as amended.

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

#### ROLL CALL

The Clerk called the roll on the adoption of House Resolution No. 83-3 as amended, and the resolution was adopted by the following vote: Yeas, 62; nays, 33; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Nealey, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Barnes, Barrett, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Struthers, Taylor, Vander Stoep, West, Williams J, Wilson - 33.

Absent: Representative Clayton - 1.

Excused: Representatives Belcher, Moon - 2.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, now that the rules are in place, referring to House Rule 21(D) on reconsideration, it provides that notice to reconsider the final passage of a bill must be given on the same day the bill passes. My question, Mr. Speaker, is: Must notice be given on the motion for reconsideration on the same day that an amendment passes, or can reconsideration in that case be raised at any time the bill is on second reading?"

The Speaker: "When the question is in front of us, Representative Barrett, the speaker will be pleased to respond to it. Since the matter is not in front of us, the issue is moot."

## POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "The rules before us state that a bill having a direct negative revenue impact, or a direct appropriation of \$50,000 or more, shall be referred to the Ways and Means Committee before final passage. Those words appear to be clear, but I think an interpretation ..."

## POINT OF ORDER

Mr. O'Brien: "The question he's asked isn't before us at this time; therefore, a ruling by the Speaker would be out of order."

## SPEAKER'S RULING

The Speaker: "Your point is well taken, Representative O'Brien."

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Wednesday, January 19, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 19, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shelly Fischel and Jerry Carter. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 18, 1983

Mr. Speaker:  
The Senate has passed:

SENATE BILL NO. 3036,  
ENGROSSED SENATE BILL NO. 3037,  
SENATE BILL NO. 3038,  
SENATE BILL NO. 3039,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 115 by Representatives Tanner, Betrozoff, B. Williams, Schoon, P. King, Locke, Holland, Isaacson, Lewis, Johnson, Struthers, Van Dyken and Long

AN ACT Relating to enterprise zones; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on Commerce & Economic Development.

HB 116 by Representatives P. King, Crane and Halsan

AN ACT Relating to offers of settlement served on an adverse party; and amending section 4, chapter 84, Laws of 1973 as amended by section 3, chapter 94, Laws of 1980 and RCW 4.84.280.

Referred to Committee on Judiciary.

HB 117 by Representatives R. King, Fisch, Charnley, Martinis, Garrett, Rust, Lux, Jacobsen, D. Nelson and Hankins

AN ACT Relating to the reduction in force of tenured or probationary community college faculty members due to a financial emergency; and amending section 1, chapter 13, Laws of 1981 2nd ex. sess. and RCW 28B.50.873.

Referred to Committee on Labor.

HB 118 by Representatives Kaiser and Smith (by Department of Agriculture request)

AN ACT Relating to agriculture; amending section 15.24.090, chapter 11, Laws of 1961 as last amended by section 1, chapter 20, Laws of 1979 and RCW 15.24.090; amending section 7, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.070; amending section 8, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.080; amending section 18, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.180; amending section 19, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.190; amending section 21, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.210; amending section 23, chapter 100, Laws of 1969 ex. sess. and RCW 15.80.520; amending section 17, chapter 249, Laws of 1961 as last amended by section 10,

chapter 177, Laws of 1967 and RCW 17.21.170; and amending section 30, chapter 257, Laws of 1945 and RCW 69.04.120.

Referred to Committee on Agriculture.

**HB 119** by Representatives Clayton, Lux, Isaacson, Todd, Wilson, Jacobsen, Johnson, Tilly, Chandler, Patrick, Lewis, Taylor, Dickie, Mitchell, Long, Struthers, Silver, Tanner and Pruitt

AN ACT Relating to motor vehicle liability insurance; adding a new chapter to Title 46 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

**HB 120** by Representatives Locke, Tilly, West, Brough, Charnley, Todd, Burns, Sommers, Isaacson, Miller, Silver, Holland, Lux and Pruitt

AN ACT Relating to driving while intoxicated; amending section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502; amending section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504; and amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506.

Referred to Committee on Judiciary.

**HB 121** by Representatives Locke, Armstrong, Tilly, West, McClure, Brough, Charnley, Appelwick, Allen, Brekke, Belcher, Schmidt, Niemi, Sayan, Jacobsen, Hine, Ebersole, Prince, Kreidler, Miller, Tanner, Betzoff, Vekich, Burns, Isaacson, Taylor, Johnson, Addison, Powers, Rust, Silver, Holland, Lux, Hastings, D. Nelson, Pruitt and Todd

AN ACT Relating to crimes and punishment; amending section 1, chapter 75, Laws of 1969 and RCW 3.66.067; amending section 2, chapter 75, Laws of 1969 and RCW 3.66.068; amending section 3, chapter 75, Laws of 1969 and RCW 3.66.069; amending section 1, chapter 19, Laws of 1980 as last amended by section 10, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 1, chapter 244, Laws of 1975 1st ex. sess. as amended by section 26, chapter 47, Laws of 1982 1st ex. sess. and RCW 10.05.010; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; amending section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 122** by Representatives P. King, Allen, Moon, McClure, J. King, Miller, G. Nelson, Galloway, Braddock, Zellinsky, Armstrong, Betzoff and Isaacson

AN ACT Relating to cultural arts, stadium and convention districts; and amending section 3, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.030.

Referred to Committee on Local Government.

**HB 123** by Representatives Clayton, Isaacson, Bond, Sanders and West

AN ACT Relating to labor; and amending section 10, chapter 37, Laws of 1957 as last amended by section 8, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.190.

Referred to Committee on Constitution, Elections & Ethics.

**HB 124** by Representatives Armstrong and Miller

AN ACT Relating to fees of notaries public; and amending section 1, chapter 56, Laws of 1907 as last amended by section 4, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.090.

Referred to Committee on Judiciary.

**HB 125** by Representatives Moon, Walk, Kreidler and Sayan

AN ACT Relating to civil service; and amending section 28, chapter 136, Laws of 1981 and RCW 41.06.071.

Referred to Committee on State Government.

HB 126 by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Halsan, Sayan, Patrick, O'Brien, P. King, Zellinsky, Powers, Fisher, Ebersole, Appelwick, Johnson, Garrett, Charnley, Lewis, Addison, Miller and Ristuben

AN ACT Relating to retirement from public service; amending section 50, chapter 80, Laws of 1947 as last amended by section 3, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.500; and amending section 16, chapter 274, Laws of 1947 as last amended by section 20, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.150.

Referred to Committee on Ways & Means.

HB 127 by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett

AN ACT Relating to travel reimbursement; and amending section 43.03.060, chapter 8, Laws of 1965 as last amended by section 84, chapter 151, Laws of 1979 and RCW 43.03.060.

Referred to Committee on Ways & Means.

HB 128 by Representatives R. King, Kreidler, Vekich, Belcher and Lux

AN ACT Relating to collective bargaining for public employees; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.06 RCW; and providing a contingent effective date.

Referred to Committee on Labor.

HB 129 by Representatives Halsan, Walk, Vekich, Kreidler, Belcher, Vander Stoep, P. King, Zellinsky, Powers, Ebersole, Appelwick, Johnson, Garrett and D. Nelson

AN ACT Relating to state officers and employees; and amending section 43.01.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040.

Referred to Committee on State Government.

HB 130 by Representatives Martinis, Wilson, Patrick, Kreidler, Braddock, Charnley, Powers, Clayton and Todd (by Legislative Transportation Committee request)

AN ACT Relating to driver's licenses; amending section 8, chapter 167, Laws of 1967 as amended by section 42, chapter 292, Laws of 1971 ex. sess. and RCW 46.20.011; amending section 46.20.102, chapter 12, Laws of 1961 as last amended by section 5, chapter 61, Laws of 1979 and RCW 46.20.102; adding a new section to chapter 46.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 131 by Representatives Wilson, Martinis, Isaacson, Garrett, Taylor, Johnson, Struthers, Silver, Cantu, Holland, Hastings, Clayton, Bond and Van Dyken (by Legislative Transportation Committee request)

AN ACT Relating to transportation safety; amending section 3, chapter 75, Laws of 1969 and RCW 3.66.069; amending section 1, chapter 244, Laws of 1975 1st ex. sess. as amended by section 26, chapter 47, Laws of 1982 1st ex. sess. and RCW 10.05.010; amending section 84, page 115, Laws of 1854 as amended by section 1040, Code of 1881 and RCW 10.22.010; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 12, chapter 10, Laws of 1982 and RCW 46.63.020; amending section 11, chapter 284, Laws of 1971 ex. sess. as last amended by section 6, chapter 62, Laws of 1979 and RCW 46.65.090; adding a new section to chapter 46.61 RCW; repealing section 46.20.380, chapter 12, Laws of 1961, section 31, chapter 32, Laws of 1967, section 12, chapter 61, Laws of 1979 and RCW 46.20.380; repealing section 1, chapter 5, Laws of 1973, section 13, chapter 61, Laws of 1979 and RCW 46.20.391; repealing section 46.20.400, chapter 12, Laws

of 1961, section 33, chapter 32, Laws of 1967 and RCW 46.20.400; repealing section 46.20.410, chapter 12, Laws of 1961, section 34, chapter 32, Laws of 1967 and RCW 46.20.410; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 132** by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Patrick, P. King, Johnson, Isaacson, Garrett, Ristuben and Halsan

AN ACT Relating to public employment; amending section 1, chapter 51, Laws of 1982 1st ex. sess. and RCW 41.04.345; amending section 43.01.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040; amending section 43.01.041, chapter 8, Laws of 1965 as amended by section 3, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.041; and creating a new section.

Referred to Committee on Ways & Means.

**HB 133** by Representatives Powers, Smitherman, Fuhrman, Crane, West, Zellinsky, Broback, Barrett, Silver, Burns, Jacobsen, Prince, Stratton, Ebersole, Haugen, McMullen, Sryan, Dellwo, Charnley, R. King, Sutherland, Patrick, Wang, Vekich, Johnson, Kreidler, Tilly, Sanders, Schmidt, Wilson, Miller and Holland

AN ACT Relating to the exemption of certain nonresidents from tuition and fee differentials; and amending section 4, chapter 273, Laws of 1971 ex. sess. as amended by section 3, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.014.

Referred to Committee on Higher Education.

**HB 134** by Representatives Walk, Wang, Vekich, Kreidler, Belcher, Sayan, Patrick, O'Brien, P. King, Fisher, Ebersole, Johnson, Garrett, Lux and Ristuben

AN ACT Relating to public employees; amending section 1, chapter 12, Laws of 1970 ex. sess. as last amended by section 1, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.020; amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.070; amending section 13, chapter 1, Laws of 1961 as amended by section 3, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.130; amending section 4, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.150; amending section 6, chapter 152, Laws of 1977 ex. sess. as amended by section 5, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.169; amending section 2, chapter 36, Laws of 1969 ex. sess. as last amended by section 14, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.020; amending section 4, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.040; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 16, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.100; amending section 9, chapter 152, Laws of 1977 ex. sess. as amended by section 19, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.101; amending section 13, chapter 152, Laws of 1977 ex. sess. as amended by section 17, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.105; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.030; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.06 RCW; repealing section 12, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.644; repealing section 13, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.645; repealing section 11, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.10.646; repealing section 18, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.250; repealing section 21, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.260; repealing section 22, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.270; repealing section 20, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.280; repealing section 23, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.290; repealing section 25, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.830; repealing section 26, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.50.840; repealing section 27, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.250; repealing section 28, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.260; repealing section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270; repealing section 6, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.175; repealing section 8, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.185; repealing section 9, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.195; repealing section 7, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.205; and repealing section 10, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.215.

Referred to Committee on State Government.



HJM 6 by Representatives Tanner, Betzoff, Schoon, P. King, Locke, Holland, Isaacson, B. Williams, Taylor, Johnson, Struthers and Long

Requesting passage of an enterprise zone act.

Referred to Committee on Commerce & Economic Development.

HJR 12 by Representatives R. King, Kreidler, Vekich, Belcher and Lux

Amending the Constitution to require the appropriation of moneys for state employees' salaries determined through collective bargaining.

Referred to Committee on Labor.

SB 3036 by Senators Talmadge and Clarke (by Code Reviser request)

Correcting various double amendments in the Revised Code of Washington.

Referred to Committee on Judiciary.

ESB 3037 by Senators Talmadge and Clarke (by Code Reviser request)

Correcting obsolete statutory references in the Revised Code of Washington.

Referred to Committee on Judiciary.

ESB 3038 by Senators Talmadge and Clarke (by Code Reviser request)

Correcting obsolete statutory references to the utilities and transportation commission.

Referred to Committee on Judiciary.

ESB 3039 by Senators Talmadge and Clarke (by Code Reviser request)

Rearranging misplaced statutory material and correcting a clerical error.

To Committee on Judiciary.

#### MOTION

Mr. Heck moved that the bills, memorials and resolutions listed on today's agenda under the fourth order of business be considered first reading and be referred to the committees designated.

#### MOTION

Mr. Barrett moved that the Heck motion be amended and HOUSE BILL NO. 128 be referred to Committee on Higher Education rather than Committee on Labor.

Mr. Barrett spoke in favor of the motion, and Mr. Heck spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the motion to refer House Bill No. 128 to Committee on Higher Education, and the motion was lost by the following vote: Yeas, 43; nays, 52; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 43.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Grimm - 1.

Excused: Representatives Belcher, Wilson - 2.

#### MOTION

Mr. McDonald moved that the Heck motion be amended and HOUSE JOINT RESOLUTION NO. 12 be referred to Committee on Constitution, Elections & Ethics.

Mr. McDonald spoke in favor of the motion and Mr. Heck spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the motion to refer House Joint Resolution No. 12 to Committee on Constitution, Elections & Ethics, and the motion was lost by the following vote: Yeas, 43; nays, 52; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 43.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Galloway - 1.

Excused: Representatives Belcher, Wilson - 2.

The motion by Representative Heck was carried.

#### SECOND READING

HOUSE BILL NO. 20, by Representatives Pruitt, R. King, Vekich, Sommers, Jacobsen, Ristuben, P. King, Charnley, Fisch, Rust, Moon, Halsan, Locke, Tanner, Armstrong, Powers, Todd, Fisher, Hine, Ellis, Kaiser and Burns

Establishing a temporary congressional redistricting commission.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 20 was substituted for House Bill No. 20 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 20 was read the second time.

Mr. Tanner moved adoption of the following amendment:

On page 2, beginning on line 1 after "elections," strike everything through "limited to" on line 2 and insert "excluding"

Mr. Tanner spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Tanner yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Tanner, the intent, as I understand it, of the whole bill is to tighten it up so that you don't get partisanship in there. My question to you: Is it the intent of your amendment to have section 5, which talks about all the other criteria, at a higher priority than precinct committeeman? In other words, if we can fulfill that first, that would be the number one criteria before we get to precinct committeeman? Is that your intent?"

Mr. Tanner: "No, it is not. The amendment is a change to the definition section, and under political party office it excludes precinct committeepersons from holding a party office. It certainly has no greater or lesser priority than any other restriction."

Mr. Hastings: "That's my point; but would your intent be that the criteria in section 5 be higher than a precinct committeeman?"

Mr. Tanner: "Yes."

Representatives Hastings and Barnes spoke in favor of the amendment, and it was adopted.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, House Rule 21D on reconsideration does not make it clear whether or not reconsideration of a vote by which an amendment passed or failed must be made on the same day that the amendment first passed or failed, or

whether the motion for reconsideration can be raised at any time the bill is on second reading. Since I did vote on the prevailing side of Representative Tanner's amendment, I would ask for your response."

The Speaker: "Representative Barrett, while I do have a response, I think since you are not moving for reconsideration, then that issue is not before us. If you would like to do that, then we can talk about it."

Mr. Barrett: "I think the reason I am asking is to protect my rights. Should I decide to, somewhere along the way in what may happen to this bill and having voted on the prevailing side, would I have the right to make the motion for reconsideration? I need to know whether I must make that motion for reconsideration on this day, or whether I have the privilege of making that on any day before second reading has been completed on this measure. I feel that it is not a moot point, Mr. Speaker."

The Speaker: "Once again the Speaker is going to rule at the appropriate time, as in Reed's Parliamentary Rules, Rule 204. The Speaker will rule at the time that issue is in front of us and not until that time."

Mr. Barrett: "If I may for the record, Mr. Speaker; you have just deprived me of knowing whether or not I can make that motion before second reading is completed. I accept your statement, but I want it read into the record that you have not informed me and, should you later take away this privilege, that it be part of the record that you did so deliberately by not answering today."

Mr. Taylor moved adoption of the following amendments by Representatives Taylor and Pruitt:

On page 2, line 8 after "1983," insert "or within five days after the effective date of this act whichever is sooner"

On page 2, line 16 after "1983," insert "or within twelve days after the effective date of this act whichever is sooner"

On page 2, line 19 after "1983," insert "or within nineteen days after the effective date of this act whichever is sooner"

On page 2, line 20 after "1983," insert "or within nineteen days after the effective date of this act whichever is sooner"

On page 5, line 15 after "1983," insert "or within thirty days after the effective date of this act whichever is sooner"

Representatives Taylor and Pruitt spoke in favor of the amendments, and they were adopted.

Mr. Charnley moved adoption of the following amendments:

On page 2, line 14 after "shall be a" strike "nonvoting" and insert "voting"

On page 5, line 14 after "of the" insert "five"

On page 5, line 28 after "of the" insert "five"

Representatives Charnley and R. King spoke in favor of the amendments, and Representatives Sommers, Schoon and Barnes spoke against them.

Mr. Charnley spoke again in favor of the amendments, and Mr. Barnes again opposed them.

The amendments were not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 2, after line 26 add a new subsection as follows:

"(5) If any commission member fails to attend three commission meetings without being excused by the chairman prior to the meetings, then at the conclusion of the third meeting, the member shall cease to be a commission member. The vacancy shall be filled as provided in subsection (4)."

Representatives Schoon and Pruitt spoke in favor of the amendment, and it was adopted.

Mr. Pruitt moved adoption of the following amendments by Representatives Pruitt, Schoon, Sommers and Barnes:

On page 2, beginning on line 3 after "appointed office" strike "or employment"

On pages 2 and 3 strike sections 4 and 5 and insert the following:

"NEW SECTION, Sec. 4. (a) No person may be appointed to the commission who:

(1) Is not a registered voter of the state at the time of the selection;

(2) Holds or has held public office or political party office within one year prior to selection;  
 (3) Is a relative of or is employed by a member of the state house of representatives or the state senate;

(4) Is or has within one year prior to selection been a registered lobbyist; or

(5) Has been directly involved in the Doph v Munro lawsuit or the preparation of C 2, L1982 (SHB 787).

(b) No person while a member of the commission may:

(1) Hold or campaign for public or political party office while a member of the commission; or

(2) Actively participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission.

NEW SECTION Sec. 5. (a) No person may be employed by the commission who:

(1) Holds or has held public office or political party office within one year prior to selection;

(2) Is a relative of or is employed by a member of the state house of representatives or the state senate; or

(3) Is or has within one year prior to selection been a registered lobbyist; or

(4) Has been directly involved in the Doph v Munro lawsuit or the preparation of C 2, L1982 (SHB 787).

(b) No person while an employee of the commission may:

(1) Hold or campaign for public or political party office while an employee of the commission; or

(2) Actively participate in or contribute to any political campaign of any candidate for state or federal elective office while an employee of the commission."

Mr. Pruitt moved adoption of the following amendments to the amendment:

On page 1 of the amendment under section 4(b)(2) strike "or contribute to"

On page 1 of the amendment under section 5(b)(2) strike "or contribute to"

Representatives Pruitt and Barnes spoke in favor of the amendments to the amendment, and they were adopted.

The Speaker stated the question before the House to be the amendments by Representative Pruitt and others as amended.

Mr. Pruitt spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Pruitt, under this amendment as it has been perfected, where we say 'actively participate in any political campaign,' for the record, is it your intention that participation shall not include financial contributions, as it is now written?"

Mr. Pruitt: "This is my understanding, yes. That would be my intention."

The amendments were adopted.

Mr. Bond moved adoption of the following amendment by Representatives Bond and Padden:

On page 3, beginning on line 25, strike "one hundred" and insert "fifty"

Representatives Bond and Padden spoke in favor of the amendment, and Representatives Pruitt, Barnes, Schoon and Fisch spoke against it.

The amendment was not adopted.

Mr. McDonald moved adoption of the following amendment:

On page 3, beginning on line 24 after "(4)" strike all material through "duties." on line 25 and insert "To carry out this act, there is appropriated to the congressional redistricting commission from the general fund for the biennium ending June 30, 1982, the sum of \$49,000 dollars, or so much as may be necessary for the commission to carry out its duties."

Mr. McDonald spoke in favor of the amendment and Mr. Grimm spoke against it.

Mr. McDonald spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings and Pruitt:

On page 6, line 13 beginning with "unless" strike everything through "term" and insert "to the legislature"

Representatives Hastings and Pruitt spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment to the title by Representative Taylor:

On page 1, line 1 of the title following "to" insert "the establishment of a temporary advisory committee on"

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, I have an amendment to the title which would amend the first line of the title, the subject clause. In the past this body has prohibited amendments to the subject clause of the title. Will that be your practice now?"

The Speaker: "Do you choose to move the title amendment, Representative Taylor?"

Mr. Taylor: "First, as a courtesy to you, and to save the body time, I would like to get the parliamentary..."

#### POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, as the amendment was read in, I questioned its germaneness. It doesn't appear to be relevant to the body of the act, which pertains to a congressional reapportionment commission and not a temporary advisory committee."

#### SPEAKER'S RULING

The Speaker: "The Speaker will rule that while Representative Taylor has not moved the amendment, it is in front of us and your point is well taken, Representative O'Brien. No amendments have been offered to effect the subject of the bill as the title amendment indicates. Your point is well taken and the amendment is ruled out of order."

Substitute House Bill No. 20 was ordered engrossed and passed to Committee on Rules for third reading.

The House advanced to the eleventh order of business.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, since we're on the area of announcing the committee action for today and the Rules Committee is going to meet, I'm wondering whether or not the Rules of the House that were passed here yesterday will apply to the Rules Committee as well as to every other standing committee?"

The Speaker: "Following the customs of this House, Representative Nelson, it's a matter of tradition of the great leaders of the past -- former Speaker Polk and Speaker Bagnariol and Speaker Berentson, Speaker Sawyer and Speaker O'Brien -- that the Speaker will operate the Rules Committee as we have always done. I think that's a fine tradition."

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Thursday, January 20, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ELEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 20, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Van Dyken, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bliss Boedeker and Gregory Wright. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

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

## SPEAKER'S PRIVILEGE

The Speaker appointed Representatives Dickie, Clayton, Lewis and Ellis to escort Congressman Sid Morrison to the rostrum.

Representative Morrison briefly addressed the House and the Speaker instructed the committee to escort him from the House Chamber.

## INTRODUCTIONS AND FIRST READING

HB 135 by Representatives Martinis, Crane, Todd, Moon, Kaiser, Egger, Gallagher, Charnley, Kreidler, Walk and Vekich

AN ACT Relating to railroads; and amending section 1, chapter 116, Laws of 1969 ex. sess. and RCW 81.44.091.

Referred to Committee on Transportation.

HB 136 by Representatives R. King and Clayton (by Public Employment Relations Commission request)

AN ACT Relating to unfair labor practice procedures; amending section 3, chapter 215, Laws of 1969 ex. sess. as amended by section 24, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.160; amending section 4, chapter 215, Laws of 1969 ex. sess. as amended by section 25, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.170; and amending section 16, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.150.

Referred to Committee on Labor.

HB 137 by Representatives B. Williams, Sommers, G. Nelson, Tanner, Tilly, Mitchell, Patrick, Johnson, Stratton, Wilson, Taylor and Holland

AN ACT Relating to sentencing; amending section 12, chapter 137, Laws of 1981 as amended by section 4, chapter 192, Laws of 1982 and RCW 9.94A.120; and providing an effective date.

Referred to Committee on Judiciary.

HB 138 by Representatives Armstrong, Padden, Schmidt, Wilson, G. Nelson, Tilly, J. Williams, Ristuben, Struthers, Lewis, Brough, McMullen, Monohon, Patrick, Johnson, Isaacson, Silver, Clayton, Sanders, West, Broback, Haugen, Ballard, McDonald, Hastings, Taylor, Haisan, Allen, Dellwo, Holland, Schoon, Cantu, Miller, Bond and Locke

AN ACT Relating to attorneys' fees in frivolous actions or defenses; and adding a new section to chapter 4.84 RCW.

Referred to Committee on Judiciary.

HB 139 by Representatives Lux, Zellinsky, Sanders, Broback, Garrett and Johnson (by Insurance Commissioner request)

AN ACT Relating to insurance; amending section .09.35, chapter 79, Laws of 1947 and RCW 48.09.350; amending section .13.02, chapter 79, Laws of 1947 as last amended by

section 2, chapter 218, Laws of 1982 and RCW 48.13.020; amending section .15.13, chapter 79, Laws of 1947 as amended by section 5, chapter 102, Laws of 1980 and RCW 48.15.130; amending section 23, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.296; amending section 15, chapter 181, Laws of 1982 and RCW 48.18A.035; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; amending section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; amending section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; amending section 6, chapter 229, Laws of 1951 as last amended by section 12, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.052; amending section 1, chapter 139, Laws of 1974 ex. sess. and RCW 48.20.430; amending section 2, chapter 139, Laws of 1974 ex. sess. and RCW 48.21.155; amending section .23.30, chapter 79, Laws of 1947 and RCW 48.23.300; amending section .24.15, chapter 79, Laws of 1947 and RCW 48.24.150; amending section 6, chapter 219, Laws of 1961 as last amended by section 2, chapter 61, Laws of 1977 and RCW 48.34.060; amending section 7, chapter 115, Laws of 1969 and RCW 48.44.011; amending section 6, chapter 115, Laws of 1969 and RCW 48.44.015; amending section 5, chapter 115, Laws of 1969 and RCW 48.44.095; amending section 3, chapter 139, Laws of 1974 ex. sess. and RCW 48.44.212; adding a new section to chapter 48.17 RCW; adding a new section to chapter 48.20 RCW to be designated RCW 48.20.050; adding a new section to chapter 48.44 RCW; repealing section 19, chapter 229, Laws of 1951, section 11, chapter 181, Laws of 1982 and RCW 48.20.182; repealing section 8, chapter 115, Laws of 1969 and RCW 48.44.045; and repealing section 9, chapter 115, Laws of 1969, section 3, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.162.

Referred to Committee on Financial Institutions & Insurance.

**HB 140** by Representatives Lux, Zellinsky, Broback, Garrett, Wang, Lewis, Johnson, Isaacson, R. King, McDonald, Dellwo and Holland (by Insurance Commissioner request)

AN ACT Relating to insurance; and adding a new section to chapter 48.23 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 141** by Representatives Lux, Zellinsky, Sanders, Broback and Garrett (by Insurance Commissioner request)

AN ACT Relating to insurance; amending section .14.01, chapter 79, Laws of 1947 as last amended by section 1, chapter 111, Laws of 1981 and RCW 48.14.010; repealing section 35, chapter 9, Laws of 1982 1st ex. sess. and RCW 48.14.015; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

**HB 142** by Representatives Martinis, Wilson, Charnley, Dellwo and Armstrong (by Department of Licensing request)

AN ACT Relating to vehicle dealers; and amending section 21, chapter 74, Laws of 1967 ex. sess. as amended by section 19, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.70.190.

Referred to Committee on Transportation.

**HB 143** by Representatives Martinis, Gallagher and Wilson (by Department of Licensing request)

AN ACT Relating to vehicle fees; amending section 46.08.100, chapter 12, Laws of 1961 as last amended by section 2, chapter 114, Laws of 1980 and RCW 46.01.140; amending section 51, chapter 37, Laws of 1980 and RCW 82.12.0251; amending section 82.44.120, chapter 15, Laws of 1961 as last amended by section 2, chapter 120, Laws of 1979 and RCW 82.44.120; amending section 67, chapter 299, Laws of 1971 ex. sess. as amended by section 4, chapter 123, Laws of 1979 and RCW 82.50.520; and repealing section 82.44.070, chapter 15, Laws of 1961, section 5, chapter 139, Laws of 1969, section 2, chapter 54, Laws of 1974 ex. sess., section 234, chapter 158, Laws of 1979 and RCW 82.44.070.

Referred to Committee on Transportation.

**HB 144** by Representatives Martinis, Gallagher, Charnley and Wilson (by Department of Licensing request)

AN ACT Relating to vehicle license plates; amending section 1, chapter 118, Laws of 1975 1st ex. sess. as amended by section 1, chapter 214, Laws of 1981 and RCW 46.16.006; amending section 46.16.290, chapter 12, Laws of 1961 and RCW 46.16.290; amending section 1, chapter 201, Laws of 1961 as amended by section 25, chapter 32, Laws of 1967 and

RCW 46.16.370; and amending section 3, chapter 200, Laws of 1973 1st ex. sess. as amended by section 2, chapter 59, Laws of 1975 and RCW 46.16.565.

Referred to Committee on Transportation.

**HB 145** by Representatives Galloway, P. King, Dickie, Schoon, Struthers and Holland (by Superintendent of Public Instruction request)

AN ACT Relating to education; amending section 6, chapter 92, Laws of 1974 ex. sess. and RCW 28A.02.250; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 173, Laws of 1979 ex. sess. and RCW 28A.04.120; amending section 1, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.100; amending section 2, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.102; amending section 4, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.106; amending section 5, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.108; amending section 6, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.110; amending section 8, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.114; amending section 9, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.116; reenacting and amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 265, Laws of 1981 and by section 1, chapter 343, Laws of 1981 and RCW 28A.41.160; amending section 1, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.350; repealing section 2, chapter 60, Laws of 1975 1st ex. sess. and RCW 28A.03.051; repealing section 23, chapter 283, Laws of 1977 ex. sess. and RCW 28A.21.036; repealing section 1, chapter 4, Laws of 1979 and RCW 28A.26.010; repealing section 2, chapter 4, Laws of 1979 and RCW 28A.26.020; repealing section 3, chapter 4, Laws of 1979 and RCW 28A.26.030; repealing section 4, chapter 4, Laws of 1979 and RCW 28A.26.040; repealing section 5, chapter 4, Laws of 1979 and RCW 28A.26.050; repealing section 6, chapter 4, Laws of 1979 and RCW 28A.26.060; repealing section 8, chapter 4, Laws of 1979 and RCW 28A.26.900; repealing section 12, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.122; repealing section 28A.47.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.130; repealing section 28A.47.140, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.140; repealing section 28A.47.170, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.170; repealing section 28A.47.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.180; repealing section 28A.47.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.210; repealing section 28A.47.220, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.220; repealing section 28A.47.230, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.230; repealing section 28A.47.460, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.460; repealing section 28A.47.470, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.470; repealing section 28A.47.480, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.480; repealing section 28A.47.490, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.490; repealing section 28A.47.500, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.500; repealing section 28A.47.510, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.510; repealing section 28A.47.520, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.520; repealing section 28A.47.530, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.530; repealing section 28A.47.540, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.540; repealing section 28A.47.560, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.560; repealing section 28A.47.570, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.570; repealing section 28A.47.580, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.580; repealing section 28A.47.590, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.590; repealing section 28A.47.600, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.600; repealing section 28A.47.610, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.610; repealing section 28A.47.620, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.620; repealing section 28A.47.630, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.630; repealing section 28A.47.640, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.640; repealing section 28A.47.650, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.650; repealing section 28A.47.660, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.660; repealing section 28A.47.680, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.680; repealing section 28A.47.690, chapter 223, Laws of 1969 ex. sess., section 37, chapter 141, Laws of 1979 and RCW 28A.47.690; repealing section 28A.47.700, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.700; repealing section 28A.47.710, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.710; repealing section 28A.47.720, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.720; repealing section 28A.47.722, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.722; repealing section 28A.47.724, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.724; repealing section 28A.47.726, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.726; repealing section 28A.47.728, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.728; repealing section 28A.47.730, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.730; repealing section 28A.47.732, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.732; repealing section 28A.47.734, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.734; repealing section 28A.47.736, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.736; repealing section 28A.47.738, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.738; repealing section 28A.47.742, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.742; repealing section 28A.47.744, chapter 223,



Laws of 1969 ex. sess., section 38, chapter 141, Laws of 1979 and RCW 28A.47.744; repealing section 28A.47.746, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.746; repealing section 28A.47.748, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.748; repealing section 28A.47.750, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.750; repealing section 16, chapter 359, Laws of 1977 ex. sess. and RCW 28A.58.756; repealing section 2, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.352; repealing section 20, chapter 118, Laws of 1975-'76 2nd ex. sess., section 1, chapter 124, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.495; repealing section 28A.87.100, chapter 223, Laws of 1969 ex. sess., section 151, chapter 176, Laws of 1969 ex. sess., section 144, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.100; repealing section 28A.87.110, chapter 223, Laws of 1969 ex. sess., section 152, chapter 176, Laws of 1969 ex. sess., section 145, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.87.110; and repealing section 28A.98.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.98.020.

Referred to Committee on Education.

**HB 146** by Representatives Locke, Johnson, Wang, McDonald, Brough, Allen, Burns, Jacobsen, Belcher, Ellis, Haugen, Sayan, Powers, Braddock, Egger, Vekich, Stratton, Fisher, Smitherman, Armstrong, Lux, Ristuben, Fisch, Niemi, Galloway, Dellwo, Crane, Charnley, Garrett, Heck, McClure, Hine, Todd, Pruitt, Halsan, Tanner, O'Brien, R. King, D. Nelson, Brekke, Miller, Kaiser, Appelwick, Lewis, Patrick and Rust (by Governor Spellman request)

AN ACT Relating to the Washington state Asian-American commission; amending section 1, chapter 140, Laws of 1974 ex. sess. and RCW 43.117.010; amending section 14, chapter 140, Laws of 1974 ex. sess. as amended by section 1, chapter 297, Laws of 1977 ex. sess. and RCW 43.117.910; amending section 34, chapter 99, Laws of 1979 and RCW 43.131.215; amending section 76, chapter 99, Laws of 1979 and RCW 43.131.216; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

**HB 147** by Representatives Armstrong, Holland, Lux, Patrick, Garrett, Tanner, Lewis and Isaacson

AN ACT Relating to homicide; amending section 9A.32.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.010; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 148** by Representatives Haugen, Galloway, Johnson, Schoon, Rust, Armstrong, Taylor, Betrozoff and Holland

AN ACT Relating to school district budgets and funds; amending section 1, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.400; amending section 2, chapter 118, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 18, Laws of 1980 and RCW 28A.65.405; amending section 5, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.420; amending section 6, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.425; amending section 8, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.435; amending section 9, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.440; amending section 10, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.445; amending section 11, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.450; amending section 13, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.460; amending section 14, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.465; amending section 17, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.480; amending section 18, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.485; reenacting and amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 9, chapter 265, Laws of 1981 and by section 1, chapter 343, Laws of 1981 and RCW 28A.41.160; amending section 6, chapter 265, Laws of 1981 and RCW 28A.41.540; amending section 7, chapter 265, Laws of 1981 and RCW 28A.58.428; amending section 2, chapter 250, Laws of 1981 as amended by section 6, chapter 191, Laws of 1982 and RCW 28A.58.441; amending section 2, chapter 243, Laws of 1975 1st ex. sess. as last amended by section 3, chapter 250, Laws of 1981 and RCW 28A.58.0461; amending section 4, chapter 115, Laws of 1980 as last amended by section 4, chapter 191, Laws of 1982 and RCW 28A.58.035; amending section 28A.59.185, chapter 223, Laws of 1969 ex. sess. as amended by section 12, chapter 191, Laws of 1982 and RCW 28A.59.185; amending section 3, chapter 256, Laws of 1979 ex. sess. and RCW 48.62.030; creating a new section; repealing section 20, chapter 118, Laws of 1975-'76 2nd ex. sess., section 1, chapter 124, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.495; and providing an effective date.

Referred to Committee on Education.

**HB 149** by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, P. King, Kaiser, Ristuben, Powers, Sayan, Smitherman, Wang, Brough, McMullen, Mitchell, Belcher, Patrick, Johnson, Haugen, Rust, Moon, Halsan, Hine, Dellwo, Lux, Ebersole and Locke

AN ACT Relating to reporting requirements for government officials receiving honoraria, entering into contracts, or entering into employment or personal service contracts; and adding new sections to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 150** by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, Kaiser, Ristuben, Wang, Lewis, McMullen, Mitchell, Belcher, Patrick, Johnson, Isaacson, Silver, Rust, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux and Holland

AN ACT Relating to reporting political contributions exceeding five hundred dollars; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 151** by Representatives Lux, Pruitt, Wang, Fisher, Smitherman, Niemi, Charnley, Galloway, Rust, D. Nelson, Burns and Locke

AN ACT Relating to the name of the state convention and trade center; and adding a new section to chapter 67.40 RCW.

Referred to Committee on State Government.

**HB 152** by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, McMullen, Patrick, Johnson, Isaacson, Burns, Silver, Stratton, Haugen, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux, Holland, Schmidt, D. Nelson, Brekke and Locke

AN ACT Relating to political fund-raisers during legislative sessions; adding a new section to chapter 42.17 RCW; and adding a new section to chapter 44.60 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 153** by Representatives Pruitt, Barnes, Miller, Fisch, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, Mitchell, Belcher, Patrick, Isaacson, Silver, Stratton, McDonald, Todd, Moon, Halsan, Hine, Dellwo, Lux, Holland, Ebersole and Johnson

AN ACT Relating to reporting transfer of funds by political committees or candidates; and amending section 9, chapter 1, Laws of 1973 as last amended by section 7, chapter 147, Laws of 1982 and RCW 42.17.090.

Referred to Committee on Constitution, Elections & Ethics.

**HB 154** by Representatives Wang, Pruitt, Barnes, Patrick, Fisch, Fisher, Miller, Jacobsen, Long, Vander Stoep, Zellinsky, B. Williams, P. King, Kaiser, Armstrong, Ristuben, Lewis, Johnson, Belcher, Isaacson, Silver, Rust, McDonald, Moon, Hine, Allen, Dellwo and Lux

AN ACT Relating to cash or currency political contributions or expenditures; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 155** by Representatives Halsan, Locke, P. King, Holland, Padden, Martinis, Patrick, Armstrong, Tanner, Lewis, Johnson, Isaacson, Clayton, Haugen, Hastings, Lux, Schoon and Miller

AN ACT Relating to negligent homicide and vehicular assault; amending section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285; amending section 46.56.040, chapter 12, Laws of 1961 as last amended by section 3, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.520; amending section 12, chapter 10, Laws of 1982 and RCW 46.63.020; amending section 4, chapter 284, Laws of 1971 ex. sess. as last amended by section 1, chapter 188, Laws of 1981 and RCW 46.65.020; amending section 46.72.100, chapter 12,

Laws of 1961 as amended by section 86, chapter 32, Laws of 1967 and RCW 46.72.100; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 156** by Representatives Walk, Hankins, Vekich and Struthers (by State Patrol request)

AN ACT Relating to the Washington state patrol; and adding a new section to chapter 43.43 RCW.

Referred to Committee on State Government.

**HB 157** by Representatives Powers, Mitchell, Ristuben, O'Brien and Hine (by Governor Spellman request)

AN ACT Relating to the planning and community affairs agency; amending section 3, chapter 74, Laws of 1967 and RCW 43.63A.030; amending section 2, chapter 74, Laws of 1967 and RCW 43.63A.020; amending section 4, chapter 74, Laws of 1967 as amended by section 10, chapter 40, Laws of 1975 and RCW 43.63A.040; amending section 6, chapter 74, Laws of 1967 and RCW 43.63A.060; amending section 10, chapter 74, Laws of 1967 and RCW 43.63A.100; amending section 2, chapter 269, Laws of 1981 and RCW 43.63A.190; amending section 3, chapter 123, Laws of 1980 and RCW 28A.91.110; amending section 9, chapter 10, Laws of 1982 and RCW 42.17.240; amending section 7, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.080; amending section 2, chapter 19, Laws of 1977 ex. sess. as amended by section 149, chapter 151, Laws of 1979 and RCW 43.132.020; amending section 3, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.030; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 21, chapter 99, Laws of 1979 and RCW 43.131.189; amending section 63, chapter 99, Laws of 1979 and RCW 43.131.190; adding new sections to chapter 43.63A RCW; creating new sections; repealing section 43.31.200, chapter 8, Laws of 1965, section 42, chapter 171, Laws of 1974 ex. sess. and RCW 43.31.200; repealing section 43.31.210, chapter 8, Laws of 1965 and RCW 43.31.210; repealing section 43.31.220, chapter 8, Laws of 1965 and RCW 43.31.220; repealing section 43.31.230, chapter 8, Laws of 1965 and RCW 43.31.230; repealing section 1, chapter 74, Laws of 1967 and RCW 43.63A-.010; repealing section 7, chapter 74, Laws of 1967, section 28, chapter 151, Laws of 1977 ex. sess., section 132, chapter 151, Laws of 1979 and RCW 43.63A.070; repealing section 8, chapter 74, Laws of 1967, section 63, chapter 75, Laws of 1977 and RCW 43.63A.080; repealing section 11, chapter 74, Laws of 1967 and RCW 43.63A.110; repealing section 28, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.270; declaring an emergency; and providing an effective date.

Referred to Committee on State Government.

**HB 158** by Representatives Van Dyken, Rust and Hastings

AN ACT Relating to local taxation; amending section 4, chapter 94, Laws of 1970 ex. sess. as amended by section 17, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.030; and amending section 5, chapter 94, Laws of 1970 ex. sess. as amended by section 18, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.040.

Referred to Committee on Ways & Means.

**HB 159** by Representatives Braddock, Van Dyken, Egger, Fiske, McMullen and Tanner

AN ACT Relating to border towns; amending section 6, chapter 175, Laws of 1957 and RCW 66.08.190; adding a new section to chapter 66.08 RCW; and creating a new section.

Referred to Committee on Local Government.

**HB 160** by Representatives Grimm, Vander Stoep, Hine, Lewis and Isaacson (by Governor Spellman request)

AN ACT Relating to business and occupation taxes; amending section 6, chapter 196, Laws of 1979 ex. sess. as amended by section 80, chapter 37, Laws of 1980 and RCW 82.04.431; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

**HB 161** by Representatives Stratton, Barrett, Tanner, B. Williams, Lewis, Isaacson, Silver, Clayton, Wilson, Holland and Miller (by Governor Spellman request)

AN ACT Relating to economic development; amending section 2, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.020; amending section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080; amending section 11, chapter 117, Laws of 1972 ex. sess. as amended by section 5, chapter 76, Laws of 1981 and RCW 43.31A.110; amending section 16, chapter 117, Laws of 1972 ex. sess. as amended by section 1, chapter 6, Laws of 1982 2nd ex. sess. and RCW 43.31A.160; amending section 2, chapter 6, Laws of 1982 2nd ex. sess. (uncodified); amending section 4, chapter 76, Laws of 1981 and RCW 43.31A.400; amending section 10, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.900; adding new sections to chapter 43.160 RCW; providing effective dates; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 162** by Representatives D. Nelson, Barnes, Todd, Garrett, Burns and Hine (by Governor Spellman request)

AN ACT Relating to energy-related building standards; amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030; adding a new section to chapter 19.27 RCW; creating new sections; repealing section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075; repealing section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200; repealing section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210; repealing section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220; repealing section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230; repealing section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240; repealing section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250; repealing section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260; repealing section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270; repealing section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280; repealing section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290; repealing section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300; repealing section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310; repealing section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905; and making an appropriation.

Referred to Committee on Energy & Utilities.

**HB 163** by Representatives Niemi, Clayton, Locke, Tanner, Tilly, P. King, Wang, Lewis, Brough, McMullen, Belcher, Burns, O'Brien, Stratton, R. King, Hine, Lux, Holland, D. Nelson, Allen, Sommers, Miller, Brekke and Rust (by Governor Spellman request)

AN ACT Relating to minority and women's business enterprises; adding a new chapter to Title 39 RCW; adding a new section to chapter 39.29 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 43.19 RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

**HB 164** by Representatives Braddock, Van Dyken, McMullen, Garrett and Vekich (by Governor Spellman request)

AN ACT Relating to state participation in the British Columbia World Exposition of 1986; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; and providing an expiration date.

Referred to Committee on State Government.

**HB 165** by Representatives Van Dyken, B. Williams, J. King, Barrett, Padden, Hastings, Fiske, Stratton, Egger, Tanner, Struthers, Lewis, Johnson, Isaacson, Silver, Clayton, West, Ballard, Taylor, Schoon, J. Williams and Bond

AN ACT Relating to permit processing; amending section 2, chapter 185, Laws of 1973 1st ex. sess. as amended by section 2, chapter 54, Laws of 1977 and RCW 90.62.020; amending section 4, chapter 185, Laws of 1973 1st ex. sess. as amended by section 3, chapter 54, Laws of 1977 and RCW 90.62.040; amending section 5, chapter 185, Laws of 1973 1st ex. sess. as amended by section 4, chapter 54, Laws of 1977 and RCW 90.62.050; amending section 6, chapter 185, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 179, Laws of 1982 and RCW 90.62.060; amending section 10, chapter 185, Laws of 1973 1st ex. sess. as amended by section 8, chapter 54, Laws of 1977 and RCW 90.62.100; amending section 14, chapter 185, Laws of 1973 1st ex. sess. and RCW 90.62.901; amending section 12, chapter 179, Laws of 1974 ex. sess. as amended by section 1, chapter 206, Laws of 1975 1st ex. sess. and RCW 43.21C.150; adding a new section to chapter 35.58 RCW; 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 a new section to chapter 58.17  
 RCW: adding a new section to chapter 64.32 RCW: adding a new section to chapter 90.58  
 RCW: adding new sections to chapter 90.62 RCW: and creating new sections.

Referred to Committee on Environmental Affairs.

HB 166 by Representatives Haugen, Tilly, Zellinsky, P. King, Ristuben, Lewis, Johnson, Patrick, Isaacson, Hastings, Lux, Holland, Schoon, Miller and Stratton (by Governor Spellman request)

AN ACT Relating to highway safety; amending section 1, chapter 244, Laws of 1975 1st ex. sess. as amended by section 26, chapter 47, Laws of 1982 1st ex. sess. and RCW 10.05.010; amending section 6, chapter 244, Laws of 1975 1st ex. sess. as amended by section 4, chapter 158, Laws of 1979 and RCW 10.05.060; amending section 84, page 115, Laws of 1854 as amended by section 1040, Code of 1881 and RCW 10.22.010; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285; amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; reenacting and amending section 46.52.100, chapter 12, Laws of 1961 as last amended by section 81, chapter 136, Laws of 1979 ex. sess. and by section 4, chapter 176, Laws of 1979 ex. sess. and RCW 46.52.100; amending section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 84, chapter 136, Laws of 1979 ex. sess. and RCW 46.52.130; amending section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502; amending section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504; amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 12, chapter 10, Laws of 1982 and RCW 46.63.020; amending section 442, chapter 249, Laws of 1909 and RCW 66.44.240; amending section 441, chapter 249, Laws of 1909 and RCW 66.44.250; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; adding new sections to chapter 46.61 RCW; repealing section 46.20.380, chapter 12, Laws of 1961, section 31, chapter 32, Laws of 1967, section 12, chapter 61, Laws of 1979 and RCW 46.20.380; repealing section 1, chapter 5, Laws of 1973, section 13, chapter 61, Laws of 1979 and RCW 46.20.391; repealing section 46.20.400, chapter 12, Laws of 1961, section 33, chapter 32, Laws of 1967 and RCW 46.20.400; repealing section 46.20.410, chapter 12, Laws of 1961, section 34, chapter 32, Laws of 1967 and RCW 46.20.410; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HJM 7 by Representatives D. Nelson and Schmidt (by Governor Spellman request)

Urging Congress to ratify the Northwest Interstate Compact on Low-Level Radioactive Waste.

Referred to Committee on Energy & Utilities.

HJR 13 by Representatives Walk, Struthers, Niemi, Garrett, B. Williams and J. Williams (by Governor Spellman request)

Authorizing reorganization of state government.

Referred to Committee on State Government.

HCR 5 by Representatives Lux, Pruitt, Smitherman, Wang, Fisher, Niemi, Charnley, Galloway, Rust, D. Nelson, Burns, Allen, Brekke, Powers, Sayan and Locke

Requesting that the state convention center be dedicated to Martin Luther King, Jr.

Referred to Committee on State Government.

#### REPORT OF STANDING COMMITTEE

January 19, 1983

HB 39 Prime Sponsor, Representative Walk: Modifying sunset review procedures. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair;

Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan, Taylor and Vekich.

Not attending: Representatives Belcher, Bond and Johnson.

Passed to Committee on Rules for second reading.

### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 20, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Pruitt, R. King, Vekich, Sommers, Jacobsen, Ristuben, P. King, Charnley, Fisch, Rust, Moon, Halsan, Locke, Tanner, Armstrong, Powers, Todd, Fisher, Hine, Ellis, Kaiser and Burns):

Establishing a temporary congressional redistricting commission.

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

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

### POINT OF INQUIRY

Mr. Pruitt yielded to question by Ms. Miller.

Ms. Miller: "Representative Pruitt, in the interest of letting everyone, both here in this body and in the gallery and out in our districts, understand how completely and openly we want this to work and how much we want to see that this job be done with open cooperation, working together; my question is: Will the commission's meetings and deliberations be subject to the provisions of the Open Meetings Act of 1971?"

Mr. Pruitt: "My answer to that is an enthusiastic 'yes.' According to the Open Meetings Act of 1971, 'All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency.'"

Mr. Barnes spoke in favor of passage of the bill, and Mr. Padden spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 20, and the bill passed the House by the following vote: Yeas, 83; nays, 13; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Padden, Sanders, Smith, West, Williams J - 13.

Excused: Representative Van Dyken - 1.

Absent: Representatives Bond - 1.

Engrossed Substitute House Bill No. 20, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### STATEMENT FOR THE JOURNAL

I would like to be shown as voting "No" on Engrossed Substitute House Bill No. 20.

Dick Bond, 6th District.

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Friday, January 21, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWELFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 21, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Kaiser, Monohon, Van Dyken and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jean Pheasant and Chuk Ting. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

January 20, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3035,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 20, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 101,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 167 by Representatives Appelwick and P. King

AN ACT Relating to family court; amending section 1, chapter 50, Laws of 1949 and RCW 26.12.010; amending section 9, chapter 50, Laws of 1949 and RCW 26.12.090; amending section 10, chapter 50, Laws of 1949 and RCW 26.12.100; amending section 12, chapter 50, Laws of 1949 and RCW 26.12.120; amending section 17, chapter 50, Laws of 1949 as amended by section 2, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.170; amending section 18, chapter 50, Laws of 1949 and RCW 26.12.180; amending section 19, chapter 50, Laws of 1949 and RCW 26.12.190; amending section 20, chapter 50, Laws of 1949 and RCW 26.12.200; and amending section 21, chapter 50, Laws of 1949 and RCW 26.12.210.

Referred to Committee on Judiciary.

HB 168 by Representatives Galloway, Sanders, Belcher, Charnley, Braddock, Tanner, Gallagher and Allen

AN ACT Relating to handicapped children; amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010; amending section 28A.13.050, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.050; amending section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772; and creating a new section.

Referred to Committee on Education.

HB 169 by Representatives Galloway, Prince, Charnley, Heck, Fiske and R. King

AN ACT Relating to librarian certification; amending section 1, chapter 295, Laws of 1955 and RCW 27.08.045; adding new sections to chapter 27.08 RCW; repealing section 11, chapter 119, Laws of 1935, section 12, chapter 106, Laws of 1973 and RCW 27.08.010; and prescribing penalties.

Referred to Committee on Education.



**HB 170** by Representatives Charnley, Fuhrman, Lux, Tilly, Powers, Burns, Johnson, Brekke, Jacobsen, Betrozoff, Locke, Niemi, Long, Fisher, Crane, Broback, Pruitt, Monohon, Zellinsky, Martinis, Schoon, Taylor, Vekich, O'Brien, Sayan, Wang, Sutherland, Hine, Dickie, Silver, Barrett, R. King, Rust, Haugen, Addison, Clayton, Ristuben, Mitchell, Todd, Hastings, Garrett, Patrick, Struthers, Tanner, Holland, B. Williams, Hankins, Dellwo, Miller, Isaacson, Cantu, D. Nelson and Ebersole

AN ACT Relating to property tax relief; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 4, chapter 185, Laws of 1980 and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.385; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 171** by Representatives McMullen, Fiske, Haugen, Hastings and Isaacson

AN ACT Relating to port commissioners; amending section 8, chapter 17, Laws of 1959 as amended by section 8, chapter 175, Laws of 1959 and RCW 53.12.150; and declaring an emergency.

Referred to Committee on Constitution, Elections & Ethics.

**HB 172** by Representatives McMullen, Fiske and Haugen

AN ACT Relating to state route number 530; and amending section 152, chapter 51, Laws of 1970 ex. sess. as amended by section 20, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.755.

Referred to Committee on Transportation.

**HB 173** by Representatives Ellis, Appelwick and Armstrong

AN ACT Relating to revenue and taxation; amending section 47, chapter 26, Laws of 1967 ex. sess. as amended by section 9, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.180; amending section 48, chapter 26, Laws of 1967 ex. sess. as last amended by section 50, chapter 209, Laws of 1979 ex. sess. and RCW 82.03.190; amending section 82.32.050, chapter 15, Laws of 1961 as last amended by section 16, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.050; amending section 82.32.060, chapter 15, Laws of 1961 as last amended by section 4, chapter 95, Laws of 1979 ex. sess. and RCW 82.32.060; amending section 82.32.100, chapter 15, Laws of 1961 as last amended by section 20, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.100; amending section 82.32.160, chapter 15, Laws of 1961 as last amended by section 4, chapter 158, Laws of 1975 1st ex. sess. and RCW 82.32.160; amending section 82.32.180, chapter 15, Laws of 1961 as last amended by section 148, chapter 81, Laws of 1971 and RCW 82.32.180; amending section 82.36.040, chapter 15, Laws of 1961 as amended by section 1, chapter 28, Laws of 1977 and RCW 82.36.040; amending section 82.48.090, chapter 15, Laws of 1961 as amended by section 96, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.48.090; amending section 16, chapter 260, Laws of 1981 and RCW 82.50.170; amending section 84.24.070, chapter 15, Laws of 1961 and RCW 84.24.070; amending section 84.68.020, chapter 15, Laws of 1961 and RCW 84.68.020; amending section 84.68.030, chapter 15, Laws of 1961 and RCW 84.68.030; amending section 84.68.050, chapter 15, Laws of 1961 and RCW 84.68.050; amending section 84.68.060, chapter 15, Laws of 1961 and RCW 84.68.060; amending section 84.68.070, chapter 15, Laws of 1961 and RCW 84.68.070; amending section 84.68.140, chapter 15, Laws of 1961 as amended by section 210, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.68.140; amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 228, Laws of 1981 and RCW 84.69.020; amending section 84.69.030, chapter 15, Laws of 1961 and RCW 84.69.030; amending section 84.69.100, chapter 15, Laws of 1961 as amended by section 4, chapter 5, Laws of 1973 2nd ex. sess. and RCW 84.69.100; amending section 84.69.120, chapter 15, Laws of 1961 as amended by section 2, chapter 228, Laws of 1981 and RCW 84.69.120; amending section 84.69.140, chapter 15, Laws of 1961 and RCW 84.69.140; adding a new section to chapter 84.48 RCW; providing effective dates; prescribing penalties; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 174** by Representatives Armstrong, Padden, Charnley and Hastings

AN ACT Relating to judgments; amending section 6, chapter 60, Laws of 1929 and RCW 4.56.100; and amending section 307, page 75, Laws of 1869 as last amended by section 305, Code of 1881 and RCW 4.64.030.

Referred to Committee on Judiciary.

**HB 175** by Representatives Sutherland, Todd, B. Williams, R. King, Belcher, Sayan, Gallagher, Isaacson, Zellinsky, Fisch, Powers, Charnley and Lux

AN ACT Relating to industrial insurance; and amending section 51.08.180, chapter 23, Laws of 1961 as last amended by section 1, chapter 80, Laws of 1982 and RCW 51.08.180.

Referred to Committee on Labor.

**HB 176** by Representatives Sanders, J. King, Patrick, Tanner, Holland, Isaacson, B. Williams, Broback, Tilly, Padden, Addison, Lewis, Fuhrman, Smitherman, Ellis, Kaiser, Zellinsky, Barrett, Schoon, Betrozoff, Chandler, P. King, Barnes, Clayton, Mitchell, Hastings, Johnson, Silver, Braddock, Struthers, Taylor, Smith, Hankins, Long, Brough, Miller and Cantu

AN ACT Relating to business and occupation taxes; amending section 82.04.300, chapter 15, Laws of 1961 as last amended by section 4, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.300; amending section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045; and providing an effective date.

Referred to Committee on Commerce & Economic Development.

**HB 177** by Representatives Wang, Lewis, Kreidler, Ballard, Stratton, Broback, D. Nelson, Vander Stoep, Armstrong, Niemi, Pruitt, Mitchell, Dellwo, Braddock, Schoon, Chandler, P. King, Powers, Burns, Ristuben, Johnson, Garrett, Halsan, Tilly, Charnley, Locke, Sutherland, Tanner, Galloway, Holland, Lux, R. King, J. Williams, Long, Miller, Hine and Vekich

AN ACT Relating to public health and safety; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Social & Health Services.

**HB 178** by Representatives Stratton, Padden, Barrett, Egger, Van Dyken, Fuhrman, Sutherland, Patrick, Ebersole, Dellwo, West, Chandler, Barnes, Bond, Silver, Gallagher, Holland, Nealey and Isaacson

AN ACT Relating to prohibiting causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; and adding new sections to chapter 4.24 RCW.

Referred to Committee on Judiciary.

**HB 179** by Representatives Appelwick and Armstrong

AN ACT Relating to unclaimed property; enacting the Uniform Unclaimed Property Act of 1983; adding a new chapter to Title 63 RCW; creating new sections; repealing section 1, chapter 385, Laws of 1955, section 27, chapter 26, Laws of 1967 ex. sess., section 6, chapter 107, Laws of 1979 and RCW 63.28.070; repealing section 2, chapter 385, Laws of 1955, section 1, chapter 59, Laws of 1975-76 2nd ex. sess., section 1, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.080; repealing section 3, chapter 385, Laws of 1955, section 2, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.090; repealing section 4, chapter 385, Laws of 1955, section 3, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.100; repealing section 5, chapter 385, Laws of 1955 and RCW 63.28.110; repealing section 6, chapter 385, Laws of 1955 and RCW 63.28.120; repealing section 7, chapter 385, Laws of 1955, section 4, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.130; repealing section 8, chapter 385, Laws of 1955, section 5, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.140; repealing section 9, chapter 385, Laws of 1955, section 1, chapter 11, Laws of 1955 ex. sess., section 6, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.150; repealing section 10, chapter 385, Laws of 1955 and RCW 63.28.160; repealing section 11, chapter 385, Laws of 1955 and RCW 63.28.170; repealing section 12, chapter 385, Laws of 1955 and RCW 63.28.180; repealing section 13, chapter 385, Laws of 1955 and RCW 63.28.190; repealing section 14, chapter 385, Laws of 1955 and RCW 63.28.200; repealing section 15, chapter 385, Laws of 1955 and RCW 63.28.210; repealing section 16, chapter 385, Laws of 1955 and RCW 63.28.220; repealing section 1, chapter 117, Laws of 1979 ex. sess. and RCW

63.28.225; repealing section 17, chapter 385, Laws of 1955 and RCW 63.28.230; repealing section 18, chapter 385, Laws of 1955 and RCW 63.28.240; repealing section 19, chapter 385, Laws of 1955 and RCW 63.28.250; repealing section 20, chapter 385, Laws of 1955 and RCW 63.28.260; repealing section 21, chapter 385, Laws of 1955 and RCW 63.28.270; repealing section 22, chapter 385, Laws of 1955 and RCW 63.28.280; repealing section 23, chapter 385, Laws of 1955 and RCW 63.28.290; repealing section 24, chapter 385, Laws of 1955 and RCW 63.28.300; repealing section 25, chapter 385, Laws of 1955 and RCW 63.28.310; repealing section 26, chapter 385, Laws of 1955 and RCW 63.28.320; repealing section 27, chapter 385, Laws of 1955 and RCW 63.28.330; repealing section 28, chapter 385, Laws of 1955 and RCW 63.28.340; repealing section 29, chapter 385, Laws of 1955 and RCW 63.28.350; repealing section 1, chapter 289, Laws of 1959, section 4, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.28.360; repealing section 32, chapter 385, Laws of 1955 and RCW 63.28.900; repealing section 31, chapter 385, Laws of 1955 and RCW 63.28.910; repealing section 30, chapter 385, Laws of 1955 and RCW 63.28.920; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 180** by Representatives Stratton and Tilly (by Parks and Recreation Commission request)

AN ACT Relating to the snowmobile advisory committee; and amending section 2, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.220.

Referred to Committee on Environmental Affairs.

**HB 181** by Representatives Stratton, B. Williams, Isaacson, Sanders, Martinis, McClure, McDonald and Mitchell

AN ACT Relating to management of public lands; amending section 1, chapter 109, Laws of 1977 ex. sess. and RCW 79.66.010; amending section 2, chapter 109, Laws of 1977 ex. sess. and RCW 79.66.020; amending section 3, chapter 109, Laws of 1977 ex. sess. and RCW 79.66.030; amending section 4, chapter 109, Laws of 1977 ex. sess. and RCW 79.66.040; amending section 5, chapter 109, Laws of 1977 ex. sess. and RCW 79.66.050; amending section 54, chapter 255, Laws of 1927 as last amended by section 159, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.01.216; amending section 10, chapter 109, Laws of 1979 ex. sess. and RCW 79.01.242; amending section 154, chapter 255, Laws of 1927 and RCW 79.01.612; adding new sections to chapter 79.66 RCW; and making an appropriation.

Referred to Committee on Natural Resources.

**HB 182** by Representatives Martinis, Wilson, Fisch, Ristuben, Haugen, Mitchell, Braddock, Gallagher and Isaacson (by Department of Transportation request)

AN ACT Relating to public highways; amending section 10, chapter 159, Laws of 1935 and RCW 86.16.080; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Transportation.

**HB 183** by Representatives McMullen, Clayton and Sutherland (by Department of Transportation request)

AN ACT Relating to eminent domain; amending section 2, chapter 177, Laws of 1951 as amended by section 1, chapter 155, Laws of 1955 and RCW 8.04.092; and adding a new section to chapter 47.12 RCW.

Referred to Committee on Transportation.

**HB 184** by Representatives McMullen, Clayton and Sutherland (by Department of Transportation request)

AN ACT Relating to the department of transportation; and amending section 1, chapter 58, Laws of 1979 ex. sess. and RCW 47.01.260.

Referred to Committee on Transportation.

**HB 185** by Representatives McMullen, Wilson and Sutherland (by Department of Transportation request)

AN ACT Relating to state highway routes; amending section 12, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.055; and amending section 41, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.200.

Referred to Committee on Transportation.

- HB 186** by Representatives Patrick, B. Williams, Sanders, Johnson, Barrett, Lewis, Taylor, G. Nelson, Mitchell, Schoon, Silver and Ebersole  
 AN ACT Relating to veterans; adding a new chapter to Title 43 RCW; making an appropriation; and declaring an emergency.  
 Referred to Committee on State Government.
- HB 187** by Representatives Kreidler, Lewis, Heck, Broback, Dellwo, McClure, Ballard, Wang, Niemi, Sanders, Belcher, Braddock and Patrick  
 AN ACT Relating to state services and programs for the handicapped; amending section 2, chapter 246, Laws of 1975 1st ex. sess. as amended by section 57, chapter 80, Laws of 1977 ex. sess. and RCW 72.33.125; and declaring an emergency.  
 Referred to Committee on Social & Health Services.
- HB 188** by Representatives Dellwo, Lux, Kreidler, Pruitt, Patrick, Brough, Ebersole, Allen, Hine, Powers, Lewis, P. King and Locke  
 AN ACT Relating to professional counseling; amending section 294, page 187, Laws of 1854 as last amended by section 1, chapter 56, Laws of 1982 and RCW 5.60.060; adding a new chapter to Title 18 RCW; and prescribing penalties.  
 Referred to Committee on Social & Health Services.
- HB 189** by Representatives Wang and Smitherman  
 AN ACT Relating to the issuance and sale of bonds by metropolitan park districts; amending section 35.61.100, chapter 7, Laws of 1965 as amended by section 14, chapter 42, Laws of 1970 ex. sess. and RCW 35.61.100; and amending section 35.61.160, chapter 7, Laws of 1965 and RCW 35.61.160.  
 Referred to Committee on Local Government.
- HB 190** by Representatives Smitherman, Schoon, Todd, Zellinsky, J. King, Holland, Ebersole, Tanner, Fisch, Sutherland, Jacobsen, Stratton, Haugen, Egger, Powers, Galloway, Sayan, Ellis, Wang, Heck, Crane, P. King, Ristubèn, Garrett, Locke, R. King, B. Williams and Isaacson  
 AN ACT Relating to technology development; adding a new chapter to Title 43 RCW; and making an appropriation.  
 Referred to Committee on Commerce & Economic Development.
- HB 191** by Representatives Prince, Egger, Chandler, Smith, Tanner, Patrick, Stratton, Nealey, Martinis, Padden, Ballard, Walk, Fiske, Struthers, Garrett, Crane, Clayton, Todd, Bond, Hastings, Johnson, Silver, Taylor, J. Williams, Hankins, Long, Miller and Isaacson  
 AN ACT Relating to sales taxation; and amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010.  
 Referred to Committee on Ways & Means.
- HB 192** by Representatives Wilson, Van Dyken, Schoon, Barnes, Silver, Allen, Patrick, Prince, B. Williams and Mitchell  
 AN ACT Relating to wood product processing facilities; adding a new chapter to Title 82 RCW; and adding a new section to chapter 84.36 RCW.  
 Referred to Committee on Commerce & Economic Development.
- HB 193** by Representatives Fisch, West, Patrick, Isaacson, Brough, Hastings, Haugen, Holland, Silver, Ebersole, Schoon, Addison, Clayton, Bond, Johnson, Taylor, Lux, J. Williams, Smith and Miller  
 AN ACT Relating to the voters' pamphlet; and amending section 29.81.020, chapter 9, Laws of 1965 as amended by section 2, chapter 143, Laws of 1973 1st ex. sess. and RCW 29.81.020.  
 Referred to Committee on Constitution, Elections & Ethics.
- HB 194** by Representatives West, B. Williams, Schoon, Hastings, Broback, Patrick, Egger, Addison, Bond and Isaacson

AN ACT Relating to the budget and accounting act; amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030; amending section 43.88.070, chapter 8, Laws of 1965 and RCW 43.88.070; amending section 43.88.110, chapter 8, Laws of 1965 as last amended by section 1, chapter 15, Laws of 1982 2nd ex. sess. and RCW 43.88.110; amending section 11, chapter 10, Laws of 1982 and RCW 43.88.160; amending section 1, chapter 280, Laws of 1981 and RCW 43.88.520; amending section 2, chapter 280, Laws of 1981 and RCW 43.88.525; amending section 3, chapter 280, Laws of 1981 as amended by section 2, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.530; amending section 4, chapter 280, Laws of 1981 as amended by section 3, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.535; and amending section 5, chapter 280, Laws of 1981 and RCW 43.88.540.

Referred to Committee on Ways & Means.

HB 195 by Representatives Schoon, B. Williams, Mitchell, Charnley, Patrick, J. Williams, Isaacson and D. Nelson

AN ACT Relating to unemployment insurance; adding a new chapter to Title 50 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

HB 196 by Representatives Heck, Vander Stoep, Grimm, Holland, Appelwick, McDonald, Sanders, Halsan, Wang, Gallagher and Dellwo

AN ACT Relating to handicapped children; amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.010; amending section 28A.13.050, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 66, Laws of 1971 ex. sess. and RCW 28A.13.050; and amending section 2, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.772.

Referred to Committee on Education.

HJR 14 by Representatives Patrick, Fuhrman, Bond, Schoon, Padden, Chandler, Holland, B. Williams, J. Williams, Broback, Barnes, Ballard, Mitchell, Hastings, Sanders, Addison, Clayton, Johnson and Isaacson

Amending Constitution to prevent deficit spending.

Referred to Committee on Ways & Means.

HJR 15 by Representatives Patrick, Johnson, Sanders, B. Williams, Barrett, Lewis, Schoon and Silver

Amending the Constitution to authorize home loans for veterans.

Referred to Committee on State Government.

HJR 16 by Representatives Van Dyken, B. Williams, Allen, Lewis and Silver

Providing the means to pay the indebtedness on public development projects.

Referred to Committee on Ways & Means.

HJR 17 by Representatives Allen, Appelwick, P. King, Miller, Fiske, Brække, Hine, Rust, Crane and Betrozoff

Providing for longer, staggered terms of office for senators and members of the house of representatives.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3035 by Committee on Ways & Means (originally sponsored by Senators McDermott, Gaspard, Bender and Hughes);

Directing preparation of a comprehensive plan for the maintenance and repair of the state's public works and appropriating funds for the plan.

Referred to Committee on Commerce and Economic Development.

SCR 101 by Senators Goltz and Guess

Continuing the Joint Ad Hoc Committee on Science and Technology.

Referred to Committee on State Government.

## RESOLUTION

On motion of Mr. Heck the rules were suspended to allow consideration of House Resolution No. 83-6.

HOUSE FLOOR RESOLUTION NO. 83-6, by Representatives Martinis, G. Nelson, Ehlers, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Van Dyken, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson, Zellinsky:

WHEREAS, Karen Allen has served the Washington State House of Representatives for fourteen long and illustrious years in many capacities, growing up with the Legislature; and

WHEREAS, She started with the House in 1969 as a session-only employee; and

WHEREAS, Karen spent long hours during the session of 1970 in the workroom, moving rapidly to the workroom supervisor's spot in 1972 and 1973; and later doing a short stint as Representative Irv Newhouse's secretary; and

WHEREAS, She spent the next six years in the Republican Communications office showing dedication and a quick sense of humor; and that during those six years, she became well known to many people from the Office of Program Research to the Bill Room; and

WHEREAS, During the 49-49 split, Karen served all members of the House as Co-Chief Clerk Vito Chiechi's Administrative Assistant, then moved to quarters with a better view as House Speaker William Polk's Administrative Assistant in 1981; and

WHEREAS, Karen repeatedly demonstrated that no task is too humble or too small by helping out whenever she was needed, including several stints stuffing billbooks until the wee hours of the morning when she was the Speaker's Administrative Assistant; and

WHEREAS, During her fourteen years at the House, Karen has given her friendship willingly to many people, shared her laughter and her time with people on both sides of the political aisle, and acquired a headful of trivia about the Legislature; and

WHEREAS, On Monday, January 24, Karen will assume new responsibilities as Office Manager to Bill Polk at John Graham Company, in Seattle;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we hereby extend our appreciation and best wishes to Karen Allen for her years of excellent service to the House of Representatives and the people of the state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be suitably inscribed and attested to by the Chief Clerk of the House of Representatives and presented to Karen Allen.

Mr. Martinis moved adoption of the resolution. Representatives Martinis and G. Nelson spoke in favor of the resolution and House Resolution No. 83-6 was adopted.

The Speaker appointed Representatives G. Nelson and Martinis to escort Karen Allen to the rostrum and she was presented with the resolution.

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, January 24, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 24, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Kaiser, R. King, Kreidler, Monohon and Van Dyken. Representatives Kaiser, R. King, Monohon and Van Dyken were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Viki Violette and Chadd Haase. Prayer was offered by The Reverend Arla J. Elston, First Christian Church of Olympia.

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

## MESSAGES FROM THE SENATE

January 21, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 21, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 103.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1.

## INTRODUCTIONS AND FIRST READING

HB 197 by Representatives Crane, Todd, Grimm, Tanner, Jacobsen, Armstrong, P. King, Silver, Isaacson, Halsan, Fisch, Holland, Long and Johnson

AN ACT Relating to jurors; and amending section 7, chapter 57, Laws of 1911 as amended by section 3, chapter 135, Laws of 1979 ex. sess. and RCW 2.36.100.

Referred to Committee on Judiciary.

HB 198 by Representatives Pruitt, Vander Stoep, Kreidler, Charnley, Sayan, Mitchell, Garrett, Tilly, Ristuben, Van Dyken, Powers, Johnson, Burns, Schmidt, Jacobsen, Broback, Zellinsky, Nealey, Smitherman, Clayton, Fuhrman, Taylor, Barnes, Vekich, Halsan, Sutherland, Isaacson, Fisch, Betrozoff, Fisher, Holland, Braddock, Schoon, McClure, Ballard, Niemi, Brough, Stratton, J. Williams, Haugen, Egger, Crane, Silver, Rust, Cantu, Tanner, Wilson, Belcher, Locke, Lux, Wang, O'Brien, Hine, Heck, Dellwo, Padden, Ellis, Ebersole, Addison, D. Nelson, Patrick, Long, Todd, McMullen and Hankins

AN ACT Relating to hearing aids; amending section 1, chapter 106, Laws of 1973 1st ex. sess. as amended by section 38, chapter 158, Laws of 1979 and RCW 18.35.010; amending section 2, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.020; amending section 3, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.030; amending section 4, chapter 106, Laws of 1973 1st ex. sess. as amended by section 36, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.35.040; amending section 5, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.050; amending section 6, chapter 106, Laws of 1973 1st ex. sess. as

amended by section 37, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.35.060; amending section 9, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.090; amending section 10, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.100; amending section 11, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.110; amending section 12, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.120; amending section 14, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.140; amending section 15, chapter 106, Laws of 1973 1st ex. sess. as amended by section 35, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.35.150; amending section 19, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.190; adding new sections to chapter 18.35 RCW; repealing section 13, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.130; repealing section 16, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.160; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 199 by Representatives Walk, Charnley, Grimm, Moon, Braddock, Niemi, Rust, Locke, Lux, Crane, D. Nelson, Brekke and Garrett (by Joint Select Committee on Sunset request)

AN ACT Relating to tax preference review, modification, and termination; amending section 41, chapter 35, Laws of 1982 1st ex. sess. and RCW 43.136.030; amending section 44, chapter 35, Laws of 1982 1st ex. sess. and RCW 43.136.060; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended; by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010; amending section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 5, chapter 89, Laws of 1967 ex. sess. and RCW 82.12.035; amending section 82.12.040, chapter 15, Laws of 1961 as last amended by section 11, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.040; amending section 82.12.060, chapter 15, Laws of 1961 as last amended by section 54, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.060; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 23, chapter 37, Laws of 1980 as amended by section 1, chapter 147, Laws of 1980 and RCW 82.08.0255; amending section 56, chapter 37, Laws of 1980 as amended by section 2, chapter 147, Laws of 1980 and RCW 82.12.0256; amending section 82.36.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 156, Laws of 1971 ex. sess. and RCW 82.36.230; amending section 1, chapter 28, Laws of 1974 ex. sess. as last amended by section 1, chapter 6, Laws of 1982 1st ex. sess. and RCW 82.36.020; amending section 1, chapter 42, Laws of 1973 as amended by section 4, chapter 40, Laws of 1979 and RCW 82.38.080; amending section 3, chapter 10, Laws of 1967 ex. sess. as amended by section 4, chapter 25, Laws of 1982 1st ex. sess. and RCW 82.42.030; amending section 2, chapter 155, Laws of 1980 and RCW 84.40.030; amending section 84.40.220, chapter 15, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1974 ex. sess. and RCW 84.40.220; amending section 84.36.110, chapter 15, Laws of 1961 as amended by section 71, chapter 299, Laws of 1971 ex. sess. and RCW 84.36.110; amending section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.280; amending section 82.16.050, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.16.050; amending section 14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 268, Laws of 1947 as last amended by section 1, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.020; amending section 9, chapter 259, Laws of 1971 ex. sess. as last amended by section 2, chapter 183, Laws of 1977 ex. sess. and RCW 48.32A.090; amending section 43.52.460, chapter 8, Laws of 1965 as amended by section 1, chapter 75, Laws of 1971 ex. sess. and RCW 43.52.460; amending section 82.04.120, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.04.120; amending section 13, chapter 196, Laws of 1979 ex. sess. as amended by section 3, chapter 157, Laws of 1980 and RCW 82.04.325; amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; amending section 56, chapter 299, Laws of 1971 ex. sess. as last amended by section 2, chapter 123, Laws of 1979 and RCW 82.50.410; amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.020; amending section 84.36.060, chapter 15, Laws of 1961 as last amended by section 1, chapter 141, Laws of 1981 and RCW 84.36.060; amending section 4, chapter 29, Laws of 1971 ex. sess. as last amended by



section 2, chapter 17, Laws of 1982 and RCW 46.10.040; amending section 1, chapter 85, Laws of 1969 as amended by section 1, chapter 117, Laws of 1973 and RCW 15.76.165; amending section 22, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.480; creating new sections; adding a new section to chapter 48.14 RCW; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.04 RCW; adding new sections to chapter 82.12 RCW; adding new sections to chapter 82.48 RCW; adding new sections to chapter 43.136 RCW; repealing section 27, chapter 37, Laws of 1980 and RCW 82.08.0259; repealing section 60, chapter 37, Laws of 1980 and RCW 82.12.0261; repealing section 34, chapter 37, Laws of 1980 and RCW 82.08.0267; repealing section 61, chapter 37, Laws of 1980 and RCW 82.12.0262; repealing section 38, chapter 37, Laws of 1980 and RCW 82.08.0272; repealing section 66, chapter 37, Laws of 1980 and RCW 82.12.0267; repealing section 43, chapter 37, Laws of 1980 and RCW 82.08.0277; repealing section 71, chapter 37, Laws of 1980 and RCW 82.12.0273; repealing section 25, chapter 37, Laws of 1980 and RCW 82.08.0257; repealing section 58, chapter 37, Laws of 1980 and RCW 82.12.0258; repealing section 64, chapter 37, Laws of 1980 and RCW 82.12.0265; repealing section 42, chapter 37, Laws of 1980 and RCW 82.08.0276; repealing section 69, chapter 37, Laws of 1980 and RCW 82.12.0271; repealing section 21, chapter 37, Laws of 1980 and RCW 82.08.0253; repealing section 47, chapter 37, Laws of 1980 and RCW 82.08.0282; repealing section 2, chapter 131, Laws of 1980 and RCW 82.12.0281; repealing section 1, chapter 131, Laws of 1980 and RCW 82.08.0286; repealing section 4, chapter 140, Laws of 1981 and RCW 82.08.031; repealing section 5, chapter 140, Laws of 1981 and RCW 82.12.031; repealing section 11, chapter 109, Laws of 1975-76 2nd ex. sess., section 1, chapter 183, Laws of 1977 ex. sess. and RCW 48.32.145; repealing section 32.32, chapter 79, Laws of 1947 and RCW 48.36.320; repealing section 10, chapter 172, Laws of 1981 and RCW 82.04.265; repealing section 82.04.330, chapter 15, Laws of 1961, section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330; repealing section 1, chapter 145, Laws of 1965 ex. sess. and RCW 82.04.335; repealing section 82.04.410, chapter 15, Laws of 1961, section 15, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.410; repealing section 2, chapter 37, Laws of 1980 and RCW 82.04.4281; repealing section 8, chapter 37, Laws of 1980 and RCW 82.04.4287; repealing section 12, chapter 37, Laws of 1980 and RCW 82.04.4292; repealing section 13, chapter 37, Laws of 1980 and RCW 82.04.4293; repealing section 14, chapter 37, Laws of 1980 and RCW 82.04.4294; repealing section 18, chapter 37, Laws of 1980 and RCW 82.04.4298; repealing section 1, chapter 140, Laws of 1981 and RCW 82.04.4322; repealing section 2, chapter 140, Laws of 1981 and RCW 82.04.4324; repealing section 3, chapter 140, Laws of 1981 and RCW 82.04.4326; repealing section 3, chapter 149, Laws of 1980 and RCW 82.16.055; repealing section 2, chapter 157, Laws of 1980 and RCW 82.29A.135; repealing section 5, chapter 191, Laws of 1979 ex. sess., section 1, chapter 2, Laws of 1982 1st ex. sess. and RCW 82.35.050; repealing section 84.36-.080, chapter 15, Laws of 1961 and RCW 84.36.080; repealing section 1, chapter 20, Laws of 1975 1st ex. sess. and RCW 84.36.105; repealing section 22, chapter 291, Laws of 1975 1st ex. sess., section 50, chapter ..., Laws of 1983 (section 50 of this act) and RCW 84.36.480; repealing section 2, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.030; repealing section 84.36.040, chapter 15, Laws of 1961, section 1, chapter 245, Laws of 1969 ex. sess., section 119, chapter 154, Laws of 1973 1st ex. sess., section 3, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.040; repealing section 84.36.050, chapter 15, Laws of 1961, section 1, chapter 55, Laws of 1970 ex. sess., section 2, chapter 206, Laws of 1971 ex. sess., section 4, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.050; repealing section 84.36.070, chapter 15, Laws of 1961, section 1, chapter 118, Laws of 1974 ex. sess. and RCW 84.36.070; repealing section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; repealing section 9, chapter 191, Laws of 1979 ex. sess. and RCW 84.36.485; repealing section 3, chapter 125, Laws of 1972 ex. sess. and RCW 84.36.400; and providing effective dates.

Referred to Committee on State Government.

**HB 200** by Representatives Crane, Powers, Haugen, P. King, Sanders, Mitchell, Silver, Ebersole, Galloway, Smitherman, Zellinsky, Allen, Hastings, Lux, Isaacson, Halsan, Barrett, Martinis, Taylor, Tilly, Fisch, Wilson, Charnley, Lewis, Long, Johnson, Schoon, McMullen, Schmidt and Hankins

AN ACT Relating to the regulation of cosmetology; repealing section 36, chapter 99, Laws of 1979 and RCW 43.131.219; repealing section 78, chapter 99, Laws of 1979 and RCW 43.131.220; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 201** by Representatives Lewis, Isaacson, Kreidler, Brække, Sanders and Hankins

AN ACT Relating to occupational therapists; adding a new chapter to Title 18 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 202** by Representatives J. King, Sanders, Wilson, McMullen, Haugen, Bond, Halsan, Sutherland, Fiske, McClure, Jacobsen, Heck, Isaacson, Todd, Clayton, Braddock and Charnley

AN ACT Relating to the sale and processing of timber from public lands; adding a new chapter to Title 79 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources.

**HB 203** by Representatives Lux, Sanders and Garrett

AN ACT Relating to casualty insurance; amending section 27, chapter 150, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1981 and RCW 48.22.030; and amending section 3, chapter 95, Laws of 1967 ex. sess. as amended by section 2, chapter 117, Laws of 1980 and RCW 48.22.040.

Referred to Committee on Financial Institutions & Insurance.

**HB 204** by Representatives R. King, Martinis, Van Dyken, Schmidt, McMullen and Garrett

AN ACT Relating to common carrier equipment; adding a new section to chapter 81.44 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Transportation.

**HB 205** by Representatives Lewis, Todd, West, Egger, Broback, Fiske, Silver, Ballard, Barrett, Struthers, Bond, Johnson, Schoon and Crane

AN ACT Relating to public assistance payments to landlords for the purpose of rent; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Social & Health Services.

**HB 206** by Representatives Holland, B. Williams, Schoon, Halsan and Tilly

AN ACT Relating to higher education commissions on employment needs; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

**HB 207** by Representatives Stratton, Egger, Dellwo, Barrett, Lewis, Garrett, J. Williams, Martinis, Gallagher, Sanders, Clayton, Wilson, Betzoff and Patrick

AN ACT Relating to signs near railroad grade crossings; amending section 36.86.100, chapter 4, Laws of 1963 and RCW 36.86.100; and amending section 47.32.140, chapter 13, Laws of 1961 and RCW 47.32.140.

Referred to Committee on Transportation.

**HB 208** by Representatives Vekich, Hankins, O'Brien, Hastings, Haugen and Powers (by Department of General Administration request)

AN ACT Relating to state purchasing; and amending section 43.19.1906, chapter 8, Laws of 1965 as last amended by section 2, chapter 103, Laws of 1980 and RCW 43.19.1906.

Referred to Committee on State Government.

**HB 209** by Representatives O'Brien, Hankins and Niemi (by Department of General Administration request)

AN ACT Relating to offshore items; repealing section 1, chapter 139, Laws of 1967 and RCW 39.25.010; repealing section 2, chapter 139, Laws of 1967 and RCW 39.25.020; and repealing section 3, chapter 139, Laws of 1967 and RCW 39.25.030.

Referred to Committee on Commerce & Economic Development.

**HB 210** by Representatives Holland, B. Williams, Schoon, Silver, Long, Broback, Ballard, Fuhrman and Hastings

AN ACT Relating to excise taxation; and amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090.

Referred to Committee on Ways & Means.

**HB 211** by Representatives Hine, Brough and Charnley

AN ACT Relating to port districts; adding new sections to chapter 53.08 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 212 by Representatives Ristuben, Locke, J. King, Brække, Fisch, Fisher, Tanner, McMullen, R. King, Lux, Zellinsky, Smitherman, Gallagher, Galloway, Todd, Appelwick, Vekich, Sayan, Sutherland, Garrett, Ellis, Ebersole, Powers and Stratton

AN ACT Relating to employment; creating new sections; and providing an expiration date.

Referred to Committee on Commerce & Economic Development.

HB 213 by Representatives Halsan, B. Williams, Tanner, Todd, Holland, Kreidler, Ebersole, Haugen, Fisher, Ristuben, Ellis, Belcher, Sayan, Vekich, Powers, Fisch, Hine, Dellwo, Garrett, Lewis, Johnson, Crane and Stratton

AN ACT Relating to community development; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

HB 214 by Representatives Mitchell, Kreidler, Patrick, Smith, Long, Schmidt, Schoon, Allen, Brough, Miller, Struthers, Silver, Hastings, Isaacson, Tilly, Vekich and Lewis

AN ACT Relating to polling places; amending section 29.51.020, chapter 9, Laws of 1965 and RCW 29.51.020; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

HB 215 by Representatives Lewis, Clayton, Dickie and Smith

AN ACT Relating to retail sales and use taxation; amending section 48, chapter 35, Laws of 1982 1st ex. sess. (uncodified); creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 216 by Representatives Martinis, Garrett and Gallagher

AN ACT Relating to the Model Traffic Ordinance; amending section 34, chapter 54, Laws of 1975 1st ex. sess. as amended by section 1, chapter 65, Laws of 1980 and RCW 46.90.200; amending section 50, chapter 54, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 25, Laws of 1982 and RCW 46.90.300; and declaring an emergency.

Referred to Committee on Transportation.

HB 217 by Representatives Moon and Gallagher

AN ACT Relating to public works; and amending section 14, chapter 260, Laws of 1981 as amended by section 1, chapter 170, Laws of 1982 and RCW 60.28.010.

Referred to Committee on Local Government.

HB 218 by Representatives Hine and B. Williams

AN ACT Relating to retirement from public service; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 259, Laws of 1979 ex. sess. and RCW 28B.10.400; amending section 28B.10.405, chapter 223, Laws of 1969 ex. sess. as last amended by section 16, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.405; amending section 28B.10.410, chapter 223, Laws of 1969 ex. sess. as last amended by section 17, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.410; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; amending section 8, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.080; amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 1, chapter 80, Laws of 1947 as last amended by section 6, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.32.010; amending section 35, chapter 80, Laws of 1947 as last amended by section 6, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.350; amending section 43, chapter 80, Laws of 1947 as last amended by section 5, chapter 50, Laws of 1967 and RCW 41.32.430; amending section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775; amending section 1, chapter 274, Laws of 1947 as last amended by section 6, chapter 256, Laws of 1981 and RCW 41.40.010; amending section 34, chapter 274, Laws of 1947 as last amended by section 12, chapter 190, Laws of 1973 1st ex. sess.

and RCW 41.40.330; amending section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 24, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.120; and amending section 43.43.300, chapter 8, Laws of 1965 and RCW 43.43.300.

Referred to Committee on Ways & Means.

**HB 219** by Representatives Tanner, Holland, B. Williams, Ebersole, Ellis, J. Williams, Schoon, Silver, Powers, Miller, Long, Ristuben, Martinis, Galloway, Addison, Todd, Sayan, Schmidt and Hankins

AN ACT Relating to manufacturers' premium coupons; and amending section 3, chapter 221, Laws of 1957 as amended by section 1, chapter 104, Laws of 1972 ex. sess. and RCW 19.83.040.

Referred to Committee on Commerce & Economic Development.

**HB 220** by Representatives R. King, Clayton, Lux and Garrett (by Employment Security Department request)

AN ACT Relating to the federal unemployment trust fund; amending section 8, chapter 35, Laws of 1945 as last amended by section 1, chapter 3, Laws of 1971 and RCW 50.04.070; amending section 8, chapter 266, Laws of 1959 as amended by section 3, chapter 3, Laws of 1971 and RCW 50.04.072; amending section 60, chapter 35, Laws of 1945 as last amended by section 1, chapter 142, Laws of 1980 and RCW 50.16.010; and adding new sections to chapter 50.16 RCW.

Referred to Committee on Labor.

**HB 221** by Representatives Charnley, Lewis, D. Nelson, Crane, Barnes, Schoon, Galloway, Rust, Brekke, Jacobsen, Kreidler and Todd

AN ACT Relating to mental health of children; and adding a new chapter to Title 71 RCW.

Referred to Committee on Education.

**HB 222** by Representatives Martinis, Hastings, Halsan, Tanner and Long

AN ACT Relating to timber taxation; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; adding a new section to chapter 84.33 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 223** by Representatives R. King, Clayton and Lux (by Employment Security Department request)

AN ACT Relating to old age and survivors' insurance; adding a new section to chapter 41.48 RCW; and creating a new section.

Referred to Committee on Labor.

**HB 224** by Representatives R. King, Clayton, Lux, Garrett and Gallagher (by Employment Security Department request)

AN ACT Relating to unemployment compensation; amending section 4, chapter 3, Laws of 1971 and RCW 50.04.073; amending section 10, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1977 ex. sess. and RCW 50.04.090; amending section 13, chapter 35, Laws of 1945 as amended by section 8, chapter 3, Laws of 1971 and RCW 50.04.115; amending section 13, chapter 35, Laws of 1981 and RCW 50.04.165; amending section 22, chapter 35, Laws of 1945 and RCW 50.04.210; amending section 33, chapter 35 Laws of 1945 as last amended by section 3, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.320; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 1, chapter 35, Laws of 1981 and RCW 50.04.323; amending section 46, chapter 35, Laws of 1945 as last amended by section 3, chapter 33, Laws of 1977 ex. sess. and RCW 50.12.070; amending section 47, chapter 35, Laws of 1945 as amended by section 2, chapter 215, Laws of 1951 and RCW 50.12.080; amending section 61, chapter 35, Laws of 1945 as last amended by section 12, chapter 40, Laws of 1975 and RCW 50.16.020; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 35, Laws of 1981 and RCW 50.20.120; amending section 81, chapter 35, Laws of 1945 as last amended by section 3, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.20.130; amending section 5, chapter 1, Laws of 1971 and RCW 50.22.040; amending section 90, chapter 35, Laws of 1945 as amended by section 5, chapter 286, Laws of 1955 and RCW 50.24.020; amending section 94, chapter 35, Laws of 1945 and RCW 50.24.060; amending section 15, chapter 228, Laws of 1975 1st ex. sess. as amended by section 8, chapter 190, Laws of 1979 ex. sess. and RCW

50.24.115; amending section 10, chapter 2, Laws of 1970 ex. sess. as last amended by section 11, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.010; amending section 15, chapter 2, Laws of 1970 ex. sess. as amended by section 13, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.060; amending section 16, chapter 2, Laws of 1970 ex. sess. as amended by section 14, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.070; amending section 119, chapter 35, Laws of 1945 as last amended by section 7, chapter 266, Laws of 1959 and RCW 50.32.030; amending section 121, chapter 35, Laws of 1945 as amended by section 24, chapter 214, Laws of 1949 and RCW 50.32.050; amending section 15, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.035; amending section 22, chapter 3, Laws of 1971 as last amended by section 12, chapter 35, Laws of 1981 and RCW 50.44.050; amending section 23, chapter 3, Laws of 1971 as amended by section 19, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.060; providing effective dates; and declaring an emergency.

Referred to Committee on Labor.

**HB 225** by Representative Moon

AN ACT Relating to local government; and amending section 14, chapter 236, Laws of 1967 as last amended by section 5, chapter 222, Laws of 1979 ex. sess. and RCW 67.28.210.

Referred to Committee on Local Government.

**HB 226** by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brekke, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough

AN ACT Relating to exports; adding a new chapter to Title 43 RCW; creating a new section; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

**HB 227** by Representatives Holland, Haugen, Patrick, Tilly, Long, Smitherman, Ballard, Brough and Braddock

AN ACT Relating to alcoholic beverage control; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; adding a new section to chapter 66.24 RCW; creating new sections; declaring an emergency; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

**HB 228** by Representatives Ellis, B. Williams, J. King, Smitherman, Holland, Halsan, McMullen, Ebersole, Tanner, Sayan, Powers, Todd, Jacobsen, Sutherland, Appelwick, Zellinsky, Hine, Garrett, Johnson, Stratton and Ristuben

AN ACT Relating to economic development; adding a new chapter to Title 50 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 48.14 RCW; and prescribing penalties.

Referred to Committee on Commerce & Economic Development.

**HB 229** by Representatives Charnley, Dellwo, Allen, Rust, Pruitt, Burns, Patrick, Walk, Sanders, Kaiser, D. Nelson, Lux, Long, Jacobsen, Sommers, Brekke, Appelwick, Miller, Haugen, Brough, Silver, Addison and Todd

AN ACT Relating to smoking; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 230** by Representative Martinis

AN ACT Relating to vehicle license and renewal license fees; amending section 46.68.080, chapter 12, Laws of 1961 and RCW 46.68.080; amending section 46.16.060, chapter 12, Laws of 1961 as last amended by section 8, chapter 342, Laws of 1981 and RCW 46.16.060; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

**HB 231** by Representatives Hine, McDonald, Prince, J. King, Allen, Wang, Pruitt, Sayan, O'Brien, Appelwick, Sutherland, Todd, Burns, Ellis, Silver, Isaacson, Delliwo, Tanner, Brekke, Holland, Powers and Garrett

AN ACT Relating to vocational education; adding a new chapter to Title 28C RCW; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

**HB 232** by Representatives O'Brien, Hankins, Belcher, Silver, Lux, Isaacson and Johnson (by Department of General Administration request)

AN ACT Relating to state purchasing; and amending section 43.19.1911, chapter 8, Laws of 1965 as amended by section 8, chapter 172, Laws of 1980 and RCW 43.19.1911.

Referred to Committee on State Government.

**HB 233** by Representatives Haugen, Miller, Halsan and Braddock (by Department of Game request)

AN ACT Relating to anadromous game fish; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 310, Laws of 1981 and RCW 77.12.170; amending section 30, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 25, chapter 310, Laws of 1981 and RCW 77.32.211; amending section 77.32.220, chapter 36, Laws of 1955 as last amended by section 26, chapter 310, Laws of 1981 and RCW 77.32.220; amending section 1, chapter 98, Laws of 1980 and RCW 82.27.010; amending section 2, chapter 98, Laws of 1980 as amended by section 10, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.27.020; and amending section 7, chapter 98, Laws of 1980 and RCW 82.27.070.

Referred to Committee on Natural Resources.

**HB 234** by Representatives Martinis and Isaacson (by Governor Spellman request)

AN ACT Relating to transportation; making appropriations and authorizing expenditures for the operations and capital improvements of the state department of transportation, the transportation commission, the urban arterial board, the board of pilotage commissioners, and the county road administration board for the period ending June 30, 1985; amending section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10.802; and declaring an emergency.

Referred to Committee on Transportation.

**HB 235** by Representative Martinis (by Governor Spellman request)

AN ACT Relating to transportation taxation; amending section 6, chapter 317, Laws of 1977 ex. sess. as last amended by section 2, chapter 342, Laws of 1981 and RCW 82.36.025; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

**HB 236** by Representatives Martinis and Isaacson (by Department of Transportation request)

AN ACT Relating to transportation; making appropriations and authorizing expenditures for the operations and capital improvements of the state department of transportation and the transportation commission for the period ending June 30, 1985; amending section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10.802; and declaring an emergency.

Referred to Committee on Transportation.

**HB 237** by Representatives Martinis and Isaacson (by Department of Transportation request)

AN ACT Relating to transportation; making appropriations and authorizing expenditures for the operations and capital improvements of the state department of transportation and the transportation commission for the period ending June 30, 1985; amending

section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10.802; and declaring an emergency.

Referred to Committee on Transportation.

**HB 238** by Representative Martinis (by Department of Transportation request)

AN ACT Relating to transportation taxation; amending section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 342, Laws of 1981 and RCW 82.36.010; amending section 6, chapter 317, Laws of 1977 ex. sess. as last amended by section 2, chapter 342, Laws of 1981 and RCW 82.36.025; amending section 8, chapter 5, Laws of 1979 and RCW 47.26.4252; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

**HB 239** by Representatives Pruitt, Barnes, Fisch, Miller, Long, Schoon, Patrick, Fisher, Jacobsen, Zellinsky, Silver, Belcher, Isaacson, Vekich, Dellwo, Tanner, Todd, Schmidt and Crane (by Secretary of State request)

AN ACT Relating to election offenses; amending section 29.51.020, chapter 9, Laws of 1965 and RCW 29.51.020; defining crimes; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

**HB 240** by Representatives Heck, Vander Stoep, J. King, Lewis, Brække, Patrick, Fisch, Fisher, Zellinsky, Pruitt, Barnes, Miller, Long, Jacobsen, Tanner, Johnson, Ristuben and Garrett (by Secretary of State request)

AN ACT Relating to voting by mail; amending section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120; amending section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130; amending section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010; and repealing section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140.

Referred to Committee on Constitution, Elections & Ethics.

**HB 241** by Representatives Appelwick, P. King, Dickie, Galloway, Schoon, Ebersole, Miller, Belcher, Isaacson, Brække, Johnson, Todd, Powers, Wang and Stratton (by Superintendent of Public Instruction request)

AN ACT Relating to education for juveniles and juvenile offenders; amending section 13, chapter 160, Laws of 1913 as amended by section 1, chapter 121, Laws of 1945 and RCW 13.04.135; adding a new section to chapter 13.04 RCW; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

**HB 242** by Representatives Mitchell, Schoon, Kreidler, B. Williams, Broback, Silver, Ballard, Tilly, Tanner, Lewis and Long

AN ACT Relating to local economic development; amending section 2, chapter 300, Laws of 1981 and RCW 39.84.020; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 243** by Representatives Chandler, Ballard, Smith and Tilly

AN ACT Relating to the Twelfth and Thirteenth legislative districts; amending section 21, chapter 288, Laws of 1981 and RCW 44.07B.120; and amending section 22, chapter 288, Laws of 1981 and RCW 44.07B.130.

Referred to Committee on Constitution, Elections & Ethics.

**HB 244** by Representatives Patrick, Barnes, Miller, Pruitt, Ballard, Broback, Fisher and B. Williams

AN ACT Relating to campaign financing; and amending section 3, chapter 336, Laws of 1977 ex. sess. as amended by section 8, chapter 147, Laws of 1982 and RCW 42.17.095.

Referred to Committee on Constitution, Elections & Ethics.

**HB 245** by Representatives J. King, Sanders, Tanner, Powers, Vekich and Heck

AN ACT Relating to economic development; amending section 3, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.030; amending section 6, chapter 40, Laws of 1982 1st ex.

sess. and RCW 43.160.060; amending section 7, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.070; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

**HB 246** by Representatives Fisch, Haugen, Vekich, Sayan, McClure, Charnley, P. King, Ristuben, Fisher, Brekke, Jacobsen, Pruitt, Hine, Galloway, Lux, Tanner, Todd and Wang

AN ACT Relating to unemployment insurance; adding a new chapter to Title 50 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Labor.

**HB 247** by Representatives Patrick, Pruitt, Miller, Barnes, Ballard, Johnson, Broback, Fisher, Braddock, Lux, Vander Stoep and B. Williams

AN ACT Relating to fund-raising activities by political committees during legislative sessions; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 248** by Representatives Sommers and McDonald (by Governor Spellman request)

AN ACT Relating to higher education fees; amending section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 12, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.031; amending section 7, chapter 322, Laws of 1977 ex. sess. as last amended by section 16, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.070; amending section 6, chapter 257, Laws of 1981 as amended by section 18, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.202; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Higher Education.

**HB 249** by Representatives Martinis, Hastings and Long

AN ACT Relating to timber taxation; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 250** by Representatives Martinis, Hastings and Long

AN ACT Relating to timber taxation; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 251** by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher, Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett

AN ACT Relating to employment and conservation; adding a new chapter to Title 43 RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Commerce & Economic Development.

**HB 252** by Representatives Rust, Patrick, D. Nelson, J. Williams, Allen, Lux and Charnley

AN ACT Relating to oil; amending section 1, chapter 133, Laws of 1969 ex. sess. as amended by section 2, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.320; amending section 13, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.130; amending section 14, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.140; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environmental Affairs.



HJR 18 by Representatives P. King, Galloway, Brekke, Charnley, Garrett, Powers, Schoon and Brough

Requiring a simple majority vote to pass a school levy.

Referred to Committee on Constitution, Elections & Ethics.

HJR 19 by Representatives Pruitt, Isaacson, D. Nelson, Miller, J. King, Charnley, Nealey, Smitherman, Zellinsky, Haugen, Braddock, Brekke, Garrett, B. Williams, Long, Todd and Wang

Authorizing loans for energy conservation.

Referred to Committee on Energy & Utilities.

HCR 6 by Representatives Tanner, B. Williams, J. King, Ebersole, Monohon, Van Dyken, West, Stratton, Haugen, Egger, Galloway, Fisch, Sayan, Belcher, Powers, Pruitt, Vekich, Charnley, Broback, Hine, Halsan, Tilly, Brekke, Garrett, Lewis, Todd and Ristuben

Establishing the emergency commission on economic development and job creation.

Referred to Committee on Commerce & Economic Development.

HCR 7 by Representatives B. Williams, Schoon, Holland, Brough, Tilly, Garrett and Lewis

Creating the commission on state business and job creation.

Referred to Committee on Commerce & Economic Development.

SCR 103 by Senators Bottiger, Hayner, Fleming and Jones

Establishing cutoff dates for the regular session.

#### MOTIONS

On motion of Mr. Heck, HOUSE BILL NO. 199 was referred to Committee on Ways and Means.

On motion of Mr. Heck, the rules were suspended, and SENATE CONCURRENT RESOLUTION NO. 103 was advanced to second reading and read the second time in full.

Mr. Barnes moved adoption of the following amendment:

On page 1, lines 17, 19 and 25 and on page 2, lines 4, 8 and 5, after "revenue," insert "matters relating to energy."

Representatives Barnes and McDonald spoke in favor of the amendment, and Mr. Heck spoke against it.

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

Mr. D. Nelson spoke against the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to Senate Concurrent Resolution No. 103, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, Locke, Lux, Martinis, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representative Kreidler - 1.

Excused: Representatives Kaiser, King R, Monohon, Van Dyken - 4.

Mr. G. Nelson moved adoption of the following amendment:

On page 1, lines 17, 19 and 25 and on page 2, lines 4, 8, and 15, after "revenue," insert "matters relating to crime and public safety."

Representatives G. Nelson and Barrett spoke in favor of the amendment, and Mr. Heck spoke against it.

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

#### POINT OF INQUIRY

Mr. G. Nelson yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Nelson, is part of the purpose of your amendment, where it talks about matters relating to crime and public safety, to cover legislation having to do with combating drunk driving?"

Mr. G. Nelson: "Representative Tilly, yes, as matter of fact, there are presently before this body a number of bills on driving while intoxicated. There's no question in my mind that we need to address that particular crime, and I believe it falls in the purview of what would be considered public safety as well."

Mr. Tilly spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Senate Concurrent Resolution No. 103, and the amendment was not adopted by the following vote: Yeas, 45; nays, 48; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, Locke, Lux, Martinis, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Absent: Representative Kreidler - 1.

Excused: Representatives Kaiser, King R, Monohon, Van Dyken - 4.

#### MOTION

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 103 was placed on final passage.

Mr. Heck spoke in favor of the resolution, and Mr. Taylor spoke against it.

Mr. Heck spoke again in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 103, and the resolution was adopted by the following vote: Yeas, 48; nays, 44; absent, 2; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Hine, Jacobsen, King J, King P, Locke, Lux, Martinis, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Heck, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Absent: Representatives Charnley, Kreidler - 2.

Excused: Representatives Kaiser, King R, Monohon, Van Dyken - 4.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, did this take a constitutional majority or a majority of the members elected?"

The Speaker: "A majority of the members present."

#### MOTIONS

On motion of Mr. Heck, HOUSE BILL NO. 47 was rereferred from Committee on State Government to Committee on Local Government.

On motion of Mr. Heck, the rules were suspended to allow consideration of House Resolution No. 83-7.

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-7, by Representatives Braddock, Van Dyken, McMullen, Fiske, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky:

WHEREAS, The House of Representatives of the State of Washington has very high regard for the nursing profession in Washington State and for the competent, quality services nurses provide to the citizens of our state; and

WHEREAS, Eunice R. Cole, an outstanding and esteemed member of the Washington State nursing profession, has for twenty-five years worked diligently as a health care professional in Bellingham and the northern portions of our state; and

WHEREAS, Eunice R. Cole has always exemplified the finest and most admirable qualities, both as a health care professional and as an active citizen in this state; and

WHEREAS, Eunice R. Cole has consistently contributed her time, energies, and considerable talents to her family, her community, and her profession and has worked to improve the quality of nursing and life for those with whom she associates; and

WHEREAS, Eunice R. Cole has labored to maintain and improve the nursing profession and working conditions for nurses through her personal involvement in local and national nursing organizations; and

WHEREAS, Eunice R. Cole, a Bellingham resident and influential member of the Washington State Nurses Association and American Nurses Association, has recently been elected President of the American Nurses Association in Washington, D.C., and is the first Washingtonian to receive this distinctive honor;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Eunice R. Cole, current President of the American Nurses Association, is formally recognized by the House of Representatives of the State of Washington for her accomplishments, devoted service, and contributions to the health care field in Washington State and the United States of America; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Eunice R. Cole, the Washington State Nurses Association, and the American Nurses Association.

Mr. Braddock moved adoption of the resolution. Representatives Braddock and Fiske spoke in favor of the resolution and it was adopted.

The Speaker appointed Representatives Braddock, Fiske and McMullen to escort Eunice Cole to the rostrum.

Ms. Cole briefly addressed the House, and the Speaker instructed the committee to escort her from the House Chamber.

## MESSAGE FROM THE SENATE

January 24, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Tuesday, January 25, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SIXTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 25, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Kaiser, R. King, Monohon and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Walser and Mike Hudson. Prayer was offered by The Reverend Arla J. Elston, First Christian Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 25, 1983

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 103,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 103.

## INTRODUCTIONS AND FIRST READING

HB 253 by Representatives Todd, Barnes, Ebersole and Tilly

AN ACT Relating to driving while intoxicated; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; amending section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502; amending section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504; and amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506.

Referred to Committee on Judiciary.

HB 254 by Representatives Ebersole, Patrick, Walk, Broback, Todd, B. Williams, Vekich, Tanner, West, J. King, Johnson, Silver, Smitherman, Ballard, Wang, Niemi, Burns, Holland, Halsan, Jacobsen, McClure, Locke, Garrett, Crane, Hine, Stratton, Dellwo, O'Brien, Haugen, Ristuben, P. King and Powers (by Governor Spellman request)

AN ACT Relating to housing financing; amending section 9, chapter 10, Laws of 1982 and RCW 42.17.240; adding a new chapter to Title 43 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 84.36 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 255 by Representatives Sommers, Tilly, Braddock, Struthers, Rust, Brøkke, Vander Stoep, Fiske, Appelwick, Stratton, J. King, Halsan, Jacobsen, Locke, Lux, Haugen and Ristuben

AN ACT Relating to watercraft; amending section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; adding new sections to chapter 82.48 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 88 RCW; creating a new section; prescribing penalties; making an appropriation; declaring an emergency; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 256** by Representatives Charnley, Tilly, Brough, Martinis, Todd, D. Nelson, Addison, Jacobsen, Miller, Moon, G. Nelson, Sanders, Taylor, Silver, Isaacson and Barrett

AN ACT Relating to property taxation; and amending section 12, chapter 212, Laws of 1973 1st ex. sess. as amended by section 5, chapter 134, Laws of 1980 and RCW 84.34.108.

Referred to Committee on Local Government.

**HB 257** by Representatives Belcher, Lux, Locke, Kreidler, Vekich, Jacobsen, D. Nelson, Charnley, P. King, Fisher, Pruitt, Brekke, Sommers, R. King, Patrick, Allen, Burns, Fisch and Garrett

AN ACT Relating to industrial insurance; and amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 15, chapter 63, Laws of 1982 and RCW 51.12.020.

Referred to Committee on Labor.

**HB 258** by Representatives Pruitt, Tilly, Tanner and Miller (by Secretary of State request)

AN ACT Relating to write-in candidates; amending section 29.51.170, chapter 9, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.51.170; and adding new sections to chapter 29.04 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 259** by Representatives Martinis, Prince and Charnley (by Department of Licensing request)

AN ACT Relating to hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors; amending section 46.52.090, chapter 12, Laws of 1961 as amended by section 59, chapter 32, Laws of 1967 and RCW 46.52.090; amending section 1, chapter 110, Laws of 1971 ex. sess. as amended by section 190, chapter 158, Laws of 1979 and RCW 46.79.010; amending section 2, chapter 110, Laws of 1971 ex. sess. as amended by section 191, chapter 158, Laws of 1979 and RCW 46.79.020; amending section 5, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.050; amending section 7, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.070; amending section 9, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.090; amending section 11, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.110; amending section 46.80.150, chapter 12, Laws of 1961 as last amended by section 10, chapter 253, Laws of 1977 ex. sess. and RCW 46.80.150; adding a new section to chapter 46.79 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Transportation.

**HB 260** by Representatives Haugen and Clayton (by State Patrol request)

AN ACT Relating to the Washington state patrol; and amending section 13, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.760.

Referred to Committee on State Government.

**HB 261** by Representatives Belcher, Miller, Sutherland, Halsan, Jacobsen, Todd, Sanders, Tanner, McClure, Locke, Fisher, Ellis, Zellinsky, Hine, Walk, Johnson, Lux, Isaacson, Barrett, Charnley, Haugen, Ristuben and P. King (by Department of Game request)

AN ACT Relating to personalized license plates; and amending section 4, chapter 200, Laws of 1973 1st ex. sess. as amended by section 3, chapter 59, Laws of 1975 and RCW 46.16.570; making an appropriation; and providing an effective date.

Referred to Committee on Natural Resources.

**HB 262** by Representatives Ebersole, Addison, Smitherman, Braddock, Schoon, Rust, Fisch, O'Brien, Dellwo, Lewis, Schmidt, Powers, Gallagher, Brough, Appelwick, Brekke, Chandler, Charnley, Grimm, Holland, Long, Halsan, Jacobsen, Todd, Martinis, Patrick, Tanner, Wilson, Tilly, Locke, Garrett, D. Nelson, Taylor, Zellinsky, McDonald, Betzoff, G. Nelson, Walk, Ballard, Silver, Johnson, Lux, Isaacson, Barrett, Ristuben and P. King

AN ACT Relating to property tax relief; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 4, chapter 185, Laws of 1980 and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3,

chapter 214, Laws of 1979 ex. sess. and RCW 84.36.385; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

#### MOTIONS

Mr. Heck moved that the bills listed on today's agenda under the fourth order of business be considered first reading and be referred to the committees designated.

Mr. Smith moved that the Heck motion be amended and HOUSE BILL NO. 257 be referred to Committee on Agriculture.

Mr. Smith spoke in favor of the motion, and Mr. Heck spoke against it.

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

Mr. Smith spoke again in favor of the motion.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Smith, for the enlightenment of some of the western Washington legislators who have signed on this bill, and some of the western Washington representatives from the other party, maybe you could tell us, does this only impact eastern Washington growers and people like that?"

Mr. Smith: "This is one step, in my opinion, that will add cost to the farming industry. We were criticized in eastern Washington for supporting what we called the food tax, and---"

#### POINT OF ORDER

Mr. O'Brien: "The motion, Mr. Speaker, is an amendment to the motion to refer the bills and I don't think, at this time, we should discuss the merits of the bill."

The Speaker: "Representative Smith, while there is great interest in your remarks, would you confine them just to the question Representative Lewis has asked please?"

Mr. Smith: "Will you repeat the question?"

Mr. Lewis: "For the enlightenment of the western Washington counties, would this bill have a possible adverse effect on strawberry farmers and orchardists in the Whatcom-Skagit County area?"

Mr. Smith: "It certainly could. This is of great interest to me because what we have is the young kids who come to do the jobs and maybe they might be only on for one or two days. To have this type of insurance put onto them at the present time--it's not been done in the past and I don't think it should be done now. Most farmers carry that type of insurance."

Mr. Lewis spoke in favor of the motion to amend the Heck motion.

#### ROLL CALL

The Clerk called the roll on the motion to refer House Bill No. 257 to Committee on Agriculture, and the motion was lost by the following vote: Yeas, 45; nays, 49; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Kaiser, King R, Monohon, Van Dyken - 4.

The motion by Representative Heck to refer the bills to the committees designated, was carried.

#### VISITING DIGNITARIES

The Speaker recognized within the House Chamber, The Honorable Claude Richmond, Minister of Tourism of British Columbia. The Speaker appointed Representatives Haugen, Braddock and Wilson to escort Mr. Richmond and Dr. Jim Ray to the rostrum.

The Honorable Claude Richmond briefly addressed the House. The Speaker requested the committee to escort them from the House Chamber.

On motion of Mr. Sayan, the rules were suspended to allow consideration of House Resolution No. 83-8.

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-8, by Representatives Sayan, Vekich, Clayton and Ellis

WHEREAS, The members of the House of Representatives express their great respect for the Skokomish and Yakima Tribes; and

WHEREAS, Georgianna Adams Miller was an esteemed and admired member of the Skokomish and Yakima Tribes for seventy-nine years; and

WHEREAS, Georgianna Adams Miller was an honored and prominent member of the Yakima and Skokomish Tribes and was very active in numerous tribal, local, and statewide activities; and

WHEREAS, Georgianna Adams Miller, a loving and devoted mother and grandmother, provided great assistance to the late Representative George Adams, to the members of the House of Representatives, and to the citizens of this great state; and

WHEREAS, This noble, respected, and admired leader passed away on January 20, 1983, and is survived by a fine and strong family and by many friends;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That condolences be extended to the family and friends of Georgianna Adams Miller; and

BE IT FURTHER RESOLVED, That the House of Representatives express its appreciation and gratitude to the family of Georgianna Adams Miller for her contributions to the Skokomish and Yakima Tribes, her community, and to the state of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the family of Georgianna Adams Miller.

Mr. Sayan moved adoption of the resolution. Representatives Sayan, Vekich and Ellis spoke in favor of it.

House Resolution No. 83-8 was adopted.

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Wednesday, January 26, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## SEVENTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 26, 1983

The House was called to order at 11:00 a.m. by the Speaker.

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

## INTRODUCTIONS AND FIRST READING

**HB 263** by Representatives Moon and Isaacson

AN ACT Relating to local government finance; amending section 3, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.865; amending section 4, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.870; amending section 21, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.200; adding a new section to chapter 35.21 RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.46 RCW; repealing section 9, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.705; repealing section 19, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.035; repealing section 12, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.46.020; and declaring an emergency.

Referred to Committee on Local Government.

**HB 264** by Representatives Silver, Egger, Struthers, Rust, Ballard, Long, Brough, Ebersole, Taylor, Johnson, Barrett, Holland, Ristuben, Lewis, Patrick, Schoon, Locke, O'Brien and Isaacson

AN ACT Relating to property tax relief; amending section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 5, chapter 185, Laws of 1980 and RCW 84.36.383; and creating a new section.

Referred to Committee on Ways & Means.

**HB 265** by Representatives Rust, Pruitt, Brække, Jacobsen, Lux, Charnley, Allen, Johnson and D. Nelson

AN ACT Relating to absentee voting; amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 3, Laws of 1980 and RCW 29.07.160; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.36 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 266** by Representatives Charnley, Pruitt, Barnes, Moon, Garrett, Fisch, Rust, Brække, Sommers, Fisher, Jacobsen, Ristuben and D. Nelson

AN ACT Relating to elections; and adding a new section to chapter 29.34 RCW.

Referred to Committee on Constitution, Elections & Ethics.

**HB 267** by Representatives Vekich, Sayan, Zellinsky, J. King, Niemi, McClure, McMullen, Belcher, R. King, Fisch and Locke

AN ACT Relating to the investment of state funds; amending section 11, chapter 3, Laws of 1981 as amended by section 4, chapter 219, Laws of 1981 and RCW 43.33A.110; adding new sections to chapter 43.33A RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 268** by Representatives Wang, Patrick, Locke, B. Williams, Johnson, Grimm, Ristuben, Fisher and West

AN ACT Relating to reparations for certain state employees; adding a new chapter to Title 41 RCW; creating a new section; and making an appropriation.

Referred to Committee on State Government.

**HB 269** by Representatives Grimm, Heck, Fiske, Addison, Cantu, Smitherman, J. King and Hine

AN ACT Relating to property tax exemptions; and amending section 8, chapter 40, Laws of 1973 2nd ex. sess. as last amended by section 5, chapter 141, Laws of 1981 and RCW 84.36.810.

Referred to Committee on Ways & Means.

**HB 270** by Representatives Dellwo, Lewis, Stratton, Patrick, Charnley, Mitchell, Wang, Fiske, McClure, Tilly, Holland, Sanders, Silver, Brough, Ellis, Jacobsen, Todd and Isaacson

AN ACT Relating to developmentally disabled persons; and adding a new chapter to Title 71 RCW.

Referred to Committee on Social & Health Services

**HB 271** by Representatives Vekich, Fiske, Charnley and Zellinsky (by State Patrol request)

AN ACT Relating to the Washington state patrol; and amending section 4, chapter 180, Laws of 1973 1st ex. sess. as last amended by section 28, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.270.

Referred to Committee on Ways & Means.

**HB 272** by Representatives Galloway, Egger and Prince

AN ACT Relating to conservation; amending section 3, chapter 304, Laws of 1955 as last amended by section 4, chapter 184, Laws of 1973 1st ex. sess. and RCW 89.08.030; creating a new section; and making an appropriation.

Referred to Committee on Agriculture.

**HB 273** by Representatives Sommers and G. Nelson (by Legislative Budget Committee request)

AN ACT Relating to transient accommodations; amending section 8, chapter 96, Laws of 1974 ex. sess. as amended by section 1, chapter 282, Laws of 1975 1st ex. sess. and RCW 19.27.080; adding a new section to chapter 48.48 RCW; repealing section 1, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.200; repealing section 2, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.210; repealing section 3, chapter 239, Laws of 1971 ex. sess., section 10, chapter 201, Laws of 1982 and RCW 70.62.220; repealing section 4, chapter 239, Laws of 1971 ex. sess., section 11, chapter 201, Laws of 1982 and RCW 70.62.230; repealing section 5, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.240; repealing section 6, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.250; repealing section 7, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.260; repealing section 8, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.270; repealing section 10, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.280; repealing section 11, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.290; and repealing section 12, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.900.

Referred to Committee on Social & Health Services.

**HB 274** by Representatives Lux and Sanders

AN ACT Relating to savings and loan associations; amending section 4, chapter 235, Laws of 1945 as last amended by section 14, chapter 3, Laws of 1982 and RCW 33.08.030; and amending section 30.04.020, chapter 33, Laws of 1955 as amended by section 1, chapter 88, Laws of 1981 and RCW 30.04.020.

Referred to Committee on Financial Institutions & Insurance.

**HB 275** by Representatives Lux and Sanders

AN ACT Relating to mutual savings banks; amending section 32.12.050, chapter 13, Laws of 1955 and RCW 32.12.050; amending section 32.12.090, chapter 13, Laws of 1955 as last amended by section 2, chapter 104, Laws of 1977 ex. sess. and RCW 32.12.090; amending section 98, chapter 85, Laws of 1981 and RCW 32.32.495; and amending section 104, chapter 85, Laws of 1981 and RCW 32.32.525.

Referred to Committee on Financial Institutions & Insurance.

**HB 276** by Representatives Lux and Sanders

AN ACT Relating to mutual savings banks; and adding a new section to chapter 32.08 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 277** by Representatives Lux and Sanders

AN ACT Relating to savings and loan associations; and adding a new section to chapter 33.12 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 278** by Representatives Stratton, Martinis, B. Williams and Haugen

AN ACT Relating to the reorganization and revision of the fisheries code; amending section 75.08.010, chapter 12, Laws of 1955 and RCW 75.08.010; amending section 75.04-.010, chapter 12, Laws of 1955 as amended by section 2, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.04.010; amending section 3, chapter 112, Laws of 1949 as amended by section 1, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.08.012; amending section 10, chapter 207, Laws of 1953 and RCW 75.08.014; amending section 75.08.020, chapter 12, Laws of 1955 as amended by section 87, chapter 75, Laws of 1977 and RCW 75.08.020; amending section 75.08.025, chapter 12, Laws of 1955 and RCW 75.08.025; amending section 75.08.040, chapter 12, Laws of 1955 as amended by section 1, chapter 212, Laws of 1955 and RCW 75.08.040; amending section 75.16.050, chapter 12, Laws of 1955 and RCW 75.16.050; amending section 75.16.060, chapter 12, Laws of 1955 and RCW 75.16.060; amending section 75.16.070, chapter 12, Laws of 1955 and RCW 75.16.070; amending section 75.08.070, chapter 12, Laws of 1955 and RCW 75.08.070; amending section 75.08.080, chapter 12, Laws of 1955 as amended by section 1, chapter 55, Laws of 1980 and RCW 75.08.080; amending section 75.08.090, chapter 12, Laws of 1955 as amended by section 1, chapter 93, Laws of 1973 and RCW 75.08.090; amending section 75.08.110, chapter 12, Laws of 1955 and RCW 75.08.110; amending section 75.08.120, chapter 12, Laws of 1955 and RCW 75.08.120; amending section 75.08.160, chapter 12, Laws of 1955 and RCW 75.08-.160; amending section 14, chapter 207, Laws of 1953 as amended by section 73, chapter 289, Laws of 1971 ex. sess. and RCW 75.08.206; amending section 1, chapter 216, Laws of 1957 and RCW 75.08.224; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 175, chapter 151, Laws of 1979 and RCW 75.08.230; amending section 4, chapter 35, Laws of 1971 as amended by section 1, chapter 23, Laws of 1974 ex. sess. and RCW 75.16.120; amending section 75.12.130, chapter 12, Laws of 1955 as last amended by section 382, chapter 141, Laws of 1979 and RCW 75.12.130; amending section 2, chapter 251, Laws of 1981 and RCW 75.12.310; amending section 75.16.010, chapter 12, Laws of 1955 as amended by section 1, chapter 35, Laws of 1971 and RCW 75.16.010; amending section 75.16.030, chapter 12, Laws of 1955 and RCW 75.16.030; amending section 75.16-.020, chapter 12, Laws of 1955 and RCW 75.16.020; amending section 75.08.150, chapter 12, Laws of 1955 as amended by section 133, chapter 78, Laws of 1980 and RCW 75.08.150; amending section 75.08.170, chapter 12, Laws of 1955 and RCW 75.08.170; amending section 75.36.010, chapter 12, Laws of 1955 and RCW 75.36.010; amending section 75.08.200, chapter 12, Laws of 1955 as amended by section 134, chapter 78, Laws of 1980 and RCW 75.08.200; amending section 75.08.280, chapter 12, Laws of 1955 and RCW 75.08.280; amending section 75.36.040, chapter 12, Laws of 1955 and RCW 75.36.040; amending section 75.36.030, chapter 12, Laws of 1955 and RCW 75.36.030; amending section 75.36.050, chapter 12, Laws of 1955 and RCW 75.36.050; amending section 75.08.180, chapter 12, Laws of 1955 and RCW 75.08.180; amending section 24, chapter 112, Laws of 1949 and RCW 75.08.275; amending section 75.08.260, chapter 12, Laws of 1955 as amended by section 1, chapter 99, Laws of 1979 ex. sess. and RCW 75.08.260; amending section 75.28.380, chapter 12, Laws of 1955 as last amended by section 2, chapter 99, Laws of 1979 ex. sess. and RCW 75.28.380; amending section 3, chapter 99, Laws of 1979 ex. sess. and RCW 75.28.384; amending section 7, chapter 141, Laws of 1979 ex. sess. and RCW 75.28.288; amending section 75.12.010, chapter 12, Laws of 1955 as last amended by section 2, chapter 220, Laws of 1973 1st ex. sess. and RCW 75.12.010; amending section 75.18.020, chapter 12, Laws of 1955 and RCW 75.18.020; amending section 75.12.020, chapter 12, Laws of 1955 and RCW 75.12.020; amending section 75.20.070, chapter 12, Laws of 1955 and RCW 75.20.070; amending section 75.12.040, chapter 12, Laws of 1955 and RCW 75.12-.040; amending section 75.12.070, chapter 12, Laws of 1955 and RCW 75.12.070; amending section 75.12.090, chapter 12, Laws of 1955 as amended by section 1, chapter 14, Laws of 1982 and RCW 75.12.090; amending section 75.12.100, chapter 12, Laws of 1955 and RCW 75.12.100; amending section 1, chapter 106, Laws of 1971 ex. sess. and RCW 75.12.115; amending section 75.12.120, chapter 12, Laws of 1955 and RCW 75.12.120; amending section 2, chapter 276, Laws of 1955 as last amended by section 1, chapter 64, Laws of 1965 and RCW 75.12.140; amending section 3, chapter 108, Laws of 1957 and RCW 75.12.210; amending section 5, chapter 108, Laws of 1957 as amended by section 2, chapter 234, Laws of 1963 and RCW 75.12.230; amending section 1, chapter 251, Laws of 1981 and RCW 75.12.300; amending section 1, chapter 197, Laws of 1982 and RCW 75.12.320; amending section 2, chapter 14, Laws of 1982 and RCW 75.12.400; amending section 75.08.130, chapter 12, Laws of 1955 and RCW 75.08.130; amending section 75.08.210, chapter 12, Laws of 1955 and RCW 75.08.210; amending section 75.08.220, chapter 12, Laws of 1955 and RCW 75.08.220; amending section 1, chapter 23, Laws of 1969 ex. sess. and RCW 75.12.650; amending section 75.20.040, chapter 12, Laws of 1955 and RCW 75.20.040; amending section 75.20.050, chapter 12, Laws of 1955 and RCW 75.20.050; amending section 75.20.060,

chapter 12, Laws of 1955 and RCW 75.20.060; amending section 1, chapter 153, Laws of 1963 and RCW 75.20.061; amending section 75.20.090, chapter 12, Laws of 1955 and RCW 75.20.090; amending section 75.20.100, chapter 12, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1975 1st ex. sess. and RCW 75.20.100; amending section 1, chapter 4, Laws of 1961 and RCW 75.20.110; amending section 8, chapter 7, Laws of 1982 and RCW 75.20.300; amending section 75.24.010, chapter 12, Laws of 1955 and RCW 75.24.010; amending section 75.24.030, chapter 12, Laws of 1955 and RCW 75.24.030; amending section 75.24.050, chapter 12, Laws of 1955 and RCW 75.24.050; amending section 75.24.060, chapter 12, Laws of 1955 as amended by section 1, chapter 91, Laws of 1969 ex. sess. and RCW 75.24.060; amending section 75.24.070, chapter 12, Laws of 1955 and RCW 75.24.070; amending section 75.24.080, chapter 12, Laws of 1955 and RCW 75.24.080; amending section 75.24.090, chapter 12, Laws of 1955 as amended by section 7, chapter 212, Laws of 1955 and RCW 75.24.090; amending section 1, chapter 253, Laws of 1969 ex. sess. as amended by section 1, chapter 141, Laws of 1979 ex. sess. and RCW 75.24.100; amending section 75.08.054, chapter 12, Laws of 1955 and RCW 75.08.054; amending section 75.08.056, chapter 12, Laws of 1955 as amended by section 1, chapter 38, Laws of 1967 ex. sess. and RCW 75.08.056; amending section 75.08.060, chapter 12, Laws of 1955 and RCW 75.08.060; amending section 2, chapter 243, Laws of 1979 ex. sess. and RCW 75.25.020; amending section 4, chapter 243, Laws of 1979 ex. sess. as amended by section 1, chapter 81, Laws of 1980 and RCW 75.25.040; amending section 2, chapter 81, Laws of 1980 and RCW 75.25.080; amending section 11, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.610; amending section 13, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.630; amending section 17, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.670; amending section 12, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.620; amending section 15, chapter 327, Laws of 1977 ex. sess. as amended by section 135, chapter 78, Laws of 1980 and RCW 75.28.650; amending section 16, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.660; amending section 75.28.010, chapter 12, Laws of 1955 as amended by section 2, chapter 309, Laws of 1959 and RCW 75.28.010; amending section 1, chapter 171, Laws of 1957 as amended by section 2, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.012; amending section 3, chapter 171, Laws of 1957 as last amended by section 1, chapter 201, Laws of 1981 and RCW 75.28.014; amending section 75.28.020, chapter 12, Laws of 1955 as amended by section 1, chapter 171, Laws of 1963 and RCW 75.28.020; amending section 75.28.030, chapter 12, Laws of 1955 as amended by section 7, chapter 309, Laws of 1959 and RCW 75.28.030; amending section 75.28.100, chapter 12, Laws of 1955 as amended by section 9, chapter 309, Laws of 1959 and RCW 75.28.100; amending section 75.28.040, chapter 12, Laws of 1955 as amended by section 2, chapter 212, Laws of 1955 and RCW 75.28.040; amending section 75.28.060, chapter 12, Laws of 1955 as last amended by section 4, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.060; amending section 75.28.070, chapter 12, Laws of 1955 and RCW 75.28.070; amending section 14, chapter 283, Laws of 1971 ex. sess. as amended by section 2, chapter 40, Laws of 1975-76 2nd ex. sess. and RCW 75.28.081; amending section 1, chapter 90, Laws of 1969 as last amended by section 1, chapter 60, Laws of 1979 and RCW 75.28.095; amending section 75.28.110, chapter 12, Laws of 1955 as last amended by section 2, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.110; amending section 75.18.080, chapter 12, Laws of 1955 as last amended by section 3, chapter 327, Laws of 1977 ex. sess. and RCW 75.18.080; amending section 3, chapter 184, Laws of 1974 ex. sess. as amended by section 4, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.460; amending section 75.28.120, chapter 12, Laws of 1955 as last amended by section 3, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.120; amending section 5, chapter 309, Laws of 1959 as last amended by section 5, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.085; amending section 75.28.130, chapter 12, Laws of 1955 as last amended by section 6, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.130; amending section 75.28.140, chapter 12, Laws of 1955 as last amended by section 7, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.140; amending section 5, chapter 212, Laws of 1955 and RCW 75.28.255; amending section 2, chapter 35, Laws of 1971 and RCW 75.16.100; amending section 75.28.280, chapter 12, Laws of 1955 as last amended by section 3, chapter 141, Laws of 1979 ex. sess. and RCW 75.28.280; amending section 10, chapter 212, Laws of 1955 and RCW 75.28.282; amending section 75.28.285, chapter 12, Laws of 1955 as amended by section 1, chapter 27, Laws of 1965 ex. sess. and RCW 75.28.285; amending section 5, chapter 141, Laws of 1979 ex. sess. and RCW 75.28.286; amending section 4, chapter 253, Laws of 1969 ex. sess. as amended by section 4, chapter 141, Laws of 1979 ex. sess. and RCW 75.28.287; amending section 75.28.290, chapter 12, Laws of 1955 as amended by section 2, chapter 91, Laws of 1969 ex. sess. and RCW 75.28.290; amending section 75.28.300, chapter 12, Laws of 1955 as last amended by section 1, chapter 66, Laws of 1979 and RCW 75.28.300; amending section 75.28.350, chapter 12, Laws of 1955 as amended by section 1, chapter 29, Laws of 1965 ex. sess. and RCW 75.28.350; amending section 75.28.370, chapter 12, Laws of 1955 as amended by section 2, chapter 66, Laws of 1979 and RCW 75.28.370; amending section 2, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.400; amending section 1, chapter 184, Laws of 1974 ex. sess. and RCW 75.28.450; amending section 2, chapter 227, Laws of 1981 and RCW 75.28.690; amending section 5, chapter 106, Laws of 1977 ex. sess. and RCW 75.30.050; amending section 6, chapter 106,

Laws of 1977 ex. sess. and RCW 75.30.060; amending section 2, chapter 106, Laws of 1977 ex. sess. as last amended by section 1, chapter 202, Laws of 1981 and RCW 75.30.020; amending section 2, chapter 101, Laws of 1979 and RCW 75.30.070; amending section 4, chapter 101, Laws of 1979 and RCW 75.30.090; amending section 5, chapter 101, Laws of 1979 and RCW 75.30.100; amending section 2, chapter 184, Laws of 1974 ex. sess. as last amended by section 1, chapter 135, Laws of 1979 and RCW 75.28.455; amending section 4, chapter 133, Laws of 1980 as amended by section 1, chapter 157, Laws of 1982 and RCW 75.28.275; amending section 4, chapter 173, Laws of 1973 1st ex. sess. as amended by section 1, chapter 104, Laws of 1974 ex. sess. and RCW 75.28.420; amending section 75.40.010, chapter 12, Laws of 1955 and RCW 75.40.010; amending section 75.40.020, chapter 12, Laws of 1955 and RCW 75.40.020; amending section 75.40.030, chapter 12, Laws of 1955 as last amended by section 2, chapter 101, Laws of 1969 ex. sess. and RCW 75.40.030; amending section 75.40.040, chapter 12, Laws of 1955 as amended by section 2, chapter 171, Laws of 1963 and RCW 75.40.040; amending section 75.40.060, chapter 12, Laws of 1955 and RCW 75.40.060; amending section 3, chapter 183, Laws of 1975 1st ex. sess. as amended by section 3, chapter 230, Laws of 1977 ex. sess. and RCW 75.28.505; amending section 4, chapter 183, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 43, Laws of 1979 ex. sess. and RCW 75.28.510; amending section 5, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.515; amending section 6, chapter 183, Laws of 1975 1st ex. sess. as amended by section 2, chapter 43, Laws of 1979 ex. sess. and RCW 75.28.520; amending section 8, chapter 183, Laws of 1975 1st ex. sess. as last amended by section 4, chapter 43, Laws of 1979 ex. sess. and RCW 75.28.530; amending section 9, chapter 183, Laws of 1975 1st ex. sess. as amended by section 5, chapter 230, Laws of 1977 ex. sess. and RCW 75.28.535; amending section 10, chapter 183, Laws of 1975 1st ex. sess. as last amended by section 3, chapter 43, Laws of 1979 ex. sess. and RCW 75.28.540; amending section 2, chapter 308, Laws of 1977 ex. sess. as last amended by section 1, chapter 261, Laws of 1981 and RCW 75.48.020; amending section 3, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.030; amending section 4, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.040; amending section 5, chapter 308, Laws of 1977 ex. sess. as amended by section 2, chapter 261, Laws of 1981 and RCW 75.48.050; amending section 6, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.060; amending section 7, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.070; amending section 8, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.080; amending section 9, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.090; amending section 10, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.100; amending section 11, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.110; amending section 2, chapter 327, Laws of 1977 ex. sess. as last amended by section 1, chapter 66, Laws of 1980 and RCW 75.18.110; amending section 75.98.030, chapter 12, Laws of 1955 and RCW 75.98.030; amending section 171, page 279, Laws of 1860 as last amended by section 1, chapter 98, Laws of 1909 and RCW 3.20.040; amending section 117, chapter 299, Laws of 1961 as amended by section 1, chapter 150, Laws of 1982 and RCW 3.66.060; amending section 35A.69.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.69.010; amending section 43.52.440, chapter 8, Laws of 1965 and RCW 43.52.440; amending section 1, chapter 39, Laws of 1975 and RCW 69.04.930; amending section 1, chapter 98, Laws of 1980 and RCW 82.27.010; amending section 124, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.94.390; adding a new section to chapter 75.12 RCW; adding a new section to chapter 75.25 RCW; adding a new chapter to Title 75 RCW; adding a new section to chapter 79.96 RCW; creating new sections: decodifying RCW 75.12.200, 75.12.300, 75.18.100, 75.25.010, 75.25.900, 75.25.910, 75.28.400, 75.28.450, 75.28.500, 75.28.600, 75.30.010, 75.48.010, 75.98.010, 75.98.020, 75.98.040, 75.98.050, and 75.98.060; repealing section 75.04.020, chapter 12, Laws of 1955 and RCW 75.04.020; repealing section 75.04.030, chapter 12, Laws of 1955 and RCW 75.04.030; repealing section 75.04.040, chapter 12, Laws of 1955 and RCW 75.04.040; repealing section 75.04.050, chapter 12, Laws of 1955 and RCW 75.04.050; repealing section 75.04.060, chapter 12, Laws of 1955 and RCW 75.04.060; repealing section 75.04.070, chapter 12, Laws of 1955, section 3, chapter 227, Laws of 1981 and RCW 75.04.070; repealing section 75.04.080, chapter 12, Laws of 1955 and RCW 75.04.080; repealing section 75.04.090, chapter 12, Laws of 1955 and RCW 75.04.090; repealing section 75.04.100, chapter 12, Laws of 1955 and RCW 75.04.100; repealing section 75.04.110, chapter 12, Laws of 1955 and RCW 75.04.110; repealing section 9, chapter 112, Laws of 1949 and RCW 75.08.021; repealing section 4, chapter 112, Laws of 1949 and RCW 75.08.022; repealing section 1, chapter 315, Laws of 1959 and RCW 75.08.027; repealing section 75.08.030, chapter 12, Laws of 1955 and RCW 75.08.030; repealing section 75.08.050, chapter 12, Laws of 1955 and RCW 75.08.050; repealing section 18, chapter 327, Laws of 1977 ex. sess. and RCW 75.08.085; repealing section 75.08.100, chapter 12, Laws of 1955 and RCW 75.08.100; repealing section 75.08.140, chapter 12, Laws of 1955 and RCW 75.08.140; repealing section 75.08.190, chapter 12, Laws of 1955 and RCW 75.08.190; repealing section 13, chapter 207, Laws of 1953 and RCW 75.08.203; repealing section 75.08.240, chapter 12, Laws of 1955 and RCW 75.08.240; repealing section 75.08.250, chapter 12, Laws of 1955, section 34, chapter 106, Laws of 1973 and RCW 75.08.250; repealing section 75.08.270, chapter 12, Laws of 1955 and RCW 75.08.270; repealing section 1, chapter 230, Laws of 1961 and RCW 75.08.290; repealing section

75.12.050, chapter 12, Laws of 1955 and RCW 75.12.050; repealing section 75.12.060, chapter 12, Laws of 1955 and RCW 75.12.060; repealing section 75.12.080, chapter 12, Laws of 1955 and RCW 75.12.080; repealing section 75.12.110, chapter 12, Laws of 1955 and RCW 75.12.110; repealing section 3, chapter 276, Laws of 1955 and RCW 75.12.150; repealing section 4, chapter 276, Laws of 1955 and RCW 75.12.160; repealing section 4, chapter 108, Laws of 1957, section 1, chapter 234, Laws of 1963 and RCW 75.12.220; repealing section 3, chapter 234, Laws of 1963 and RCW 75.12.232; repealing section 6, chapter 108, Laws of 1957 and RCW 75.12.240; repealing section 7, chapter 108, Laws of 1957 and RCW 75.12.250; repealing section 8, chapter 108, Laws of 1957 and RCW 75.12.260; repealing section 9, chapter 108, Laws of 1957 and RCW 75.12.270; repealing section 26, chapter 309, Laws of 1959 and RCW 75.12.280; repealing section 1, chapter 227, Laws of 1981 and RCW 75.12.290; repealing section 75.16.040, chapter 12, Laws of 1955 and RCW 75.16.040; repealing section 3, chapter 35, Laws of 1971 and RCW 75.16.110; repealing section 75.18.005, chapter 12, Laws of 1955 and RCW 75.18.005; repealing section 75.18.010, chapter 12, Laws of 1955 and RCW 75.18.010; repealing section 75.18.030, chapter 12, Laws of 1955 and RCW 75.18.030; repealing section 75.18.040, chapter 12, Laws of 1955 and RCW 75.18.040; repealing section 75.18.050, chapter 12, Laws of 1955 and RCW 75.18.050; repealing section 75.18.060, chapter 12, Laws of 1955 and RCW 75.18.060; repealing section 75.18.070, chapter 12, Laws of 1955 and RCW 75.18.070; repealing section 75.18.090, chapter 12, Laws of 1955 and RCW 75.18.090; repealing section 75.20.010, chapter 12, Laws of 1955 and RCW 75.20.010; repealing section 75.20.020, chapter 12, Laws of 1955 and RCW 75.20.020; repealing section 75.20.030, chapter 12, Laws of 1955 and RCW 75.20.030; repealing section 75.20.080, chapter 12, Laws of 1955 and RCW 75.20.080; repealing section 2, chapter 4, Laws of 1961 and RCW 75.20.120; repealing section 75.24.020, chapter 12, Laws of 1955 and RCW 75.24.020; repealing section 75.24.040, chapter 12, Laws of 1955 and RCW 75.24.040; repealing section 3, chapter 243, Laws of 1979 ex. sess. and RCW 75.25.030; repealing section 5, chapter 243, Laws of 1979 ex. sess. and RCW 75.25.050; repealing section 6, chapter 243, Laws of 1979 ex. sess. and RCW 75.25.060; repealing section 7, chapter 243, Laws of 1979 ex. sess. and RCW 75.25.070; repealing section 2, chapter 171, Laws of 1957, section 3, chapter 309, Laws of 1959, section 3, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.013; repealing section 75.28.050, chapter 12, Laws of 1955 and RCW 75.28.050; repealing section 1, chapter 40, Laws of 1975-76 2nd ex. sess. and RCW 75.28.083; repealing section 6, chapter 309, Laws of 1959, section 6, chapter 283, Laws of 1971 ex. sess., section 2, chapter 141, Laws of 1979 ex. sess. and RCW 75.28.087; repealing section 2, chapter 60, Laws of 1979 and RCW 75.28.097; repealing section 75.28.150, chapter 12, Laws of 1955, section 14, chapter 309, Laws of 1959, section 6, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.150; repealing section 75.28.160, chapter 12, Laws of 1955, section 15, chapter 309, Laws of 1959, section 7, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.160; repealing section 75.28.170, chapter 12, Laws of 1955, section 16, chapter 309, Laws of 1959, section 8, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.170; repealing section 75.28.180, chapter 12, Laws of 1955, section 17, chapter 309, Laws of 1959, section 9, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.180; repealing section 75.28.190, chapter 12, Laws of 1955, section 18, chapter 309, Laws of 1959, section 10, chapter 73, Laws of 1965 ex. sess., section 9, chapter 283, Laws of 1971 ex. sess., section 8, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.190; repealing section 75.28.210, chapter 12, Laws of 1955, section 19, chapter 309, Laws of 1959, section 11, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.210; repealing section 75.28.220, chapter 12, Laws of 1955, section 20, chapter 309, Laws of 1959, section 12, chapter 73, Laws of 1965 ex. sess., section 10, chapter 283, Laws of 1971 ex. sess., section 9, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.220; repealing section 75.28.230, chapter 12, Laws of 1955, section 21, chapter 309, Laws of 1959, section 13, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.230; repealing section 75.28.240, chapter 12, Laws of 1955, section 22, chapter 309, Laws of 1959, section 14, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.240; repealing section 75.28.250, chapter 12, Laws of 1955, section 23, chapter 309, Laws of 1959, section 15, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.250; repealing section 75.28.260, chapter 12, Laws of 1955, section 24, chapter 309, Laws of 1959, section 16, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.260; repealing section 75.28.270, chapter 12, Laws of 1955, section 25, chapter 309, Laws of 1959, section 17, chapter 73, Laws of 1965 ex. sess., section 2, chapter 133, Laws of 1980 and RCW 75.28.270; repealing section 3, chapter 133, Laws of 1980 and RCW 75.28.274; repealing section 5, chapter 133, Laws of 1980 and RCW 75.28.276; repealing section 6, chapter 133, Laws of 1980 and RCW 75.28.277; repealing section 9, chapter 212, Laws of 1955, section 2, chapter 253, Laws of 1969 ex. sess. and RCW 75.28.281; repealing section 6, chapter 141, Laws of 1979 ex. sess. and RCW 75.28.283; repealing section 12, chapter 283, Laws of 1971 ex. sess. and RCW 75.28.375; repealing section 3, chapter 40, Laws of 1975-76 2nd ex. sess. and RCW 75.28.377; repealing section 1, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.390; repealing section 3, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.410; repealing section 5, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.430; repealing section 2, chapter 104, Laws of 1974 ex. sess. and RCW 75.28.440; repealing section 4, chapter 184, Laws of 1974 ex. sess. and RCW 75.28.465; repealing section 6, chapter 184, Laws of 1974 ex. sess. and RCW 75.28.470; repealing section 7, chapter 184, Laws of 1974

ex. sess., section 171, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 75.28.475; repealing section 9, chapter 184, Laws of 1974 ex. sess. and RCW 75.28.480; repealing section 7, chapter 183, Laws of 1975 1st ex. sess. and RCW 75.28.525; repealing section 14, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.640; repealing section 1, chapter 113, Laws of 1980 and RCW 75.28.800; repealing section 3, chapter 106, Laws of 1977 ex. sess. and RCW 75.30.030; repealing section 4, chapter 106, Laws of 1977 ex. sess. and RCW 75.30.040; repealing section 3, chapter 101, Laws of 1979 and RCW 75.30.080; repealing section 75.36.020, chapter 12, Laws of 1955 and RCW 75.36.020; repealing section 75.40.050, chapter 12, Laws of 1955, section 1, chapter 100, Laws of 1977 ex. sess. and RCW 75.40.050; repealing section 75.40.070, chapter 12, Laws of 1955 and RCW 75.40.070; repealing section 1, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.010; repealing section 3, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.020; repealing section 4, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.030; repealing section 5, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.040; repealing section 6, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.050; repealing section 7, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.060; repealing section 8, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.070; repealing section 9, chapter 152, Laws of 1975 1st ex. sess. and RCW 75.44.080; prescribing penalties; and providing an effective date.

Referred to Committee on Natural Resources.

**HB 279** by Representatives Sutherland, Ristuben, Tanner, Allen, Belcher, Egger, Todd and Powers

AN ACT Relating to public utility taxation; and adding a new section to chapter 82.16 RCW.

Referred to Committee on Energy & Utilities.

**HB 280** by Representatives Patrick, Kreidler, Holland, Lewis and West

AN ACT Relating to driving while intoxicated; and adding new sections to chapter 46.61 RCW.

Referred to Committee on Judiciary.

**HB 281** by Representatives McClure, Lewis, Dellwo, Wang, Fiske, Ellis, Ballard, Niemi, Ebersole, Appelwick, Allen, J. King, Lux, Fisch, Braddock and Kreidler

AN ACT Relating to mental health insurance; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 282** by Representatives Ebersole, Galloway, Taylor, Schoon, Fisch, Crane, Todd, Broback, Addison, Haugen, Walk, Powers, Halsan, Tanner, P. King, Fisher, Holland, Ristuben, Charnley, Patrick, Wang, Sanders, West and Silver

AN ACT Relating to truant school children; amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010; amending section 1, chapter 201, Laws of 1979 ex. sess. and RCW 28A.27.020; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.27 RCW; repealing section 28A.27.100, chapter 223, Laws of 1969 ex. sess., section 6, chapter 201, Laws of 1979 ex. sess. and RCW 28A.27.100; and prescribing penalties.

Referred to Committee on Education.

**HB 283** by Representatives Lewis, Walk, Vander Stoep, Belcher, Johnson, Kreidler, B. Williams, Patrick, Wang and Silver

AN ACT Relating to public employees; adding a new section to chapter 41.06 RCW; and adding a new section to chapter 28B.16 RCW.

Referred to Committee on State Government.

**HB 284** by Representatives Tilly, Dickie, Tanner, Egger, Fisch, Nealey, Fuhrman, Braddock and Silver

AN ACT Relating to courts of limited jurisdiction; amending section 4, page 404, Laws of 1854 as last amended by section 69, chapter 81, Laws of 1971 and RCW 26.04.050; amending section 100, chapter 299, Laws of 1961 as last amended by section 8, chapter

162, Laws of 1980 and RCW 3.58.010; and amending section 122, chapter 299, Laws of 1961 and RCW 3.66.110.

Referred to Committee on Judiciary.

HJM 8 by Representatives Nealey, Patrick, Holland, Hastings, Egger, Padden, Addison, Barrett, Fuhrman, Chandler, Ballard, Silver, Lewis, Sanders, West and G. Nelson

Requesting Congress to amend the Constitution to require a balanced federal budget.

Referred to Committee on Constitution, Elections & Ethics.

HJR 20 by Representatives Egger, Taylor, Stratton, Silver, Barrett and Sanders  
Authorizing current use valuation of single family residences.

Referred to Committee on Ways & Means.

HJR 21 by Representatives Schoon, Allen, Walk, Hine and Powers  
Revising the terms of members of the legislature.

Referred to Committee on Constitution, Elections & Ethics.

HJR 22 by Representatives Schoon, Allen, Betrozoff, Walk, Hine and Powers  
Revising the term of state representatives.

Referred to Committee on Constitution, Elections & Ethics.

#### REPORT OF STANDING COMMITTEE

January 25, 1983

HB 145 Prime Sponsor, Representative P. King: Revising certain laws regulating common schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representatives P. King, Vice Chair; Appelwick and Zellinsky.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Wang, the House adjourned until 11:00 a.m., Thursday, January 27, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



**EIGHTEENTH DAY****MORNING SESSION**

---

House Chamber, Olympia, Wash., Thursday, January 27, 1983

The House was called to order at 11:00 a.m. by the Speaker.

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

**INTRODUCTIONS AND FIRST READING**

**HB 285** by Representatives Egger, Martinis and Allen

AN ACT Relating to motor vehicle fund distributions; and amending section 10, chapter 317, Laws of 1977 ex. sess. and RCW 46.68.115.

Referred to Committee on Transportation.

**HB 286** by Representatives O'Brien, Hankins and Belcher (by Department of General Administration request)

AN ACT Relating to state purchasing; and adding a new section to chapter 43.19 RCW.

Referred to Committee on State Government.

**HB 287** by Representatives Zellinsky, Moon, Fisch, Fisher, Smitherman, P. King, Wang, Patrick, Silver, Miller and Powers

AN ACT Relating to the possession of alcoholic beverages in motor vehicles; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Judiciary.

**HB 288** by Representatives Wang, Padden and Armstrong

AN ACT Relating to corporations; and amending section 1, chapter 173, Laws of 1927 as amended by section 168, chapter 53, Laws of 1965 and RCW 4.12.025.

Referred to Committee on Judiciary.

**HB 289** by Representatives Haugen, Tilly, Brekke, Charnley, Jacobsen, Todd, Burns, Holland, Stratton, Ballard, Brough, Zellinsky, McMullen, Fisch, Smitherman, Tanner, Moon, Silver, Armstrong, Ristuben and Miller

AN ACT Relating to driving while intoxicated; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; adding new sections to chapter 46.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 290** by Representatives Gallagher and Moon

AN ACT Relating to assault; adding a new section to chapter 9.91 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 291** by Representatives Ristuben and Tanner

AN ACT relating to salmon fishing; and amending section 3, chapter 108, Laws of 1957 and RCW 75.12.210.

Referred to Committee on Natural Resources.

**HB 292** by Representatives Rust and Patrick

AN ACT Relating to water pollution control; and amending section 24, chapter 13, Laws of 1967 as last amended by section 1, chapter 267, Laws of 1979 ex. sess. and RCW 90.48.260.

Referred to Committee on Environmental Affairs.

**HB 293** by Representatives J. King, Patrick, Kreidler, Hankins, Ellis, Braddock, Mitchell, Lux, Allen, Hine and Jacobsen

AN ACT Relating to dentistry; amending section 2, chapter 112, Laws of 1935 as last amended by section 1, chapter 38, Laws of 1979 and RCW 18.32.035; amending section 5, chapter 112, Laws of 1935 as amended by section 2, chapter 38, Laws of 1979 and RCW 18.32.040; amending section 27, chapter 16, Laws of 1923 as last amended by section 1, chapter 235, Laws of 1971 ex. sess. and RCW 18.29.050; amending section 31, chapter 16, Laws of 1923 as amended by section 32, chapter 158, Laws of 1979 and RCW 18.29.060; amending section 34, chapter 16, Laws of 1923 and RCW 18.29.080; amending section 1, chapter 99, Laws of 1981 and RCW 18.32.055; amending section 21, chapter 112, Laws of 1935 and RCW 18.32.070; amending section 14, chapter 112, Laws of 1935 and RCW 18.32.220; amending section 8, chapter 112, Laws of 1935 as amended by section 30, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.230; amending section 7, chapter 93, Laws of 1953 as last amended by section 31, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.350; amending section 23, chapter 112, Laws of 1935 as amended by section 32, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.380; amending section 5, chapter 93, Laws of 1953 as last amended by section 28, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.32.120; adding new sections to chapter 18.29 RCW; adding a new section to chapter 18.32 RCW; repealing section 29, chapter 16, Laws of 1923, section 2, chapter 47, Laws of 1969, section 31, chapter 158, Laws of 1979 and RCW 18.29.030; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 294** by Representatives Patrick, Holland, Hastings, Barrett and Struthers

AN ACT Relating to machine guns; and amending section 1, chapter 64, Laws of 1933 as amended by section 2, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.41.190.

Referred to Committee on Judiciary.

**HB 295** by Representatives Belcher, Hankins, Kreidler, Walk, Niemi, Ellis, Powers, Lewis, Allen, Johnson, Lux, Jacobsen, Todd, Halsan, Betrozoff, Vander Stoep, Patrick, D. Nelson and Vekich

AN ACT Relating to state officers and employees; amending section 2, chapter 208, Laws of 1957 as last amended by section 53, chapter 151, Laws of 1979 and RCW 41.04.036; amending section 5, chapter 59, Laws of 1969 as last amended by section 1, chapter 120, Laws of 1980 and RCW 41.04.230; amending section 1, chapter 130, Laws of 1891 as last amended by section 68, chapter 151, Laws of 1979 and RCW 42.16.010; adding a new section to chapter 41.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

**HB 296** by Representatives Galloway and Miller (by Superintendent of Public Instruction request)

AN ACT Relating to school transportation; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 10, chapter 265, Laws of 1981 and RCW 28A.24.055; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; repealing section 12, chapter 265, Laws of 1981 and RCW 28A.04.350; repealing section 1, chapter 265, Laws of 1981 and RCW 28A.41.505; repealing section 2, chapter 265, Laws of 1981 and RCW 28A.41.510; repealing section 3, chapter 265, Laws of 1981 and RCW 28A.41.515; repealing section 4, chapter 265, Laws of 1981, section 2, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.520; repealing section 5, chapter 265, Laws of 1981, section 3, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.525; and providing an effective date.

Referred to Committee on Education.

#### REPORTS OF STANDING COMMITTEES

January 25, 1983

**HB 2** Prime Sponsor, Representative Todd.: Requiring energy-efficient standards for buildings. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 24 after "council" insert "or its successor agency"

On page 2, line 32 after "council" insert "or its successor agency"

On page 3, beginning on line 32 strike all of new section 4.

On page 1, line 18 of the title after ".310;" insert "and" and on line 19 after ".905" strike "and declaring an emergency"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Gallagher, Jacobsen, Locke, Moon, Pruitt and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Bond, Fiske, Miller and Nealey.

Absent: Representatives Hastings and Martinis.

Passed to Committee on Rules for second reading.

January 25, 1983

HB 23 Prime Sponsor, Representative R. King: Permitting common carriers in only interstate and/or foreign commerce to elect coverage under industrial insurance law. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 2 after "title" insert ", or the person was injured while engaged in activities attendant to operating a truck which he or she owns and that is leased to a common or contract carrier"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Dellwo, Fisher, Patrick, Smith and Struthers.

Absent: Representatives Brekke, Fisch, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

January 25, 1983

HB 32 Prime Sponsor, Representative Lux: Modifying provisions regarding credit union regulation. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 8, following section 12 add a new section as follows:

"NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 10 of the title after "RCW 31.12.330;" strike all material to and including "31.12 RCW" on line 11 and insert "adding new sections to chapter 31.12 RCW; and declaring an emergency"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Wang and West.

Absent: Representatives Monohon and Vekich.

Passed to Committee on Rules for second reading.

January 25, 1983

HB 61 Prime Sponsor, Representative Grimm: Extending transfers to the timber tax reserve account. Reported by Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hine, J. King, Kreidler, McClure, McDonald, G. Nelson, Rust, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Hastings, Heck, Monohon and Sayan.

Passed to Committee on Rules for second reading.

January 26, 1983

SB 3036 Prime Sponsor, Senator Talmadge: Correcting various double amendments in the Revised Code of Washington. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Dellwo, Ellis, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

January 26, 1983

ESB 3037 Prime Sponsor, Senator Talmadge: Correcting obsolete statutory references in the Revised Code of Washington. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Dellwo, Ellis, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

January 26, 1983

SB 3038 Prime Sponsor, Senator Talmadge: Correcting obsolete statutory references to the utilities and transportation commission. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Dellwo, Ellis, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

January 26, 1983

SB 3039 Prime Sponsor, Senator Talmadge: Rearranging misplaced statutory material and correcting a clerical error. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Dellwo, Ellis, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Friday, January 28, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 28, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Bond, Kaiser and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Camille Ray and Lance Kezner. Prayer was offered by The Reverend Paul McCann, Minister of the United Churches of Olympia.

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

## INTRODUCTIONS AND FIRST READING

HB 297 by Representatives Padden, Armstrong, Kreidler, Wang, Holland, Ristuben, Ballard, Hastings, Dellwo, Locke, Appelwick, Struthers, Taylor, P. King, Miller and Isaacson

AN ACT Relating to the sentencing of criminal offenders; and adding new sections to chapter 9.94A RCW.

HB 298 by Representatives Armstrong, Padden, Kreidler, Wang, Holland, Ristuben, Dellwo, Locke, Struthers, Taylor, P. King, Miller and Isaacson

AN ACT Relating to crimes and punishments; amending section 3, chapter 137, Laws of 1981 as amended by section 1, chapter 192, Laws of 1982 and RCW 9.94A.030; amending section 6, chapter 137, Laws of 1981 and RCW 9.94A.060; amending section 12, chapter 137, Laws of 1981 as amended by section 4, chapter 192, Laws of 1982 and RCW 9.94A.120; adding a new section to chapter 9.94A RCW; and providing an effective date.

HB 299 by Representatives Sommers, Burns, Garrett, D. Nelson and Brekke

AN ACT Relating to the disposition of higher education operating fees; and amending section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 12, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.031.

Referred to Committee on Higher Education.

HB 300 by Representatives P. King, Dickie, Galloway, Holland, G. Nelson, Egger, Stratton, Schoon, Armstrong, Taylor, Heck, Johnson, Betrozoff, Haugen, Tanner, Sutherland, Zellinsky, Powers, Sayan, Smitherman, Ebersole, Fisher, Ellis, Hine, Crane, Jacobsen, Halsan, Todd, Ristuben, Lux, J. Williams and Moon

AN ACT Relating to the Washington state school directors' association; amending section 28A.61.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 13, chapter 151, Laws of 1979 and RCW 28A.61.030; amending section 28A.61.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 125, Laws of 1969 and RCW 28A.61.050; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.61 RCW; adding a new section to chapter 41.06 RCW; repealing section 28A.61.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.61.060; repealing section 30, chapter 99, Laws of 1979 and RCW 43.131.207; repealing section 72, chapter 99, Laws of 1979 and RCW 43.131.208; declaring an emergency; and providing an effective date.

Referred to Committee on Education.

HB 301 by Representatives West, Sanders, Dellwo, Ballard, Stratton, Locke, Lewis and Mitchell

AN ACT Relating to game and game fish; amending section 77.12.100, chapter 36, Laws of 1955 as amended by section 23, chapter 78, Laws of 1980 and RCW 77.12.100; and

amending section 77.12.110, chapter 36, Laws of 1955 as amended by section 25, chapter 78, Laws of 1980 and RCW 77.21.040.

Referred to Committee on Natural Resources.

**HB 302** by Representatives Stratton, Silver, Tanner, Prince, B. Williams, Isaacson and Dellwo

AN ACT Relating to local economic development; amending section 2, chapter 300, Laws of 1981 and RCW 39.84.020; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 303** by Representatives West, Patrick, Fuhrman, Struthers, Taylor, Sanders, Tilly, Holland, Lewis, Isaacson, Long, Hastings, Brough, Chandler and McDonald

AN ACT Relating to criminal procedure; amending section 1054, Code of 1881 as amended by section 57, chapter 28, Laws of 1891 and RCW 10.40.150; amending section 1, chapter 117, Laws of 1973 1st ex. sess. as amended by section 1, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.010; amending section 2, chapter 117, Laws of 1973 1st ex. sess. as amended by section 2, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.020; amending section 3, chapter 117, Laws of 1973 1st ex. sess. as amended by section 3, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.030; amending section 4, chapter 117, Laws of 1973 1st ex. sess. as amended by section 4, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.040; amending section 6, chapter 117, Laws of 1973 1st ex. sess. as amended by section 6, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.060; amending section 8, chapter 117, Laws of 1973 1st ex. sess. as amended by section 7, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.080; amending section 12, chapter 117, Laws of 1973 1st ex. sess. as amended by section 11, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.120; amending section 22, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 112, Laws of 1982 and RCW 10.77.220; adding new sections to chapter 10.77 RCW; repealing section 9A.12.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.12.010; repealing section 11, chapter 117, Laws of 1973 1st ex. sess., section 10, chapter 198, Laws of 1974 ex. sess., section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110; repealing section 15, chapter 117, Laws of 1973 1st ex. sess., section 13, chapter 198, Laws of 1974 ex. sess., section 1, chapter 112, Laws of 1982 and RCW 10.77.150; repealing section 16, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.160; repealing section 17, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.170; repealing section 18, chapter 117, Laws of 1973 1st ex. sess., section 14, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.180; repealing section 19, chapter 117, Laws of 1973 1st ex. sess., section 15, chapter 198, Laws of 1974 ex. sess., section 2, chapter 112, Laws of 1982 and RCW 10.77.190; and repealing section 20, chapter 117, Laws of 1973 1st ex. sess., section 16, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.200.

Referred to Committee on Judiciary.

**HB 304** by Representatives Walk, Vekich and Fisch (by State Patrol request)

AN ACT Relating to the Washington state patrol; and amending section 43.43.020, chapter 8, Laws of 1965 as last amended by section 4, chapter 338, Laws of 1981 and RCW 43.43.020.

Referred to Committee on State Government.

**HB 305** by Representative Wang

AN ACT Relating to professional service corporations; and amending section 5, chapter 122, Laws of 1969 and RCW 18.100.050.

Referred to Committee on Social & Health Services.

**HB 306** by Representatives Prince, Burns, Silver, McMullen, Braddock and McDonald

AN ACT Relating to higher education; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

**HB 307** by Representatives Moon, Powers, Tanner, Taylor, Appelwick, Zellinsky, Lewis, Sayan, Mitchell, Miller, Haugen, Smitherman, Ebersole, Isaacson, Fisher, Jacobsen, Todd, Ristuben, Long, Lux, Locke, Braddock and P. King

AN ACT Relating to crimes and punishments; amending section 3, chapter 137, Laws of 1981 as amended by section 1, chapter 192, Laws of 1982 and RCW 9.94A.030; and adding new sections to chapter 9.94A RCW.

Referred to Committee on Judiciary.

HJM 9 by Representatives McMullen, McClure, Wilson, Braddock, Haugen, Fiske, Fisch and Mitchell

Asking the President to declare three Washington counties to be a disaster area due to flooding.

Referred to Committee on Natural Resources.

HJR 23 by Representatives Wilson, B. Williams, Pruitt, Martinis, Patrick, Haugen, Mitchell, Rust, Allen, Fiske, Schmidt, Miller, Powers, Hankins, Lewis, Long and Braddock

Increasing and staggering the terms of office of state senators and representatives.

Referred to Committee on Constitution, Elections & Ethics.

HCR 8 by Representatives Vander Stoep, McDonald, B. Williams, Sanders, Tilly, Barnes, Isaacson, Schoon and Patrick

Committing the 1983 legislature to reprioritize programs offered by the institutions of higher education and to stress science and technology throughout the state public education system.

Referred to Committee on Education.

#### SECOND READING

HOUSE BILL NO. 23, by Representatives R. King, Clayton and Gallagher (by Department of Labor and Industries request)

Permitting common carriers in only interstate and/or foreign commerce to elect coverage under industrial insurance law.

The bill was read the second time. Committee on Labor recommendation: Majority do pass as amended. (For amendment see Journal, 18th Day, January 27, 1983.)

On motion of Mr. D. King, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 32, by Representative Lux

Modifying provisions regarding credit union regulation.

The bill was read the second time. Committee on Financial Institutions and Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 18th Day, January 27, 1983).

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 39, by Representatives Walk, Lewis, Dickie, Brough, Miller, Sayan, Nealey, Hankins, Isaacson, Silver, Hastings, Addison, Tilly, Struthers, Mitchell, Allen, J. Williams, Barrett and Clayton

Modifying sunset review procedures.

The bill was read the second time. On motion of Mr. Walk Substitute House Bill No. 39 was substituted for House Bill No. 39, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 39 was read the second time and passed to Committee on Rules for second reading.

HOUSE BILL NO. 61, by Representatives Grimm, Tilly and Isaacson (by Department of Revenue request)

Extending transfers to the timber tax reserve account.

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

SENATE BILL NO. 3036, by Senators Talmadge and Clarke (by Code Reviser request)

Correcting various double amendments in the Revised Code of Washington.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3036, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 04.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayam, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Barrett, Bond, Kaiser, Van Dyken - 4.

Senate Bill No. 3036, having received the 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. 3037, by Senators Talmadge and Clarke (by Code Reviser request)

Correcting obsolete statutory references in the Revised Code of Washington.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3037, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayam, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Barrett, Bond, Kaiser, Van Dyken - 4.

Senate Bill No. 3037, having received the 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. 3038, by Senators Talmadge and Clarke (by Code Reviser request)

Correcting obsolete statutory references to the utilities and transportation commission.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3038, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Barrett, Bond, Kaiser, Van Dyken - 4.

Senate Bill No. 3038, having received the 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. 3039, by Senators Talmadge and Clarke (by Code Reviser request)

Rearranging misplaced statutory material and correcting a clerical error.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3039, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Barrett, Bond, Kaiser, Van Dyken - 4.

Senate Bill No. 3039, having received the 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. 145, by Representatives Galloway, P. King, Dickie, Schoon, Struthers and Holland (by Superintendent of Public Instruction request)

Revising certain laws regulating common schools.

The bill was read the second time.

Mr. Addison moved adoption of the following amendment:

On page 9, after line 13 strike all of section 10.

Representatives Addison, Lewis and Padden spoke in favor of the amendment, and Representatives Galloway, R. King, Heck and Pruitt spoke against it.

The amendment was not adopted.

Mr. Addison moved adoption of the following amendment:  
On page 11, after line 4 strike all of section 14.

Mr. Addison spoke in favor of the amendment, and Mr. Heck spoke against it.

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, I think that Representative Heck's memory is very short. He hasn't listened to what this debate is actually about, and he's straying to some topics that are far afield. I wonder if you would instruct him to quit doing that."

The Speaker: "Representative Heck, will you please stop doing that. Please confine your remarks to the subject before us. I know that you sometimes stray, although you are very eloquent."

Mr. Heck continued his remarks against the amendment.

Mr. Hastings spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Heck: "Mr. Speaker, I'm struck by this. I took to heart Representative McDonald's objection, and I think Representative Hastings should pay close attention to Representative McDonald's objections. I think Representative Hastings is committing the same sin that I did a few moments ago."

The Speaker: "Representative Hastings, I think it's clear that the point is well taken and you are, in fact, out of order."

Mr. Hastings concluded his remarks in favor of the amendment.

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

Representatives D. Nelson and Galloway spoke against the amendment, and Mr. Addison spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to House Bill No. 145, and the amendment was not adopted by the following vote: Yeas, 33; nays, 61; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nealey, Nelson G. Padden, Patrick, Sanders, Schmidt, Silver, Smith, Struthers, Taylor, Tilly, West, Williams B, Williams J, Wilson - 33.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 61.

Excused: Representatives Barrett, Bond, Kaiser, Van Dyken - 4.

House Bill No. 145 was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, January 31, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 31, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Cantu, Silver, Tanner and Van Dyken. Representatives Cantu, Silver and Van Dyken were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mary Frances Spolar and Doug Timpe. Prayer was offered by The Reverend James Blundell, Minister of St. John's Episcopal Church of Olympia.

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

## MESSAGE FROM THE GOVERNOR

January 28, 1983

To The Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise you that on January 28, 1983, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 1: Relating to unemployment compensation.

Sincerely,  
Marilyn Showalter, Counsel.

## MESSAGE FROM THE SENATE

January 31, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3036,  
SENATE BILL NO. 3037,  
SENATE BILL NO. 3038,  
SENATE BILL NO. 3039,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3036,  
SENATE BILL NO. 3037,  
SENATE BILL NO. 3038,  
SENATE BILL NO. 3039.

## INTRODUCTIONS AND FIRST READING

HB 297 by Representatives Padden, Armstrong, Kreidler, Wang, Holland, Ristuben, Ballard, Hastings, Dellwo, Locke, Appelwick, Struthers, Taylor, P. King, Miller and Isaacson

AN ACT Relating to the sentencing of criminal offenders; and adding new sections to chapter 9.94A RCW.

Referred to Committee on Judiciary.

HB 298 by Representatives Armstrong, Padden, Kreidler, Wang, Holland, Ristuben, Dellwo, Locke, Struthers, Taylor, P. King, Miller and Isaacson

AN ACT Relating to crimes and punishments; amending section 3, chapter 137, Laws of 1981 as amended by section 1, chapter 192, Laws of 1982 and RCW 9.94A.030; amending section 6, chapter 137, Laws of 1981 and RCW 9.94A.060; amending section 12, chapter 137, Laws of 1981 as amended by section 4, chapter 192, Laws of 1982 and RCW 9.94A.120; adding a new section to chapter 9.94A RCW; and providing an effective date.

Referred to Committee on Judiciary.

**HB 308** by Representatives Heck, Wilson, J. King, B. Williams, Dellwo and Clayton (by Governor Spellman request)

AN ACT Relating to vocational and occupational training; adding a new chapter to Title 28C RCW; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

**HB 309** by Representatives J. King, Lewis, Kreidler, Fiske, Vekich, Tilly, Tanner, Wang, Miller and Isaacson

AN ACT Relating to physical therapists; amending section 1, chapter 239, Laws of 1949 as amended by section 1, chapter 64, Laws of 1961 and RCW 18.74.010; amending section 2, chapter 239, Laws of 1949 as last amended by section 62, chapter 158, Laws of 1979 and RCW 18.74.020; amending section 3, chapter 239, Laws of 1949 as amended by section 2, chapter 64, Laws of 1961 and RCW 18.74.030; amending section 3, chapter 64, Laws of 1961 and RCW 18.74.035; amending section 5, chapter 239, Laws of 1949 as last amended by section 65, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.74.050; amending section 6, chapter 239, Laws of 1949 as last amended by section 66, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.74.060; amending section 7, chapter 239, Laws of 1949 as last amended by section 67, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.74.070; amending section 8, chapter 239, Laws of 1949 as amended by section 7, chapter 64, Laws of 1961 and RCW 18.74.080; amending section 9, chapter 239, Laws of 1949 as amended by section 8, chapter 64, Laws of 1961 and RCW 18.74.090; amending section 9, chapter 64, Laws of 1961 and RCW 18.74.095; amending section 10, chapter 239, Laws of 1949 and RCW 18.74.100; amending section 12, chapter 239, Laws of 1949 as last amended by section 63, chapter 158, Laws of 1979 and RCW 18.74.120; adding new sections to chapter 18.74 RCW; repealing section 4, chapter 239, Laws of 1949 and RCW 18.74.040; repealing section 11, chapter 239, Laws of 1949 and RCW 18.74.110; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 310** by Representatives Appelwick, Brekke, Vekich, Halsan, Garrett, Mitchell, P. King, Moon, Lux and Fisher

AN ACT Relating to retail sales and use taxation; amending section 48, chapter 35, Laws of 1982 1st ex. sess. (uncodified); creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 311** by Representatives Vekich, Lux, Kreidler, Garrett and Ristuben

AN ACT Relating to consumer credit reporting; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

**HB 312** by Representatives Lux, Sanders and Garrett

AN ACT Relating to mutual savings banks; and adding a new chapter to Title 32 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 313** by Representatives Belcher, Hankins and Walk (by Planning and Community Affairs Agency request; by Office of Financial Management request; by Department of General Administration request)

AN ACT Relating to the transfer of responsibility for state fire protection contracts from the department of general administration to the planning and community affairs agency; amending section 1, chapter 102, Laws of 1979 ex. sess. and RCW 35.21.775; and creating a new section.

Referred to Committee on State Government.

**HB 314** by Representatives Appelwick, Brekke, Halsan, Moon and Lux

AN ACT Relating to retail sales and use taxation; amending section 48, chapter 35, Laws of 1982 1st ex. sess. (uncodified); creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 315** by Representatives McMullen, Patrick, Stratton, Padden, Haugen and Crane

AN ACT Relating to privacy; amending section 1, chapter 93, Laws of 1967 ex. sess. as amended by section 1, chapter 363, Laws of 1977 ex. sess. and RCW 9.73.030; amending section 3, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.050; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 316** by Representatives Fisch, Vekich, McClure, Jacobsen, Fisher, Dellwo, Pruitt, Wang and Ristuben

AN ACT Relating to political advertising; amending section 29.85.270, chapter 9, Laws of 1965 as amended by section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270; amending section 29.85.280, chapter 9, Laws of 1965 as amended by section 2, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.280; and prescribing penalties.

Referred to Committee on Constitution, Elections & Ethics.

**HB 317** by Representative Lewis

AN ACT Relating to emergency assistance; and amending section 6, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.660.

Referred to Committee on Social & Health Services.

**HB 318** by Representatives Hine, Brough, Charnley, Allen and Isaacson

AN ACT Relating to public moorage facilities; adding new sections to chapter 53.08 RCW; and declaring an emergency.

Referred to Committee on Local Government.

**HB 319** by Representatives J. King and B. Williams (by Liquor Control Board request)

AN ACT Relating to the state liquor control board; amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.08.050; amending section 4, chapter 6, Laws of 1961 ex. sess. as amended by section 1, chapter 239, Laws of 1963 and RCW 66.08.026; amending section 3, chapter 67, Laws of 1949 as last amended by section 6, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.180; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 85, Laws of 1982 and RCW 66.24.010; amending section 23-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 29, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.150; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 85, Laws of 1982 and RCW 66.28.010; amending section 23-H added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.28.070; amending section 36-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 as amended by section 24, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.44.310; and adding a new section to chapter 66.44 RCW.

Referred to Committee on Commerce & Economic Development.

**HB 320** by Representative Gallagher

AN ACT Relating to industrial insurance; amending section 3, chapter 80, Laws of 1973 and RCW 49.17.030; amending section 3, chapter 14, Laws of 1980 as amended by section 2, chapter 109, Laws of 1982 and RCW 51.04.110; amending section 80, chapter 289, Laws of 1971 ex. sess. and RCW 51.08.173; amending section 51.12.070, chapter 23, Laws of 1961 as last amended by section 4, chapter 128, Laws of 1981 and RCW 51.12.070; amending section 51.12.100, chapter 23, Laws of 1961 as last amended by section 21, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.100; amending section 82, chapter 289, Laws of 1971 ex. sess. as last amended by section 23, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.120; amending section 13, chapter 260, Laws of 1981 and RCW 51.16.060; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 29, chapter 350, Laws of 1977 ex. sess. and RCW 51.16.140; amending section 7, chapter 63, Laws of 1982 and RCW 51.41.100; amending section 51.44.040, chapter 23, Laws of 1961 as last amended by section 14, chapter 63, Laws of 1982 and RCW 51.44.040; creating new sections; repealing section 26, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.010; repealing section 27,

chapter 289, Laws of 1971 ex. sess., section 16, chapter 43, Laws of 1972 ex. sess., section 9, chapter 323, Laws of 1977 ex. sess. and RCW 51.14.020; repealing section 28, chapter 289, Laws of 1971 ex. sess., section 10, chapter 323, Laws of 1977 ex. sess. and RCW 51.14.030; repealing section 29, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.040; repealing section 30, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.050; repealing section 31, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.060; repealing section 36, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.070; repealing section 32, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.080; repealing section 33, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.090; repealing section 34, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.100; repealing section 35, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.110; repealing section 7, chapter 191, Laws of 1982 and RCW 51.14.150; repealing section 8, chapter 191, Laws of 1982 and RCW 51.14.160; repealing section 9, chapter 191, Laws of 1982 and RCW 28A.21.255; and repealing section 10, chapter 191, Laws of 1982 and RCW 28A.58.410.

Referred to Committee on Labor.

**HB 321** by Representatives Belcher, Vander Stoep, Wang, R. King, Brække, Halsan, Tanner, Miller, Ristuben and Brough (by Attorney General request)

AN ACT Relating to gender-neutral terms; adding a new section to chapter 43.01 RCW; adding a new section to chapter 44.04 RCW; and creating a new section.

Referred to Committee on State Government.

**HB 322** by Representatives Braddock and Allen

AN ACT Relating to public cemeteries; amending section 1, chapter 156, Laws of 1909 as amended by section 1, chapter 378, Laws of 1955 and RCW 68.12.040; amending section 6, chapter 156, Laws of 1909 and RCW 68.12.070; amending section 2, chapter 156, Laws of 1909 as amended by section 1, chapter 91, Laws of 1933 and RCW 68.12.060; and repealing section 3, chapter 156, Laws of 1909 and RCW 68.12.065.

Referred to Committee on Local Government.

**HB 323** by Representatives Haugen, Wilson, Ballard, Sayan, McClure, Fisch, Vekich and Tanner

AN ACT Relating to annexation by public utility districts; and amending section 10, chapter 1, Laws of 1931 and RCW 54.32.010.

Referred to Committee on Local Government.

**HB 324** by Representatives Hankins, Sayan, Lewis, Vekich, B. Williams, Tilly, Garrett, Mitchell and Miller (by Governor Spellman request)

AN ACT Relating to the jobs for Washington youth program; adding a new section to chapter 49.46 RCW; adding a new chapter to Title 50 RCW; creating a new section; making an appropriation; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 325** by Representatives Sayan, Silver and R. King (by Office of Financial Management request)

AN ACT Relating to state government; disestablishing certain obsolete funds; removing certain obsolete sections relating to education; establishing a fund in the state treasury; amending section 28A.47.440, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 157, Laws of 1972 ex. sess. and RCW 28A.47.440; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020; amending section 7, chapter 157, Laws of 1972 ex. sess. as amended by section 1, chapter 22, Laws of 1975 1st ex. sess. and RCW 82.24.260; adding a new section to chapter 43.79 RCW; creating new sections; repealing section 28A.47.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.130; repealing section 28A.47.140, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.140; repealing section 28A.47.170, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.170; repealing section 28A.47.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.180; repealing section 28A.47.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.210; repealing section 28A.47.220, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.220; repealing section 28A.47.230, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.230; repealing section 28A.47.420, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.420; repealing section 28A.47.435, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.435; repealing section 28A.47.445, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.445; repealing section 28A.47.450, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.450; repealing section 28A.47.460,

chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.460; repealing section 28A.47.470, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.470; repealing section 28A.47.480, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.480; repealing section 28A.47.490, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.490; repealing section 28A.47.500, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.500; repealing section 28A.47.510, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.510; repealing section 28A.47.520, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.520; repealing section 28A.47.530, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.530; repealing section 28A.47.540, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.540; repealing section 28A.47.560, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.560; repealing section 28A.47.570, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.570; repealing section 28A.47.580, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.580; repealing section 28A.47.590, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.590; repealing section 28A.47.600, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.600; repealing section 28A.47.610, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.610; repealing section 28A.47.620, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.620; repealing section 28A.47.630, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.630; repealing section 28A.47.640, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.640; repealing section 28A.47.650, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.650; repealing section 28A.47.660, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.660; repealing section 28A.47.680, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.680; repealing section 28A.47.690, chapter 223, Laws of 1969 ex. sess., section 37, chapter 141, Laws of 1979 and RCW 28A.47.690; repealing section 28A.47.700, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.700; repealing section 28A.47.710, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.710; repealing section 28A.47.720, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.720; repealing section 28A.47.722, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.722; repealing section 28A.47.724, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.724; repealing section 28A.47.726, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.726; repealing section 28A.47.728, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.728; repealing section 28A.47.730, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.730; repealing section 28A.47.732, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.732; repealing section 28A.47.734, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.734; repealing section 28A.47.736, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.736; repealing section 28A.47.738, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.738; repealing section 28A.47.742, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.742; repealing section 28A.47.744, chapter 223, Laws of 1969 ex. sess., section 38, chapter 141, Laws of 1979 and RCW 28A.47.744; repealing section 28A.47.746, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.746; repealing section 28A.47.748, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.748; repealing section 28A.47.750, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.750; repealing section 1, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.780; repealing section 2, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.781; repealing section 3, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.782; repealing section 4, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.783; repealing section 5, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.784; repealing section 6, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.785; repealing section 7, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.786; repealing section 8, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.787; repealing section 9, chapter 66, Laws of 1975-'76 2nd ex. sess. and RCW 47.10.788; repealing section 1, chapter 298, Laws of 1957 and RCW 72.99.070; repealing section 2, chapter 298, Laws of 1957 and RCW 72.99.080; repealing section 3, chapter 298, Laws of 1957 and RCW 72.99.090; repealing section 4, chapter 298, Laws of 1957 and RCW 72.99.100; repealing section 5, chapter 298, Laws of 1957 and RCW 72.99.110; repealing section 6, chapter 298, Laws of 1957, section 37, chapter 278, Laws of 1975 1st ex. sess. and RCW 72.99.120; repealing section 7, chapter 298, Laws of 1957 and RCW 72.99.130; repealing section 8, chapter 298, Laws of 1957 and RCW 72.99.140; repealing section 9, chapter 298, Laws of 1957 and RCW 72.99.150; repealing section 10, chapter 298, Laws of 1957 and RCW 72.99.160; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 326** by Representatives Barnes, Jacobsen, Patrick, Betzoff, Wang, Miller and Ristuben (by Secretary of State request)

AN ACT Relating to political advertising; adding a new section to chapter 42.17 RCW; repealing section 29.85.270, chapter 9, Laws of 1965, section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270; and repealing section 29.85.280, chapter 9, Laws of 1965, section 2, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.280.

Referred to Committee on Constitution, Elections & Ethics.

**HB 327** by Representatives Crane and McMullen

AN ACT Relating to compromise of misdemeanors; repealing section 84, page 115, Laws of 1854, section 1040, Code of 1881 and RCW 10.22.010; repealing section 84, page 115, Laws of 1854, section 220, page 230, Laws of 1873, sections 1041 and 1042, Code of 1881, section 63, chapter 28, Laws of 1891 and RCW 10.22.020; and repealing section 1043, Code of 1881, section 64, chapter 28, Laws of 1891 and RCW 10.22.030.

Referred to Committee on Judiciary.

**HB 328** by Representatives Appelwick and Dellwo

AN ACT Relating to interest on judgments; amending section 4, chapter 136, Laws of 1895 as last amended by section 1, chapter 198, Laws of 1982 and RCW 4.56.110; amending section 1, chapter 26, Laws of 1975 and RCW 4.56.115; and creating a new section.

Referred to Committee on Judiciary.

**HB 329** by Representatives D. Nelson, Appelwick, Patrick, McMullen and Ristuben

AN ACT Relating to alcoholic beverage labeling; and amending section 44, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 39, Laws of 1982 and RCW 66.28.120.

Referred to Committee on Commerce & Economic Development.

**HB 330** by Representatives Brough, Smitherman, West, B. Williams, Tilly, Garrett, Mitchell and Miller (by Governor Spellman request)

AN ACT Relating to the state parks and recreation commission; creating new sections; making an appropriation; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 331** by Representatives Sommers, Grimm and Brekke

AN ACT Relating to revenue and taxation; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as amended by section 1, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.02.030; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020; amending section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-76 2nd ex. sess. and RCW 82.12.010; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.12.020; amending section 5, chapter 89, Laws of 1967 ex. sess. and RCW 82.12.035; amending section 82.12.040, chapter 15, Laws of 1961 as last amended by section 11, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.040; amending section 82.12.060, chapter 15, Laws of 1961 as last amended by section 54, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.060; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 332** by Representatives Rust, McClure, Fisch, Lux, McMullen and Haugen

AN ACT Relating to the taxation of business inventories; amending section 2, chapter 169, Laws of 1974 ex. sess. as last amended by section 1, chapter 12, Laws of 1982 2nd ex. sess. and RCW 82.04.442; amending section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; recodifying RCW 84.40.405 as a new section in chapter 82.04 RCW; and repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400.

Referred to Committee on Ways & Means.

**HB 333** by Representatives Jacobsen, Miller, Charnley, McMullen, Prince, Powers, Brekke, Halsan, Dellwo, Garrett, D. Nelson, Tanner, Isaacson and Ristuben



AN ACT Relating to tuition and fees for institutions of higher education; and amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100.

Referred to Committee on Higher Education.

HB 334 by Representatives Burns, Charnley, Miller, Jacobsen, McMullen, Prince, Silver, R. King, Brekke, Allen and D. Nelson

AN ACT Relating to residency requirements for institutions of higher education; and amending section 2, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.012.

Referred to Committee on Higher Education.

HB 335 by Representatives Burns, Miller, Jacobsen, Charnley, Prince, McMullen, Silver, Allen and D. Nelson

AN ACT Relating to higher education tuition and fees; amending section 2, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.012; amending section 4, chapter 273, Laws of 1971 ex. sess. as amended by section 3, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.014; and amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100.

Referred to Committee on Higher Education.

HB 336 by Representatives Lux, Hankins, Garrett, Crane, Broback, Galloway, J. King, Patrick, R. King, Johnson, J. Williams, P. King, Addison, Clayton, Sanders, Hine, Kreidler, Wang, Monohon, B. Williams, Padden, Holland, Dellwo, Smith, Betrozoff, Powers, Miller, Isaacson and McMullen

AN ACT Relating to health care; amending section 1, chapter 268, Laws of 1947 as last amended by section 10, chapter 102, Laws of 1980 and RCW 48.44.010; amending section 2, chapter 268, Laws of 1947 as last amended by section 1, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.020; and adding new sections to chapter 48.44 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 337 by Representatives J. King, Tilly and Sanders

AN ACT Relating to industrial insurance; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 15, chapter 63, Laws of 1982 and RCW 51.12.020; and adding a new section to chapter 51.12 RCW.

Referred to Committee on Labor.

HB 338 by Representatives Kreidler, D. Nelson, Tanner and Ebersole

AN ACT Relating to mandatory retirement of public employees; and adding a new section to chapter 41.04 RCW.

Referred to Committee on State Government.

HB 339 by Representatives Tanner, Lewis, Miller, J. King and West

AN ACT Relating to abandonment of property as it relates to landlords and tenants; and amending section 31, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.310.

Referred to Committee on Judiciary.

HB 340 by Representatives Kreidler, Lewis, Dellwo, Armstrong, Brekke and R. King (by Department of Social and Health Services request)

AN ACT Relating to sexual psychopaths; amending section 71.06.010, chapter 25, Laws of 1959 as last amended by section 42, chapter 80, Laws of 1977 ex. sess. and RCW 71.06.010; amending section 71.06.030, chapter 25, Laws of 1959 as amended by section 1, chapter 104, Laws of 1967 and RCW 71.06.030; amending section 71.06.040, chapter 25, Laws of 1959 and RCW 71.06.040; and amending section 71.06.060, chapter 25, Laws of 1959 as last amended by section 129, chapter 141, Laws of 1979 and RCW 71.06.060.

Referred to Committee on Social & Health Services.

HB 341 by Representative Armstrong

AN ACT Relating to court administration; amending section 118, chapter 299, Laws of 1961 and RCW 3.66.070; and adding a new section to chapter 3.34 RCW.

Referred to Committee on Judiciary.

**HB 342** by Representatives Kreidler, Lewis, Dellwo and Brekke (by Department of Social and Health Services request)

AN ACT Relating to personal records; adding a new chapter to Title 40 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 343** by Representatives Kreidler, Lewis and Dellwo (by Department of Social and Health Services request)

AN ACT Relating to financial responsibility for services of the department of social and health services; amending section 25, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.250; amending section 43.20.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 52, Laws of 1979 ex. sess. and RCW 43.20A.630; amending section 4, chapter 127, Laws of 1967 ex. sess. as amended by section 64, chapter 292, Laws of 1971 ex. sess. and RCW 71.02.411; amending section 15, chapter 142, Laws of 1973 1st ex. sess. as amended by section 4, chapter 24, Laws of 1973 2nd ex. sess. and RCW 71.05.100; amending section 72.23.230, chapter 28, Laws of 1959 as last amended by section 1, chapter 82, Laws of 1971 and RCW 72.23.230; amending section 72.33.180, chapter 28, Laws of 1959 as last amended by section 1, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.180; amending section 2, chapter 166, Laws of 1969 ex. sess. as amended by section 245, chapter 141, Laws of 1979 and RCW 72.33.840; adding new sections to chapter 43.20A RCW; creating a new section; repealing section 71.02.310, chapter 25, Laws of 1959 and RCW 71.02.310; repealing section 71.02.320, chapter 25, Laws of 1959, section 2, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.320; repealing section 71.02.330, chapter 25, Laws of 1959 and RCW 71.02.330; repealing section 71.02.340, chapter 25, Laws of 1959 and RCW 71.02.340; repealing section 71.02.350, chapter 25, Laws of 1959 and RCW 71.02.350; repealing section 71.02.360, chapter 25, Laws of 1959 and RCW 71.02.360; repealing section 71.02.370, chapter 25, Laws of 1959 and RCW 71.02.370; repealing section 71.02.380, chapter 25, Laws of 1959 and RCW 71.02.380; repealing section 71.02.390, chapter 25, Laws of 1959, section 5, chapter 67, Laws of 1979 ex. sess. and RCW 71.02.390; repealing section 71.02.400, chapter 25, Laws of 1959 and RCW 71.02.400; repealing section 71.02.410, chapter 25, Laws of 1959, section 1, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.410; repealing section 5, chapter 127, Laws of 1967 ex. sess., section 126, chapter 141, Laws of 1979 and RCW 71.02.412; repealing section 6, chapter 127, Laws of 1967 ex. sess., section 1, chapter 268, Laws of 1969 ex. sess., section 133, chapter 81, Laws of 1971, section 33, chapter 67, Laws of 1981 and RCW 71.02.413; repealing section 7, chapter 127, Laws of 1967 ex. sess., section 127, chapter 141, Laws of 1979 and RCW 71.02.414; repealing section 8, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.415; repealing section 9, chapter 127, Laws of 1967 ex. sess., section 128, chapter 141, Laws of 1979 and RCW 71.02.416; repealing section 10, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.417; repealing section 71.06.260, chapter 25, Laws of 1959, section 132, chapter 141, Laws of 1979 and RCW 71.06.260; repealing section 72.33.210, chapter 28, Laws of 1959 and RCW 72.33.210; repealing section 1, chapter 141, Laws of 1967, section 237, chapter 141, Laws of 1979 and RCW 72.33.650; repealing section 2, chapter 141, Laws of 1967, section 2, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.655; repealing section 3, chapter 141, Laws of 1967, section 238, chapter 141, Laws of 1979 and RCW 72.33.660; repealing section 4, chapter 141, Laws of 1967, section 3, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.665; repealing section 5, chapter 141, Laws of 1967, section 1, chapter 75, Laws of 1970 ex. sess., section 239, chapter 141, Laws of 1979, section 7, chapter 189, Laws of 1982 and RCW 72.33.670; repealing section 7, chapter 141, Laws of 1967, section 240, chapter 141, Laws of 1979 and RCW 72.33.680; repealing section 8, chapter 141, Laws of 1967, section 241, chapter 141, Laws of 1979 and RCW 72.33.685; repealing section 9, chapter 141, Laws of 1967, section 242, chapter 141, Laws of 1979 and RCW 72.33.690; repealing section 11, chapter 141, Laws of 1967 and RCW 72.33.695; repealing section 12, chapter 141, Laws of 1967, section 243, chapter 141, Laws of 1979 and RCW 72.33.700; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 344** by Representatives Armstrong, Fiske and Tanner (by Secretary of State request)

AN ACT Relating to professional corporations; amending section 3, chapter 122, Laws of 1969 and RCW 18.100.030; amending section 6, chapter 122, Laws of 1969 and RCW 18.100.060; amending section 9, chapter 122, Laws of 1969 and RCW 18.100.090; amending section 11, chapter 122, Laws of 1969 and RCW 18.100.110; amending section 13, chapter

122, Laws of 1969 and RCW 18.100.130; adding new sections to chapter 18.100 RCW; and repealing section 1, chapter 57, Laws of 1971 and RCW 18.100.135.

Referred to Committee on Judiciary.

**HB 345** by Representatives Kreidler, Lewis, Dellwo, Armstrong, Brække and P. King (by Department of Social and Health Services request)

AN ACT Relating to the support of children; amending section 6, chapter 157, Laws of 1973 1st ex. sess. as amended by section 3, chapter 32, Laws of 1975 and RCW 26.09.060; amending section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200; amending section 7, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.060; amending section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.100; amending section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130; amending section 15, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.140; amending section 19, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.180; amending section 21, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.200; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 70.58.095; amending section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280; adding a new section to chapter 4.16 RCW; adding new sections to chapter 26.26 RCW; and repealing section 45, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.902.

Referred to Committee on Social & Health Services.

**HB 346** by Representatives Kreidler, Lewis, Dellwo and P. King (by Department of Social and Health Services request)

AN ACT Relating to social and health services; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080; amending section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605; amending section 13, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.370; amending section 14, chapter 189, Laws of 1971 ex. sess. and RCW 43.20A.375; amending section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter 171, Laws of 1979 ex. sess. and RCW 74.04.290; amending section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290; amending section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050; amending section 6, chapter 224, Laws of 1982 and RCW 71.20.016; amending section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060; amending section 4, chapter 277, Laws of 1959 as amended by section 217, chapter 141, Laws of 1979 and RCW 72.18.040; amending section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030; amending section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030; amending section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030; amending section 72.33-.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 ex. sess. and RCW 72.33.040; amending section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020; amending section 78, chapter 155, Laws of 1979 and RCW 74.13.032; amending section 4, chapter 96, Laws of 1972 ex. sess. as amended by section 1, chapter 42, Laws of 1981 and RCW 72.42.040; adding new sections to chapter 43.20A RCW; creating a new section; repealing section 37, chapter 99, Laws of 1979 and RCW 43.131.221; repealing section 79, chapter 99, Laws of 1979 and RCW 43.131.222; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 347** by Representatives Galloway, Dickie, Stratton, Chandler, Rust, Holland, P. King, Zellinsky, Johnson, Egger, Padden, O'Brien, Smith and Betzoff

AN ACT Relating to education; and amending section 28A.58.107, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 308, Laws of 1981 and RCW 28A.58.107.

Referred to Committee on Education.

**HB 348** by Representatives Armstrong, Fiske, Tanner and Padden (by Secretary of State request)

AN ACT Relating to corporations; amending section 10, chapter 99, Laws of 1980 as amended by section 39, chapter 35, Laws of 1982 and RCW 23A.28.125; amending section 108, chapter 53, Laws of 1965 as last amended by section 41, chapter 35, Laws of 1982 and

RCW 23A.28.250; amending section 113, chapter 53, Laws of 1965 as last amended by section 42, chapter 35, Laws of 1982 and by section 3, chapter 45, Laws of 1982 and RCW 23A.32.050; amending section 124, chapter 53, Laws of 1965 as last amended by section 52, chapter 35, Laws of 1982 and RCW 23A.32.160; amending section 125, chapter 53, Laws of 1965 as amended by section 53, chapter 35, Laws of 1982 and RCW 23A.32.170; amending section 157, chapter 53, Laws of 1965 and RCW 23A.44.100; adding new sections to chapter 23A.28 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 349** by Representatives Kreidler and Lewis (by Department of Social and Health Services request)

AN ACT Relating to juvenile offenders; amending section 1, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.010; amending section 2, chapter 165, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1979 and RCW 13.06.020; amending section 3, chapter 165, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1979 and RCW 13.06.030; amending section 4, chapter 165, Laws of 1969 ex. sess. as amended by section 15, chapter 141, Laws of 1979 and RCW 13.06.040; amending section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 9, chapter 151, Laws of 1979 and RCW 13.06.050; amending section 75, chapter 291, Laws of 1977 ex. sess. as amended by section 71, chapter 155, Laws of 1979 and RCW 13.40.210; amending section 72.05.130, chapter 28, Laws of 1959 as last amended by section 8, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.130; and repealing section 6, chapter 165, Laws of 1969 ex. sess., section 16, chapter 141, Laws of 1979, section 1, chapter 60, Laws of 1981 and RCW 13.06.060.

Referred to Committee on Social & Health Services.

**HB 350** by Representatives Kreidler, Lewis, Dellwo and Brekke (by Department of Social and Health Services request)

AN ACT Relating to agencies serving children, developmentally disabled persons, or expectant mothers; amending section 2, chapter 172, Laws of 1967 as last amended by section 5, chapter 118, Laws of 1982 and RCW 74.15.020; adding new sections to chapter 74.15 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 351** by Representatives Kreidler, Lewis and Dellwo (by Department of Social and Health Services request)

AN ACT Relating to criminal procedure; amending section 1, chapter 117, Laws of 1973 1st ex. sess. as amended by section 1, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.010; amending section 2, chapter 117, Laws of 1973 1st ex. sess. as amended by section 2, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.020; amending section 6, chapter 117, Laws of 1973 1st ex. sess. as amended by section 6, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.060; amending section 7, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.070; amending section 9, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.090; amending section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110; amending section 12, chapter 117, Laws of 1973 1st ex. sess. as amended by section 11, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.120; amending section 15, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 112, Laws of 1982 and RCW 10.77.150; and adding new sections to chapter 10.77 RCW.

Referred to Committee on Judiciary.

**HB 352** by Representatives Kreidler, Lewis and Dellwo (by Department of Social and Health Services request)

AN ACT Relating to public assistance; amending section 16, chapter 204, Laws of 1982 and RCW 74.04.230; amending section 74.04.300, chapter 26, Laws of 1959 as last amended by section 16, chapter 201, Laws of 1982 and RCW 74.04.300; amending section 4, chapter 172, Laws of 1969 ex. sess. as amended by section 322, chapter 141, Laws of 1979 and RCW 74.04.500; amending section 2, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.760; amending section 74.08.100, chapter 26, Laws of 1959 as amended by section 137, chapter 81, Laws of 1971 and RCW 74.08.100; amending section 1, chapter 34, Laws of 1965 ex. sess. as amended by section 329, chapter 141, Laws of 1979 and RCW 74.08.331; amending section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541; amending section 3, chapter 51, Laws of 1973 1st ex. sess. as amended by section 2, chapter 137, Laws of 1980 and RCW 74.08.550; amending section 4, chapter 51, Laws of 1973 1st ex. sess. and RCW 74.08.560; adding new sections to chapter 74.04 RCW; recodifying RCW 74.08.043, 74.08.044, 74.08.045, 74.08.100, 74.08.120, 74.08.331, 74.08.335, 74.08.338,

74.08.340, 74.08.530, 74.08.541, 74.08.545, 74.08.550, 74.08.560, 74.08.570, 74.08.046, and 74.12.010; repealing section 1, chapter 6, Laws of 1981 1st ex. sess., section 5, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.005; repealing section 2, chapter 49, Laws of 1973 1st ex. sess. and RCW 74.04.006; repealing section 74.04.011, chapter 26, Laws of 1959, section 4, chapter 173, Laws of 1969 ex. sess., section 295, chapter 141, Laws of 1979 and RCW 74.04.011; repealing section 74.04.015, chapter 26, Laws of 1959, section 2, chapter 228, Laws of 1963, section 296, chapter 141, Laws of 1979, section 2, chapter 8, Laws of 1981, section 2, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.015; repealing section 74.04.017, chapter 26, Laws of 1959, section 297, chapter 141, Laws of 1979 and RCW 74.04.017; repealing section 74.04.040, chapter 26, Laws of 1959, section 1, chapter 191, Laws of 1981 and RCW 74.04.040; repealing section 74.04.050, chapter 26, Laws of 1959, section 3, chapter 228, Laws of 1963, section 3, chapter 8, Laws of 1981, section 3, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.050; repealing section 74.04.055, chapter 26, Laws of 1959, section 4, chapter 228, Laws of 1963, section 298, chapter 141, Laws of 1979 and RCW 74.04.055; repealing section 3, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.057; repealing section 74.04.060, chapter 26, Laws of 1959, section 1, chapter 152, Laws of 1973 and RCW 74.04.060; repealing section 2, chapter 152, Laws of 1973 and RCW 74.04.062; repealing section 74.04.070, chapter 26, Laws of 1959, section 299, chapter 141, Laws of 1979 and RCW 74.04.070; repealing section 74.04.080, chapter 26, Laws of 1959, section 300, chapter 141, Laws of 1979 and RCW 74.04.080; repealing section 74.04.120, chapter 26, Laws of 1959, section 301, chapter 141, Laws of 1979 and RCW 74.04.120; repealing section 74.04.180, chapter 26, Laws of 1959 and RCW 74.04.180; repealing section 74.04.200, chapter 26, Laws of 1959, section 302, chapter 141, Laws of 1979, section 4, chapter 8, Laws of 1981, section 4, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.200; repealing section 74.04.210, chapter 26, Laws of 1959 and RCW 74.04.210; repealing section 74.04.265, chapter 26, Laws of 1959, section 1, chapter 35, Laws of 1965 ex. sess., section 303, chapter 141, Laws of 1979 and RCW 74.04.265; repealing section 1, chapter 215, Laws of 1977 ex. sess. and RCW 74.04.266; repealing section 74.04.270, chapter 26, Laws of 1959, section 304, chapter 141, Laws of 1979 and RCW 74.04.270; repealing section 74.04.290, chapter 26, Laws of 1959, section 2, chapter 173, Laws of 1969 ex. sess., section 305, chapter 141, Laws of 1979, section 2, chapter 171, Laws of 1979 ex. sess. and RCW 74.04.290; repealing section 74.04.310, chapter 26, Laws of 1959, section 309, chapter 141, Laws of 1979 and RCW 74.04.310; repealing section 74.04.330, chapter 26, Laws of 1959, section 5, chapter 228, Laws of 1963, section 310, chapter 141, Laws of 1979 and RCW 74.04.330; repealing section 74.04.340, chapter 26, Laws of 1959, section 311, chapter 141, Laws of 1979 and RCW 74.04.340; repealing section 74.04.350, chapter 26, Laws of 1959 and RCW 74.04.350; repealing section 74.04.360, chapter 26, Laws of 1959, section 312, chapter 141, Laws of 1979 and RCW 74.04.360; repealing section 1, chapter 112, Laws of 1961, section 1, chapter 219, Laws of 1963, section 313, chapter 141, Laws of 1979 and RCW 74.04.380; repealing section 2, chapter 219, Laws of 1963, section 314, chapter 141, Laws of 1979 and RCW 74.04.385; repealing section 15, chapter 228, Laws of 1963, section 321, chapter 141, Laws of 1979 and RCW 74.04.480; repealing section 5, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.505; repealing section 7, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.515; repealing section 8, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.520; repealing section 3, chapter 102, Laws of 1973 1st ex. sess. and RCW 74.04.550; repealing section 4, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.770; repealing section 74.08.025, chapter 26, Laws of 1959, section 1, chapter 31, Laws of 1967 ex. sess., section 1, chapter 169, Laws of 1971 ex. sess., section 1, chapter 79, Laws of 1980, section 8, chapter 8, Laws of 1981, section 9, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.025; repealing section 74.08.030, chapter 26, Laws of 1959, section 1, chapter 248, Laws of 1961, section 2, chapter 169, Laws of 1971 ex. sess. and RCW 74.08.030; repealing section 74.08.050, chapter 26, Laws of 1959, section 3, chapter 169, Laws of 1971 ex. sess. and RCW 74.08.050; repealing section 74.08.055, chapter 26, Laws of 1959, section 323, chapter 141, Laws of 1979 and RCW 74.08.055; repealing section 74.08.060, chapter 26, Laws of 1959, section 6, chapter 173, Laws of 1969 ex. sess., section 13, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.060; repealing section 74.08.070, chapter 26, Laws of 1959, section 1, chapter 172, Laws of 1969 ex. sess., section 324, chapter 141, Laws of 1979, section 1, chapter 92, Laws of 1979 ex. sess., section 34, chapter 67, Laws of 1981, section 14, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.070; repealing section 74.08.080, chapter 26, Laws of 1959, section 2, chapter 172, Laws of 1969 ex. sess., section 136, chapter 81, Laws of 1971 and RCW 74.08.080; repealing section 74.08.090, chapter 26, Laws of 1959, section 5, chapter 173, Laws of 1969 ex. sess. and RCW 74.08.090; repealing section 74.08.105, chapter 26, Laws of 1959, section 325, chapter 141, Laws of 1979 and RCW 74.08.105; repealing section 74.08.210, chapter 26, Laws of 1959 and RCW 74.08.210; repealing section 74.08.260, chapter 26, Laws of 1959 and RCW 74.08.260; repealing section 74.08.278, chapter 26, Laws of 1959, section 327, chapter 141, Laws of 1979 and RCW 74.08.278; repealing section 74.08.280, chapter 26, Laws of 1959, section 328, chapter 141, Laws of 1979 and RCW 74.08.280; repealing section 74.08.283, chapter 26, Laws of 1959, section 16, chapter 228, Laws of 1963 and RCW 74.08.283; repealing section 74.08.290, chapter 26, Laws of 1959 and RCW 74.08.290; repealing section 74.08.370, chapter 26, Laws of 1959, section 33, chapter 106, Laws of

1973 and RCW 74.08.370; repealing section 74.08.380, chapter 26, Laws of 1959 and RCW 74.08.380; repealing section 17, chapter 228, Laws of 1963, section 7, chapter 173, Laws of 1969 ex. sess., section 332, chapter 141, Laws of 1979 and RCW 74.08.390; repealing section 74.12.030, chapter 26, Laws of 1959, section 19, chapter 228, Laws of 1963, section 6, chapter 169, Laws of 1971 ex. sess. and RCW 74.12.030; repealing section 74.12.240, chapter 26, Laws of 1959 and RCW 74.12.240; repealing section 1, chapter 206, Laws of 1961, section 21, chapter 228, Laws of 1963 and RCW 74.12.250; repealing section 22, chapter 228, Laws of 1963, section 351, chapter 141, Laws of 1979 and RCW 74.12.260; repealing section 23, chapter 228, Laws of 1963 and RCW 74.12.270; repealing section 24, chapter 228, Laws of 1963 and RCW 74.12.280; repealing section 25, chapter 228, Laws of 1963, section 352, chapter 141, Laws of 1979 and RCW 74.12.290; repealing section 26, chapter 228, Laws of 1963, section 353, chapter 141, Laws of 1979 and RCW 74.12.300; repealing section 27, chapter 228, Laws of 1963 and RCW 74.12.310; repealing section 28, chapter 228, Laws of 1963 and RCW 74.12.320; repealing section 29, chapter 228, Laws of 1963 and RCW 74.12.330; repealing section 30, chapter 228, Laws of 1963, section 111, chapter 154, Laws of 1973 1st ex. sess. and RCW 74.12.340; repealing section 1, chapter 226, Laws of 1963, section 354, chapter 141, Laws of 1979 and RCW 74.12.350; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 353** by Representatives Kreidler, Lewis and Dellwo (by Department of Social and Health Services request)

AN ACT Relating to nursing homes; amending section 2, chapter 177, Laws of 1980 as amended by section 1, chapter 117, Laws of 1982 and RCW 74.46.020; amending section 4, chapter 177, Laws of 1980 and RCW 74.46.040; amending section 6, chapter 177, Laws of 1980 and RCW 74.46.060; amending section 8, chapter 177, Laws of 1980 and RCW 74.46.080; amending section 10, chapter 177, Laws of 1980 and RCW 74.46.100; amending section 13, chapter 177, Laws of 1980 and RCW 74.46.130; amending section 15, chapter 177, Laws of 1980 and RCW 74.46.150; amending section 16, chapter 177, Laws of 1980 and RCW 74.46.160; amending section 17, chapter 177, Laws of 1980 and RCW 74.46.170; amending section 18, chapter 177, Laws of 1980 and RCW 74.46.180; amending section 19, chapter 177, Laws of 1980 and RCW 74.46.190; amending section 25, chapter 177, Laws of 1980 and RCW 74.46.250; amending section 26, chapter 177, Laws of 1980 and RCW 74.46.260; amending section 27, chapter 177, Laws of 1980 and RCW 74.46.270; amending section 28, chapter 177, Laws of 1980 and RCW 74.46.280; amending section 31, chapter 177, Laws of 1980 and RCW 74.46.310; amending section 36, chapter 177, Laws of 1980 and RCW 74.46.360; amending section 41, chapter 177, Laws of 1980 and RCW 74.46.410; amending section 42, chapter 177, Laws of 1980 and RCW 74.46.420; amending section 43, chapter 177, Laws of 1980 and RCW 74.46.430; amending section 45, chapter 177, Laws of 1980 and RCW 74.46.450; amending section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460; amending section 47, chapter 177, Laws of 1980 and RCW 74.46.470; amending section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490; amending section 50, chapter 177, Laws of 1980 and RCW 74.46.500; amending section 53, chapter 177, Laws of 1980 as amended by section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530; amending section 55, chapter 177, Laws of 1980 and RCW 74.46.550; amending section 56, chapter 177, Laws of 1980 and RCW 74.46.560; amending section 57, chapter 177, Laws of 1980 and RCW 74.46.570; amending section 58, chapter 177, Laws of 1980 and RCW 74.46.580; amending section 61, chapter 177, Laws of 1980 and RCW 74.46.610; amending section 64, chapter 177, Laws of 1980 and RCW 74.46.640; amending section 67, chapter 177, Laws of 1980 and RCW 74.46.670; amending section 69, chapter 177, Laws of 1980 and RCW 74.46.690; amending section 71, chapter 177, Laws of 1980 and RCW 74.46.710; amending section 72, chapter 177, Laws of 1980 and RCW 74.46.720; amending section 77, chapter 177, Laws of 1980 and RCW 74.46.770; amending section 78, chapter 177, Laws of 1980 and RCW 74.46.780; amending section 82, chapter 177, Laws of 1980 and RCW 74.46.820; amending section 92, chapter 177, Laws of 1980 and RCW 74.46.840; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120; amending section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145; amending section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901; creating new sections; adding new sections to chapter 74.46 RCW; repealing section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550; repealing section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560; repealing section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570; repealing section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580; repealing section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610; repealing section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620; repealing section 11, chapter 177, Laws of 1980 and RCW 74.46.110; repealing section 12, chapter 177, Laws of 1980,

section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120; repealing section 14, chapter 177, Laws of 1980 and RCW 74.46.140; repealing section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810; repealing section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; repealing section 84, chapter 177, Laws of 1980; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Social & Health Services.

HJM 10 by Representatives Lux, R. King, Brekke, Burns, Charnley, Garrett, Moon, Sommers, D. Nelson and Belcher

Requesting that the United States Senate and House of Representatives condition health care facilities' reimbursement of medicaid and medicare cost upon participation in the social security system.

Referred to Committee on Financial Institutions & Insurance.

#### MOTIONS

Mr. Heck moved that the bills and the memorial listed on today's agenda under the fourth order of business be considered first reading and referred to the committees designated with the exception of House Bill No. 348, to be referred to Committee on Judiciary.

Mr. McDonald moved that the motion by Representative Heck be amended to exempt House Bill No. 310 and leave it on the agenda.

Mr. McDonald spoke in favor of the motion.

#### POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, it appears to me the gentleman is talking on the merits of the bill and his comments aren't germane to his motion to defer action on the bill. On that basis, I believe he's completely out of order."

The Speaker: "Representative McDonald, the Speaker would wish you to confine your remarks to the motion rather than to the subject matter of the issue."

Mr. McDonald concluded his remarks in favor of the motion. Representatives Heck and Appelwick spoke against the motion and Representatives Tilly and Patrick spoke in favor of it.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Grimm, there have been a lot of people who have talked about the seriousness of this issue and, as the majority leader has said, it would go through the process and have hearings and so forth. I wonder when we can schedule these hearings on this bill so we can get on with it?"

Mr. Grimm: "There will be no question about an opportunity for hearings where everybody can testify. As suggested, we need to follow through the process to establish exactly when that will be. I have normally conferred with your lead member on the Ways and Means Committee; we have not had an opportunity to do that. We will do that at your convenience."

Mr. Hastings spoke in favor of the motion.

Mr. Barrett demanded an electric roll call vote on the motion, and the demand was sustained.

Representatives Lux and Martinis spoke against the motion, and Representatives Addison and Lewis spoke in favor of it.

#### POINT OF ORDER

Mr. Heck: "Mr. Speaker, the motion before us is to exempt House Bill 310 from the regularly established process here in the House and place it on the calendar. I believe Representative Lewis' remarks are straying far afield."

The Speaker: "Representative Lewis, would you speak to the question before the House, please, and not on the merits of the bill or of other bills."

Representatives Hine and Moon spoke against the motion, and Representatives Barnes and McDonald spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion that House Bill No. 310 retained on the first reading calendar, and the motion was lost by the following vote: Yeas, 40; nays, 54; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 44.

Absent: Representative Tanner - 1.

Excused: Representatives Cantu, Silver, Van Dyken - 3.

#### POINT OF INFORMATION

Mr. Isaacson: "Mr. Speaker, if the bill doesn't come out on second reading today, and if it is referred to committee with the date of March 1st in there as the implementing date and with no ability to handle it within that time frame, I question the status of the bill at this time?"

The Speaker: "Representative Isaacson, I guess like any other bill that has an implementing date, it can be amended in committee, changed in committee--it may be April 1, March 15, April 30. You should check with the sponsor."

The motion by Representative Heck to refer the bills to committee was carried.

#### REPORTS OF STANDING COMMITTEES

January 28, 1983

HB 35 Prime Sponsor, Representative Kaiser: Authorizing cities or towns to receive payment from state agencies for fire protection services. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "RCW" strike "35.21.755" and insert "35.21.775"

On page 1, line 9 after "RCW" strike "35.21.755" and insert "35.21.775"

On page 1, line 10 after "RCW" strike "35.21.755" and insert "35.21.775"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Egger, Hine and Todd.

Passed to Committee on Rules for second reading.

January 27, 1983

HB 43 Prime Sponsor, Representative Ellis: Making \$500 the maximum deduction for medically needy people seeking care under the limited casualty program. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.



January 27, 1983

HB 63 Prime Sponsor, Representative Kreidler: Modifying the regulation of licensed practical nurses. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 12 after "(1)" strike all language to the semicolon on line 18 and insert:

"Two members shall be licensed registered (~~(professional)~~) nurses (~~(having had)~~ who have no less than five years' experience in the practice of nursing, one of whom shall be a registered nurse actively engaged in instructing in an approved practical nursing course, and one of whom shall be a registered nurse supervisor of licensed practical nurses (~~(experienced in instructing in an approved practical nursing course)~~)"

On page 3, line 27 after "(3)" strike "~~(Two)~~ Three" and insert "Two

On page 4, line 2 after "~~one~~" insert "licensed"

On page 4, line 5 after "~~of~~" insert "licensed"

On page 4, line 7 after "One" strike "practical" and insert "registered"

Signed by Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

January 28, 1983

HB 74 Prime Sponsor, Representative Moon: Raising limits on local government contracts that may benefit local officers. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 12 after "~~(two)~~" strike "five" and insert "seven" and after "hundred" insert "fifty"

On page 2, line 16 after "~~(two)~~" strike "five" and insert "seven" and after "hundred" insert "fifty"

On page 2, line 17 after "~~hundred~~" strike "six" and insert "nine"

On page 2, line 18 after "That" insert "commencing on July 1, 1984, and each July 1st thereafter,"

On page 2, beginning on line 20 after "the" strike "consumer price index for the Seattle area for" and insert "implicit price deflator for personal consumption expenditures from"

Signed by Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Egger, Hine and Todd.

Passed to Committee on Rules for second reading.

January 28, 1983

HB 76 Prime Sponsor, Representative Moon: Extending the use of cumulative reserve funds by cities and towns. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Egger, Hine and Todd.

Passed to Committee on Rules for second reading.

January 28, 1983

HB 78 Prime Sponsor, Representative Miller: Modifying contracting procedures of water and sewer districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard,

Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Egger, Hine and Todd.

Passed to Committee on Rules for second reading.

Representative Tanner appeared at the bar of the House.

### SECOND READING

HOUSE BILL NO. 2, by Representatives Todd, Barnes, D. Nelson, Armstrong, Hine, Wang, Vekich, Charnley, Rust, Jacobsen, Crane and Lux

Requiring energy-efficient standards for buildings.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 18th Day, January 27, 1983.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

Mr. Todd moved adoption of the following amendment:

On page 1, strike all of section 1 and insert the following:

"Section 1. Section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030 are each amended to read as follows:

There shall be in effect in all cities, towns, and counties of the state a state building code which shall consist of the following codes which are hereby adopted by reference:

(1) Uniform Building Code and ~~(Revised)~~ Uniform Building Code Standards, ((1976)) 1982 edition, published by the International Conference of Building Officials;

(2) Uniform Mechanical Code, ~~((1976)) 1982~~ edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials ~~((and the International Association of Plumbing and Mechanical Officials))~~;

(3) The Uniform Fire Code ~~((with appendices thereto))~~ and Uniform Fire Code Standards, ((1976)) 1982 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) The Uniform Plumbing Code and Uniform Plumbing Code Standards, ((1976)) 1982 edition, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That chapter ~~((1))~~ 12 of such code is not adopted ~~((PROVIDED, That notwithstanding any wording in this code, nothing in this code shall apply to the installation of any gas piping, water heaters, or vents for water heaters))~~;

(5) The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided for in RCW 70.92.100 through 70.92.160; and

(6) ~~((The thermal performance and design standards for dwellings as set forth in RCW 19.27.210 through 19.27.290. This subsection shall be of no further force and effect when RCW 19.27.200 through 19.27.290 expire as provided in RCW 19.27.300))~~ The rules adopted by the state building code advisory council establishing energy-efficient thermal and lighting standards for commercial and residential buildings under RCW 19.27.075.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following."

Mr. Todd spoke in favor of the amendment, and it was adopted.

Mr. Todd moved adoption of the following amendment:

On page 3, after line 3 insert the following:

\*NEW SECTION, Sec. 3. The following tabulated values extracted from the June 30, 1980, Washington State Energy Code, shall remain in effect until: (1) The state building code advisory council or its successor agency adopts a new energy code pursuant to legislative direction given subsequent to enactment of this measure, (2) the legislature enacts a new energy code, or (3) January 1, 1986, whichever is earlier.

TABLE 6-1  
Minimum (average)(1) Allowed R-Values

ZONE	Cellings(2)	Roof			Heated Slab	Unheated Slab
		Decks	Walls(3)	Floors		
I	30	30	11	11	6.35	4.25
II	30	30	11	11	6.35	4.25
III	30	30	11	11	6.35	4.25
IV	30	30	13	11	8.00	5.40
V	30	30	18	19	8.00	5.40

Notes:

- (1) R-value is for installed insulation material only. Where insulation is installed in a continuous manner and is not interrupted by occasional framing members, its R value may be increased by twenty percent in determining compliance with the requirements of this table. This allowance does not apply to insulation of slab on grade.
- (2) Enclosed joist or rafter spaces formed where ceilings are applied directly to the underside of roof joists or rafters must have joists or rafters of sufficient size to provide a minimum of one inch clear vented air space above the insulation (See also section 3205(c) of UBC). Ceiling insulation may be tapered or compressed at the perimeter to permit proper venting.
- (3) Concrete or masonry foundation walls of 'unfinished basements' need not be insulated until finished, provided that any frame cripple walls shall comply with the insulation requirements of this table. Insulation installed shall comply with the requirements of this table.

TABLE 6-2  
Maximum Percentage of Gross Exterior  
Wall Area in Glazing

ZONE	Max. Percentage Glazing Area
I	21
II	19
III	19
IV	19
V	17

All glazing must be special glazing, except that no more than one percent of the gross exterior wall area may be single glazing for architectural or ornamental or security purposes.

Where walls contain glazing that is exempt under the passive solar provisions of section 601(d)2, these maximum percentages shall apply to the remaining glass area on the basis of the gross exterior area of the remaining walls.

If the design glazing percentage is greater than the figure in the table, the calculation procedure of section 403 must be used.\*

Renumber the remaining sections accordingly.

Representatives Todd and Barnes spoke in favor of the amendment, and it was adopted.

On motion of Mr. D. Nelson, the committee amendment to the title was adopted.

House Bill No. 2 was ordered engrossed and passed to Committee on Rules for third reading.

Representatives Heck and Kreidler were excused.

THIRD READING

ENGROSSED HOUSE BILL NO. 23, by Representatives R. King, Clayton and Gallagher (by Department of Labor and Industries request)

Permitting common carriers in only interstate and/or foreign commerce to elect coverage under industrial insurance law.

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

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 23, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Cantu, Heck, Kreidler, Silver, Van Dyken - 5.

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

Representative Cantu appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 32, by Representative Lux

Modifying provisions regarding credit union regulation.

The bill was read the third time and 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 House Bill No. 32, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Heck, Kreidler, Silver, Van Dyken - 4.

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

SUBSTITUTE HOUSE BILL NO. 39, by Committee on State Government (originally sponsored by Representatives Walk, Lewis, Dickie, Brough, Miller, Sayan, Nealey, Hankins, Isaacson, Silver, Hastings, Addison, Tilly, Struthers, Mitchell, Allen, J. Williams, Barrett and Clayton)

Modifying sunset review procedures.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 39, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Heck, Kreidler, Silver, Van Dyken - 4.

Substitute House Bill No. 39, having received the 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. 61, by Representatives Grimm, Tilly and Isaacson (by Department of Revenue request)

Extending transfers to the timber tax reserve account.

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

Representatives Grimm and Tilly spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 61, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Heck, Kreidler, Silver, Van Dyken - 4.

House Bill No. 61, having received the 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. 145, by Representatives Galloway, P. King, Dickie, Schoon, Struthers and Holland (by Superintendent of Public Instruction request)

Revising certain laws regulating common schools.

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

Representatives Galloway and Dickie spoke in favor of passage of the bill, and Mr. Addison spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 145, and the bill passed the House by the following vote: Yeas, 83; nays, 11; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Addison, Barnes, Bond, Clayton, Hastings, Isaacson, Mitchell, Nealey, Nelson G, Padden, West - 11.

Excused: Representatives Heck, Kreidler, Silver, Van Dyken - 4.

House Bill No. 145, having received the 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. Wang, the House adjourned until 11:00 a.m., Tuesday, February 1, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 1, 1983

The House was called to order at 11:00 a.m. by the Speaker.

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

## INTRODUCTIONS AND FIRST READING

HB 354 by Representatives McClure, Fisch and Vekich

AN ACT Relating to property taxes; amending section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400; adding a new section to chapter 79.01 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 355 by Representatives Stratton, Taylor, Egger, West, Haugen, Padden, Rust, Barrett, Tanner, Silver, Miller and Dellwo

AN ACT Relating to candidates for elective office; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 356 by Representatives J. King, Betrozoff, B. Williams and Long (by Governor Spellman request)

AN ACT Relating to economic assistance; amending section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080; adding new sections to chapter 43.160 RCW; and creating a new section.

Referred to Committee on Commerce & Economic Development.

HB 357 by Representatives Kaiser, Smith and Ellis

AN ACT Relating to the board of veterinary governors and animal technicians; amending section 21, chapter 71, Laws of 1941 as last amended by section 71, chapter 158, Laws of 1979 and RCW 18.92.015; amending section 4, chapter 71, Laws of 1941 as last amended by section 2, chapter 134, Laws of 1982 and RCW 18.92.030; amending section 13, chapter 124, Laws of 1907 as last amended by section 53, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.92.040; amending section 6, chapter 44, Laws of 1974 ex. sess. and RCW 18.92.125; amending section 16, chapter 71, Laws of 1941 and RCW 18.92.140; amending section 19, chapter 71, Laws of 1941 as last amended by section 84, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.92.145; amending section 13, chapter 71, Laws of 1941 as last amended by section 7, chapter 44, Laws of 1974 ex. sess. and RCW 18.92.160; amending section 14, chapter 71, Laws of 1941 as last amended by section 24, chapter 67, Laws of 1981 and RCW 18.92.180; adding a new section to chapter 18.92 RCW; repealing section 17, chapter 71, Laws of 1941, section 83, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.92.142; and repealing section 2, chapter 31, Laws of 1979 ex. sess. (uncodified).

Referred to Committee on Agriculture.

HB 358 by Representatives B. Williams, Ristuben, Tanner and Heck (by Governor Spellman request)

AN ACT Relating to the effects of the eruption of Mount St. Helens; amending section 1, chapter 7, Laws of 1982 and RCW 43.01.200; amending section 2, chapter 7, Laws of 1982 and RCW 43.01.210; amending section 4, chapter 7, Laws of 1982 and RCW 90.58.500; amending section 5, chapter 7, Laws of 1982 and RCW 43.21C.500; amending section 6, chapter 7, Laws of 1982 and RCW 89.16.500; amending section 7, chapter 7, Laws of 1982 and RCW 43.21A.500; amending section 8, chapter 7, Laws of 1982 and RCW 75.20.300; adding a new section to chapter 43.01 RCW; making an appropriation; making a reapportionment; and declaring an emergency.

Referred to Committee on State Government.

HB 359 by Representatives Kreidler, B. Williams, Sommers, Lewis, Walk, Dellwo and Niemi

AN ACT Relating to the regulation of health professions and occupations licensure; amending section 13, chapter 144, Laws of 1919 as last amended by section 8, chapter 277, Laws of 1981 and RCW 18.53.050; amending section 14, chapter 25, Laws of 1963 as last amended by section 50, chapter 158, Laws of 1979 and RCW 18.54.140; amending section 21, chapter 70, Laws of 1965 as last amended by section 48, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.83.051; adding a new chapter to Title 18 RCW; adding a new section to chapter 43.24 RCW; adding a new section to chapter 46.01 RCW; creating new sections; and repealing section 13, chapter 43, Laws of 1957 and RCW 18.34.130.

Referred to Committee on Social & Health Services.

MOTION

On motion of Mr. Heck, the House adjourned until 11:30 a.m., Wednesday, February 2, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-FOURTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 2, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Garrett, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Emily Hine and Pete Rasmussen. Prayer was offered by The Reverend James Blundell, Minister of St. John's Episcopal Church of Olympia.

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

### MESSAGE FROM THE SENATE

February 1, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3112,

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### SENATE AMENDMENTS TO HOUSE BILL

February 1, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 20 with the following amendments:

On page 2, line 8 after "established" strike all material down to and including "sooner," on line 9 and insert "within five days after the effective date of this act"

On page 2, line 13 after "(1)" strike "Each" and insert "The legislative"

On page 2, line 13 strike "leader" and insert "leaders"

On page 2, line 18 after "(3)" strike all the material down to and including the period on line 28 and insert "If three of the four appointees fail to select a fifth appointee within twelve days after the effective date of this act pursuant to subsection (2) of this section, the supreme court is required to appoint the fifth person within nineteen days after the effective date of this act. If a fifth person is not appointed within nineteen days after the effective date of this act, then on and after such date the commission membership shall be limited to four persons and these four shall select a chairman from among their own number."

On page 5, line 20 after "as" strike "traditional"

On page 5, line 35 after "district" strike all the material down to and including the period on page 6, line 2 and insert "shall be drawn to purposely favor or discriminate against any political party or group."

On page 6, line 5 after "commission," strike all material down to and including the period on line 6 and insert "within thirty days after the effective date of this act."

On page 6, line 8 strike "house of representatives" and insert "legislature" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Pruitt moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 20, except the amendment to page 5, line 35 and ask the Senate to recede therefrom.

Mr. Pruitt spoke in favor of the motion.



## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Dellwo.

Mr. Dellwo: "Representative Pruitt, the House version of this bill, on page 2, line 21, makes the reference that we 'request the Supreme Court.' The Senate version states that we 'require the Supreme Court.' Is it your understanding that both of these words are intended to mean the same, and that we are not mandating the Supreme Court to act?"

Mr. Pruitt: "Yes, Representative Dellwo, not only is it my understanding that they mean the same, but also from what we've heard of the Senators who put this word in, is that it means the same thing."

## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Pruitt, do you agree with the language, 'the legislative leaders of the two largest political parties of each house of the legislature shall appoint one person.' -- do you understand it to mean the Speaker, the House minority leader and the Senate majority leader and the Senate minority leader?"

Mr. Pruitt: "This is exactly what we mean--precisely."

## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. R. King.

Mr. R. King: "Representative Pruitt, one of the concerns many people throughout the state, and especially people from my legislative district, have had about legislative redistricting is the role that community of interest would play in the considerations of a redistricting commission. I'm asking the question especially for the people in Everett who feel that was not taken into consideration in the bill which passed the legislative session last year: Could you, as Chairman of the committee, tell us whether or not community of interest should be considered as one of the things that the redistricting commission looks at?"

Mr. Pruitt: "Yes, Representative King, the bill definitely states that community of interest should be considered."

The motion was carried.

## INTRODUCTIONS AND FIRST READING

HB 360 by Representatives Powers, Hine, Dickie, Smith, Pruitt, Niemi, Allen, Ebersole, Garrett, Egger, Stratton, Monohon, Van Dyken, Addison, Burns, Dellwo, Johnson, R. King, Charnley, Isaacson, Belcher, Jacobsen, Holland, Betzoff, Lewis, Armstrong, McMullen, Chandler, Brough, Miller, Tanner, Kaiser, D. Nelson, Halsan, O'Brien, Haugen, Rust, Ellis, Fisher, Smitherman, Zellinsky, Crane, Long, Patrick, Ristuben, Ballard, Todd, Schoon, Brekke and Wang

AN ACT Relating to property tax relief; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 4, chapter 185, Laws of 1980 and RCW 84.36.381; and amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.385.

Referred to Committee on Ways & Means.

HB 361 by Representatives Egger, Fuhrman, Stratton, Chandler, Gallagher, Hastings, O'Brien, Padden, Smitherman, Smith and Barrett

AN ACT Relating to membership on the state board of education; amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010; amending section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020; and amending section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050.

Referred to Committee on Education.

HB 362 by Representatives Fisch, McClure, Sayan, Charnley, Fisher, Patrick, Barnes, Zellinsky, Vekich, Tanner and Haugen

AN ACT Relating to the creation and organization of a new county; amending section 6, chapter 125, Laws of 1951 as last amended by section 2, chapter 139, Laws of 1982 and RCW 2.08.064; amending section 2, chapter 221, Laws of 1969 ex. sess. as amended by section 1, chapter 49, Laws of 1977 ex. sess. and RCW 2.06.020; amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1975 1st ex. sess. and RCW 3.34.010; amending section 28B.50.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 72, Laws of 1981 and RCW 28B.50.040; reenacting and amending section 1, page 472, Laws of 1854 as last amended by section 1, page 292, Laws of 1869 and by section 1, chapter 40, Laws of 1925 ex. sess. and RCW 36.04.050; reenacting and amending section 1, page 292, Laws of 1869 as last amended by section 1, page 406, Laws of 1877 (Hills Code Vol. 1 section 12) and by section 1, chapter 40, Laws of 1925 ex. sess. and RCW 36.04.160; amending section 36.09.050, chapter 4, Laws of 1963 and RCW 36.09.050; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 2, chapter 88, Laws of 1973 1st ex. sess. and RCW 36.17.020; amending section 43.62.030, chapter 8, Laws of 1965 as last amended by section 129, chapter 151, Laws of 1979 and RCW 43.62.030; amending section 34, chapter 288, Laws of 1981 and RCW 44.07B.240; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 33, Laws of 1982 and RCW 46.68.120; amending section 11, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.050; amending section 1, chapter 168, Laws of 1945 and RCW 58.20.010; amending section 3, chapter 108, Laws of 1957 and RCW 75.12.210; adding a new section to chapter 84.33 RCW; adding a new chapter to Title 36 RCW; creating new sections; and providing an effective date contingent on voter approval.

Referred to Committee on Constitution, Elections & Ethics.

HB 363 by Representatives Smitherman, Fisher, Zellinsky, Grimm, Addison, Sayan, Powers, Tanner, Ebersole, Belcher, Wilson and Isaacson

AN ACT Relating to public libraries; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Ways & Means.

HB 364 by Representatives Kaiser, Smith and Miller

AN ACT Relating to water resources; and amending section 2, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.020.

Referred to Committee on Agriculture.

HB 365 by Representatives Kaiser, Smith, Tilly and Miller

AN ACT Relating to water rights; and adding a new section to chapter 90.44 RCW.

Referred to Committee on Agriculture.

HB 366 by Representatives Pruitt, Isaacson, D. Nelson, Miller, J. King, Charnley, Nealey, Smitherman, Zellinsky, Haugen, Braddock, Brekke, Garrett, B. Williams, Long, Todd, Wang, Van Dyken, Burns, R. King, Ebersole, Hine and Ristuben,

AN ACT Relating to financing energy conservation measures; creating a new section; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; and providing an effective date.

Referred to Committee on Energy & Utilities.

ESSB 3112 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognild, Bender, Rinehart, Granlund and McManus)

Enacting the Washington State Redistricting Act.

Referred to Committee on Constitution, Elections & Ethics

ESSSJR 103 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognild, Bender, Rinehart, Granlund and McManus)

Amending the Constitution to establish a redistricting commission.

Referred to Committee on Constitution, Elections & Ethics

REPORTS OF STANDING COMMITTEES

January 31, 1983

HB 66 Prime Sponsor, Representative Martinis: Requiring child restraints in motor vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24 after "section" strike "shall" and insert "may"

On page 1, line 26 after "section" strike "shall" and insert "may"

On page 2, beginning on line 6 strike all of subsection (3) and insert:

"(3) Failure to comply with the requirements of this section shall not constitute negligence of a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action."

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern WA.; Sutherland, Vice Chair, Western WA.; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Powers, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Voting nay: Representative Clayton.

Passed to Committee on Rules for second reading.

February 1, 1983

HB 106 Prime Sponsor, Representative Sommers: Revising certain laws pertaining to educational service districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Betzoff, Chandler, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representative Armstrong.

Passed to Committee on Rules for second reading.

January 31, 1983

HB 183 Prime Sponsor, Representative McMullen: Revising eminent domain laws. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern WA.; Sutherland, Vice Chair, Western WA.; Betzoff, Ranking Minority Vice Chair; Barrett, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Powers, Prince, Ristuben, Sanders, Vekich and Walk.

Voting nay: Representatives Wilson, Ranking Minority Chair; Burns, Mitchell, Patrick, Schmidt, Smith and J. Williams.

Absent: Representative Clayton.

Passed to Committee on Rules for second reading.

January 31, 1983

HB 185 Prime Sponsor, Representative McMullen: Revising highway routes. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern WA.; Sutherland, Vice Chair, Western WA.; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Egger, Vice Chair, Eastern WA.; Sutherland, Vice Chair, Western WA.; Clayton, Powers and Sanders.

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. Wang, the House adjourned until 11:00 a.m., Thursday, February 3, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

TWENTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 3, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Garrett, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Maureen Cleary and Bret Chataas. Prayer was offered by The Reverend Jack Qualls, Renton Park Chapel, Renton.

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

MESSAGE FROM THE SENATE

February 2, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3076,  
 ENGROSSED SENATE BILL NO. 3106,  
 ENGROSSED SENATE BILL NO. 3120,  
 SUBSTITUTE SENATE BILL NO. 3122,  
 SENATE BILL NO. 3184,

ENGROSSED SENATE JOINT RESOLUTION NO. 105,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

HB 367 by Representatives West, Armstrong, P. King, Martinis, Halsan, Patrick, Padden, Wang, Appelwick, Holland, Braddock, Bond, Tilly, Lewis, Isaacson, Todd, Brough, Dellwo, Ebersole, Ristuben and Clayton

AN ACT Relating to motor vehicle law violators; amending section 2, chapter 316, Laws of 1977 ex. sess. as last amended by section 25, chapter 136, Laws of 1981 and RCW 70.48.020; amending section 17, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.210; adding a new section to chapter 46.20 RCW; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Judiciary.

HB 368 by Representatives Tanner, Powers, Tilly, Ballard, Todd, Egger, P. King, McMullen, Stratton, Ebersole, J. King, Jacobsen, B. Williams, Halsan, Braddock, Sutherland, Ristuben, Fisch, Ellis, Monohon, Charnley, Wang, Fisher, Dellwo, Garrett, Burns, Niemi, Vekich, McClure, Pruitt, Smitherman, Zellinsky, Haugen, Schoon, Johnson, Holland, Chandler, Allen, R. King, D. Nelson, Lewis, Isaacson, Barrett, Mitchell, Brough, Hankins, Smith, Kaiser, Lux, O'Brien and Sanders

AN ACT Relating to cosmetology; amending section 1, chapter 25, Laws of 1974 ex. sess. as last amended by section 1, chapter 225, Laws of 1982 and RCW 18.18.010; amending section 1, chapter 168, Laws of 1953 as amended by section 11, chapter 225, Laws of 1982 and RCW 18.18.102; amending section 7, chapter 180, Laws of 1951 as last amended by section 16, chapter 225, Laws of 1982 and RCW 18.18.140; adding new sections to chapter 18.18 RCW; repealing section 36, chapter 99, Laws of 1979 and RCW 43.131.219; repealing section 78, chapter 99, Laws of 1979 and RCW 43.131.220; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 369 by Representatives Tanner, Lewis, Ellis, Powers, Monohon, Egger, Smitherman, Zellinsky, Pruitt, Isaacson, Barrett, Todd, Mitchell,

Hankins, Kaiser, Stratton, Halsan, Dellwo, Ebersole, Wang and Ristuben

AN ACT Relating to licensing barbers and men's hairstylists; amending section 6, chapter 75, Laws of 1923 as last amended by section 11, chapter 158, Laws of 1979 and RCW 18.15.050; amending section 7, chapter 101, Laws of 1957 and RCW 18.15.051; amending section 7, chapter 75, Laws of 1923 as last amended by section 6, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as last amended by section 12, chapter 158, Laws of 1979 and RCW 18.15.065; amending section 2, chapter 84, Laws of 1959 as last amended by section 8, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.095; amending section 13, chapter 223, Laws of 1967 as last amended by section 9, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.097; adding new sections to chapter 18.15 RCW; repealing section 38, chapter 99, Laws of 1979 and RCW 43.131.223; repealing section 80, chapter 99, Laws of 1979 and RCW 43.131.224; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 370** by Representatives Patrick, Lux, Holland, Garrett, J. Williams, Cantu, Miller, Padden, Fuhrman, Betzoff, Silver and McDonald

AN ACT Relating to motion pictures; adding a new section to chapter 9.68 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 371** by Representatives Lux and Sanders

AN ACT Relating to insurance; amending section 12, chapter 115, Laws of 1969 and RCW 48.44.145; and amending section 13, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.120.

Referred to Committee on Financial Institutions & Insurance.

**HB 372** by Representatives Belcher, Sayan and Johnson (by Department of Personnel request)

AN ACT Relating to the state personnel board; and amending section 8, chapter 10, Laws of 1982 and RCW 41.06.110.

Referred to Committee on State Government.

**HB 373** by Representatives Braddock, Kreidler, J. King, Stratton and Ballard

AN ACT Relating to counties; and amending section 9, chapter 193, Laws of 1982 and RCW 69.54.120.

Referred to Committee on Local Government.

**HB 374** by Representatives Moon, G. Nelson and Haugen

AN ACT Relating to certain accounts of public districts; amending section 28A.59.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.110; amending section 28A.59.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 118, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.59.150; amending section 1, chapter 111, Laws of 1973 as amended by section 21, chapter 43, Laws of 1975 and RCW 28A.60.328; amending section 28A.66.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 43, Laws of 1975 and RCW 28A.66.010; amending section 28A.66.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.030; amending section 36.22.090, chapter 4, Laws of 1963 as last amended by section 31, chapter 43, Laws of 1975 and RCW 36.22.090; adding a new section to chapter 42.24 RCW; repealing section 28A.66.050, chapter 223, Laws of 1969 ex. sess., section 45, chapter 48, Laws of 1971, section 1, chapter 72, Laws of 1973 and RCW 28A.66.050; repealing section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060; repealing section 28A.66.080, chapter 223, Laws of 1969 ex. sess., section 30, chapter 43, Laws of 1975 and RCW 28A.66.080; repealing section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090; and repealing section 28A.66.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, Laws of 1971, section 130, chapter 275, Laws of 1975 1st ex. sess., section 32, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.66.100.

Referred to Committee on Local Government.

**HB 375** by Representatives Charnley, Jacobsen, D. Nelson, Burns, Rust and Lux

AN ACT Relating to bicycles; and adding new sections to chapter 47.30 RCW.

Referred to Committee on Transportation.

HB 376 by Representatives Charnley and Rust

AN ACT Relating to railroad rights of way; adding a new section to chapter 4.16 RCW; adding a new section to chapter 7.28 RCW; adding a new section to chapter 81.01 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 377 by Representatives J. King, Fiske, Cantu, Garrett, Hastings, B. Williams, Schoon, Sommers, Stratton, Sanders, G. Nelson, Long, Holland, Bond, Lewis, Struthers, Isaacson, Barrett, Haugen, J. Williams, Hankins, McDonald and Smith

AN ACT Relating to state purchasing; amending section 3, chapter 32, Laws of 1969 as last amended by section 1, chapter 103, Laws of 1980 and RCW 43.19.190; amending section 43.19.1902, chapter 8, Laws of 1965 as last amended by section 97, chapter 151, Laws of 1979 and RCW 43.19.1902; amending section 5, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 172, Laws of 1980 and RCW 43.19.1905; amending section 6, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 98, chapter 151, Laws of 1979 and RCW 43.19.19052; and amending section 43.19.1911, chapter 8, Laws of 1965 as amended by section 8, chapter 172, Laws of 1980 and RCW 43.19.1911.

Referred to Committee on State Government.

HB 378 by Representatives Fiske, J. King, Cantu, Garrett, Hastings, B. Williams, Sommers, Stratton, Sanders, G. Nelson, Long, Holland, Bond, Lewis, Taylor, Struthers, Isaacson, Barrett, Haugen, J. Williams, Hankins, McDonald, Smith and Clayton

AN ACT Relating to the public printer; amending section 43.78.030, chapter 8, Laws of 1965 as last amended by section 2, chapter 164, Laws of 1982 and RCW 43.78.030; amending section 43.78.070, chapter 8, Laws of 1965 as amended by section 134, chapter 151, Laws of 1979 and RCW 43.78.070; amending section 43.78.110, chapter 8, Laws of 1965 as last amended by section 3, chapter 164, Laws of 1982 and RCW 43.78.110; amending section 1, chapter 185, Laws of 1943 as amended by section 1, chapter 42, Laws of 1971 and RCW 2.32.160; amending section 2, chapter 185, Laws of 1943 and RCW 2.32.170; and creating new sections.

Referred to Committee on State Government.

HB 379 by Representatives Rust, Mitchell and Fiske

AN ACT Relating to judgments; and adding a new section to chapter 4.56 RCW.

Referred to Committee on Judiciary.

HB 380 by Representatives Rust, Mitchell and Fiske

AN ACT Relating to actions for injuries resulting from health care; and adding a new section to chapter 7.70 RCW.

Referred to Committee on Judiciary.

HB 381 by Representatives Rust, Mitchell and Fiske

AN ACT Relating to actions for injuries resulting from health care; and amending section 13, chapter 56, Laws of 1975-'76 2nd ex. sess. and RCW 7.70.080.

Referred to Committee on Judiciary.

HB 382 by Representatives Rust, Mitchell and Fiske

AN ACT Relating to privileged communications; and amending section 294, page 187, Laws of 1854 as last amended by section 1, chapter 56, Laws of 1982 and RCW 5.60.060.

Referred to Committee on Judiciary.

HB 383 by Representatives Rust, Mitchell and Fiske

AN ACT Relating to special rights of action; and amending section 1, chapter 35, Laws of 1975 1st ex. sess. and RCW 4.24.290.

Referred to Committee on Judiciary.

**HB 384** by Representatives Rust, Mitchell and Fiske

AN ACT Relating to actions for injuries resulting from health care; and amending section 9, chapter 56, Laws of 1975-'76 2nd ex. sess. and RCW 7.70.040.

Referred to Committee on Judiciary.

**HB 385** by Representatives Rust, Mitchell and Fiske

AN ACT Relating to actions for injuries from health care; and amending section 10, chapter 56, Laws of 1975-'76 2nd ex. sess. and RCW 7.70.050.

Referred to Committee on Judiciary.

**HB 386** by Representatives Rust, Mitchell and Fiske

AN ACT Relating to trials; and adding a new section to chapter 4.44 RCW.

Referred to Committee on Judiciary.

**HB 387** by Representatives Rust, Mitchell, Fiske and Dellwo

AN ACT Relating to the medical disciplinary board; amending section 10, chapter ... (SB 3036), Laws of 1983 and RCW 43.24.085; and adding new sections to chapter 18.72 RCW.

Referred to Committee on Judiciary.

**HB 388** by Representatives Rust, Mitchell and Fiske

AN ACT Relating to civil procedure; and amending section 1, chapter 158, Laws of 1977 ex. sess. and RCW 4.24.350.

Referred to Committee on Judiciary.

**HB 389** by Representatives Fisher, Betzoff, Ebersole, Smitherman, Ellis, Vekich and Zellinsky

AN ACT Relating to motor vehicle emission control; and amending section 1, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.010.

Referred to Committee on Environmental Affairs.

**HB 390** by Representatives Moon, Isaacson, Haugen, Van Dyken, Hine, Brough, Appelwick, Todd, Powers, McClure, Fisher, Halsan and Ristuben

AN ACT Relating to government borrowing; and adding a new chapter to Title 39 RCW.

Referred to Committee on Local Government.

**HB 391** by Representatives Martinis, Schoon, G. Nelson, Belcher, Allen, P. King, Hine, Long, Holland and Isaacson

AN ACT Relating to revenue and taxation; amending section 20, chapter 288, Laws of 1971 ex. sess. as last amended by section 2, chapter 218, Laws of 1979 ex. sess. and RCW 84.55.010; amending section 21, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.020; and repealing section 4, chapter 218, Laws of 1979 ex. sess. and RCW 84.55.015.

Referred to Committee on Ways & Means.

**HB 392** by Representatives Ebersole, Smitherman and Fisher

AN ACT Relating to local government; and amending section 35.43.140, chapter 7, Laws of 1965 and RCW 35.43.140.

Referred to Committee on Local Government.

**HB 393** by Representatives Smitherman, Zellinsky, Moon and Fisher

AN ACT Relating to cities; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

**HJM 11** by Representatives D. Nelson, Isaacson, Todd, Hastings, Charnley, Long, R. King, McDonald, Pruitt, Hankins, Barnes, Ristuben, Haugen,



Brekke, G. Nelson, Heck, Hine, Appelwick, Tilly, Belcher, Tanner, Sayan, Sutherland, Fisher, Stratton, Lux, Halsan and Ebersole

Calling for resolution of the WPPSS financial situation.

Referred to Committee on Energy & Utilities.

HJR 24 by Representatives Todd, Smitherman, J. King, Sutherland, Appelwick, Tanner, Halsan, Wang and Ristuben

Authorizing the formation of public corporations for economic development.

Referred to Committee on Commerce & Economic Development.

HJR 25 by Representatives Addison, Locke, Patrick, Smitherman, Holland, Appelwick, Long, Wang, Ebersole, Brekke, Haugen, Jacobsen and Halsan

Prohibiting sales and use taxes on food and prescription drugs.

Referred to Committee on Ways & Means.

ESB 3076 by Senators Peterson, Guess, Deccio and Rasmussen

Modifying requirements for weight distribution for garbage trucks.

Referred to Committee on Transportation.

ESB 3106 by Senators Talmadge, Granlund, Hemstad, Deccio and McCaslin

Increasing penalties for vehicular homicide and vehicular assault.

Referred to Committee on Judiciary.

ESB 3120 by Senators Peterson, Zimmerman, and Thompson

Changing the manner in which port commissioner vacancies are filled.

Referred to Committee on Local Government.

SSB 3122 by Committee on Transportation (originally sponsored by Senators Peterson, Hansen and Sellar - by Department of Licensing request)

Prohibiting issuance of drivers licenses to persons failing to meet certain vision standards.

Referred to Committee on Transportation.

SB 3184 by Senators Talmadge and Clarke (by Code Reviser request)

Authorizing the code reviser to correct double amendments in the code.

Referred to Committee on Judiciary.

ESJR 105 by Senators Fleming, Moore, Sellar and Hansen

Allowing harbor leases to last for fifty years.

To Committee on Natural Resources

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, we're going to proceed to the fifth order of business, and I know that under Rule 11 the procedure is to refer those bills to Rules Committee. However, with past practices to expedite the movement of legislation through this body, under Rule 25D, subsection (6), if there is a fiscal impact of over \$50,000, it has been past practice to move these directly to Ways and Means Committee. Is it your intention to do that on the fifth order of business, or in the Rules Committee, now and in the future, particularly on House Bill 21?"

The Speaker: "Representative McDonald, I'd like to refer to Rule 25D(6), 'All bills having a direct negative impact or a direct appropriation of \$50,000 or more shall be referred to the Ways and Means Committee before their final passage.' At this point, we are not to that point. The staff is reviewing the fiscal notes if they are with the bill. In many cases, bills do not have fiscal impacts or they are not prepared when they come in on the fifth order of business. In that case, if it's shown

later that they do have a direct appropriation or that they have a negative revenue impact, they probably will go to Ways and Means Committee. Other than those, they will be decided on an issue-to-issue basis, based on Rule 25D(6)."

REPORTS OF STANDING COMMITTEES

February 1, 1983

HB 21 Prime Sponsor, Representative Heck: Modifying the provisions for the payment of school districts' salary increases above statutory levels. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

February 1, 1983

HB 59 Prime Sponsor, Representative R. King: Repealing the provisions relating to registration of apprenticeship agreements and the payment of registration fees. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, O'Brien and Patrick.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

February 1, 1983

HB 144 Prime Sponsor, Representative Martinis: Changing various provisions concerning license plates. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representative Sutherland.

Passed to Committee on Rules for second reading.

February 1, 1983

HCR 6 Prime Sponsor, Representative Tanner: Establishing the emergency commission on economic development and job creation. Reported by Committee on Commerce & Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk and Wilson.

Absent: Representatives Addison and Schmidt.

Passed to Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 35, by Representatives Kaiser, West, Nealey, Broback, Isaacson, Silver, Bond, Ballard, Addison, Struthers, R. King, Allen, Smith and Dickie

Authorizing cities or towns to receive payment from state agencies for fire protection services.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 22nd Day, January 31, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 63, by Representatives Kreidler, Lewis, Wang, Ballard and Isaacson (by Department of Licensing request)

Modifying the regulation of licensed practical nurses.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 22nd Day, January 31, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 66, by Representatives Martinis, Wilson, Charnley, Betrozoff, Rust, Holland, Garrett, Patrick, Wang, Long, Lux, Mitchell, Vekich, R. King, Powers, Jacobsen, Zellinsky, Haugen, Locke, Tanner, Belcher, Hine, Dellwo, Burns, Brekke, Walk, Todd, P. King, Pruitt, Fisch, Schoon, Chandler, McMullen, Ristuben, Crane, Egger, Stratton, Appelwick, Broback, Isaacson, Silver, D. Nelson, Allen and Armstrong (by Legislative Transportation Committee request)

Requiring child restraints in motor vehicles.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 2, 1983.)

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

Mr. Charnley moved adoption of the following amendment:

On page 1, line 18 following "equipment." strike all the material down through "age." on line 22.

Mr. Charnley spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Wilson.

Mr. Wilson: "Representative Martinis, would you inform me and the body what the general effect of this amendment is on the measure that we are discussing?"

Mr. Martinis: "Yes, Representative Wilson, I'm going to go through the amendment as I did with the caucus. The reason why these types of amendments weren't considered in committee was the possibility that some change could jeopardize or slow the passage of this piece of legislation. There had been testimony by people from the medical profession that the seat belt, as required or as deemed adequate the way the bill is presently written, would suffice for children between the ages of one and five. I read this amendment, and I'm not sure that it really does affect the bill. I would think that the ruling from the commission would be exactly the same as what the bill is presenting to us today, so if I were asked whether I favored this amendment or not, I would have a hard time answering that question. I don't think the amendment changes the bill in any way, shape or form."

Representatives Wilson, Sanders and Barrett spoke against the amendment, and Representatives Charnley and Locke spoke in favor of it.

Mr. Sanders again opposed the amendment.

The amendment was not adopted.

House Bill No. 66 was ordered engrossed and passed to Committee on Rules for third reading.

#### MESSAGE FROM THE SENATE

February 3, 1983

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 20 to page 5, line 35, and has passed the bill without the amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 20 with certain Senate amendments.

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

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Barnes.

Mr. Barnes: "I understand that the concern in the Senate was on our wording with the diluting of the minority vote, in that the wording would indicate or give the possibility that somebody could interpret that as meaning we had to isolate or pack minority votes which would also work to the advantage of the minority. Was this the intent?"

Mr. Pruitt: "The intention is not to pack. The intention is to recognize that minorities need some consideration in the redistricting process. No, as you have asked the question, it is not the intention to do the packing."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 20 with certain Senate amendments, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Baillard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Haisan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Cantu, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Padden, Sanders, Smith, West - 12.

Excused: Representative Garrett - 1.

Engrossed Substitute House Bill No. 20 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.

HOUSE BILL NO. 74, by Representatives Moon, Van Dyken and Egger

Raising limits on local government contracts that may benefit local officers.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 22nd Day, January 31, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 76, by Representatives Moon, Van Dyken, Egger and Ristuben  
Extending the use of cumulative reserve funds by cities and towns.

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

HOUSE BILL NO. 78, by Representatives Miller, Hine, Isaacson, Mitchell and Long

Modifying contracting procedures of water and sewer districts.

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

HOUSE BILL NO. 106, by Representatives Sommers, B. Williams, Taylor and Galloway (by Legislative Budget Committee request)

Revising certain laws pertaining to educational service districts.

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

HOUSE BILL NO. 185, by Representatives McMullen, Wilson and Sutherland (by Department of Transportation request)

Revising highway routes.

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

### THIRD READING

ENGROSSED HOUSE BILL NO. 2, by Representatives Todd, Barnes, D. Nelson, Armstrong, Hine, Wang, Vekich, Charnley, Rust, Jacobsen, Crane and Lux

Requiring energy-efficient standards for buildings.

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

Representatives Todd and D. Nelson spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

### POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Todd, during your comments regarding the letter from the Homebuilders Association, I interpreted your comments as meaning the Homebuilders support House Bill 2 as amended. It's my understanding they do not support House Bill 2; they supported the amendment, but it's my understanding that they do not support the bill. Do the Homebuilders support House Bill No. 2 as amended?"

Mr. Todd: "Representative Sanders, in talking with the representatives of the Homebuilders, regarding amendment we adopted on Tuesday, freezing the tables in the Code, I've been informed that they now do support House Bill No. 2 as amended."

Representatives Barnes, Hine and Long spoke in favor of passage of the bill, and Representative Bond spoke against it.

Mr. Isaacson again opposed passage of the bill, and Mr. Todd again spoke in favor of it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2, and the bill passed the House by the following vote: Yeas, 79; nays, 17; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Deliw, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi,

O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Martinis, McDonald, Padden, Schmidt, Smith, West, Williams J, Wilson - 17.

Absent: Representative Egger - 1.

Excused: Representative Garrett - 1.

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

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 20.

#### MOTION

On motion of Mr. Heck, the rules were suspended to allow consideration of House Resolutions No. 83-9 and 83-10.

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-9, by Representatives Schmidt and Vekich

WHEREAS, The maritime industry in Washington State generates one in every thirty-three jobs and handles international commerce valued in excess of twenty-one billion dollars, much of it containerized; and

WHEREAS, The largest container ship ever built in this country, and the first to have an efficient, diesel-propelled engine, is entering trans-Pacific service; and

WHEREAS, This ship and its two sister ships will make possible the export of more containers from the Pacific Northwest to Asia and thereby further contribute to the region's economic expansion; and

WHEREAS, The new ship bears the name M.V. President Washington, and was christened and launched in the 250th anniversary year of the birth of the state's namesake, President George Washington; and

WHEREAS, The State of Washington has become the gateway for cargo moving between Asia and the Pacific Northwest, the Atlantic Seaboard and all of Canada with such trade generating several hundred million dollars of business activities within Washington State;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the M.V. President Washington is hereby declared to be the honorary state ship of Washington; and

BE IT FURTHER RESOLVED, That all of the honors and distinctions befitting the honorary state ship are hereby conferred on the officers and crew members of the M.V. President Washington and congratulations are extended to the American President Lines on the fine new addition to its fleet.

Ms. Schmidt moved adoption of the resolution. Representatives Schmidt and Vekich spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-10, by Representatives Dickie, Clayton, Ellis, Lewis, Smith, Chandler, Ballard, Tilly, Hankins, Isaacson, Egger, Fuhrman, Heck and Sutherland

WHEREAS, The great State of Washington produces the finest apples in the world; and

WHEREAS, Unlike most of the world's treasures, the Washington State apple can be found in abundance; and

WHEREAS, In many parts of the country and the world a beautiful apple has come to symbolize the bountiful agricultural land of Washington State; and

WHEREAS, The Washington apple serves our state well as a representative of our agricultural industry; and

WHEREAS, The Washington Horticulture Association and the Washington Growers Clearing House Association have worked hard to extend opportunities to people everywhere to enjoy the finest apples in the world;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That the House of Representatives extends its appreciation to the apple farmers of the State of Washington for producing a crop that is regarded highly around the world; and

BE IT FURTHER RESOLVED, That the House of Representatives extends its thanks to the Washington Horticulture Association and the Washington Growers Clearing House for their efforts in marketing our state's apples.

Mr. Dickie moved adoption of the resolution. Representatives Dickie, Ballard, Ellis, Clayton, Smith, Grimm and Kaiser spoke in favor of the resolution, and it was adopted.

#### MOTION

On motion of Mr. Heck, the House was adjourned until 11:00 a.m., Friday, February 4, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-SIXTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 4, 1983

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 Representative Van Dyken, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dawne Talbott and Brent Dille. Prayer was offered by The Reverend Paul McCann, Minister of the United Churches of Olympia.

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

#### MESSAGES FROM THE SENATE

February 3, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 20.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 3, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3045,  
SENATE BILL NO. 3084,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTIONS AND FIRST READING

HB 394 by Representatives Charnley, Prince, Struthers, Egger, Fisch, Ballard and McMullen

AN ACT Relating to motor vehicles; amending section 46.08.100, chapter 12, Laws of 1961 as last amended by section 2, chapter 114, Laws of 1980 and RCW 46.01.140; and amending section 82.12.045, chapter 15, Laws of 1961 as last amended by section 222, chapter 158, Laws of 1979 and RCW 82.12.045.

Referred to Committee on Transportation.

HB 395 by Representatives Kreidler, Fiske, Brekke, B. Williams and Gallagher

AN ACT Relating to long-term care; adding a new chapter to Title 70 RCW; creating a new section; and providing an effective date.

Referred to Committee on Social & Health Services.

HB 396 by Representatives Todd, Barnes, Sutherland, Mitchell, Grimm, Crane, Tanner, Miller, Locke, B. Williams, Charnley, Holland, Kaiser, Ebersole, Betzoff, Ristuben, P. King, Powers, Sayan, Johnson, Jacobsen, Vekich, Armstrong and Fisch

AN ACT Relating to revenue and taxation; and amending section 82.04.300, chapter 15, Laws of 1961 as last amended by section 4, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.300.

Referred to Committee on Ways & Means.

HB 397 by Representatives Sommers, Dellwo, B. Williams, Ebersole, Kreidler, Mitchell, Stratton, Fiske, Egger, Lewis, Haugen, Brekke, Jacobsen, Fisch, Silver, Holland, Tilly, Gallagher, Addison, Schoon, Zellinsky, Johnson and Armstrong



AN ACT Relating to verification of public assistance eligibility; adding a new chapter to Title 74 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Social & Health Services.

HB 398 by Representatives Sayan and McClure

AN ACT Relating to timber sales; repealing section 14, chapter 222, Laws of 1982 and RCW 79.01.126; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 399 by Representatives Sayan, Belcher and McClure

AN ACT Relating to state timber sales market indices; amending section 14, chapter 222, Laws of 1982 and RCW 79.01.126; amending section 15, chapter 222, Laws of 1982 (uncodified); declaring an emergency; and providing an effective date.

Referred to Committee on Natural Resources.

HB 400 by Representatives Sommers, B. Williams, Lewis, Ballard, Struthers, Armstrong and Fisch

AN ACT Relating to public assistance; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Social & Health Services.

HB 401 by Representatives Pruitt and Barnes

AN ACT Relating to ballot propositions; and amending section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060.

Referred to Committee on Constitution, Elections & Ethics.

HB 402 by Representatives O'Brien, Gallagher, Kaiser, Ebersole, Schoon, Clayton, Johnson and Jacobsen

AN ACT Relating to hunting and fishing licenses; and amending section 20, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 20, chapter 310, Laws of 1981 and RCW 77.32.101.

Referred to Committee on Natural Resources.

AN ACT Relating to child custody; amending section 9A.40.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.40.050; amending section 19, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.190; amending section 20, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.200; amending section 26, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.260; amending section 28, chapter 157, Laws of 1973 1st ex. sess. as amended by section 4, chapter 32, Laws of 1975 and RCW 26.09.280; amending section 9, chapter 50, Laws of 1949 and RCW 26.12.090; amending section 10, chapter 50, Laws of 1949 and RCW 26.12.100; amending section 12, chapter 50, Laws of 1949 and RCW 26.12.120; amending section 18, chapter 50, Laws of 1949 and RCW 26.12.180; amending section 19, chapter 50, Laws of 1949 and RCW 26.12.190; amending section 20, chapter 50, Laws of 1949 and RCW 26.12.200; adding new sections to chapter 26.09 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 404 by Representatives Heck, Locke, Charnley and Jacobsen

AN ACT Relating to revenue and taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter ... (SB 3037), Laws of 1983 and RCW 82.32.010; amending section 42, chapter 26, Laws of 1967 ex. sess. as last amended by section 6, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. as amended by section 8, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. as amended by section 9, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.180; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; amending section 10, chapter 172, Laws of 1981 and RCW

82.04.265; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270; amending section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter ... (SB 3037), Laws of 1983 and RCW 82.04.290; creating a new section; adding a new title to the Revised Code of Washington, to be numbered Title 82A RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

HJM 12 by Representatives Chandler, Egger, Stratton, Smith, Tilly, West, Ballard, Fuhrman, Clayton, Hankins, Hastings and Sanders

Inviting the President to the Grand Coulee Dam and Columbia Basin Project anniversary celebration.

Referred to Committee on Natural Resources.

HJR 26 by Representatives Heck, Locke, R. King, Charnley, J. King and Jacobsen

Authorizing a limited income tax.

Referred to Committee on Ways & Means.

SB 3045 by Senators Hansen, Rasmussen, Woody and Barr

Removing the requirement for a warm water fish stamp.

Referred to Committee on Natural Resources.

SB 3084 by Senators Thompson and Sellar

Modifying procedures for local government review board procedures.

Referred to Committee on Local Government.

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Heck, there is considerable interest in our caucus for an income tax. There are some people who would be willing to go as high as one percent, and there are probably less who would be interested in going higher. They have been told by their folks not to sign a blank check, however, and I wondered if you had landed on some kind of a number in this area -- some range that we can feel confident that it is not going to go over so that we can check whether to sign on the bill or not?"

Mr. Heck: "Representative McDonald, your question refers to the introduction of House Bill No. 404 and House Joint Resolution No. 26, which reflect a recommendation of the Tax Advisory Council. One of the specific principles that the Tax Advisory Council adopted was that an income tax proposal represent neither an increase nor a decrease in revenues available to the state. Because this would be a proposal in the form of a constitutional amendment, and, therefore, would be required to be submitted to the voters in November of this year for their acceptance or rejection. Since the spending level has not been set yet but would be prior to that time, it was necessary that these proposals, in their introductory form, have blanks where the rates are."

Mr. McDonald: "I just wondered if you have some ideas of what percent of the total state general fund would be part of this; then we could probably back up and get some idea of your notion on this bill?"

Mr. Heck: "We will have a much better idea when this legislature undertakes the deliberative process of building the budget for the 1983-85 biennium through the regular committee process--which will involve the members from your side of the aisle as well as ours--in determining our state's appropriate spending priorities. After we determine the appropriate level, then we would be able to determine what the rates would be."

INTRODUCTION AND FIRST READING

HC 9 by Representatives Heck and McDonald

Providing for memorial services for the former members of the Senate and House of Representatives who have passed away.

On motion of Mr. Heck, the rules were suspended and House Concurrent Resolution No. 9 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 9 was placed on final passage and adopted.

REPORTS OF STANDING COMMITTEES

February 2, 1983

HB 37 Prime Sponsor, Representative Sommers: Modifying the regulation of the size and weight of bread loaves. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Galloway, Holland and Prince.

Voting nay: Representative Moon.

Absent: Representatives Ebersole, Holland and Todd.

Passed to Committee on Rules for second reading.

February 2, 1983

HB 64 Prime Sponsor, Representative Rust: Increasing penalties for hazardous waste violations. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representatives Clayton and Hankins.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

February 2, 1983

HB 81 Prime Sponsor, Representative G. Nelson: Establishing the Washington state heritage council. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Voting nay: Representatives Bond and Taylor.

Absent: Representatives Lux.

Passed to Committee on Rules for second reading.

February 1, 1983

HB 107 Prime Sponsor, Representative R. King: Allowing specified hospitals and school districts to form self-insurance groups. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 23 after "chapter" insert " PROVIDED, That no more than one group may be formed under subsection (2) of this section and no more than one group may be formed under subsection (3) of this section"

Signed by Representatives Clayton, Ranking Minority Chair; Betrozoff, Brekke, Dellwo, Fischer, O'Brien, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

February 2, 1983

HB 118 Prime Sponsor, Representative Kaiser: Adjusting certain agricultural fees. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair, Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Moon and Prince.

Absent: Representatives Ebersole, Holland and Todd.

Passed to Committee on Rules for second reading.

February 2, 1983

HB 129 Prime Sponsor, Representative Halsan: Modifying the provisions governing accumulated vacation leave for state employees. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hanks, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representatives Bond, Johnson and R. King.

Passed to Committee on Rules for second reading.

February 2, 1983

HB 152 Prime Sponsor, Representative Pruitt: Regulating fund-raising activities during legislative sessions. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

## SECOND READING

### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, is this the proper order of business in which to make a motion to relieve a committee of a bill for the second reading calendar?"

The Speaker (Mr. O'Brien presiding): "You would have to make the motion on this order of business."

### MOTION

Mr. Hastings moved that the Committee on Ways and Means be relieved of HOUSE BILL NO. 310, and the bill be placed on the second reading calendar for today.

### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Sommers, I meant to ask Representative Grimm this question, but he's off the floor, so as Vice Chair of the Ways and Means Committee, I thought I would ask you. This bill was read in last week and we made a motion, if you will recall, to place it on the second reading calendar for immediate consideration, the reason being that it has a time-date of March 1. We were told that was not the proper thing to do, and that it would be appearing through the normal process. We questioned if you are for or against the bill as it ought to be brought up right now and acted on just because of the time line. We were assured it would go through a timely hearing process, and I have before me the calendar

for the Ways and Means Committee next week and I don't see any public hearing scheduled for House Bill 310. I wonder what we can do about that?"

Ms. Sommers: "Representative Hastings, I heard Representative Grimm's response to you yesterday--that he intended to consult with your leaders in the Ways and Means Committee--and I don't know if he has had an opportunity to do that or not. I believe that these meetings were already set, so there was not an opportunity to modify this calendar in the intervening twenty-four hours."

Mr. Hastings spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Appelwick, we have had an extensive discussion on this bill. I wonder if you had talked with -- we established the fact that it is a serious bill -- if you have talked with Representative Grimm, who is Chairman of the Ways and Means Committee, about putting this bill on the calendar? What was his response?"

Mr. Appelwick: "No, in fact I haven't asked him specifically, and I had not seen the calendar for next week to know that it had not been listed. That might normally trouble me a bit, but we have been getting testimony in the course of hearing the Governor's budget proposals about the impacts of the sales' tax and the sales' tax extension on food. I think, as we get the supplemental budget next week, we will have an ample opportunity to discuss the sales' tax on food as an issue if the bill is, in fact, scheduled for us. I'm certain we will discuss it in the context of the revenue facts, as the two go hand-in-hand, so I'm not as troubled as you might be."

Mr. Addison spoke in favor of the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion that the Committee on Ways and Means be relieved of House Bill No. 310, and that it be placed on the second reading calendar, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Van Dyken - 1.

HOUSE BILL NO. 183, by Representatives McMullen, Clayton and Sutherland (by Department of Transportation request)

Revising eminent domain laws.

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 35, by Representatives Kaiser, West, Nealey, Broback, Isaacson, Silver, Bond, Ballard, Addison, Struthers, R. King, Allen, Smith and Dickie

Authorizing cities or towns to receive payment from state agencies for fire protection services.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 35, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

Engrossed House Bill No. 35, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 63, by Representatives Kreidler, Lewis, Wang, Ballard and Isaacson (by Department of Licensing request)

Modifying the regulation of licensed practical nurses.

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 Engrossed House Bill No. 63, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

Engrossed House Bill No. 63, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 66, by Representatives Martinis, Wilson, Charnley, Betzoff, Rust, Holland, Garrett, Patrick, Wang, Long, Lux, Mitchell, Vekich, R. King, Powers, Jacobsen, Zellinsky, Haugen, Locke, Tanner, Belcher, Hine, Dellwo, Burns, Brekke, Waik, Todd, P. King, Pruitt, Fisch, Schoon, Chandler, McMullen, Ristuben, Crane, Egger, Stratton, Appelwick, Broback, Isaacson, Silver, D. Nelson, Allen and Armstrong (by Legislative Transportation Committee request)

Requiring child restraints in motor vehicles.

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

Representatives Martinis and Patrick spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Martinis, we have been working very hard in this state to encourage tourism, and there are only three or four states that have child restraint laws on the books. Are you, as Chairman of the Transportation Committee, thinking of some way to let those people know that there is a law on the

books in this state? For instance, in British Columbia there is a sign just as you go into British Columbia saying that seat belts are mandatory."

Mr. Martinis: "There are some twenty states that now have legislation of this kind on their books and, of course, Section 2, subsection (1) addresses itself to vehicles that are registered within the State of Washington. Very definitely, this is to promote child safety, and I'm quite sure the informational centers will inform the tourists of the law."

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Martinis, in reading the law, Section 2, subsection (3) states, 'Failure to comply with the requirements of this section shall not constitute negligence of a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action.' Representative Martinis, is the intent of the law such that this would also apply in the event of a relative driving a child, a grandparent, an aunt, uncle or possibly a neighbor?"

Mr. Martinis: "The simple answer to that would be 'no,' but I would like to explain. It's only the parent or the legal guardian who would be required to comply with this act. Many times relatives or neighbors will be transporting children, but if they were written into this and there was a strict compliance enforced, only a parent or a legal guardian would ever be the one who could possibly transport a child in this state -- this state does not have what the legal profession terms as 'seat-belt defense.' This state does not require anyone to use a seat belt, and there is nothing in this bill to extend this requirement to anyone else in the state other than the parent or legal guardian."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 66, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

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

ENGROSSED HOUSE BILL NO. 74, by Representatives Moon, Van Dyken and Egger

Raising limits on local government contracts that may benefit local officers.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 74, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Van Dyken - 1.

Engrossed House Bill No. 74, having received the 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. 76, by Representatives Moon, Van Dyken, Egger and Ristuben

Extending the use of cumulative reserve funds by cities and towns.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 76, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

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

HOUSE BILL NO. 78, by Representatives Miller, Hine, Isaacson, Mitchell and Long

Modifying contracting procedures of water and sewer districts.

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

Representatives Miller and Hine spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 78, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives O'Brien, West - 2.

Excused: Representative Van Dyken - 1.

House Bill No. 78, having received the 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. 106, by Representatives Sommers, B. Williams, Taylor and Galloway (by Legislative Budget Committee request)

Revising certain laws pertaining to educational service districts.

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

Ms. Galloway spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 106, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Delliwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

House Bill No. 106, having received the 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. 185, by Representatives McMullen, Wilson and Sutherland (by Department of Transportation request)

Revising highway routes.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 185, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Delliwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

House Bill No. 185, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

## MOTIONS

On motion of Mr. Heck, HOUSE BILL NO. 242 was rereferred from Committee on Social and Health Services to Committee on Ways and Means.

On motion of Mr. Heck, HOUSE BILL NO. 340 was rereferred from Committee on Social and Health Services to Committee on Judiciary.

On motion of Mr. Heck, HOUSE BILL NO. 345 was rereferred from Committee on Social and Health Services to Committee on Judiciary.

## APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives O'Brien, Tilly and Haugen as a committee for the Legislative Memorial Service.

## COMMITTEE ASSIGNMENTS

The Speaker announced the following committee assignments:  
 Special Committee, Office of Actuary: Representatives Broback, Galloway,  
 Joint Legislative Ethics Board: Representatives Fisher, Silver.  
 Washington State Gambling Commission: Representative Monohon.  
 Governor's Tourism Development Council: Representative Ristuben.  
 Organized Crime Advisory Board: Representatives McMullen, West.

State Employees Insurance Board: Representative Lux.

State Investment Board: Representative Locke.

Legislative Budget Committee: Representative Grimm.

Joint Administrative Rules Committee: Representatives Johnson, Prince.

Council on Child Abuse and Neglect: Representative Lewis.

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, February 7, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 7, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ellis, P. King, Prince and Vekich, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Debbie Vandervert and John Arnold. Prayer was offered by The Reverend Timothy Dolan, Minister 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.

## INTRODUCTIONS AND FIRST READING

HB 405 by Representatives Fiske, J. King, Cantu, Sommers, Hastings, B. Williams, Stratton, Sanders, Lewis, Ballard, J. Williams, Holland, Clayton, Broback, West, Mitchell, Patrick, Tilly, Struthers, Long, Fuhrman, Wilson, Padden, Brough, Chandler, G. Nelson, Isaacson, Schoon and Smith

AN ACT Relating to public purchasing; amending section 1, chapter 46, Laws of 1979 ex. sess. and RCW 28B.16.240; amending section 2, chapter 46, Laws of 1979 ex. sess. and RCW 41.06.380; and providing an effective date.

Referred to Committee on State Government.

HB 406 by Representative Grimm

AN ACT Relating to state government; amending section 43.01.090, chapter 8, Laws of 1965 as last amended by section 81, chapter 151, Laws of 1979 and RCW 43.01.090; adding a new section to chapter 43.88 RCW; adding a new section to chapter 39.24 RCW; and adding a new section to chapter 47.68 RCW.

Referred to Committee on Ways & Means.

HB 407 by Representatives Haugen, Wilson, Rust and Belcher

AN ACT Relating to child custody; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Judiciary.

HB 408 by Representatives McMullen, Patrick, Moon, West, Charnley and Lewis

AN ACT Relating to death investigations; amending section 13, chapter 188, Laws of 1953 as last amended by section 1, chapter 84, Laws of 1975-76 2nd ex. sess. and RCW 68.08.107; amending section 43.20.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 52, Laws of 1979 ex. sess. and RCW 43.20A.630; amending section 9, chapter 94, Laws of 1974 ex. sess. as amended by section 4, chapter 132, Laws of 1981 and RCW 43.101.090; amending section 10, chapter 94, Laws of 1974 ex. sess. as amended by section 5, chapter 132, Laws of 1981 and RCW 43.101.100; amending section 1, chapter 90, Laws of 1917 and RCW 68.12.010; amending section 7, chapter 188, Laws of 1953 as amended by section 3, chapter 178, Laws of 1963 and RCW 68.08.104; adding a new section to chapter 43.79 RCW; adding new sections to chapter 68.08 RCW; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 409 by Representatives Tanner, Prince, Galloway, Sutherland, Heck, Grimm, Belcher, Ristuben, Monohon, J. King, Charnley and Struthers

AN ACT Relating to tuition and fees at institutions of higher education; amending section 1, chapter 80, Laws of 1979 and RCW 28B.15.730; and amending section 4, chapter 80, Laws of 1979 and RCW 28B.15.736.

Referred to Committee on Higher Education.

HB 410 by Representatives Monohon, Sommers and Fiske

AN ACT Relating to administrative expenses of the department of ecology; adding a new section to chapter 43.21A RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

**HB 411** by Representatives Monohon, Sommers and Fiske

AN ACT Relating to power license fees; amending section 1, chapter 105, Laws of 1929 and RCW 90.16.050; amending section 2, chapter 105, Laws of 1929 and RCW 90.16.060; and amending section 3, chapter 105, Laws of 1929 as last amended by section 39, chapter 106, Laws of 1973 and RCW 90.16.090.

Referred to Committee on Environmental Affairs.

**HB 412** by Representatives Monohon, Sommers and Fiske

AN ACT Relating to fees and expenses under the water rights codes; amending section 44, chapter 117, Laws of 1917 as last amended by section 1, chapter 160, Laws of 1965 ex. sess. and RCW 90.03.470; and amending section 3, chapter 161, Laws of 1925 ex. sess. and RCW 90.03.471.

Referred to Committee on Environmental Affairs.

**HB 413** by Representatives Monohon, Vekich, Sayan, Van Dyken, Fisch and McClure

AN ACT Relating to port districts; and amending section 9, chapter 65, Laws of 1955 as last amended by section 1, chapter 87, Laws of 1973 and RCW 53.08.080.

Referred to Committee on Local Government.

**HB 414** by Representatives Hastings, Stratton, Struthers, Egger, Clayton and Isaacson

AN ACT Relating to the business and occupation tax; and amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260.

Referred to Committee on Ways & Means.

**HB 415** by Representatives O'Brien, D. Nelson and Sommers

AN ACT Relating to port operations; and creating new sections.

Referred to Committee on Local Government.

**HB 416** by Representatives Grimm, Sommers, Dellwo, D. Nelson, Halsan and Brekke

AN ACT Relating to aircraft excise taxation; amending section 82.48.020, chapter 15, Laws of 1961 as last amended by section 240, chapter 158, Laws of 1979 and RCW 82.48.020; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; adding new sections to chapter 82.48 RCW; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 417** by Representatives G. Nelson and B. Williams

AN ACT Relating to juvenile and adult offenders; amending section 2, chapter 266, Laws of 1981 and RCW 13.40.270; amending section 1, chapter 266, Laws of 1981 and RCW 51.12.045; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Local Government.

**HB 418** by Representatives Ballard, Wang, Holland, Todd, Chandler, Lewis, G. Nelson, Brough, Patrick, Padden, Johnson, Ellis, Addison, Fisch, Sanders, Mitchell, Long, Silver, Brekke, Isaacson, Schoon and Smith

AN ACT Relating to parking for disabled persons; amending section 6, chapter 192, Laws of 1979 ex. sess. and RCW 46.16.380; amending section 65, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 178, Laws of 1979 ex. sess. and RCW 46.61.565; amending section 2, chapter 128, Laws of 1961 as last amended by section 2, chapter 27, Laws of 1979 ex. sess. and RCW 46.61.580; adding a new section to chapter 46.61 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Social & Health Services.

HB 419 by Representatives Niemi, Johnson and Belcher (by Cemetery Board request)

AN ACT Relating to prearrangement contracts; and amending section 9, chapter 68, Laws of 1973 1st ex. sess. as amended by section 5, chapter 351, Laws of 1977 ex. sess. and RCW 68.46.090.

Referred to Committee on State Government.

HB 420 by Representatives Niemi, J. Williams and Belcher (by Cemetery Board request)

AN ACT Relating to the cemetery board; and amending section 51, chapter 290, Laws of 1953 as last amended by section 4, chapter 351, Laws of 1977 ex. sess. and RCW 68.05.230.

Referred to Committee on State Government.

HB 421 by Representative Grimm

AN ACT Relating to revenue and taxation.

Referred to Committee on Ways & Means.

HB 422 by Representative Grimm

AN ACT Relating to the budget.

Referred to Committee on Ways & Means.

HB 423 by Representative Grimm

AN ACT Relating to revenue and taxation.

Referred to Committee on Ways & Means.

HB 424 by Representative Grimm

AN ACT Relating to social and health services.

Referred to Committee on Ways & Means.

HB 425 by Representatives Martinis, Hastings, Vekich, McClure, Sayan, Fuhrman, Egger, Bond, Schmidt, Moon, Sutherland and Wilson

AN ACT Relating to revenue and taxation; adding new sections to chapter 84.28 RCW; adding a new section to chapter 84.33 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

HJR 27 by Representatives Locke, Allen, Pruitt, Miller, Long, Jacobsen, Tanner, Brough, Zellinsky, Haugen, Wang, Holland, Fisher, Lux and Belcher

Ratifying the U.S. constitutional amendment giving voting rights to the District of Columbia.

Referred to Committee on Constitution, Elections & Ethics.

#### REPORTS OF STANDING COMMITTEES

February 4, 1983

HB 59 Prime Sponsor, Representative R. King: Repealing the provision relating to registration of apprenticeship agreements and the payment of registration fees. Reported by Committee on Rules.

Rereferred to Committee on Ways & Means.

February 3, 1983

HB 71 Prime Sponsor, Representative D. Nelson: Making the geothermal account not subject to appropriation. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fuhrman, Hastings, Jacobsen, Locke, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Isaacson, Ranking Minority Chair; Fiske, Gallagher, Martinis and Miller.

Passed to Committee on Rules for second reading.

February 4, 1983

HB 147 Prime Sponsor, Representative Armstrong: Modifying the definition of homicide. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Delwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, Schmidt and Wang.

Absent: Representatives McMullen, Vice Chair; Crane, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

February 3, 1983

HB 148 Prime Sponsor, Representative Haugen: Modifying procedures for school districts' budgets and funds. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Betzoff, Chandler, Egger, Fuhrman, Haugen, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representatives P. King, Vice Chair; Armstrong, Fuhrman, Haugen and Rust.

Passed to Committee on Rules for second reading.

February 4, 1983

HB 150 Prime Sponsor, Representative Pruitt: Requiring special reports of campaign contributions over five hundred dollars. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 6 after "shall" strike "file a special report with the commission" and insert "prepare and deliver to the commission a special report"

On page 1, line 15 after "also" strike "file" and insert "prepare and deliver to the commission"

On page 1, beginning on line 19 after "(3)" strike all material through "receipt." on line 20 and insert "Except as provided in subsection (4), the special report required by this section shall be delivered in written form, including but not limited to mailgram, telegram, or nightletter. The special report required by subsection (1) shall be delivered to the commission within twenty-four hours of the time, or on the first working day after, the contribution is received by the candidate or campaign treasurer. The special report required by subsection (2) shall be delivered to the commission within twenty-four hours of the time, or on the first working day after, the contribution is made.

(4) The special report may be transmitted orally by telephone to the commission to satisfy the delivery period required by subsection (3) if the written form of the report is also mailed to the commission and postmarked within the delivery period established in subsection (3)."

Renumber the remaining subsections consecutively.

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Sommers, Tanner, Vander Stoep and Zellinsky.

Voting nay: Representative Schoon.

Passed to Committee on Rules for second reading.

February 3, 1983

HB 245 Prime Sponsor, Representative J. King: Modifying provisions relating to economic development. Reported by Committee on Commerce & Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken and Walk.

Voting nay: Representatives Padden, Schmidt and Wilson.

Absent: Representative Brough.

Rereferred to Committee on Ways & Means.

February 4, 1983

HB 256 Prime Sponsor, Representative Charnley: Deleting the penalty tax when changing land classied under chapter 84.34 RCW to tax exempt status for conservation purposes. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Allen, Ebersole, Grimm, Haugen, Hine and Isaacson.

Passed to Committee on Rules for second reading.

February 4, 1983

HB 297 Prime Sponsor, Representative Padden: Approving the sentencing guidelines and prosecuting standards of the sentencing guidelines commission. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, Tilly and Wang.

Absent: Representatives McMullen, Vice Chair; Locke, G. Nelson, Schmidt and Wang.

Passed to Committee on Rules for second reading.

February 3, 1983

HJM 4 Prime Sponsor, Representative Moon: Petitioning that the federal government delegate all permitting authority for small scale hydroelectric facilities to the states. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fuhrman, Hastings, Jacobsen, Locke, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Isaacson, Ranking Minority Chair; Fiske, Gallagher, Martinis and Miller.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 37, by Representatives Sommers, Hastings, Kaiser, Prince, Galloway, Zellinsky, Johnson, Isaacson and Clayton

Modifying the regulation of the size and weight of bread loaves.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 37 was substituted for House Bill No. 37, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 37 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 64, by Representatives Rust, Allen, Brough, Miller, Appelwick, Holland, Burns, Broback, Lux, Silver, Niemi, Charnley, R. King, Long, Brekke and Todd

Increasing penalties for hazardous waste violations.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 64 was substituted for House Bill No. 64, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 64 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 81, by Representatives G. Nelson, B. Williams, Sommers, O'Brien, Johnson and Stratton (by Legislative Budget Committee request)

Establishing the Washington state heritage council.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 81 was substituted for House Bill No. 81, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 81 was read the second time.

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

On page 3, beginning on line 27 strike all of subsection (5) and renumber the remaining subsections consecutively.

On page 5, line 7 after "Two" insert "members appointed for four years, two"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 118, by Representatives Kaiser and Smith (by Department of Agriculture request)

Adjusting certain agricultural fees.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 118 was substituted for House Bill No. 118, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 118 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 129, by Representatives Halsan, Walk, Vekich, Kreidler, Belcher, Vander Stoep, P. King, Zellinsky, Powers, Ebersole, Appelwick, Johnson, Garrett and D. Nelson

Modifying the provisions governing accumulated vacation leave for state employees.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 129 was substituted for House Bill No. 129, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 129 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 144, by Representatives Martinis, Gallagher, Charnley and Wilson (by Department of Licensing request)

Changing various provisions concerning license plates.

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

#### THIRD READING

HOUSE BILL NO. 183, by Representatives McMullen, Clayton and Sutherland (by Department of Transportation request)

Revising eminent domain laws.

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



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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 183, and the bill passed the House by the following vote: Yeas, 67; nays, 27; excused, 4.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Ebersole, Egger, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Allen, Barnes, Barrett, Bond, Cantu, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Smith, Stratton, Taylor, West, Williams B, Wilson - 27.

Excused: Representatives Ellis, King P, Prince, Vekich - 4.

House Bill No. 183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

February 7, 1983

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 9, and as provided therein the President has appointed as Senate members of a joint committee: Senators Granlund, Guess and Rinehart, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 9.

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., February 8, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 8, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative G. Nelson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jennifer Litten and Michael Pahre. Prayer was offered by The Reverend Timothy Dolan, Minister of the Westminster United Presbyterian Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 7, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 105,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HB 426 by Representatives Pruitt, Patrick, R. King, Moon, Miller, Armstrong, Lux, Hine, Garrett, Brekke, Ellis, Long, Wang, Powers, Holland, Ristuben and Ebersole

AN ACT Relating to public employees; and amending section 25, chapter 1, Laws of 1961 as amended by section 1, chapter 136, Laws of 1974 ex. sess. and RCW 41.06.250.

Referred to Committee on Constitution, Elections & Ethics.

HB 427 by Representatives Grimm and Cantu (by Office of Financial Management request)

AN ACT Relating to common school plant facilities; adding new sections to chapter 28A.47 RCW; and making an appropriation.

Referred to Committee on Ways & Means.

HB 428 by Representatives Armstrong, West, Dellwo, Wang and Niemi

AN ACT Relating to courts; amending section 5, chapter 25, Laws of 1929 and RCW 6.04.050; amending section 2, chapter 157, Laws of 1973 1st ex. sess. as amended by section 1, chapter 23, Laws of 1973 2nd ex. sess. and RCW 26.09.020; amending section 12, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.120; and repealing section 4, chapter 38, Laws of 1891 and RCW 4.64.050.

Referred to Committee on Judiciary.

HB 429 by Representatives Pruitt, Hastings, Heck, Barnes, Lewis, Betzoff, Sanders, Taylor, Holland, Isaacson, Miller and Schoon (by Attorney General request)

AN ACT Relating to the initiative; amending section 2, chapter 122, Laws of 1973 as amended by section 2, chapter 116, Laws of 1982 and RCW 29.79.015; and adding a new section to chapter 29.79 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 430 by Representatives Heck, Galloway, Burns, Dickie, Sanders, Taylor and Hine

AN ACT Relating to the Temporary Committee on Educational Policies, Structure and Management; amending section 2, chapter 33, Laws of 1982 1st ex. sess. (uncodified); and declaring an emergency.

Referred to Committee on Education.

**HB 431** by Representatives Kreidler, Locke, Pruitt, Van Dyken, Brekke, Patrick, Haugen, Wang, Lux, Lewis, G. Nelson, Todd, Holland, Jacobsen, Isaacson, Miller and Schoon

AN ACT Relating to juvenile justice; amending section 57, chapter 291, Laws of 1977 ex. sess. as last amended by section 5, chapter 299, Laws of 1981 and RCW 13.40.030; amending section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 13, chapter 299, Laws of 1981 and RCW 13.40.160; amending section 73, chapter 291, Laws of 1977 ex. sess. as amended by section 69, chapter 155, Laws of 1979 and RCW 13.40.190; prescribing penalties; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 432** by Representatives Dellwo, Patrick, Smitherman and Armstrong

AN ACT Relating to the regulation of lie detector tests; and amending section 1, chapter 152, Laws of 1965 as amended by section 1, chapter 145, Laws of 1973 and RCW 49.44.120.

Referred to Committee on Judiciary.

**HB 433** by Representatives Kreidler, Charnley, Pruitt, Brekke, Haugen, Ebersole, Wang, Lux, Locke, D. Nelson, Lewis, Belcher, McClure, Todd, Hine, Dellwo, Fisher, Burns, Powers, Jacobsen and Stratton

AN ACT Relating to children and family services; adding a new chapter to Title 74 RCW; creating new sections; and providing an effective date.

Referred to Committee on Social & Health Services.

**HB 434** by Representatives R. King, Patrick, Fisher and Lux

AN ACT Relating to collective bargaining for fire fighters; amending section 2, chapter 108, Laws of 1967 ex. sess. as amended by section 98, chapter \_\_\_\_ (SB 3037), Laws of 1983 and RCW 41.56.020; and amending section 1, chapter 101, Laws of 1967 and RCW 53.18.010.

Referred to Committee on Labor.

**HB 435** by Representatives R. King, Patrick, Fisher, Lux and O'Brien

AN ACT Relating to emergency medical technicians; and amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.030.

Referred to Committee on Labor.

**HB 436** by Representatives Monohon, Vekich, Patrick, Zellinsky, Smitherman, Belcher, Sanders, McClure, Taylor, Fisch, Ristuben, Powers, Egger, Jacobsen, Stratton, Isaacson, Long, P. King and Schoon

AN ACT Relating to the state parks and recreation commission; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Natural Resources.

**HB 437** by Representative Berezoff

AN ACT Relating to students; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 15, chapter 63, Laws of 1982 and RCW 51.12.020; adding a new section to chapter 50.04 RCW; and adding a new section to chapter 50.20 RCW.

Referred to Committee on Labor.

**HB 438** by Representatives Monohon, Struthers, J. King, Smitherman, Gallagher and Charnley

AN ACT Relating to the state lottery; amending section 1, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.010; amending section 4, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.040; amending section 5, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.050; amending section 6, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.060; amending section 18, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.180; amending

section 22, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.220; amending section 25, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.250; amending section 26, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.260; amending section 31, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.310; amending section 33, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.330; amending section 9, chapter 10, Laws of 1982 and RCW 42.17.420; adding a new section to chapter 41.06 RCW; adding a new section to chapter 67.70 RCW; repealing section 2, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.020; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 439** by Representatives Haugen, Johnson, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charney, Taylor, Brekke, Rust, Powers and Egger

AN ACT Relating to certain elections; amending section 84.52.056, chapter 15, Laws of 1961 as last amended by section 104, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.056; creating new sections; and setting forth an effective date with a contingency.

Referred to Committee on Education.

**HB 440** by Representatives Kaiser, Smith, Prince, Appelwick, Hastings, Struthers, Sanders, Holland, Padden, Ellis, Ballard, Burns, Jacobsen, Clayton and Dickie

AN ACT Relating to agricultural commodities; amending section 2, chapter 124, Laws of 1963 and RCW 22.09.020; amending section 3, chapter 124, Laws of 1963 as amended by section 20, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.030; amending section 4, chapter 124, Laws of 1963 as last amended by section 13, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.040; amending section 5, chapter 124, Laws of 1963 as amended by section 14, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.050; amending section 6, chapter 124, Laws of 1963 as amended by section 22, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.060; amending section 7, chapter 124, Laws of 1963 and RCW 22.09.070; amending section 9, chapter 124, Laws of 1963 as last amended by section 23, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.090; amending section 10, chapter 124, Laws of 1963 and RCW 22.09.100; amending section 11, chapter 124, Laws of 1963 and RCW 22.09.110; amending section 13, chapter 124, Laws of 1963 as last amended by section 38, chapter 296, Laws of 1981 and RCW 22.09.130; amending section 15, chapter 124, Laws of 1963 as amended by section 17, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.150; amending section 17, chapter 124, Laws of 1963 and RCW 22.09.170; amending section 18, chapter 124, Laws of 1963 as amended by section 24, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.180; amending section 19, chapter 124, Laws of 1963 and RCW 22.09.190; amending section 24, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.195; amending section 20, chapter 124, Laws of 1963 and RCW 22.09.200; amending section 23, chapter 124, Laws of 1963 and RCW 22.09.230; amending section 24, chapter 124, Laws of 1963 and RCW 22.09.240; amending section 25, chapter 124, Laws of 1963 and RCW 22.09.250; amending section 26, chapter 124, Laws of 1963 and RCW 22.09.260; amending section 29, chapter 124, Laws of 1963 as amended by section 19, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.290; amending section 31, chapter 124, Laws of 1963 and RCW 22.09.310; amending section 33, chapter 124, Laws of 1963 and RCW 22.09.330; amending section 34, chapter 124, Laws of 1963 and RCW 22.09.340; amending section 35, chapter 124, Laws of 1963 and RCW 22.09.350; amending section 37, chapter 124, Laws of 1963 and RCW 22.09.370; amending section 42, chapter 124, Laws of 1963 and RCW 22.09.420; amending section 55, chapter 124, Laws of 1963 as amended by section 22, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.550; amending section 29, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.570; amending section 30, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.580; amending section 31, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.590; amending section 32, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.600; amending section 33, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.610; amending section 34, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.620; amending section 26, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.650; amending section 59, chapter 124, Laws of 1963 as amended by section 23, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.920; adding new sections to chapter 22.09 RCW; recodifying RCW 22.09.210; recodifying RCW 22.09.270; recodifying RCW 22.09.280; recodifying RCW 22.09.370; recodifying RCW 22.09.380; recodifying RCW 22.09.390; recodifying RCW 22.09.400; recodifying RCW 22.09.410; recodifying RCW 22.09.420; recodifying RCW 22.09.430; recodifying RCW 22.09.440; recodifying RCW 22.09.450; recodifying RCW 22.09.460; recodifying RCW 22.09.470; recodifying RCW 22.09.480; recodifying RCW 22.09.490; recodifying RCW 22.09.500; recodifying RCW 22.09.530; recodifying RCW 22.09.540; recodifying RCW 22.09.550; recodifying RCW 22.09.560; decodifying RCW 22.09.950; decodifying RCW 22.09.951; repealing section 1, chapter 124, Laws of 1963, section 51, chapter 240, Laws of 1967, section 1, chapter 65, Laws of 1971, section 19, chapter 7, Laws of 1975 1st ex. sess., section 12, chapter 238, Laws of 1979 ex. sess..

section 37, chapter 296, Laws of 1981 and RCW 22.09.010; repealing section 36, chapter 124, Laws of 1963 and RCW 22.09.360; repealing section 52, chapter 124, Laws of 1963 and RCW 22.09.520; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committee on Agriculture.

**HB 441** by Representatives J. King, Hankins, Stratton, Barrett, Hastings, Ellis and Miller (by Liquor Control Board request)

AN ACT Relating to liquor service at international trade fairs, shows, or expositions held under the auspices of federal, state, or local governmental or nonprofit entities and receptions hosted by federal, state, or local governmental entities; amending section 12, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 85, Laws of 1982 and RCW 66.20.010; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 165, chapter ... (SB 3037), Laws of 1983 and RCW 66.28.040; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 442** by Representatives Patrick, Hankins, Struthers, Fiske, Wilson, Isaacson, Nealey and Ballard

AN ACT Relating to cosmetology and barbering; amending section 21, chapter 266, Laws of 1971 ex. sess. as last amended by section 10, chapter ... (SB 3036), Laws of 1983 and RCW 43.24.085; adding new sections to chapter 18.18 RCW; repealing section 1, chapter 75, Laws of 1923, section 1, chapter 211, Laws of 1927, section 1, chapter 52, Laws of 1957, section 1, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.010; repealing section 2, chapter 75, Laws of 1923, section 1, chapter 209, Laws of 1929, section 1, chapter 199, Laws of 1937, section 1, chapter 51, Laws of 1949, section 1, chapter 16, Laws of 1951, section 2, chapter 223, Laws of 1967 and RCW 18.15.020; repealing section 3, chapter 75, Laws of 1923, section 2, chapter 199, Laws of 1937, section 2, chapter 51, Laws of 1949, section 2, chapter 16, Laws of 1951, section 1, chapter 101, Laws of 1957, section 3, chapter 223, Laws of 1967, section 4, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.040; repealing section 3, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.045; repealing section 6, chapter 75, Laws of 1923, section 5, chapter 211, Laws of 1927, section 3, chapter 209, Laws of 1929, section 4, chapter 51, Laws of 1949, section 3, chapter 16, Laws of 1951, section 4, chapter 84, Laws of 1959, section 4, chapter 223, Laws of 1967, section 2, chapter 148, Laws of 1973 1st ex. sess., section 5, chapter 30, Laws of 1975 1st ex. sess., section 11, chapter 158, Laws of 1979 and RCW 18.15.050; repealing section 7, chapter 101, Laws of 1957 and RCW 18.15.051; repealing section 8, chapter 101, Laws of 1957, section 5, chapter 223, Laws of 1967 and RCW 18.15.052; repealing section 9, chapter 101, Laws of 1957, section 6, chapter 223, Laws of 1967 and RCW 18.15.053; repealing section 10, chapter 101, Laws of 1957 and RCW 18.15.054; repealing section 11, chapter 101, Laws of 1957, section 1, chapter 188, Laws of 1967, section 28, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.15.055; repealing section 12, chapter 101, Laws of 1957, section 8, chapter 223, Laws of 1967 and RCW 18.15.056; repealing section 7, chapter 75, Laws of 1923, section 6, chapter 211, Laws of 1927, section 4, chapter 209, Laws of 1929, section 14, chapter 101, Laws of 1957, section 9, chapter 223, Laws of 1967, section 2, chapter 266, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1973 1st ex. sess., section 6, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.060; repealing section 3, chapter 84, Laws of 1959, section 10, chapter 223, Laws of 1967, section 5, chapter 148, Laws of 1973 1st ex. sess., section 7, chapter 30, Laws of 1975 1st ex. sess., section 12, chapter 158, Laws of 1979 and RCW 18.15.065; repealing section 12, chapter 75, Laws of 1923, section 9, chapter 211, Laws of 1927, section 11, chapter 223, Laws of 1967 and RCW 18.15.070; repealing section 13, chapter 75, Laws of 1923, section 10, chapter 211, Laws of 1927, section 4, chapter 199, Laws of 1937, section 5, chapter 51, Laws of 1949, section 4, chapter 16, Laws of 1951 and RCW 18.15.080; repealing section 14, chapter 75, Laws of 1923, section 11, chapter 211, Laws of 1927, section 6, chapter 209, Laws of 1929, section 1, chapter 102, Laws of 1947, section 12, chapter 223, Laws of 1967, section 6, chapter 148, Laws of 1973 1st ex. sess., section 13, chapter 158, Laws of 1979, section 4, chapter 283, Laws of 1981 and RCW 18.15.090; repealing section 2, chapter 84, Laws of 1959, section 14, chapter 223, Laws of 1967, section 8, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.095; repealing section 5, chapter 283, Laws of 1981 and RCW 18.15.096; repealing section 13, chapter 223, Laws of 1967, section 7, chapter 148, Laws of 1973 1st ex. sess., section 9, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.097; repealing section 8, chapter 172, Laws of 1901, section 5, chapter 75, Laws of 1923, section 3, chapter 199, Laws of 1937, section 3, chapter 51, Laws of 1949, section 2, chapter 101, Laws of 1957, section 5, chapter 84, Laws of 1959, section 15, chapter 223, Laws of 1967, section 8, chapter 148, Laws of 1973 1st ex. sess., section 10, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.100; repealing section 7, chapter 209, Laws of 1929, section 6, chapter 51, Laws of 1949, section 6, chapter 84, Laws of 1959, section 16, chapter 223, Laws of 1967, section 9, chapter 148, Laws of 1973 1st ex. sess. and

RCW 18.15.110; repealing section 15, chapter 75, Laws of 1923, section 17, chapter 223, Laws of 1967 and RCW 18.15.120; repealing section 13, chapter 101, Laws of 1957, section 7, chapter 84, Laws of 1959, section 18, chapter 223, Laws of 1967, section 11, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.125; repealing section 4, chapter 101, Laws of 1957, section 19, chapter 223, Laws of 1967 and RCW 18.15.130; repealing section 5, chapter 101, Laws of 1957, section 20, chapter 223, Laws of 1967, section 29, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.15.140; repealing section 6, chapter 101, Laws of 1957, section 21, chapter 223, Laws of 1967 and RCW 18.15.150; repealing section 17, chapter 75, Laws of 1923, section 12, chapter 211, Laws of 1927, section 8, chapter 209, Laws of 1929, section 22, chapter 223, Laws of 1967 and RCW 18.15.160; repealing section 10, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.200; repealing section 11, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.210; repealing section 12, chapter 148, Laws of 1973 1st ex. sess., section 12, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.220; repealing section 13, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.230; repealing section 14, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.240; repealing section 15, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.250; repealing section 19, chapter 75, Laws of 1923 and RCW 18.15.900; repealing section 1, chapter 25, Laws of 1974 ex. sess., section 14, chapter 158, Laws of 1979, section 1, chapter 242, Laws of 1979 ex. sess., section 1, chapter 225, Laws of 1982 and RCW 18.18.010; repealing section 8, chapter 215, Laws of 1937, section 17, chapter 148, Laws of 1973 1st ex. sess., section 15, chapter 158, Laws of 1979, section 2, chapter 225, Laws of 1982 and RCW 18.18.020; repealing section 1, chapter 215, Laws of 1937, section 2, chapter 3, Laws of 1965 ex. sess., section 18, chapter 148, Laws of 1973 1st ex. sess., section 4, chapter 225, Laws of 1982 and RCW 18.18.030; repealing section 18, chapter 215, Laws of 1937, section 19, chapter 148, Laws of 1973 1st ex. sess., section 5, chapter 225, Laws of 1982 and RCW 18.18.040; repealing section 2, chapter 180, Laws of 1951, section 3, chapter 52, Laws of 1957, section 3, chapter 324, Laws of 1959, section 21, chapter 148, Laws of 1973 1st ex. sess., section 6, chapter 225, Laws of 1982 and RCW 18.18.050; repealing section 2, chapter 324, Laws of 1959, section 3, chapter 3, Laws of 1965 ex. sess., section 22, chapter 148, Laws of 1973 1st ex. sess., section 7, chapter 225, Laws of 1982 and RCW 18.18.065; repealing section 4, chapter 180, Laws of 1951, section 5, chapter 52, Laws of 1957, section 4, chapter 3, Laws of 1965 ex. sess., section 6, chapter 283, Laws of 1981, section 8, chapter 225, Laws of 1982 and RCW 18.18.070; repealing section 7, chapter 283, Laws of 1981 and RCW 18.18.075; repealing section 9, chapter 225, Laws of 1982 and RCW 18.18.078; repealing section 3, chapter 225, Laws of 1982 and RCW 18.18.085; repealing section 5, chapter 180, Laws of 1951, section 3, chapter 313, Laws of 1955, section 4, chapter 324, Laws of 1959, section 6, chapter 3, Laws of 1965 ex. sess., section 23, chapter 148, Laws of 1973 1st ex. sess., section 13, chapter 30, Laws of 1975 1st ex. sess., section 2, chapter 242, Laws of 1979 ex. sess. and RCW 18.18.090; repealing section 7, chapter 215, Laws of 1937, section 7, chapter 3, Laws of 1965 ex. sess., section 24, chapter 148, Laws of 1973 1st ex. sess., section 16, chapter 158, Laws of 1979, section 10, chapter 225, Laws of 1982 and RCW 18.18.100; repealing section 1, chapter 168, Laws of 1953, section 11, chapter 225, Laws of 1982 and RCW 18.18.102; repealing section 2, chapter 168, Laws of 1953, section 8, chapter 3, Laws of 1965 ex. sess., section 30, chapter 34, Laws of 1975-76 2nd ex. sess., section 12, chapter 225, Laws of 1982 and RCW 18.18.104; repealing section 4, chapter 168, Laws of 1953, section 13, chapter 225, Laws of 1982 and RCW 18.18.108; repealing section 4, chapter 313, Laws of 1955, section 9, chapter 3, Laws of 1965 ex. sess., section 25, chapter 148, Laws of 1973 1st ex. sess., section 14, chapter 225, Laws of 1982 and RCW 18.18.110; repealing section 14, chapter 215, Laws of 1937, section 6, chapter 180, Laws of 1951, section 10, chapter 3, Laws of 1965 ex. sess., section 14, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.18.120; repealing section 5, chapter 313, Laws of 1955, section 15, chapter 225, Laws of 1982 and RCW 18.18.130; repealing section 7, chapter 180, Laws of 1951, section 6, chapter 313, Laws of 1955, section 5, chapter 324, Laws of 1959, section 11, chapter 3, Laws of 1965 ex. sess., section 3, chapter 266, Laws of 1971 ex. sess., section 27, chapter 148, Laws of 1973 1st ex. sess., section 15, chapter 30, Laws of 1975 1st ex. sess., section 2, chapter 310, Laws of 1977 ex. sess., section 3, chapter 242, Laws of 1979 ex. sess., section 16, chapter 225, Laws of 1982 and RCW 18.18.140; repealing section 6, chapter 52, Laws of 1957 and RCW 18.18.150; repealing section 7, chapter 52, Laws of 1957, section 6, chapter 324, Laws of 1959, section 17, chapter 225, Laws of 1982 and RCW 18.18.160; repealing section 8, chapter 52, Laws of 1957, section 7, chapter 324, Laws of 1959, section 18, chapter 225, Laws of 1982 and RCW 18.18.170; repealing section 6, chapter 215, Laws of 1937 and RCW 18.18.180; repealing section 8, chapter 180, Laws of 1951, section 9, chapter 52, Laws of 1957, section 12, chapter 3, Laws of 1965 ex. sess., section 26, chapter 148, Laws of 1973 1st ex. sess., section 19, chapter 225, Laws of 1982 and RCW 18.18.190; repealing section 4, chapter 215, Laws of 1937, section 20, chapter 225, Laws of 1982 and RCW 18.18.200; repealing section 9, chapter 180, Laws of 1951, section 10, chapter 52, Laws of 1957, section 13, chapter 3, Laws of 1965 ex. sess., section 21, chapter 225, Laws of 1982 and RCW 18.18.210; repealing section 15, chapter 215, Laws of 1937, section 8, chapter 324, Laws of 1959, section 28, chapter 148, Laws of 1973 1st ex. sess., section 22, chapter 225, Laws of 1982 and RCW 18.18.220; repealing section 16, chapter 215, Laws of 1937, section 15, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.230; repealing section 14,

chapter 3, Laws of 1965 ex. sess., section 31, chapter 34, Laws of 1975-'76 2nd ex. sess., section 9, chapter 75, Laws of 1977 and RCW 18.18.251; repealing section 11, chapter 52, Laws of 1957, section 9, chapter 324, Laws of 1959, section 17, chapter 3, Laws of 1965 ex. sess., section 29, chapter 148, Laws of 1973 1st ex. sess., section 1, chapter 310, Laws of 1977 ex. sess., section 4, chapter 242, Laws of 1979 ex. sess., section 23, chapter 225, Laws of 1982 and RCW 18.18.260; repealing section 12, chapter 52, Laws of 1957, section 30, chapter 148, Laws of 1973 1st ex. sess., section 24, chapter 225, Laws of 1982 and RCW 18.18.270; repealing section 5, chapter 242, Laws of 1979 ex. sess. and RCW 18.18.275; repealing section 16, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.290; repealing section 20, chapter 148, Laws of 1973 1st ex. sess., section 17, chapter 158, Laws of 1979, section 25, chapter 225, Laws of 1982 and RCW 18.18.300; repealing section 38, chapter 99, Laws of 1979 and RCW 43.131.223; repealing section 36, chapter 99, Laws of 1979 and RCW 43.131.219; repealing section 78, chapter 99, Laws of 1979 and RCW 43.131.220; repealing section 80, chapter 99, Laws of 1979 and RCW 43.131.224; and repealing section 3, chapter 168, Laws of 1953 and RCW 18.18.106.

Referred to Committee on Commerce & Economic Development.

HJR 28 by Representatives Galloway, Betzoff, Tanner, O'Brien and Sanders  
(by Governor Spellman request)

Providing the means for the payment of indebtedness on public improvements.

Referred to Committee on Ways & Means.

HJR 29 by Representatives Haugen, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Brekke, Taylor, Rust, Powers and Johnson

Removing forty percent validation requirement for excess levy elections.

Referred to Committee on Education.

SCR 105 by Senators Bluechel, Gaspard and Hughes

Acknowledging the participation and support by citizens of Washington in the National History Contest.

#### MOTIONS

On motion of Mr. Heck, the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated with the exception of Senate Concurrent Resolution No. 105.

On motion of Mr. Heck, the rules were suspended and Senate Concurrent Resolution No. 105 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was advanced to third reading and final passage.

Ms. Miller spoke in favor of passage of the resolution and it was adopted.

#### REPORTS OF STANDING COMMITTEES

February 7, 1983

HB 71 Prime Sponsor, Representative D. Nelson: Making the geothermal account not subject to appropriation. Reported by Committee on Rules.

Referred to Committee on Ways and Means.

February 7, 1983

HB 112 Prime Sponsor, Representative Rust: Modifying procedures for complaints against water well contractors. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Patrick, Ranking Minority Chair; Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Allen, Ranking Minority Vice Chair; Brekke and J. Williams.

Passed to Committee on Rules for second reading.

February 4, 1983

HJM 11 Prime Sponsor, Representative D. Nelson: Calling for resolution of the WPPSS financial situation. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 28 after "eighty-eight" strike "public utilities which are"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Barnes, Gallagher, Jacobsen, Locke, Miller, Nealey and Sutherland.

Voting nay: Representative Moon.

Absent: Representatives Armstrong, Bond, Fiske, Fuhrman, Hastings, Martinis and Pruitt.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 6, by Representatives Tanner, B. Williams, J. King, Ebersole, Monohon, Van Dyken, West, Stratton, Haugen, Egger, Galloway, Fisch, Sayan, Belcher, Powers, Pruitt, Vekich, Charnley, Broback, Hine, Halsan, Tilly, Brække, Garrett, Lewis, Todd and Ristuben

Establishing the emergency commission on economic development and job creation.

The resolution was read the second time. On motion of Mr. Tanner, Substitute House Concurrent Resolution No. 6 was substituted for House Concurrent Resolution No. 6, and the substitute resolution was placed on the calendar for second reading.

Substitute House Concurrent Resolution No. 6 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 147, by Representatives Armstrong, Holland, Lux, Patrick, Garrett, Tanner, Lewis and Isaacson

Modifying the definition of homicide.

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

HOUSE BILL NO. 148, by Representatives Haugen, Galloway, Johnson, Schoon, Rust, Armstrong, Taylor, Betrozoff and Holland

Modifying procedures for school districts' budgets and funds.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 148 was substituted for House Bill No. 148 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 148 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 256, by Representatives Charnley, Tilly, Brough, Martinis, Todd, D. Nelson, Addison, Jacobsen, Miller, Moon, G. Nelson, Sanders, Taylor, Silver, Isaacson and Barrett

Deleting the penalty tax when changing land classified under chapter 84.34 RCW to tax exempt status for conservation purposes.

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

HOUSE JOINT MEMORIAL NO. 4, by Representatives Moon, Fuhrman, Egger, Todd, Miller, D. Nelson, Sutherland, Isaacson and B. Williams

Petitioning that the federal government delegate all permitting authority for small scale hydroelectric facilities to the states.

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



## THIRD READING

SUBSTITUTE HOUSE BILL NO. 37, by Committee on Agriculture (originally sponsored by Representatives Sommers, Hastings, Kaiser, Prince, Galloway, Zellinsky, Johnson, Isaacson and Clayton)

Modifying the regulation of the size and weight of bread loaves.

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

Representatives Sommers and Hastings spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 37, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson G - 1.

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

SUBSTITUTE HOUSE BILL NO. 64, by Committee on Environmental Affairs (originally sponsored by Representatives Rust, Allen, Brough, Miller, Appelwick, Holland, Burns, Broback, Lux, Silver, Niemi, Charnley, R. King, Long, Brekke and Todd)

Increasing penalties for hazardous waste violations.

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

Ms. Rust spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 64, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson G - 1.

Substitute House Bill No. 64, having received the 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. 118, by Committee on Agriculture (originally sponsored by Representatives Kaiser and Smith; by Department of Agriculture request)

Adjusting certain agricultural fees.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 118, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson G - 1.

Substitute House Bill No. 118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 144, by Representatives Martinis, Gallagher, Charney and Wilson (by Department of Licensing request)

Changing various provisions concerning license plates.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 144, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson G - 1.

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

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Wednesday, February 9, 1983.

DEAN R. FOSTER, Chief Clerk

WAYNE EHLERS, Speaker

## THIRTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 9, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Sutherland, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Clarine and Mike Barram. Prayer was offered by The Reverend Charles Loyer, Pastor Emeritus 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

February 8, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 108,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

February 8, 1983

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 9,

SENATE CONCURRENT RESOLUTION NO. 105,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 105.

## INTRODUCTIONS AND FIRST READING

HB 443 by Representatives Lux, R. King and Sutherland

AN ACT Relating to the processing of timber from public lands; adding a new chapter to Title 79 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources.

HB 444 by Representatives Smitherman and Zellinsky

AN ACT Relating to alcohol safety; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 445 by Representatives Smitherman, Zellinsky, Schoon, Betrozoff, Johnson, Mitchell, Holland, Isaacson, Lewis, Wang, Ebersole, Patrick, Miller, Haugen and Brough

AN ACT Relating to driving while intoxicated; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 446** by Representatives Sayan, Dellwo, Todd, Allen, Holland, Lux, Vekich, Patrick, Crane, Brough, Ebersole, Belcher, Fisch, Fisher, Niemi, Kreidler, Betrozoff, Smitherman, Zellinsky, Ristuben, Powers and Miller

AN ACT Relating to employees' personnel files; and adding new sections to chapter 49.12 RCW.

Referred to Committee on Labor.

**HB 447** by Representatives Walk, Hankins and Belcher

AN ACT Relating to fire protection; amending section 1, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.010; amending section 5, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.050; amending section 1, chapter 225, Laws of 1979 ex. sess. as amended by section 1, chapter 48, Laws of 1982 1st ex. sess. and RCW 28C.51.010; amending section 5, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.050; amending section 4, chapter 80, Laws of 1979 ex. sess. and RCW 48.50.040; adding new sections to chapter 48.48 RCW; creating new sections; repealing section 1, chapter 98, Laws of 1969 ex. sess. and RCW 28C.04.140; repealing section .05.32, chapter 79, Laws of 1947 and RCW 48.05.320; repealing section .33.01, chapter 79, Laws of 1947 and RCW 48.48.010; repealing section .33.02, chapter 79, Laws of 1947, section 17, chapter 241, Laws of 1969 ex. sess. and RCW 48.48.020; repealing section .33.10, chapter 79, Laws of 1947 and RCW 48.48.100; repealing section .33.13, chapter 79, Laws of 1947 and RCW 48.48.130; making an appropriation; and providing an effective date.

Referred to Committee on State Government.

**HB 448** by Representatives Todd, Addison, Belcher, Lewis, D. Nelson, McDonald, Mitchell, Brække, Ballard, Johnson, Crane, Lux, Charnley, McMullen, Fisher, Ebersole, Holland, Wang, Patrick, Garrett, Taylor, Jacobsen, Miller, Silver and Brough

AN ACT Relating to parking for disabled persons; amending section 6, chapter 192, Laws of 1979 ex. sess. and RCW 46.16.380; amending section 65, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 178, Laws of 1979 ex. sess. and RCW 46.61.565; amending section 2, chapter 128, Laws of 1961 as last amended by section 2, chapter 27, Laws of 1979 ex. sess. and RCW 46.61.580; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Social & Health Services.

**HB 449** by Representatives Belcher, Sayan, Fisher, Fisch, Patrick, Brække, Dellwo and R. King

AN ACT Relating to lie detectors; amending section 1, chapter 152, Laws of 1965 as amended by section 1, chapter 145, Laws of 1973 and RCW 49.44.120; amending section 2, chapter 152, Laws of 1965 and RCW 49.44.130; and prescribing penalties.

Referred to Committee on Labor.

**HB 450** by Representatives Schoon, B. Williams, Brough, Silver and Johnson

AN ACT Relating to commerce and economic development; amending section 43.31.050, chapter 8, Laws of 1965 as amended by section 53, chapter 75, Laws of 1977 and RCW 43.31.050; and amending section 43.31.060, chapter 8, Laws of 1965 and RCW 43.31.060.

Referred to Committee on Commerce & Economic Development.

**HB 451** by Representatives Wang, Patrick, Monohon, Halsan, Hine, Jacobsen, Lux, Todd, Holland, Vekich, Allen, Crane, Brough, Ebersole, Fisch, Fisher, Niemi, Kreidler, Ristuben, Garrett, Miller and Dellwo

AN ACT Relating to employee privacy; adding a new section to chapter 49.44 RCW; and providing penalties.

Referred to Committee on Labor.

**HB 452** by Representatives Kreidler, Lewis and Mitchell

AN ACT Relating to blind persons; adding a new section to chapter 74.09 RCW; creating a new chapter in Title 74 RCW; repealing section 39, chapter 99, Laws of 1979 and RCW 43.131.225; repealing section 81, chapter 99, Laws of 1979 and RCW 43.131.226; repealing section 74.04.017, chapter 26, Laws of 1959, section 297, chapter 141, Laws of 1979 and RCW 74.04.017; repealing section 74.16.030, chapter 26, Laws of 1959, section 1, chapter 128, Laws of 1965, section 1, chapter 78, Laws of 1967, section 9, chapter 169, Laws of 1971 ex. sess. and RCW 74.16.030; repealing section 74.16.040, chapter 26, Laws of 1959 and RCW 74.16.040; repealing section 74.16.170, chapter 26, Laws of 1959, section 16, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.170; repealing section 1, chapter 59, Laws of 1967, section 17, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.181; repealing section 2, chapter 59, Laws of 1967, section 18, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.183; repealing section 74.16.300, chapter 26, Laws of 1959, section 20, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.300; repealing section 1, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.400; repealing section 2, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.410; repealing section 3, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.420; repealing section 4, chapter 40, Laws of 1977 ex. sess., section 174, chapter 151, Laws of 1979 and RCW 74.16.430; repealing section 5, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.440; repealing section 6, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.450; repealing section 7, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.460; repealing section 8, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.470; repealing section 9, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.480; repealing section 10, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.490; repealing section 11, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.500; repealing section 12, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.510; repealing section 13, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.520; repealing section 14, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.530; repealing section 24, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.540; repealing section 1, chapter 251, Laws of 1975 1st ex. sess., section 21, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.010; repealing section 2, chapter 251, Laws of 1975 1st ex. sess., section 22, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.020; repealing section 3, chapter 251, Laws of 1975 1st ex. sess. and RCW 74.17.030; repealing section 4, chapter 251, Laws of 1975 1st ex. sess., section 23, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.040; providing an expiration date; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 453** by Representatives Heck, Armstrong, J. King, Patrick, Galloway, G. Nelson, Fiske, Tilly, R. King, Ballard, Holland, Tanner, McMullen, Taylor and Miller

AN ACT Relating to concealed weapons license fees; amending section 7, chapter 172, Laws of 1935 as last amended by section 1, chapter 158, Laws of 1979 and RCW 9.41-.070; creating a new section; and making an appropriation.

Referred to Committee on Judiciary.

**HB 454** by Representatives Kreidler and Lewis

AN ACT Relating to medical radiation; adding a new chapter to Title 18 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Social & Health Services.

**HB 455** by Representatives Fisch, Miller, Pruitt, Patrick, Fisher, Jacobsen, Sommers, Tanner, Zellinsky, Vander Stoep, Long and Ristuben

AN ACT Relating to the restoration of civil rights; amending section 1, chapter 187, Laws of 1961 as amended by section 1, chapter 75, Laws of 1980 and RCW 9.96.050; and amending section 29.07.080, chapter 9, Laws of 1965 as last amended by section 4, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.080.

Referred to Committee on Social & Health Services.

**HB 456** by Representatives R. King, Gallagher, Crane, Fisher, Jacobsen, Todd, P. King, Lux, Fisch, Ebersole, Niemi, Charnley and D. Nelson

AN ACT Relating to hours of labor; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor.

**HB 457** by Representatives Moon, Smith, Kaiser, R. King, Belcher, Tanner, McMullen and Clayton

AN ACT Relating to agriculture commission merchants; amending section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 194, Laws of 1982 and RCW 20.01.010; amending section 3, chapter 139, Laws of 1959 as last amended by section 2,

chapter 194, Laws of 1982 and RCW 20.01.030; amending section 4, chapter 139, Laws of 1959 as last amended by section 3, chapter 115, Laws of 1979 ex. sess. and RCW 20.01.040; amending section 5, chapter 232, Laws of 1963 as last amended by section 3, chapter 194, Laws of 1982 and RCW 20.01.210; amending section 16, chapter 304, Laws of 1977 ex. sess. and RCW 20.01.211; amending section 29, chapter 139, Laws of 1959 and RCW 20.01.290; adding new sections to chapter 20.01 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

**HB 458** by Representatives Armstrong, Padden, Todd, R. King, Johnson, Appelwick, Isaacson, Lewis, Ristuben, Wang, Ebersole, Braddock, Powers, Jacobsen and Haugen (by Attorney General request)

AN ACT Relating to antitrust and unfair and deceptive business practices; amending section 14, chapter 216, Laws of 1961 as amended by section 7, chapter 26, Laws of 1970 ex. sess. and RCW 19.86.140; amending section 9, chapter 216, Laws of 1961 as amended by section 2, chapter 26, Laws of 1970 ex. sess. and RCW 19.86.090; amending section 20, chapter 216, Laws of 1961 as amended by section 26, chapter ... (SB 3037), Laws of 1983 and RCW 19.86.920; amending section 15.66.010, chapter 11, Laws of 1961 as last amended by section 180, chapter 35, Laws of 1982 and RCW 15.66.010; adding a new section to chapter 19.86 RCW; creating a new section; repealing section 1, chapter 221, Laws of 1939 and RCW 19.90.010; repealing section 2, chapter 221, Laws of 1939 and RCW 19.90.020; repealing section 3, chapter 221, Laws of 1939 and RCW 19.90.030; repealing section 4, chapter 221, Laws of 1939 and RCW 19.90.040; repealing section 5, chapter 221, Laws of 1939 and RCW 19.90.050; repealing section 6, chapter 221, Laws of 1939 and RCW 19.90.060; repealing section 7, chapter 221, Laws of 1939 and RCW 19.90.070; repealing section 8, chapter 221, Laws of 1939 and RCW 19.90.080; repealing section 9, chapter 221, Laws of 1939 and RCW 19.90.090; repealing section 10, chapter 221, Laws of 1939 and RCW 19.90.100; repealing section 11, chapter 221, Laws of 1939 and RCW 19.90.110; repealing section 12, chapter 221, Laws of 1939 and RCW 19.90.120; repealing section 13, chapter 221, Laws of 1939 and RCW 19.90.130; repealing section 1, chapter 246, Laws of 1959 and RCW 19.90.140; repealing section 2, chapter 246, Laws of 1959 and RCW 19.90.150; repealing section 3, chapter 246, Laws of 1959 and RCW 19.90.160; repealing section 14, chapter 221, Laws of 1939 and RCW 19.90.900; repealing section 4, chapter 246, Laws of 1959 and RCW 19.90.901; repealing section 15, chapter 221, Laws of 1939 and RCW 19.90.910; repealing section 16, chapter 221, Laws of 1939 and RCW 19.90.920; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 459** by Representatives Garrett and McMullen

AN ACT Relating to state parks; and amending section 1, chapter 330, Laws of 1977 ex. sess. as amended by section 1, chapter 131, Laws of 1979 ex. sess. and RCW 43.51.055.

Referred to Committee on Environmental Affairs.

**HB 460** by Representatives Appelwick and Wang

AN ACT Relating to courts of record; amending section 1, chapter 22, Laws of 1973 and RCW 2.42.010; and amending section 2, chapter 22, Laws of 1973 and RCW 2.42.020.

Referred to Committee on Judiciary.

**HB 461** by Representatives R. King, Johnson, Martinis, P. King, Haugen, Egger, Mitchell and Brough

AN ACT Relating to the provision of services in school communities; amending section 28A.57.318, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.318; reenacting and amending section 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030; amending section 19, chapter ... (Senate Bill No. 3036), Laws of 1983 and RCW 84.52.052; and adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28A RCW.

Referred to Committee on Education.

**HB 462** by Representatives Barrett, Silver, West, Stratton, Taylor, Fuhrman, Padden, Bond, Egger, Miller and Dellwo

AN ACT Relating to flood control zone districts; amending section 8, chapter 153, Laws of 1961 and RCW 86.15.080; amending section 16, chapter 153, Laws of 1961 as amended by section 131, chapter 195, Laws of 1973 1st ex. sess. and RCW 86.15.160; and adding a new section to chapter 86.15 RCW.

Referred to Committee on Local Government.

**HB 463** by Representatives Dellwo, Locke, Padden and Niemi

AN ACT Relating to courts of limited jurisdiction; and amending section 13, chapter 299, Laws of 1961 as last amended by section 2, chapter 95, Laws of 1974 ex. sess. and RCW 3.34.040.

Referred to Committee on Judiciary.

**HB 464** by Representatives Martin, Wilson and Betzoff

AN ACT Relating to marine transportation; creating a new chapter in Title 47 RCW; declaring an emergency; and providing an effective date.

Referred to Committee on Transportation.

**HB 465** by Representatives Rust, Allen, Garrett, Jacobsen, Charnley and Hine

AN ACT Relating to motor vehicle fees; amending section 4, chapter 163, Laws of 1979 ex. sess. as amended by section 2, chapter 176, Laws of 1980 and RCW 70.120.040; amending section 6, chapter 163, Laws of 1979 ex. sess. as amended by section 3, chapter 176, Laws of 1980 and RCW 70.120.060; and adding a new section to chapter 46.16 RCW.

Referred to Committee on Environmental Affairs.

**HB 466** by Representatives McClure, Fisch, Haugen and Egger

AN ACT Relating to inventories; amending section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; adding a new section to chapter 84.09 RCW; adding new sections to chapter 84.36 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; repealing section 2, chapter 169, Laws of 1974 ex. sess., section 8, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.442; repealing section 2, chapter 169, Laws of 1974 ex. sess., section 8, chapter 196, Laws of 1979 ex. sess., section 1, chapter 12, Laws of 1982 2nd ex. sess. and RCW 82.04.442; repealing section 4, chapter 169, Laws of 1974 ex. sess., section 8, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.443; repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 467** by Representatives Kreidler and Mitchell (by State Board of Pharmacy request)

AN ACT Relating to the regulation of the practice of pharmacy; amending section 1, chapter 38, Laws of 1963 as last amended by section 29, chapter 182, Laws of 1982 and RCW 18.64.011; amending section 12, chapter 213, Laws of 1909 as last amended by section 8, chapter 90, Laws of 1979 and RCW 18.64.043; amending section 17, chapter 90, Laws of 1979 as amended by section 30, chapter 182, Laws of 1982 and RCW 18.64.044; amending section 5, chapter 153, Laws of 1949 as last amended by section 9, chapter 90, Laws of 1979 and RCW 18.64.045; amending section 18, chapter 90, Laws of 1979 and RCW 18.64.046; amending section 16, chapter 121, Laws of 1899 as last amended by section 10, chapter 90, Laws of 1979 and RCW 18.64.047; amending section 11, chapter 121, Laws of 1899 as last amended by section 12, chapter 90, Laws of 1979 and RCW 18.64.140; amending section 2, chapter 28, Laws of 1939 as amended by section 1, chapter 99, Laws of 1971 ex. sess. and RCW 18.64.246; amending section 4, chapter 192, Laws of 1939 as amended by section 7, chapter 201, Laws of 1971 ex. sess. and RCW 18.81.040; amending section 1, chapter 186, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 71, Laws of 1980 and RCW 69.41.010; amending section 5, chapter 186, Laws of 1973 1st ex. sess. as amended by section 8, chapter 83, Laws of 1980 and RCW 69.41.050; amending section 69.50.101, chapter 308, Laws of 1971 ex. sess. as last amended by section 2, chapter 71, Laws of 1980 and RCW 69.50.101; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Social & Health Services.

**HB 468** by Representatives Padden, Patrick, Fuhrman and Isaacson

AN ACT Relating to abortion; and adding a new section to chapter 9.02 RCW.

Referred to Committee on Judiciary.

**HB 469** by Representatives Kreidler and Mitchell (by State Board of Pharmacy request)

AN ACT Relating to uniform controlled substances; amending section 69.50.204, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 138, Laws of 1980 and RCW 69.50.204; amending section 69.50.206, chapter 308, Laws of 1971 ex. sess. as

amended by section 2, chapter 138, Laws of 1980 and RCW 69.50.206; and amending section 69.50.210, chapter 308, Laws of 1971 ex. sess. as last amended by section 2, chapter 147, Laws of 1981 and RCW 69.50.210.

Referred to Committee on Social & Health Services.

HB 470 by Representative Grimm

AN ACT Relating to state funds; amending section 4, chapter 178, Laws of 1961 as last amended by section 3, chapter 4, Laws of 1981 2nd ex. sess. and RCW 79.64.040; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 471 by Representative Grimm

AN ACT Relating to the judiciary education account; amending section 7, chapter 132, Laws of 1981 and RCW 2.56.100; and declaring an emergency.

Referred to Committee on Ways & Means.

HJM 13 by Representatives Ballard, West, Tilly, J. Williams, Fuhrman, Broback, Nealey, Chandler, Schoon, Betrozoff, Barnes, Hastings, Dickie, Smith, Allen, Lewis, Mitchell, Bond, Cantu, Isaacson, Brough, Patrick, Johnson, Struthers, Barrett, Long, Garrett, Taylor and Miller

Requesting the repeal of tax withholding on interest and dividends.

Referred to Committee on Ways & Means.

HJM 14 by Representatives Ballard, Broback, Tilly, Chandler, Nealey, Fuhrman, Barnes, Schoon, Dickie, J. Williams, Allen, Hastings, Isaacson, Bond, West, Clayton, Smith, Long, Brough, Holland and Johnson

Petitioning for an end to protectionist trade measures.

Referred to Committee on Commerce & Economic Development.

HJM 15 by Representatives Garrett, Sayan, J. King, Charnley, Jacobsen, Miller and D. Nelson

Urging the establishment of a permanent civilian conservation corps.

Referred to Committee on Commerce & Economic Development.

ESSSB 3100 by Committee on Ways and Means (originally sponsored by Senator McDermott - by Governor Spellman request)

Adopting a supplemental budget.

Referred to Committee on Ways & Means.

SCR 108 by Senators McManus, Bender, Vognild, Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman

Congratulating the United States Senior Ladies Figure Skating Champion.

On motion of Mr. Heck, the rules were suspended and Senate Concurrent Resolution No. 108 was advanced to second reading and read the second time in full.

On motion of Mr. G. Nelson the following amendment was adopted:

On the last line of the resolution strike "Don" and insert "Ron"

On motion of Mr. Heck, the rules were suspended, and Representatives G. Nelson and Allen, and all other members of the House were added as co-sponsors of the resolution.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 108 as amended by the House was advanced to third reading and final passage.

Representatives G. Nelson and Allen spoke in favor of the resolution.



## ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 108 as amended by the House, and the resolution was adopted by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sutherland - 1.

Senate Concurrent Resolution No. 108 as amended by the House, having received the constitutional majority, was declared adopted.

## REPORTS OF STANDING COMMITTEES

February 8, 1983

HB 102 Prime Sponsor, Representative R. King: Defining application of chapter on vocational rehabilitation for injured workers. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, Smith and Struthers.

Passed to Committee on Rules for second reading.

February 8, 1983

HB 133 Prime Sponsor, Representative Powers: Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 27 insert the following:

"NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title, after "differentials;" strike "and" and on line 4 after ".014" insert "; and declaring an emergency"

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Voting nay: Representative Brough.

Passed to Committee on Rules for second reading.

February 8, 1983

HB 198 Prime Sponsor, Representative Pruitt: Modifying laws regulating fitting and dispensing hearing aids. Reported by Committee on Social & Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 14 after "purchaser's" strike "rescission" and insert "recision"

On page 6, line 14 after "period" strike "satisfies" and insert "must satisfy"

On page 14, line 29 strike "(~~by certified mail, return receipt requested~~)" and insert "by certified mail, return receipt requested"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives J. King, G. Nelson, Wang and B. Williams.

Passed to Committee on Rules for second reading.

February 8, 1983

HB 300 Prime Sponsor, Representative P. King: Modifying the laws regulating the school directors' association. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust and Zellinsky.

Absent: Representatives Johnson and Taylor.

Passed to Committee on Rules for second reading.

February 8, 1983

HB 333 Prime Sponsor, Representative Jacobsen: Deleting the extra fee requirement for students enrolled for more than eighteen credit hours. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Allen, Crane, R. King, McMullen, Miller, D. Nelson, Powers, Sutherland and Tanner.

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

Voting nay: Representatives Silver, Ranking Minority Vice Chair; Barrett, Brough, Locke, McDonald and Struthers.

Absent: Representative Barnes.

Passed to Committee on Rules for second reading.

February 8, 1983

HB 334 Prime Sponsor, Representative Burns: Providing resident student status for those students so classified on May 31, 1982. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barrett, Brough, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representative Barnes.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 43, by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sayan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Dellwo, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton

Making \$500 the maximum deduction for medically needy people seeking care under the limited casualty program.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 43 was substituted for House Bill No. 43, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 43 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 297, by Representatives Padden, Armstrong, Kreidler, Wang, Holland, Ristuben, Ballard, Hastings, Dellwo, Locke, Appelwick, Struthers, Taylor, P. King, Miller and Isaacson

Approving the sentencing guidelines and prosecuting standards of the sentencing guidelines commission.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 297 was substituted for House Bill No. 297, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 297 was read the second time.

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

On page 2, line 38 after "represent" strike everything through "are" on line 39 and insert "sentencing midpoints"

On page 2, line 38 after "months(m)." insert "Numbers in the second and third rows represent presumptive sentencing ranges in months, or days if so designated."

On page 3, line 7 strike "VIII" and insert "VII"

On page 5, line 10 after "Assault" strike "2" and insert "1"

On page 5, line 11 after "Kidnaping" strike "2" and insert "1"

On page 6, line 12 after "serious" insert "traffic"

On motion of Mr. Locke, the following amendment was adopted:

On page 16, line 22 after "guilty" insert "to a charge or charges which do not adequately describe the nature of his or her criminal conduct"

On motion of Mr. Padden, the following amendment was adopted:

On page 17, after line 7 insert the following:

"NEW SECTION. Sec. 17. The commission shall conduct an analysis of the effects of the guidelines adopted in sections 1 through 12 of this act on a representative sample of counties. This analysis shall include, but not be limited to, an estimate of the impact on jail population and availability of alternatives in the community."

Renumber the following section consecutively.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 11, by Representatives D. Nelson, Isaacson, Todd, Hastings, Charnley, Long, R. King, McDonald, Pruitt, Hankins, Barnes, Ristuben, Haugen, Brekke, G. Nelson, Heck, Hine, Appelwick, Tilly, Belcher, Tanner, Sayan, Sutherland, Fisher, Stratton, Lux, Halsan and Ebersole

Calling for resolution of the WPPSS financial situation.

The memorial was read the second time.

Committee on Energy & Utilities recommendation: Majority, do pass with the following amendment:

On page 2, line 28 after "eighty-eight" strike "public utilities which are"

On motion of Mr. D. Nelson, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Engrossed House Joint Memorial No. 11 was placed on final passage.

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 11, and the memorial passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly,

Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Moon - 1.

Excused: Representative Sutherland - 1.

Engrossed House Joint Memorial No. 11, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Heck, the House was adjourned until 11:00 a.m., Thursday, February 10, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 10, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Niemi, Fuhrman and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Paula Deck and Mike Duckworth. Prayer was offered by The Reverend Timothy Dolan, Minister 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

February 10, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3258,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1983

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE CONCURRENT RESOLUTION NO. 108, and has adopted the resolution as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1983

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 108,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 108.

## INTRODUCTIONS AND FIRST READING

HB 472 by Representatives Walk, Kreidler, R. King, Wang and Dellwo

AN ACT Relating to hemophilia, cystic fibrosis, and sickle cell anemia; amending section 3, chapter 128, Laws of 1969 ex. sess. and RCW 48.20.420; amending section 4, chapter 128, Laws of 1969 ex. sess. as amended by section 32, chapter 80, Laws of 1977 ex. sess. and RCW 48.21.150; amending section 1, chapter 128, Laws of 1969 ex. sess. as amended by section 33, chapter 80, Laws of 1977 ex. sess. and RCW 48.44.200; and amending section 2, chapter 128, Laws of 1969 ex. sess. as amended by section 34, chapter 80, Laws of 1977 ex. sess. and RCW 48.44.210.

Referred to Committee on Financial Institutions & Insurance.

HB 473 by Representatives Belcher, Fisch, O'Brien, Braddock, Taylor and Galloway (by Secretary of State request)

AN ACT Relating to the state archivist; and amending section 2, chapter 246, Laws of 1957 as amended by section 1, chapter 115, Laws of 1981 and RCW 40.14.020.

Referred to Committee on State Government.

**HB 474** by Representatives D. Nelson, Addison, Niemi, Braddock and Haugen (by Attorney General request)

AN ACT Relating to public employees; amending section 82, chapter 249, Laws of 1909 as amended by section 34, chapter 234, Laws of 1969 ex. sess. and RCW 42.20.010; adding a new section to chapter 9.46 RCW; adding a new section to chapter 67.70 RCW; adding a new section to chapter 42.18 RCW; repealing section 21, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.210; and repealing section 32, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.320.

Referred to Committee on Constitution, Elections & Ethics.

**HB 475** by Representatives Rust and Patrick (by Department of Ecology request)

AN ACT Relating to water pollution control; adding a new section to chapter 90.48 RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

**HB 476** by Representatives Kreidler and Lewis (by Attorney General request)

AN ACT Relating to offenders; amending section 6, chapter 98, Laws of 1969 as last amended by section 39, chapter 136, Laws of 1981 and RCW 9.95.124; amending section 21, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.210; amending section 44, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 17, chapter 215, Laws of 1979 ex. sess. and RCW 71.05.390; and adding a new section to chapter 71.06 RCW.

Referred to Committee on Social & Health Services.

**HB 477** by Representatives R. King, Gallagher, J. King, Sutherland, Fisch, Galloway, Heck, Ristuben, Fisher, McMullen, Tanner, Ebersole, Halsan, Sayan, Walk, Garrett, P. King, Smitherman and Dellwo

AN ACT Relating to boilers and unfired pressure vessels; amending section 1, chapter 32, Laws of 1951 and RCW 70.79.010; amending section 3, chapter 32, Laws of 1951 as amended by section 1, chapter 86, Laws of 1972 ex. sess. and RCW 70.79.030; amending section 5, chapter 32, Laws of 1951 and RCW 70.79.050; amending section 9, chapter 32, Laws of 1951 as amended by section 2, chapter 86, Laws of 1972 ex. sess. and RCW 70.79.090; amending section 10, chapter 32, Laws of 1951 and RCW 70.79.100; amending section 11, chapter 32, Laws of 1951 and RCW 70.79.110; amending section 12, chapter 32, Laws of 1951 and RCW 70.79.120; amending section 16, chapter 32, Laws of 1951 and RCW 70.79.160; amending section 19, chapter 32, Laws of 1951 and RCW 70.79.180; amending section 21, chapter 32, Laws of 1951 and RCW 70.79.200; amending section 25, chapter 32, Laws of 1951 and RCW 70.79.220; amending section 22, chapter 32, Laws of 1951 and RCW 70.79.240; amending section 26, chapter 32, Laws of 1951 and RCW 70.79.270; amending section 27, chapter 32, Laws of 1951 and RCW 70.79.280; amending section 28, chapter 32, Laws of 1951 as last amended by section 1, chapter 175, Laws of 1977 ex. sess. and RCW 70.79.290; amending section 30, chapter 32, Laws of 1951 and RCW 70.79.310; amending section 31, chapter 32, Laws of 1951 and RCW 70.79.320; amending section 32, chapter 32, Laws of 1951 as last amended by section 2, chapter 175, Laws of 1977 ex. sess. and RCW 70.79.330; amending section 34, chapter 32, Laws of 1951 as last amended by section 171, chapter 151, Laws of 1979 and RCW 70.79.350; amending section 36, chapter 32, Laws of 1951 and RCW 70.79.360; creating new sections; adding a new section to chapter 46.01 RCW; adding new sections to chapter 70.79 RCW; and prescribing penalties.

Referred to Committee on Labor.

**HB 478** by Representatives Belcher, Fisch, O'Brien, Braddock, Jacobsen and Galloway (by Secretary of State request)

AN ACT Relating to public records; and adding new sections to chapter 40.14 RCW.

Referred to Committee on State Government.

**HB 479** by Representative Appelwick AN ACT Relating to safe deposit companies; amending section 4, chapter 186, Laws of 1923 and RCW 22.28.040; and amending section 5, chapter 186, Laws of 1923 and RCW 22.28.060.

Referred to Committee on Judiciary.

**HB 480** by Representatives Belcher, McClure, B. Williams and Todd

AN ACT Relating to surface mining; amending section 4, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.030; amending section 5, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.040; amending section 8, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.070; amending section 11, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.100; amending

section 12, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.110; amending section 13, chapter 64, Laws of 1970 ex. sess. as amended by section 1, chapter 66, Laws of 1977 and RCW 78.44.120; amending section 15, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.140; amending section 17, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.160; repealing section 19, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.900; and prescribing penalties.

Referred to Committee on Natural Resources.

**HB 481** by Representatives Galloway, Dickie, Rust, Johnson, Monohon, R. King, Schoon, Long, Jacobsen and Isaacson

AN ACT Relating to the teachers' retirement system; amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter ... (Senate Bill No. 3039), Laws of 1983 and RCW 41.32.010; amending section 24, chapter 80, Laws of 1947 as last amended by section 3, chapter 45, Laws of 1979 ex. sess. and RCW 41.32.240; amending section 57, chapter 80, Laws of 1947 as last amended by section 5, chapter 151, Laws of 1967 and RCW 41.32.570; and amending section 7, chapter 293, Laws of 1977 ex. sess. as amended by section 5, chapter 45, Laws of 1979 ex. sess. and RCW 41.32.780.

Referred to Committee on Ways & Means.

**HB 482** by Representatives Martinis, Wilson, Walk, Sutherland, Patrick, Burns, McMullen, Ristuben, Prince, Barrett, Hankins, Fisch, Schmidt, Smith and Betzoff

AN ACT Relating to motor vehicle license plates; and adding a new section to chapter 46.16 RCW.

Referred to Committee on Transportation.

**HB 483** by Representatives Rust, Mitchell and Fiske

AN ACT Relating to limitations of actions; and amending section 1, chapter 80, Laws of 1971 as amended by section 1, chapter 56, Laws of 1975-'76 2nd ex. sess. and RCW 4.16.350.

Referred to Committee on Judiciary.

**HB 484** by Representatives Monohon, Lewis, Kreidler, Stratton, Brekke, Schmidt, Jacobsen, Wang, Todd and Dellwo

AN ACT Relating to a long-term care ombudsman program; and adding a new chapter to Title 43 RCW.

Referred to Committee on Social & Health Services.

**HB 485** by Representatives Schmidt, B. Williams, Zellinsky, Wilson, Smitherman, Van Dyken, Fiske, J. Williams and Monohon

AN ACT Relating to waste treatment; amending section 3, chapter 139, Laws of 1973 and RCW 70.95B.030; amending section 8, chapter 139, Laws of 1973 and RCW 70.95B.080; and repealing section 12, chapter 139, Laws of 1973 and RCW 70.95B.120.

Referred to Committee on Environmental Affairs.

**HB 486** by Representatives Van Dyken, Braddock, B. Williams, J. King, Hastings, Tanner, Fuhrman, Barnes, Taylor and Patrick

AN ACT Relating to providing for review of local government master program adjustments; amending section 15, chapter 234, Laws of 1959 as last amended by section 6, chapter 221, Laws of 1982 and RCW 34.04.150; amending section 3, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 13, Laws of 1982 1st ex. sess. and RCW 90.58.030; amending section 14, chapter 286, Laws of 1971 ex. sess. as last amended by section 1, chapter 358, Laws of 1977 ex. sess. and RCW 90.58.140; amending section 18, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 51, Laws of 1975-'76 2nd ex. sess. and RCW 90.58.180; amending section 21, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.210; adding new sections to chapter 90.58 RCW; repealing section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190; and declaring an emergency.

Referred to Committee on Local Government.

**HB 487** by Representative P. King

AN ACT Relating to chattel liens; and amending section 2, chapter 72, Laws of 1905 as amended by section 2, chapter 68, Laws of 1917 and RCW 60.08.020.

Referred to Committee on Local Government.

HB 488 by Representatives Lux, Sanders, Zellinsky, P. King, Wang and Dickie

AN ACT Relating to health maintenance organizations; amending section 3, chapter 290, Laws of 1975 1st ex. sess. as amended by section 1, chapter 151, Laws of 1982 and RCW 48.46.020; amending section 4, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.030; amending section 5, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.040; amending section 7, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.060; amending section 8, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.070; amending section 9, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.080; amending section 18, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.170; amending section 4, chapter 235, Laws of 1967 and RCW 24.03.015; amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 11, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.150; amending section 20, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.21.200; adding new sections to chapter 48.46 RCW; and repealing section 6, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.050.

Referred to Committee on Financial Institutions & Insurance.

HB 489 by Representatives Gallagher, Ebersole and R. King

AN ACT Relating to automotive repairs; and amending section 4, chapter 280, Laws of 1977 ex. sess. as amended by section 3, chapter 62, Laws of 1982 and RCW 46.71.040.

Referred to Committee on Transportation.

HB 490 by Representatives Gallagher, Ebersole, Lux, Fisher and D. Nelson

AN ACT Relating to hours of labor; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor.

ESB 3258 by Senator McDermott (by Governor Spellman request)

Modifying taxes ('81-'83 Biennium).

Referred to Committee on Ways and Means.

#### REPORTS OF STANDING COMMITTEES

February 8, 1983

HB 25 Prime Sponsor, Representative R. King: Clarifying the requirements for vocational rehabilitation. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 7 strike all of Section 1 and renumber the remaining sections consecutively.

On page 4, after line 36 insert a new section to read as follows:

"NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "workers;" strike all material through "120;" on line 2

On page 1, line 4 of the title after "51.--.---;" strike "and" and on line 5 after "51.--.---," insert "; and declaring an emergency"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, Smith and Struthers.

Passed to Committee on Rules for second reading.

February 9, 1983

HB 83 Prime Sponsor, Representative Sayan: Permitting certain HEP board meetings and hearings to be held at locations other than colleges. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representatives Niemi, Vice Chair; O'Brien and Sayan.

Passed to Committee on Rules for second reading.



February 9, 1983

HB 87 Prime Sponsor, Representative Charnley: Modifying metropolitan municipal corporation council membership. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Smitherman and Todd.

Absent: Representatives Charnley, Grimm, Hine, Ristuben and Todd.

Passed to Committee on Rules for second reading.

February 9, 1983

HB 122 Prime Sponsor, Representative P. King: Modifying provisions relating to cultural arts, stadium and convention districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Smitherman and Todd.

Absent: Representatives Charnley, Grimm, Hine, Ristuben and Todd.

Passed to Committee on Rules for second reading.

February 9, 1983.

HB 125 Prime Sponsor, Representative Moon: Eliminating the exemption from civil service for certain department of corrections personnel. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11 after "more" strike the remainder of the section and insert ", and all management and sales staff of institutional industries (~~and institutional industries staff who are directly involved in the supervising of industries work by inmates~~)."

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 9, 1983

HB 153 Prime Sponsor, Representative Pruitt: Establishing additional requirements for reports of transfers of funds by political candidates or committees. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 11 after "transfers" strike all material through "funds" on line 13 and insert ". Information regarding the following shall be contained in a separate category of the report bearing the title 'Transfer of funds': contributions made from the campaign depository of one candidate to the campaign of another candidate; and contributions received by a candidate, or for the campaign of the candidate, from the campaign depository of another candidate."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Patrick, Sommers and Tanner.

Voting nay: Representatives Barnes, Ranking Minority Chair; Long, Schoon, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

February 9, 1983

HB 159 Prime Sponsor, Representative Braddock: Allocating funds to border areas for increased police protection. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Smitherman and Todd.

**Absent:** Representatives Charnley, Grimm, Hine, Ristuben and Todd.

Passed to Committee on Rules for second reading.

February 8, 1983

**HB 207** Prime Sponsor, Representative Stratton: Revising regulation of signs near railroad grade crossings. Reported by Committee on Transportation.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

**Absent:** Representative Vekich.

Passed to Committee on Rules for second reading.

February 8, 1983

**HB 226** Prime Sponsor, Representative Ristuben: Providing for the establishment of export assistance centers. Reported by Committee on Commerce & Economic Development.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Smitherman, Stratton and Walk.

**MINORITY recommendation:** Do not pass. Signed by Representatives B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Barrett, Brough, Padden, Schmidt, Schoon, Silver, Van Dyken and Wilson.

**Voting nay:** Representatives B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Barrett, Brough, Padden, Schmidt, Schoon, Silver, Tilly, Van Dyken and Wilson.

Referred to Committee on Ways and Means.

February 8, 1983

**HB 241** Prime Sponsor, Representative Appelwick: Providing education programs for juveniles and juvenile offenders. Reported by Committee on Education.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Betzoff, Chandler, Egger, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

**Voting nay:** Representative Fuhrman.

Passed to Committee on Rules for second reading.

February 9, 1983

**ESSSB 3100** Prime Sponsor, Committee on Ways & Means: Adopting a supplemental budget. Reported by Committee on Ways & Means.

**MAJORITY recommendation:** Do pass with the following amendments:  
Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. A supplemental budget as set forth in this 1983 act is hereby adopted and, subject to the provisions set forth in this 1983 act, the several amounts specified in this 1983 act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the designated agencies and offices of the state and for other specified purposes and projects for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, except as

otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

<u>NEW SECTION. Sec. 2. FOR THE HOUSE OF REPRESENTATIVES</u>	
General Fund Appropriation .....	\$ 4,878,000
<u>NEW SECTION. Sec. 3. FOR THE SENATE</u>	
General Fund Appropriation .....	\$ 3,016,000
<u>NEW SECTION. Sec. 4. FOR THE SUPREME COURT</u>	
General Fund—Judiciary Education Account Appropriation .....	\$ 479,000
<u>NEW SECTION. Sec. 5. FOR THE COURT OF APPEALS</u>	
General Fund—Judiciary Education Account Appropriation .....	\$ 98,000
<u>NEW SECTION. Sec. 6. FOR THE ADMINISTRATOR FOR THE COURTS</u>	
General Fund—Judiciary Education Account Appropriation .....	\$ 123,000
<u>NEW SECTION. Sec. 7. FOR THE LIEUTENANT GOVERNOR</u>	
General Fund Appropriation .....	\$ 30,000
<u>NEW SECTION. Sec. 8. FOR THE SECRETARY OF STATE</u>	
General Fund Appropriation .....	\$ 617,000
<u>NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF PERSONNEL</u>	
Department of Personnel Service Fund Appropriation .....	\$ 80,000
<u>NEW SECTION. Sec. 10. FOR THE BOARD OF ACCOUNTANCY</u>	
General Fund Appropriation .....	\$ 33,000
<u>NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>	
General Fund—Forest Development Account Appropriation .....	\$ 53,000
General Fund Appropriation .....	\$ 433,000
Total Appropriation .....	\$ 486,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$120,000 of the general fund appropriation is provided solely for costs related to flood clean-up activities on or around Lake Whatcom.

(2) \$313,000 of the general fund appropriation is provided solely for costs associated with department of corrections honor camp residents in work-related activities.

<u>NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF LICENSING</u>	
General Fund—Architects' License Account Appropriation .....	\$ 110,000
<u>NEW SECTION. Sec. 13. FOR THE HIGHER EDUCATION PERSONNEL BOARD</u>	
Higher Education Personnel Board Service Fund Appropriation .....	\$ 40,000

Sec. 14. Section 4, chapter 33, Laws of 1982 1st ex. sess. as amended by section 67, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated for the biennium ending June 30, 1983, the sum of ((~~twenty-four~~)) one hundred twenty-two thousand dollars, or so much thereof as may be necessary, from the state general fund(~~(-PROVIDED. That up to an additional ninety-eight thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources.))~~) to be used by the committee for the purpose of carrying out the provisions of sections 1 through 3 of this act. Upon completion of the study, any residual general fund state funds shall revert to the general fund.

NEW SECTION. Sec. 15. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for distribution under federal Public Law 97-99. Fifty percent of these moneys shall be allocated to local school districts according to a formula developed by the superintendent of public instruction and fifty percent of the moneys shall be allocated to counties for the benefit of public roads according to a formula developed by the state department of transportation .....		\$ 197,000
Sec. 16. Section 30, chapter 340, Laws of 1981 as amended by section 29, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows: FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION		
General Fund Appropriation for fire insurance premiums tax distribution .....	\$ (( <del>4,360,000</del> ))	4,184,000
General Fund Appropriation for refund of deferred property tax .....	\$ (( <del>123,000</del> ))	223,000
General Fund Appropriation for public utility district excise tax distribution .....	\$ (( <del>13,205,000</del> ))	16,063,000
General Fund Appropriation for prosecuting attorneys' salaries .....	\$ 1,449,000	
General Fund Appropriation for motor vehicle excise tax distribution .....	\$ (( <del>55,332,000</del> ))	46,209,000
General Fund Appropriation for local mass transit assistance .....	\$ 98,779,000	
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$ (( <del>1,940,000</del> ))	

	<u>1,482,000</u>
General Fund Appropriation for local fire protection costs	\$ 720,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$ 728,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$ <del>((20,357,000))</del> 20,505,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$ <del>((172,400,000))</del> 160,314,000
Liquor Revolving Fund Appropriation for liquor profits distribution	\$ <del>((53,600,000))</del> 56,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties	\$ <del>((17,570,000))</del> 17,985,000
State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties	\$ <del>((46,070,000))</del> 44,445,000
<u>General Fund—Municipal Sales and Use Tax Account for equalization distribution</u>	<u>\$ 4,333,000</u>
<u>General Fund—County Sales and Use Tax Account for equalization distribution</u>	<u>\$ 2,621,000</u>
Total Appropriation	\$ <del>((407,513,000))</del> 476,040,000
Sec. 17, Section 125, chapter 340, Laws of 1981 as last amended by section 101, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:	
FOR THE STATE TREASURER—TRANSFERS	
General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000	\$ 1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969	\$ 40,000,000
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, 1981, through June 30, 1983	\$ 3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981-1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$ 697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$ <del>((17,794,000))</del> 18,292,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned	\$ <del>((17,794,000))</del> 18,292,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,028,000 in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management	\$ 1,028,000
General Fund Appropriation: For transfer to the law enforcement officers' and fire fighters' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the system if the amounts appropriated in section 34, chapter 340, Laws of 1981 had been transferred to the system quarterly	\$ <del>((22,000,000))</del> 17,181,000
<u>General Fund Appropriation: For transfer to the teachers' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the</u>	

system if the amounts appropriated in section 93, chapter 340,

Laws of 1981 had been transferred to the system quarterly ..... \$ 4,819,000

Sec. 18. Section 47, chapter 340, Laws of 1981 as amended by section 41, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

The appropriations made by this act to the department of social and health services are subject to the following conditions and limitations:

(1) The department of social and health services shall not initiate any new services which will incur general fund state expenditures beyond those authorized by appropriation.

(2) Funds appropriated by this act to the department of social and health services shall be allotted and expended reflecting the legislative intent of this act. Within the specific limitations in this act, the department of social and health services may modify allotments after the initial three months of the biennium with the approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives(~~PROVIDED, That because substantial uncertainty continues to exist as to actual federal revenues available to the department of social and health services and because major changes in federal entitlement programs affecting income maintenance, community social services, and medical assistance programs may have significant effects on caseloads and expenditures in those programs, allotment modifications may include transfers between programs in sections 49, 50, 51, 53, 54, and 55 of chapter 340, Laws of 1981~~)). Transfers between or within programs may occur notwithstanding any limitation, condition, or proviso in sections 49 through 59, chapter 340, Laws of 1981 as amended by chapter 14, Laws of 1981 2nd ex. sess.; chapter 50, Laws of 1982 1st ex. sess.; and chapter 11, Laws of 1982 2nd ex. sess. Each transfer must maximize services provided under all programs, taking into account actual program workloads.

(3) The department of social and health services may seek and receive additional federal funds not included in this act, subject to approval of the office of financial management, provided that such funding does not require additional expenditure of state funds.

(4) In anticipation of significant reductions in federal support for social service, public health, and Title XIX programs, the legislature has reduced the state's dependency on federal entitlement programs within the income maintenance, medical assistance, and social service programs. However, additional federal reductions may require further reductions to all human service programs. To ensure that the loss of federal funds does not result in an accelerated expenditure of state funds, the following requirements are placed on the department of social and health services:

~~((a))~~ The department shall prepare a contingency expenditure plan to reflect anticipated loss of federal funds. This contingency plan shall include necessary program changes and a redefinition of services or eligibility criteria which will not require expenditures in excess of any appropriation provided in this act. The contingency plan shall be transmitted to the legislature upon completion and at least ten days before implementation.

Sec. 19. Section 48, chapter 340, Laws of 1981 as last amended by section 31, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation ..... \$ 42,299,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$13,918,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons; PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner; PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,419,000 is provided solely for intensive parole.

(c) \$21,519,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation ..... \$ ~~((149,390,000))~~  
149,339,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the intent of the legislature that custody staff at adult correctional institutions not be reduced below the levels existing on June 1, 1982.

(c) It is the assumption of the legislature that the appropriation in this subsection initially provides:

- (i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under *Hoptowitz v. Ray*, No. 79-359 (E. D. Wash.);
- (ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under *Hoptowitz v. Ray*, No. 79-359 (E. D. Wash.);
- (iii) \$1,010,000 for the Monroe mental health unit;
- (iv) \$24,990,000 for the Washington State Reformatory;
- (v) \$8,269,000 for the Purdy Treatment Center for Women;
- (vi) \$20,816,000 for the McNeil Island Penitentiary;
- (vii) \$9,090,000 for the Special Offenders Center;
- (viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center.

(d) The department shall not provide cigarettes or other tobacco products to inmates after the effective date of this section.

(3) PROGRAM SUPPORT

General Fund Appropriation .....	\$	<del>((13,646,000))</del>
		13,156,000
General Fund—Institutional Impact Account Appropriation .....	\$	525,000
Total Appropriation .....	\$	<del>((14,171,000))</del>
		13,681,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$2,902,000 is provided solely for costs directly resulting from the decision in *Hoptowitz v. Ray*, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) ~~\$((1,679,000))~~ 589,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with *Hoptowitz v. Ray*, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 20. Section 80, chapter 340, Laws of 1981 as last amended by section 56, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State .....	\$	<del>((7,893,000))</del>
		7,148,000
General Fund Appropriation—Federal .....	\$	391,000
Motor Vehicle Fund Appropriation .....	\$	395,000
Total Appropriation .....	\$	<del>((8,679,000))</del>
		7,934,000

Sec. 21. Section 87, chapter 340, Laws of 1981 as last amended by section 72, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation .....	\$	<del>((2,584,868,000))</del>
		2,586,301,000
General Fund—State Timber Tax Reserve Account .....	\$	4,000,000
Total Appropriation .....	\$	<del>((2,588,868,000))</del>
		2,590,301,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 4: PROVIDED, That for the 1981-82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the

school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior to the effective date of this 1982 act, for the 1982-83 school year that conflicts with provisions of this 1982 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit 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) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) 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, certificated staff units shall be determined 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;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined 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.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One certificated staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts 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; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than ~~\$(4,518,996)~~ 5,951,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 and 1982-83 school years to such districts on the basis of current school year enrollment plus one quarter of 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 twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 22. Section 92, chapter 340, Laws of 1981 as last amended by section 74, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

**SALARY AND COMPENSATION INCREASES**

General Fund Appropriation ..... \$ 112,299,000  
The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

(3) A maximum of \$ 54,666,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document 4.

(4) A maximum of \$ 12,113,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection (7)(b) of this section, shall not exceed the percentages specified in LEAP Document 4.

(5) A maximum of \$ 34,147,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$16 per month in 1982-83.



(6) A maximum of \$ 10,922,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and 7.35% in 1982-83, effective June 30, 1983, and insurance benefit increases at the same rate as provided in subsection (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

(7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document 4 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document 4: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document 4.

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document 4: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document 4.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

(8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81, 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

(9) The 1982-83 salary increase shall be effective on June 30, 1983, and shall be allocated by the superintendent of public instruction as specified in LEAP Document 2.

(10) A maximum of \$451,000 shall be distributed to those school districts which after May 19, 1981, and prior to December 1, 1981, incurred a contractual obligation to pay any employee or employee group a salary increase (~~during the 1982-83 school year~~) after August 31, 1982, and prior to June 30, 1983, and such obligation cannot be revoked or otherwise avoided by unilateral action of such districts: PROVIDED, That the total salary increase obligation is within the limits prescribed by LEAP Document 2: PROVIDED FURTHER, That the portion of salary increase funds provided to each qualifying district shall be distributed in the same proportion to the total provided herein as its irrevocable salary increase obligation is in proportion to the total irrevocable salary increase obligation of all qualifying districts: PROVIDED FURTHER, That the determination of revocability or avoidability of the obligation for purposes of receipt of the funds provided under this subsection shall be the sole and final determination of the state attorney general after reviewing the contract regardless of what may be determined by an arbitrator or court as to the school district's obligation to its employees.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 23. Section 16, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:  
FOR THE DEPARTMENT OF GAME

(1) Reappropriation of various 1979-81 projects which have not been completed.

	Reappropriation	Appropriation
GF, ORA—State	825,000	
GF, ORA—Federal	346,000	
Game Fund—State	837,000	
Game Fund—Federal	1,055,000	
Game Fund—Game Sp		
Wildlife Acct	95,000	
	Project	Estimated
	Costs	Total

Through 6/30/81	7/1/83 and Thereafter	Costs
		1,799,626
(2) Relocate shop facilities from the Auburn Game Farm to the Olympia area from proceeds of the sale of the Auburn Game Farm. This appropriation is contingent on the enactment of House Bill No. 66 during the 1981 regular session of the legislature.		
	Reappropriation	Appropriation
Game Fund—State		819,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
200,000		1,019,700
(3) Replace raceways and roads, South Tacoma Hatchery.		
	Reappropriation	Appropriation
Game Fund—State		133,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
67,000	200,000	400,000
(4) Emergency repair and replacement.		
	Reappropriation	Appropriation
Game Fund—State		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	300,000	450,000
(5) Replace thirty-nine sets of outdoor toilets on department access areas state-wide.		
	Reappropriation	Appropriation
Game Fund—State		195,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	400,000	595,000
(6) Repair three dikes, Skagit Wildlife Recreation Area.		
	Reappropriation	Appropriation
Game Fund—State		88,000
Game Fund—Federal		264,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		352,000
(7) Construct dike and water control structures, McNary Wildlife Recreation Area.		
	Reappropriation	Appropriation
Game Fund—State		17,000
Game Fund—Federal		250,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		267,000
(8) Replace hatchery building, South Tacoma Hatchery.		
	Reappropriation	Appropriation
Game Fund—State		227,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		227,000
(9) Construct new residence and upgrade domestic water supply, Ringold Rearing Pond.		
	Reappropriation	Appropriation
Game Fund—Federal		119,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/81	7/1/83 and Thereafter	Costs
		119,000
(10) Replace roofs on several buildings, state-wide.		
	Reappropriation	Appropriation
Game Fund—State		126,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		126,000
<del>(11) ((Purchase land and construct new regional office and storage building using proceeds from sale of present regional office in downtown Seattle.)) Sell existing Seattle office and purchase replacement facilities.</del>		
	Reappropriation	Appropriation
Game Fund—State		1,081,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		1,081,000
(12) Replace fishing sites condemned by the Corps of Engineers near Bonneville Dam, Columbia River.		
	Reappropriation	Appropriation
Game Fund—Federal		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		120,000
(13) Replace wildlife habitat lost to inundation of Snake River Canyon.		
	Reappropriation	Appropriation
Game Fund—Federal		2,480,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	4,960,000	7,440,000
(14) Complete acquisition of thirty-five acres in three parcels of cooperative project with Whatcom county, Tennant Lake Wildlife Recreation Area.		
	Reappropriation	Appropriation
GF, ORA—State		76,500
GF, ORA—Federal		76,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		153,000
(15) Complete cooperative development project with Whatcom County, Tennant Lake Wildlife Recreation Area.		
	Reappropriation	Appropriation
GF, ORA—State		93,500
GF, ORA—Federal		93,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		187,000
(16) Construct fishing dock with parking and sanitary facilities, Mercer Island.		
	Reappropriation	Appropriation
GF, ORA—State		29,500
GF, ORA—Federal		29,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		59,000

(17) Redevelop fishing and boating access with parking and sanitary facilities, Heller Basin—Snake River.

	Reappropriation	Appropriation
GF, ORA—State		63,500
GF, ORA—Federal		63,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
15,000		142,000

(18) Redevelop fishing and boating access with parking and sanitary facilities, Kenmore access—Lake Washington.

	Reappropriation	Appropriation
GF, ORA—State		17,000
GF, ORA—Federal		17,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		34,000

(19) Develop fishing and boating access with parking and sanitary facilities, city of Snohomish—Snohomish River.

	Reappropriation	Appropriation
GF, ORA—State		62,500
GF, ORA—Federal		62,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		125,000

(20) Provide fishing and launch float, Clear Lake.

	Reappropriation	Appropriation
GF, ORA—State		11,000
GF, ORA—Federal		11,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
41,000		63,000

(21) Develop public fishing access with launch, parking, and sanitary facilities, Wenas Lake.

	Reappropriation	Appropriation
GF, ORA—State		35,000
GF, ORA—Federal		35,000
Game Fund—Private/Local		27,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		97,000

(22) Redevelop fishing and boating access with launch, parking, and sanitary facilities, Deep Lake.

	Reappropriation	Appropriation
GF, ORA—State		37,500
GF, ORA—Federal		37,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		75,000

(23) Redevelop fishing and boating access with launch, parking, and sanitary facilities, Jamison Lake.

	Reappropriation	Appropriation
GF, ORA—State		133,000
GF, ORA—Federal		133,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs

6/30/81	Thereafter	266,000
(24) Develop fishing and boating access with launch, parking and sanitary facilities, Mitchell Access—Klickitat River.		
	Reappropriation	Appropriation
GF. ORA—State		32,500
GF. ORA—Federal		32,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81.	Thereafter	65,000
(25) Acquire fishing area for public access, Cottage Lake.		
	Reappropriation	Appropriation
GF. ORA—State		32,500
GF. ORA—Federal		32,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	65,000
(26) Acquire three public fishing easements and two parking areas between Auburn and Flaming Geyser, Green River.		
	Reappropriation	Appropriation
GF. ORA—State		42,500
GF. ORA—Federal		42,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	85,000
(27) Acquire remainder parcels between Union Gap and Zillah on I-82 for wildlife habitat and public use.		
	Reappropriation	Appropriation
GF. ORA—State		69,000
GF. ORA—Federal		69,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	138,000

Sec. 24. Section 123, chapter 136, Laws of 1981 as last amended by section 84, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$((~~356,000~~)) 286,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

**NEW SECTION.** Sec. 25. The governor shall direct each agency subject to the governor's power to revise allotments under RCW 43.88.110 to implement immediately a freeze on hiring and to further control expenditures from the state general fund by restricting out-of-state travel, restraining purchasing, and limiting the use of outside consulting services. Requests for exceptions to the hiring freeze are to be made in writing by agency directors to the director of financial management. The hiring freeze and expenditure controls shall remain in effect until July 1, 1983.

**NEW SECTION.** Sec. 26. (1) 'Provided solely,' as used in this act, means that the specified amount may be spent only for the specified purpose. Unless otherwise stated in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall lapse.

(2) 'Lapse,' as used in this act, means the termination of authority to spend an appropriation or portion of an appropriation.

**NEW SECTION.** Sec. 27. 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. 28. 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 3 of the title, after "expenditures;" strike the remainder of the title and insert "amending section 4, chapter 33, Laws of 1982 1st ex. sess. as amended by section 67, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 30, chapter 340, Laws of 1981 as amended by section 29, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 125, chapter 340, Laws of 1981 as last amended by section 101, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 47, chapter 340, Laws of 1981 as amended by section 41, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 48, chapter 340, Laws of 1981 as last amended by section 31, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 80, chapter 340, Laws of 1981 as last amended by section 56, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 87, chapter 340, Laws of 1981 as last amended by section 72, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 92, chapter 340, Laws of 1981 as last amended by section 74, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 16, chapter 143, Laws of 1981 (uncodified); amending section 123, chapter 136, Laws of 1981 as last amended by section 84, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); creating new sections; and declaring an emergency."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Bond, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

#### MOTION

On motion of Mr. Heck, the rules were suspended, and Engrossed Second Substitute Senate Bill No. 3100 was placed on the second reading calendar.

The Speaker declared the House to be at ease until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. Representatives Fuhrman, Niemi and Van Dyken were excused.

#### MOTION

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

#### THIRD READING

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 81**, by Committee on State Government (originally sponsored by Representatives G. Nelson, B. Williams, Sommers, O'Brien, Johnson and Stratton; by Legislative Budget Committee request)

Establishing the Washington state heritage council.

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

Mr. G. Nelson 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. 81, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander

Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Braddock - 1.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

Engrossed Substitute House Bill No. 81, having received the 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. 147, by Representatives Armstrong, Holland, Lux, Patrick, Garrett, Tanner, Lewis and Isaacson

Modifying the definition of homicide.

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

Representatives Holland and Armstrong spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 147, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

House Bill No. 147, having received the 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. 148, by Committee on Education (originally sponsored by Representatives Haugen, Galloway, Johnson, Schoon, Rust, Armstrong, Taylor, Betzoff and Holland)

Modifying procedures for school districts' budgets and funds.

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

Ms. Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 148, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

Substitute House Bill No. 148, having received the 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, the House reverted to the sixth order of business.

## SECOND READING

On motion of Mr. G. Nelson, Engrossed Second Substitute Senate Bill No. 3100 was placed on the second reading calendar for immediate consideration.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, by Committee on Ways & Means (originally sponsored by Senator McDermott - by Governor Spellman request)

Adopting a supplemental budget.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments see Reports of Standing Committees, today's Journal.)

Mr. Grimm moved adoption of the committee amendment.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 11, line 3 strike all of section 20 and renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment to the amendment.

## POINT OF ORDER

Mr. Heck: "With all due respect to Representative Tilly, there is an amendment in the workroom being reproduced which is a perfecting amendment to the same section. I believe our rules require that we perfect before we strike. I would ask, Mr. Speaker, that we defer consideration of this amendment."

## SPEAKER'S RULING

The Speaker: "The Speaker will rule that we will go to the perfecting amendment first and then deal with the striking amendment. Your point is well taken, Representative Heck."

Mr. Ristuben moved adoption of the following amendments by Representatives Ristuben and Tanner to the committee amendment:

On page 11, line 8 strike "7,148,000" and insert "7,408,000"

On page 11, line 12 strike "7,934,000" and insert "8,194,000"

Representatives Risbuten, J. King and B. Williams spoke in favor of the amendments, and Mr. Tilly spoke against them.

## POINT OF INQUIRY

Mr. Ristuben yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Ristuben, I have a question regarding the intent of this amendment. Is it your intent to fund the regional offices while eliminating funding for the state program?"

Mr. Ristuben: "It attempts to restore only regional funding."

Ms. Schmidt spoke against the amendments.

## POINT OF ORDER

Mr. Heck: "Mr. Speaker, the person speaking is clearly impugning the motives of the supporters of this amendment."

The Speaker: "Representative Schmidt, would you restrain yourself and restrict your remarks to the question please?"

Ms. Schmidt continued her remarks in opposition to the amendments. Mr. Cantu spoke against the amendments, and Mr. Grimm spoke in favor of them.

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



## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Ristuben and Tanner to the committee amendment to Engrossed Second Substitute Senate Bill No. 3100, and the amendments were adopted by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Braddock - 1.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

On motion of Mr. Ristuben, the following amendment to the committee amendment was adopted:

On page 11, after line 12 insert the following:

"The appropriation in this act is subject to the following condition and limitation:

This 1983 act does not reduce state matching funds for the department's eight tourism regions."

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 11, line 3 strike all of section 20 and renumber the remaining sections consecutively.

Representatives Tilly, Struthers, Ballard, Taylor, Lewis and B. Williams spoke in favor of the amendment, and Representatives J. King, Stratton, Kaiser, Appelwick and Brekke spoke against it.

Mr. Gallagher demanded the previous question and the demand was not sustained.

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

Representatives Schmidt and Schoon spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Engrossed Second Substitute Senate Bill No. 3100, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

Mr. Vander Stoep moved adoption of the following amendment to the committee amendment:

On page 19, after section 22 insert:

"NEW SECTION. Sec. 23. FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation ..... \$2,805,000

The appropriation in this section is subject to the following condition or limitation: \$2,805,000 from the state general fund is provided to offset a projected shortfall in revenues to the University of Washington building account from the sale of timber on University of

Washington trust lands. To the extent that the shortfall is less than was projected by the department of natural resources in its January, 1983 revised revenue forecast, moneys from this appropriation shall revert to the general fund."

Renumber the remaining sections consecutively.

Representatives Vander Stoep, Taylor and McDonald spoke in favor of the amendment, and Representatives Sommers and Grimm spoke against it.

Mr. Hastings demanded an oral roll call vote and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to the committee amendment to Engrossed Second Substitute Senate Bill No. 3100, and the amendment was not adopted by the following vote: Yeas, 38; nays, 57; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan and Appelwick to the committee amendment:

On page 24, after line 45 insert the following section:

"Sec. 24. Section 42, chapter 137, Laws of 1981 as last amended by section 85, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of ~~((five))~~ four hundred ~~((eight-six))~~ fifty thousand dollars, or so much thereof as may be necessary to carry out the purposes of this act."

Renumber the remaining sections consecutively.

Representatives Halsan and Appelwick spoke in favor of the amendment, and it was adopted.

Mr. Cantu moved adoption of the following amendment:

On page 25, after line 24 insert:

"NEW SECTION, Sec. 26. (1) Effective March 1, 1983, through June 30, 1983, all state agencies, commissions, and boards shall operate on a thirty-five hour work week. The governor shall reduce allotments of moneys appropriated accordingly. The portion of any appropriation not needed for an allotment as reduced under this section shall lapse.

(2) This section does not apply to the judicial branch, the legislative branch, local school districts, community college districts, higher education institutions, institutions for the mentally ill, adult and juvenile correction institutions, and institutions for developmentally disabled."

Renumber the remaining sections consecutively.

Mr. Cantu spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Cantu yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Cantu, does this measure include the Highway Patrol?"

Mr. Cantu: "Yes."

Representatives Monohon, Kreidler and Appelwick spoke against the amendment, and Mr. G. Nelson spoke in favor of it.

#### POINT OF INQUIRY

Mr. Cantu yielded to question by Mr. Appelwick.

Mr. Appelwick: "Representative Cantu, is it your intention to expand the work week of existing agencies, commissions and boards which do not currently have a

thirty-five hour work week? Is it your intention also to repeal any statute that requires offices to be open forty hours a week?"

Mr. Cantu: "No, Representative Appelwick, the intent of the amendment is not to require those agencies or commissions or boards to work a thirty-five-hour work week if they do not. That is not the intent. The intent is that they shall not operate more than thirty-five hours."

Mr. Fiske spoke in favor of the amendment, and Mr. Heck spoke against it.

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

Mr. Padden spoke in favor of the amendment to the amendment, and Mr. Cantu closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Cantu to the committee amendment to Engrossed Second Substitute Senate Bill No. 3100, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; excused, 3.

Voting yea: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, West, Williams B, Williams J, Wilson - 39.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

Mr. G. Nelson moved adoption of the following amendment to the committee amendment:

On page 2, line 4 strike all of Section 7 and renumber the remaining sections consecutively.

Representatives G. Nelson and Lewis spoke in favor of the amendment, and Representatives O'Brien and J. King spoke against it.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to the committee amendment to Engrossed Second Substitute Senate Bill No. 3100, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Holland, Johnson, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Vander Stoep, West, Williams B, Williams J - 40.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

The Speaker stated the question before the House to be adoption of the committee amendment as amended.

Mr. Grimm spoke in favor of the amendment as amended, and Mr. Vander Stoep spoke against it.

The committee amendment as amended was adopted.

Mr. Grimm moved adoption of the committee amendment to the title.

On motion of Mr. Grimm, the following amendment by Representative Halsan to the title amendment was adopted:

On page 26, line 28 of the title amendment after "(uncodified)," insert "amending section 42, chapter 137, Laws of 1981 as last amended by section 85, chapter 11, laws of 1982 2nd ex. sess. (uncodified);"

The committee amendment to the title as amended was adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 3100 as amended by the House was placed on final passage.

Mr. Grimm spoke in favor of passage of the bill, and Mr. G. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3100 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 44; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representatives Fuhrman, Niemi, Van Dyken - 3.

Engrossed Second Substitute Senate Bill No. 3100 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Heck, HOUSE BILL NO. 455 was rereferred from Committee on Social and Health Services to Committee on Constitution, Elections and Ethics.

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Friday, February 11, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 11, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Brenda Longnecker and Jeff Wile. Prayer was offered by The Reverend Timothy Dolan, Minister of the Westminster United Presbyterian Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 10, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3079,  
SENATE BILL NO. 3090,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

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

On motion of Mr. Heck, the rules were suspended, to allow immediate consideration of House resolutions.

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-16, by Representatives Zellinsky and Sanders

WHEREAS, The Veterans of Foreign Wars is an organization of Americans who have served with distinction in a combat theatre in a foreign country; and

WHEREAS, Veterans of Foreign Wars members have served their country and the State of Washington courageously and selflessly; and

WHEREAS, The Veterans of Foreign Wars organization has provided and continues to provide valuable community and philanthropic services; and

WHEREAS, James R. Currieo is a highly decorated veteran of the Korean War who has served the citizens of the United States and the State of Washington as a member of the United States Army for over twenty years; and

WHEREAS, James R. Currieo is an esteemed and respected member of the Veterans of Foreign Wars; and

WHEREAS, James R. Currieo is the distinguished Commander in Chief of the Veterans of Foreign Wars;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That James R. Currieo be warmly welcomed to Olympia and to the State of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington extends its appreciation to James R. Currieo and the members of the Veterans of Foreign Wars in Washington State and the United States for their past and present actions to protect, preserve, and improve the quality of life and liberty in Washington State and the United States of America.

Mr. Zellinsky moved adoption of the resolution and spoke in favor of it.

House Resolution No. 83-16 was adopted.

The Speaker appointed Representatives Zellinsky and Struthers to escort James R. Currie, Commander in Chief of the Veterans of Foreign Wars and Commander Fred Nauffman to the rostrum.

Commander Currie spoke briefly to the House and the Speaker instructed the committee to escort the visitors from the House Chamber.

#### VISITING DIGNITARIES

The Speaker appointed Representatives Betzoff, Miller and Grimm to escort Congressman Rod Chandler to the rostrum. Congressman Chandler, a former member of the House of Representatives, briefly addressed the House.

The Speaker instructed the committee to escort Representative Chandler from the House Chamber.

The Speaker called on Mr. O'Brien to preside.

HOUSE FLOOR RESOLUTION NO. 83-13, by Representatives Fisher, Wang, Smitherman, Walk, Grimm, Kaiser, Broback, Ebersole, Powers, Gallagher, Johnson, Miller and Sanders

WHEREAS, The Pantages Theatre in Tacoma, Washington has been a significant local and state historical landmark for more than sixty-five years; and

WHEREAS, The Pantages Theatre which will reopen on February 12, 1983 as the Pantages Centre for the Performing Arts, has undergone substantial and impressive restoration; and

WHEREAS, The Pantages Centre for the Performing Arts is an integral part of recent redevelopment activities in the City of Tacoma; and

WHEREAS, These restoration efforts and the opening of the Pantages Centre for the Performing Arts will provide the City of Tacoma with a superb theater for the performing arts and improve the quality of life in Tacoma and the State of Washington; and

WHEREAS, The Pantages Centre for the Performing Arts will encourage increased interest in and enjoyment of music, ballet, opera, theatre, and other quality forms of entertainment by the citizens of Tacoma and the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations be extended to the City of Tacoma on the occasion of the reopening of the Pantages Theatre; and

BE IT FURTHER RESOLVED, That the citizens of Tacoma and all those who contributed to the restoration of the Pantages Theatre be commended for their fine efforts; and

BE IT FURTHER RESOLVED, That copies of the resolution be immediately transmitted to the board of the Pantages Centre for the Performing Arts and the City of Tacoma.

Mr. Fisher moved adoption of the resolution. Representatives Fisher and Wang spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-14, by Representatives B. Williams, Tanner, Tilly, Ballard, Fuhrman, Padden, Barrett, Silver, Taylor, Stratton, Egger, Ristuben, Galloway, J. King, Heck, Isaacson and Sanders

WHEREAS, The State of Washington and the entire Pacific Northwest have long benefited from the ready availability of dependable and relatively low-cost electrical energy; and

WHEREAS, The citizens of the State of Washington in the past have enjoyed the high standard of living and employment opportunities provided by such relatively low-cost electrical energy provided to our industries; and

WHEREAS, It is extremely important, both now and in the future, to the well-being of the citizens of the State of Washington that dependable, competitively priced electrical energy continues to be offered to our state's employers served by the Bonneville Power Administration;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Bonneville Power Administration is urged to adopt policies

and regulations that will ensure achieving our common goal of making dependable, predictable, and competitively priced electrical energy available to industrial customers directly served by the Bonneville Power Administration. These industries, in turn, have long employed citizens of the State of Washington at high wages and benefits; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the administrator of the Bonneville Power Administration and the Washington State congressional delegation.

Mr. B. Williams moved adoption of the resolution and spoke in favor of it.

House Resolution No. 83-14 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-15, by Representatives Sutherland, Heck, Hastings, Silver, Nealey, Ristuben, Ellis, Tanner, Chandler, Egger, Stratton, Miller and Sanders

WHEREAS, Future Homemakers of America, a national organization for students in vocational home and family life education, helps its members to improve personal, family, and community living; and

WHEREAS, Future Homemakers of America has involved more than six million members since its founding in 1945; and

WHEREAS, The United States Department of Education recognizes that the educational program and philosophy embraced by Future Homemakers of America is an integral part of vocational education instruction programs; and

WHEREAS, This year, two thousand eight hundred future homemakers of the State of Washington are working to develop the leadership skills needed to take action on teenage pregnancy, peer pressure, alcohol and drug abuse, fitness and nutrition, care for elderly and handicapped persons, energy conservation, and career preparation; and

WHEREAS, February 6 through February 12 has been designated as National Future Homemakers of America Week to coincide with the observance of National Vocational Education Week; and

WHEREAS, John Spellman, Governor of the State of Washington, proclaimed February 6 through February 12, 1983, as Future Homemakers of America Week in the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That all citizens of the State of Washington be urged to acquaint themselves with the purposes and value of the Future Homemakers of America organization; and

BE IT FURTHER RESOLVED, That all Washington State citizens be encouraged to participate in Future Homemakers of America activities during Future Homemakers of America Week; and

BE IT FURTHER RESOLVED, That help and encouragement be given to Washington State future homemakers as they work to become effective family members and leaders in Washington communities; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to Cheryl Schmid, the able and distinguished President of the Washington State Future Homemakers of America, and that the efforts of the Future Homemakers of America be highly commended by the House of Representatives of the State of Washington.

Mr. Sutherland moved adoption of the resolution. Representatives Sutherland and Silver spoke in favor of the resolution, and it was adopted.

#### MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

HB 491 by Representatives Jacobsen, Appelwick, Ellis, Crane, Silver and Lewis

AN ACT Relating to emission control inspections for used cars; amending section 11, chapter 163, Laws of 1979 ex. sess. as amended by section 1, chapter 176, Laws of 1980

and RCW 46.16.015; repealing section 9, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.090; and declaring an emergency.

Referred to Committee on Environmental Affairs.

**HB 492** by Representatives Sanders, Barrett, J. Williams, Isaacson, Barnes, Clayton, McDonald, Miller, Betrozoff and Schoon

AN ACT Relating to compulsory school attendance; amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010; amending section 28A.27.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 56, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.27.040; and amending section 28A.27.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.090.

Referred to Committee on Education.

**HB 493** by Representatives Walk, Dickie, Lewis and Armstrong (by Joint Select Committee on Sunset request)

AN ACT Relating to state government; adding new sections to chapter 43.131 RCW; repealing section 43.31.010, chapter 8, Laws of 1965 and RCW 43.31.010; repealing section 43.31.020, chapter 8, Laws of 1965 and RCW 43.31.020; repealing section 43.31.030, chapter 8, Laws of 1965 and RCW 43.31.030; repealing section 43.31.040, chapter 8, Laws of 1965, section 2, chapter 10, Laws of 1965, section 2, chapter 221, Laws of 1967, section 6, chapter 70, Laws of 1977 ex. sess., section 13, chapter 295, Laws of 1981 and RCW 43.31.040; repealing section 43.31.050, chapter 8, Laws of 1965, section 53, chapter 75, Laws of 1977 and RCW 43.31.050; repealing section 43.31.060, chapter 8, Laws of 1965 and RCW 43.31.060; repealing section 43.31.070, chapter 8, Laws of 1965 and RCW 43.31.070; repealing section 43.31.080, chapter 8, Laws of 1965 and RCW 43.31.080; repealing section 43.31.110, chapter 8, Laws of 1965, section 109, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.110; repealing section 43.31.120, chapter 8, Laws of 1965 and RCW 43.31.120; repealing section 43.31.130, chapter 8, Laws of 1965, section 110, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.130; repealing section 43.31.140, chapter 8, Laws of 1965 and RCW 43.31.140; repealing section 43.31.150, chapter 8, Laws of 1965 and RCW 43.31.150; repealing section 43.31.160, chapter 8, Laws of 1965, section 54, chapter 75, Laws of 1977 and RCW 43.31.160; repealing section 43.31.170, chapter 8, Laws of 1965 and RCW 43.31.170; repealing section 43.31.180, chapter 8, Laws of 1965 and RCW 43.31.180; repealing section 43.31.200, chapter 8, Laws of 1965, section 42, chapter 171, Laws of 1974 ex. sess. and RCW 43.31.200; repealing section 43.31.210, chapter 8, Laws of 1965 and RCW 43.31.210; repealing section 43.31.220, chapter 8, Laws of 1965 and RCW 43.31.220; repealing section 43.31.230, chapter 8, Laws of 1965 and RCW 43.31.230; repealing section 1, chapter 221, Laws of 1967 and RCW 43.31.350; repealing section 3, chapter 221, Laws of 1967 and RCW 43.31.360; repealing section 4, chapter 221, Laws of 1967 and RCW 43.31.370; repealing section 1, chapter 9, Laws of 1969 and RCW 43.31.400; repealing section 2, chapter 9, Laws of 1969 and RCW 43.31.405; repealing section 3, chapter 9, Laws of 1969 and RCW 43.31.410; repealing section 4, chapter 9, Laws of 1969 and RCW 43.31.415; repealing section 5, chapter 9, Laws of 1969 and RCW 43.31.420; repealing section 1, chapter 148, Laws of 1965, section 2, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.790; repealing section 2, chapter 148, Laws of 1965 and RCW 43.31.800; repealing section 3, chapter 148, Laws of 1965, section 3, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.810; repealing section 4, chapter 148, Laws of 1965, section 4, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.820; repealing section 5, chapter 148, Laws of 1965, section 5, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.830; repealing section 1, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.831; repealing section 2, chapter 93, Laws of 1972 ex. sess., section 8, chapter 292, Laws of 1975 1st ex. sess., section 1, chapter 2, Laws of 1981 2nd ex. sess. and RCW 43.31.832; repealing section 3, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.833; repealing section 4, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.834; repealing section 6, chapter 148, Laws of 1965, section 6, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.840; repealing section 8, chapter 148, Laws of 1965, section 7, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.850; repealing section 10, chapter 148, Laws of 1965 and RCW 43.31.860; repealing section 1, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.870; repealing section 2, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.875; repealing section 3, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.880; repealing section 4, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.885; repealing section 5, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.890; repealing section 6, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.895; repealing section 7, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.900; repealing section 8, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.910; repealing section 1, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.915; repealing section 2, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.920; repealing section 3, chapter 70, Laws of 1977 ex. sess., section 9, chapter 6, Laws of 1982 and RCW 43.31.925; repealing section 4, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.930; repealing section 5, chapter 70, Laws of 1977



ex. sess. and RCW 43.31.935; repealing section 2, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.940; repealing section 3, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.942; repealing section 4, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.944; repealing section 5, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.946; repealing section 6, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.948; repealing section 1, chapter 260, Laws of 1979 ex. sess., section 1, chapter 244, Laws of 1981 and RCW 43.31.956; repealing section 2, chapter 260, Laws of 1979 ex. sess. and RCW 43.31.958; repealing section 3, chapter 260, Laws of 1979 ex. sess. and RCW 43.31.960; repealing section 4, chapter 260, Laws of 1979 ex. sess. and RCW 43.31.962; repealing section 5, chapter 260, Laws of 1979 ex. sess. and RCW 43.31.964; repealing section 1, chapter 277, Laws of 1969 ex. sess., section 1, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.010; repealing section 2, chapter 277, Laws of 1969 ex. sess. section 2, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.020; repealing section 3, chapter 277, Laws of 1969 ex. sess., section 3, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.030; repealing section 2, chapter 201, Laws of 1977 ex. sess. and RCW 28B.80.035; repealing section 4, chapter 277, Laws of 1969 ex. sess., section 4, chapter 132, Laws of 1975 1st ex. sess., section 43, chapter 169, Laws of 1977 ex. sess. and RCW 28B.80.040; repealing section 5, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.050; repealing section 6, chapter 277, Laws of 1969 ex. sess., section 5, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.060; repealing section 7, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.070; repealing section 9, chapter 277, Laws of 1969 ex. sess., section 6, chapter 132, Laws of 1975 1st ex. sess., section 22, chapter 151, Laws of 1979 and RCW 28B.80.080; repealing section 10, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.090; repealing section 12, chapter 277, Laws of 1969 ex. sess., section 77, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 28B.80.110; repealing section 13, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.120; repealing section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; repealing section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140; repealing section 3, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.150; repealing section 4, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.160; repealing section 5, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.170; repealing section 9, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.200; repealing section 12, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.210; repealing section 13, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.220; repealing section 14, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.230; repealing section 15, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.240; repealing section 27, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.250; repealing section 28, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.260; repealing section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270; repealing section 14, chapter 277, Laws of 1969 ex. sess., section 10, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.900; repealing section 15, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.910; repealing section 43.46.010, chapter 8, Laws of 1965 and RCW 43.46.010; repealing section 43.46.020, chapter 8, Laws of 1965, section 3, chapter 125, Laws of 1967 ex. sess. and RCW 43.46.020; repealing section 43.46.030, chapter 8, Laws of 1965, section 4, chapter 125, Laws of 1967 ex. sess. and RCW 43.46.030; repealing section 43.46.040, chapter 8, Laws of 1965 and RCW 43.46.040; repealing section 2, chapter 125, Laws of 1967 ex. sess. and RCW 43.46.045; repealing section 43.46.050, chapter 8, Laws of 1965 and RCW 43.46.050; repealing section 1, chapter 125, Laws of 1967 ex. sess. and RCW 43.46.055; repealing section 43.46.060, chapter 8, Laws of 1965 and RCW 43.46.060; repealing section 43.46.070, chapter 8, Laws of 1965 and RCW 43.46.070; repealing section 43.46.080, chapter 8, Laws of 1965 and RCW 43.46.080; repealing section 1, chapter 176, Laws of 1974 ex. sess. and RCW 43.46.090; repealing section 1, chapter 30, Laws of 1899 and RCW 27.40.010; repealing section 2, chapter 30, Laws of 1899 and RCW 27.40.020; repealing section 3, chapter 30, Laws of 1899 and RCW 27.40.030; repealing section 1, chapter 159, Laws of 1975 1st ex. sess. and RCW 27.40.034; repealing section 2, chapter 159, Laws of 1975 1st ex. sess. and RCW 27.40.036; repealing section 4, chapter 30, Laws of 1899 and RCW 27.40.040; repealing section 1, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.010; repealing section 2, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.020; repealing section 3, chapter 158, Laws of 1969 ex. sess., section 73, chapter 158, Laws of 1979 and RCW 18.96.030; repealing section 4, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.040; repealing section 5, chapter 158, Laws of 1969 ex. sess., section 54, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.96.050; repealing section 6, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.060; repealing section 7, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.070; repealing section 8, chapter 158, Laws of 1969 ex. sess., section 85, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.080; repealing section 9, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.090; repealing section 10, chapter 158, Laws of 1969 ex. sess., section 86, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.100; repealing section 11, chapter 158, Laws of 1969 ex. sess., section 87, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.110; repealing section 12, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.120; repealing section 13, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.130; repealing section 14, chapter 158, Laws of 1969 ex. sess., section 88, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.140; repealing section 15, chapter 158, Laws of 1969 ex. sess. and

RCW 18.96.150; repealing section 16, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.160; repealing section 17, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.170; repealing section 18, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.180; repealing section 19, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.190; repealing section 1, chapter 90, Laws of 1979 ex. sess. and RCW 38.40.170; repealing section 2, chapter 90, Laws of 1979 ex. sess. and RCW 38.40.180; repealing section 3, chapter 90, Laws of 1979 ex. sess. and RCW 38.40.190; repealing section 35, chapter 1, Laws of 1973, section 23, chapter 294, Laws of 1975 1st ex. sess., section 93, chapter 34, Laws of 1975-'76 2nd ex. sess., section 8, chapter 112, Laws of 1975-'76 2nd ex. sess., section 15, chapter 147, Laws of 1982 and RCW 42.17.350; repealing section 36, chapter 1, Laws of 1973 and RCW 42.17.360; repealing section 37, chapter 1, Laws of 1973, section 25, chapter 294, Laws of 1975 1st ex. sess., section 7, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.370; repealing section 38, chapter 1, Laws of 1973, section 26, chapter 294, Laws of 1975 1st ex. sess., section 196, chapter 35, Laws of 1982 and RCW 42.17.380; repealing section 39, chapter 1, Laws of 1973 and RCW 42.17.390; repealing section 12, chapter 112, Laws of 1975-'76 2nd ex. sess., section 16, chapter 147, Laws of 1982 and RCW 42.17.395; repealing section 13, chapter 112, Laws of 1975-'76 2nd ex. sess., section 17, chapter 147, Laws of 1982 and RCW 42.17.397; repealing section 40, chapter 1, Laws of 1973, section 27, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.400; repealing section 1, chapter 60, Laws of 1982 and RCW 42.17.405; repealing section 41, chapter 1, Laws of 1973, section 18, chapter 147, Laws of 1982 and RCW 42.17.410; repealing section 7, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.400; repealing section 8, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.405; repealing section 9, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.410; repealing section 10, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.415; repealing section 11, chapter 215, Laws of 1969 ex. sess., section 9, chapter 131, Laws of 1973, section 18, chapter 87, Laws of 1980 and RCW 41.56.420; repealing section 8, chapter 61, Laws of 1961, section 11, chapter 7, Laws of 1975 1st ex. sess., section 21, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 15.76.170; repealing section 46.32.010, chapter 12, Laws of 1961, section 48, chapter 32, Laws of 1967, section 156, chapter 158, Laws of 1979, section 67, chapter 136, Laws of 1979 ex. sess. and RCW 46.32.010; repealing section 46.32.020, chapter 12, Laws of 1961 and RCW 46.32.020; repealing section 46.32.030, chapter 12, Laws of 1961 and RCW 46.32.030; repealing section 46.32.040, chapter 12, Laws of 1961 and RCW 46.32.040; repealing section 46.32.050, chapter 12, Laws of 1961, section 68, chapter 136, Laws of 1979 ex. sess. and RCW 46.32.050; repealing section 46.32.060, chapter 12, Laws of 1961 and RCW 46.32.060; repealing section 46.32.070, chapter 12, Laws of 1961 and RCW 46.32.070; repealing section 21, Page 711, Laws of 1889 and RCW 90.28.030; repealing section 43.03.080, chapter 8, Laws of 1965 and RCW 43.03.080; repealing section 43.03.090, chapter 8, Laws of 1965 and RCW 43.03.090; repealing section 43.03.100, chapter 8, Laws of 1965 and RCW 43.03.100; repealing section 1, page 470, Laws of 1890 and RCW 76.28.010; repealing section 2, page 470, Laws of 1890, section 1, chapter 52, Laws of 1907, section 1, chapter 33, Laws of 1957 and RCW 76.28.020; repealing section 3, page 471, Laws of 1890 and RCW 76.28.030; repealing section 4, page 471, Laws of 1890, section 1, chapter 123, Laws of 1953, section 17, chapter 82, Laws of 1969 and RCW 76.28.040; repealing section 5, page 472, Laws of 1890 and RCW 76.28.050; repealing section 6, page 472, Laws of 1890 and RCW 76.28.060; repealing section 7, page 472, Laws of 1890 and RCW 76.28.070; repealing section 8, page 472, Laws of 1890 and RCW 76.28.080; repealing section 9, page 473, Laws of 1890 and RCW 76.28.090; repealing section 1, chapter 72, Laws of 1895 and RCW 76.32.010; repealing section 2, chapter 72, Laws of 1895 and RCW 76.32.020; repealing section 3, chapter 72, Laws of 1895, section 1, chapter 119, Laws of 1905, section 1, chapter 34, Laws of 1957 and RCW 76.32.030; repealing section 4, chapter 72, Laws of 1895, section 1, chapter 31, Laws of 1897, section 1, chapter 57, Laws of 1905 and RCW 76.32.040; repealing section 5, chapter 72, Laws of 1895, section 1, chapter 140, Laws of 1901, section 1, chapter 229, Laws of 1909, section 1, chapter 124, Laws of 1953, section 18, chapter 82, Laws of 1969 and RCW 76.32.050; repealing section 6, chapter 72, Laws of 1895 and RCW 76.32.060; repealing section 7, chapter 72, Laws of 1895 and RCW 76.32.070; repealing section 8, chapter 72, Laws of 1895 and RCW 76.32.080; repealing section 1, chapter 82, Laws of 1905 and RCW 76.24.010; repealing section 2, chapter 82, Laws of 1905 and RCW 76.24.020; repealing section 3, chapter 82, Laws of 1905, section 16, chapter 82, Laws of 1969 and RCW 76.24.030; repealing section 4, chapter 82, Laws of 1905 and RCW 76.24.040; repealing section 1, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.010; repealing section 2, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.020; repealing section 3, chapter 285, Laws of 1971 ex. sess. and RCW 28C.04.025; repealing section 4, chapter 285, Laws of 1971 ex. sess., section 13, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.026; repealing section 3, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.030; repealing section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040; repealing section 5, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.050; repealing section 6, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.060; repealing section 8, chapter 174, Laws of 1975 1st ex. sess., section 79, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.070; repealing section 10, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.080; repealing section 28B.50.230, chapter 223, Laws of 1969 ex. sess., section 14, chapter 174, Laws of

1975 1st ex. sess. and RCW 28C.04.090; repealing section 1, chapter 98, Laws of 1969 ex. sess. and RCW 28C.04.140; repealing section 7, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.150; repealing section 11, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.160; repealing section 28A.09.070, chapter 223, Laws of 1969 ex. sess. and RCW 28C.04.200; repealing section 28A.09.080, chapter 223, Laws of 1969 ex. sess. and RCW 28C.04.210; repealing section 28A.09.090, chapter 223, Laws of 1969 ex. sess. and RCW 28C.04.220; repealing section 28B.50.240, chapter 223, Laws of 1969 ex. sess., section 24, chapter 261, Laws of 1969 ex. sess., section 1, chapter 285, Laws of 1971 ex. sess. and RCW 28C.04.230; repealing section 1, chapter 17, Laws of 1972 ex. sess., section 1, chapter 63, Laws of 1973 and RCW 28C.04.240; repealing section 52, chapter 283, Laws of 1969 ex. sess., section 76, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.300; repealing section 53, chapter 283, Laws of 1969 ex. sess., section 16, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.310; repealing section 9, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.500; repealing section 12, chapter 174, Laws of 1975 1st ex. sess., section 1, chapter 86, Laws of 1975-'76 2nd ex. sess., section 23, chapter 151, Laws of 1979 and RCW 28C.04.510; repealing section 1, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.010; repealing section 2, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.020; repealing section 3, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.030; repealing section 4, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.040; repealing section 5, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.050; repealing section 6, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.060; repealing section 8, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.900; repealing section 1, chapter 225, Laws of 1979 ex. sess., section 1, chapter 48, Laws of 1982 1st ex. sess. and RCW 28C.51.010; repealing section 2, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.020; repealing section 3, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.030; repealing section 4, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.040; repealing section 5, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.050; repealing section 6, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.060; repealing section 2, chapter 31, Laws of 1975-'76 2nd ex. sess. and RCW 27.26.010; repealing section 1, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.010; repealing section 2, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.020; repealing section 3, chapter 188, Laws of 1979 ex. sess., section 1, chapter 283, Laws of 1981 and RCW 28B.05.030; repealing section 4, chapter 188, Laws of 1979 ex. sess., section 1, chapter 82, Laws of 1980, section 2, chapter 283, Laws of 1981 and RCW 28B.05.040; repealing section 5, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.050; repealing section 6, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.060; repealing section 7, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.070; repealing section 8, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.080; repealing section 9, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.090; repealing section 10, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.100; repealing section 11, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.110; repealing section 12, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.120; repealing section 13, chapter 188, Laws of 1979 ex. sess., section 3, chapter 283, Laws of 1981 and RCW 28B.05.130; repealing section 14, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.140; repealing section 15, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.150; repealing section 16, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.160; repealing section 17, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.170; repealing section 18, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.180; repealing section 19, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.190; repealing section 20, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.200; repealing section 21, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.210; repealing section 22, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.220; repealing section 23, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.230; repealing section 24, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.240; repealing section 27, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.900; repealing section 28, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.950; repealing section 13, chapter 36, Laws of 1919 and RCW 18.36.010; repealing section 12, chapter 36, Laws of 1919 and RCW 18.36.020; repealing section 8, chapter 36, Laws of 1919 and RCW 18.36.030; repealing section 3, chapter 36, Laws of 1919, section 39, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.36.040; repealing section 11, chapter 36, Laws of 1919, section 40, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.36.050; repealing section 4, chapter 36, Laws of 1919 and RCW 18.36.060; repealing section 1, chapter 83, Laws of 1953, section 7, chapter 266, Laws of 1971 ex. sess., section 41, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.36.115; repealing section 14, chapter 36, Laws of 1919 and RCW 18.36.120; repealing section 7, chapter 36, Laws of 1919 and RCW 18.36.130; repealing section 10, chapter 36, Laws of 1919 and RCW 18.36.140; repealing section 9, chapter 36, Laws of 1919 and RCW 18.36.150; repealing section 17, chapter 36, Laws of 1919 and RCW 18.36.165; repealing section 1, chapter 10, Laws of 1925 and RCW 18.36.170; repealing section 2, chapter 10, Laws of 1925 and RCW 18.36.200; repealing section 3, chapter 10, Laws of 1925 and RCW 18.36.210; repealing section 4, chapter 10, Laws of 1925 and RCW 18.36.220; repealing section 5, chapter 10, Laws of 1925 and RCW 18.36.230; repealing section 6, chapter 10, Laws of 1925 and RCW 18.36.240; repealing section 7, chapter 10, Laws of 1925 and RCW 18.36.245; repealing section 1, chapter 171, Laws of 1967 and RCW

18.26.010; repealing section 2, chapter 171, Laws of 1967 and RCW 18.26.020; repealing section 3, chapter 171, Laws of 1967, section 12, chapter 97, Laws of 1974 ex. sess., section 1, chapter 39, Laws of 1975 1st ex. sess., section 17, chapter 111, Laws of 1979 ex. sess. and RCW 18.26.030; repealing section 15, chapter 97, Laws of 1974 ex. sess., section 19, chapter 158, Laws of 1979 and RCW 18.26.035; repealing section 9, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.037; repealing section 1, chapter 46, Laws of 1980 and RCW 18.26.040; repealing section 5, chapter 171, Laws of 1967, section 21, chapter 158, Laws of 1979 and RCW 18.26.050; repealing section 6, chapter 171, Laws of 1967 and RCW 18.26.060; repealing section 2, chapter 46, Laws of 1980 and RCW 18.26.070; repealing section 8, chapter 171, Laws of 1967 and RCW 18.26.080; repealing section 9, chapter 171, Laws of 1967 and RCW 18.26.090; repealing section 10, chapter 171, Laws of 1967 and RCW 18.26.100; repealing section 11, chapter 171, Laws of 1967, section 2, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.110; repealing section 12, chapter 171, Laws of 1967, section 3, chapter 39, Laws of 1975 1st ex. sess., section 19, chapter 67, Laws of 1981 and RCW 18.26.120; repealing section 13, chapter 171, Laws of 1967, section 4, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.130; repealing section 14, chapter 171, Laws of 1967 and RCW 18.26.140; repealing section 15, chapter 171, Laws of 1967 and RCW 18.26.150; repealing section 16, chapter 171, Laws of 1967, section 5, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.160; repealing section 17, chapter 171, Laws of 1967, section 6, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.170; repealing section 18, chapter 171, Laws of 1967, section 7, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.180; repealing section 19, chapter 171, Laws of 1967, section 23, chapter 158, Laws of 1979 and RCW 18.26.190; repealing section 20, chapter 171, Laws of 1967 and RCW 18.26.200; repealing section 21, chapter 171, Laws of 1967, section 24, chapter 158, Laws of 1979, section 19, chapter 111, Laws of 1979 ex. sess. and RCW 18.26.210; repealing section 22, chapter 171, Laws of 1967, section 25, chapter 158, Laws of 1979 and RCW 18.26.220; repealing section 23, chapter 171, Laws of 1967, section 26, chapter 158, Laws of 1979 and RCW 18.26.230; repealing section 24, chapter 171, Laws of 1967, section 27, chapter 158, Laws of 1979 and RCW 18.26.240; repealing section 25, chapter 171, Laws of 1967 and RCW 18.26.250; repealing section 27, chapter 171, Laws of 1967, section 8, chapter 39, Laws of 1975 1st ex. sess. and RCW 18.26.270; repealing section 28, chapter 171, Laws of 1967 and RCW 18.26.280; repealing section 29, chapter 171, Laws of 1967, section 28, chapter 158, Laws of 1979 and RCW 18.26.290; repealing section 30, chapter 171, Laws of 1967, section 29, chapter 158, Laws of 1979 and RCW 18.26.300; repealing section 32, chapter 171, Laws of 1967 and RCW 18.26.310; repealing section 31, chapter 171, Laws of 1967 and RCW 18.26.900; repealing section 3, chapter 53, Laws of 1981 and RCW 18.50.140; repealing section 4, chapter 53, Laws of 1981 and RCW 18.50.150; repealing section 1, page 473, Laws of 1890, section 1, chapter 137, Laws of 1907, section 1, chapter 6, Laws of 1937 and RCW 42.28.010; repealing section 1, page 52, Laws of 1862, section 1, page 501, Laws of 1863, section 1, page 375, Laws of 1869, section 3, page 467, Laws of 1873, section 2615, Code of 1881, section 2, page 473, Laws of 1890 and RCW 42.28.020; repealing section 3, page 473, Laws of 1890, section 1, chapter 85, Laws of 1975 1st ex. sess., section 1, chapter 314, Laws of 1981 and RCW 42.28.030; repealing section 5, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.035; repealing section 4, page 474, Laws of 1890 and RCW 42.28.040; repealing section 1, chapter 32, Laws of 1913 and RCW 42.28.050; repealing section 5, chapter 474, Laws of 1890, section 2, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.060; repealing section 6, chapter 474, Laws of 1890, section 3, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.070; repealing section 1, chapter 56, Laws of 1907, section 7, chapter 51, Laws of 1951, section 4, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.090; repealing section 10, page 255, Laws of 1877, section 2623, Code of 1881, section 9, page 475, Laws of 1890 and RCW 42.28.100; repealing section 10, page 476, Laws of 1890, section 1, chapter 97, Laws of 1943 and RCW 42.28.110; repealing section 1, page 90, Laws of 1890, section 1, page 91, Laws of 1890 and RCW 42.28.120; repealing section 2, chapter 90, Laws of 1890 and RCW 42.28.130; repealing section 11, chapter 117, Laws of 1951, section 1, chapter 85, Laws of 1971 ex. sess., section 65, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.100; repealing section 12, chapter 117, Laws of 1951, section 66, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.110; repealing section 4, chapter 208, Laws of 1973 1st ex. sess., section 43, chapter 34, Laws of 1975-'76 2nd ex. sess., section 2, chapter 261, Laws of 1979 ex. sess., section 13, chapter 338, Laws of 1981 and RCW 18.73.040; repealing section 5, chapter 208, Laws of 1973 1st ex. sess., section 3, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.050; repealing section 1, chapter 114, Laws of 1979 and RCW 18.52A.010; repealing section 2, chapter 114, Laws of 1979 and RCW 18.52A.020; repealing section 3, chapter 114, Laws of 1979 and RCW 18.52A.030; repealing section 4, chapter 114, Laws of 1979 and RCW 18.52A.040; repealing section 5, chapter 114, Laws of 1979 and RCW 18.52A.050; repealing section 6, chapter 114, Laws of 1979 and RCW 18.52A.060; repealing section 1, chapter 222, Laws of 1949, section 1, chapter 15, Laws of 1963, section 1, chapter 79, Laws of 1967 and RCW 18.78.010; repealing section 2, chapter 222, Laws of 1949, section 2, chapter 79, Laws of 1967 and RCW 18.78.020; repealing section 3, chapter 222, Laws of 1949 and RCW 18.78.030; repealing section 4, chapter 222, Laws of 1949, section 4, chapter

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Laws of 1967, section 45, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78-.040; repealing section 5, chapter 222, Laws of 1949, section 3, chapter 79, Laws of 1967, section 64, chapter 158, Laws of 1979 and RCW 18.78.050; repealing section 6, chapter 222, Laws of 1949, section 2, chapter 15, Laws of 1963, section 26, chapter 292, Laws of 1971 ex. sess. and RCW 18.78.060; repealing section 7, chapter 222, Laws of 1949 and RCW 18.78-.070; repealing section 9, chapter 222, Laws of 1949, section 3, chapter 15, Laws of 1963, section 68, chapter 30, Laws of 1975 1st ex. sess., section 65, chapter 158, Laws of 1979 and RCW 18.78.080; repealing section 10, chapter 222, Laws of 1949, section 4, chapter 15, Laws of 1963, section 4, chapter 79, Laws of 1967, section 14, chapter 266, Laws of 1971 ex. sess., section 69, chapter 30, Laws of 1975 1st ex. sess., section 66, chapter 158, Laws of 1979 and RCW 18.78.090; repealing section 11, chapter 222, Laws of 1949, section 1, chapter 68, Laws of 1971 and RCW 18.78.100; repealing section 12, chapter 222, Laws of 1949, section 46, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78.110; repealing section 13, chapter 222, Laws of 1949, section 47, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.78.120; repealing section 14, chapter 222, Laws of 1949 and RCW 18.78.130; repealing section 15, chapter 222, Laws of 1949, section 60, chapter 81, Laws of 1971 and RCW 18.78-.140; repealing section 16, chapter 222, Laws of 1949 and RCW 18.78.150; repealing section 17, chapter 222, Laws of 1949 and RCW 18.78.160; repealing section 18, chapter 222, Laws of 1949, section 5, chapter 79, Laws of 1967 and RCW 18.78.170; repealing section 7, chapter 79, Laws of 1967 and RCW 18.78.175; repealing section 6, chapter 79, Laws of 1967, section 2, chapter 68, Laws of 1971 and RCW 18.78.182; repealing section 19, chapter 222, Laws of 1949 and RCW 18.78.900; repealing section 1, chapter 202, Laws of 1949, section 1, chapter 133, Laws of 1973 and RCW 18.88.010; repealing section 2, chapter 202, Laws of 1949, section 2, chapter 133, Laws of 1973 and RCW 18.88.020; repealing section 4, chapter 202, Laws of 1949, section 1, chapter 288, Laws of 1961, section 3, chapter 133, Laws of 1973, section 69, chapter 158, Laws of 1979 and RCW 18.88.030; repealing section 5, chapter 202, Laws of 1949, section 4, chapter 133, Laws of 1973 and RCW 18.88.050; repealing section 6, chapter 202, Laws of 1949, section 3, chapter 288, Laws of 1961, section 5, chapter 133, Laws of 1973 and RCW 18.88.060; repealing section 7, chapter 202, Laws of 1949, section 6, chapter 133, Laws of 1973 and RCW 18.88.070; repealing section 8, chapter 202, Laws of 1949, section 4, chapter 288, Laws of 1961, section 7, chapter 133, Laws of 1973, section 50, chapter 34, Laws of 1975-'76 2nd ex. sess., section 12, chapter 75, Laws of 1977 and RCW 18.88.080; repealing section 9, chapter 202, Laws of 1949, section 5, chapter 288, Laws of 1961, section 8, chapter 133, Laws of 1973, section 51, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.88.090; repealing section 10, chapter 202, Laws of 1949, section 6, chapter 288, Laws of 1961, section 9, chapter 133, Laws of 1973 and RCW 18.88.100; repealing section 11, chapter 202, Laws of 1949, section 10, chapter 133, Laws of 1973 and RCW 18.88.110; repealing section 12, chapter 202, Laws of 1949, section 11, chapter 133, Laws of 1973 and RCW 18.88.120; repealing section 13, chapter 202, Laws of 1949, section 7, chapter 288, Laws of 1961, section 12, chapter 133, Laws of 1973 and RCW 18.88.130; repealing section 14, chapter 202, Laws of 1949, section 8, chapter 288, Laws of 1961, section 13, chapter 133, Laws of 1973 and RCW 18.88.140; repealing section 15, chapter 202, Laws of 1949, section 9, chapter 288, Laws of 1961, section 14, chapter 133, Laws of 1973 and RCW 18.88.150; repealing section 16, chapter 202, Laws of 1949, section 10, chapter 288, Laws of 1961, section 15, chapter 133, Laws of 1973, section 77, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.88.160; repealing section 17, chapter 202, Laws of 1949, section 16, chapter 133, Laws of 1973 and RCW 18.88.170; repealing section 18, chapter 202, Laws of 1949, section 17, chapter 133, Laws of 1973 and RCW 18.88.180; repealing section 16, chapter 288, Laws of 1961 and RCW 18.88.185; repealing section 19, chapter 202, Laws of 1949, section 11, chapter 288, Laws of 1961, section 18, chapter 266, Laws of 1971 ex. sess., section 18, chapter 133, Laws of 1973, section 78, chapter 30, Laws of 1975 1st ex. sess., section 1, chapter 106, Laws of 1979 ex. sess. and RCW 18.88.190; repealing section 20, chapter 202, Laws of 1949, section 12, chapter 288, Laws of 1961, section 19, chapter 133, Laws of 1973, section 79, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.88.200; repealing section 21, chapter 202, Laws of 1949 and RCW 18.88.210; repealing section 22, chapter 202, Laws of 1949, section 20, chapter 133, Laws of 1973 and RCW 18.88.220; repealing section 23, chapter 202, Laws of 1949, section 21, chapter 133, Laws of 1973 and RCW 18.88.230; repealing section 24, chapter 202, Laws of 1949, section 22, chapter 133, Laws of 1973 and RCW 18.88.240; repealing section 25, chapter 202, Laws of 1949, section 23, chapter 133, Laws of 1973 and RCW 18.88.250; repealing section 26, chapter 202, Laws of 1949, section 24, chapter 133, Laws of 1973 and RCW 18.88.260; repealing section 15, chapter 288, Laws of 1961, section 25, chapter 133, Laws of 1973 and RCW 18.88.265; repealing section 27, chapter 202, Laws of 1949, section 26, chapter 133, Laws of 1973 and RCW 18.88.270; repealing section 28, chapter 202, Laws of 1949, section 13, chapter 288, Laws of 1961, section 27, chapter 133, Laws of 1973 and RCW 18.88.280; repealing section 14, chapter 288, Laws of 1961, section 9, chapter 79, Laws of 1967, section 28, chapter 133, Laws of 1973 and RCW 18.88.285; repealing section 1, chapter 62, Laws of 1955 and RCW 18.88.290; repealing section 29, chapter 133, Laws of 1973 and RCW 18.88.300; repealing section 29, chapter 202, Laws of 1949 and RCW 18.88.900; repealing section 1, chapter 45, Laws of 1925 ex. sess., section 1, chapter 40, Laws of 1955, section 1, chapter 271, Laws of

1961, section 1, chapter 124, Laws of 1967, section 1, chapter 40, Laws of 1971, section 1, chapter 18, Laws of 1973, section 1, chapter 112, Laws of 1977 ex. sess. and RCW 2.52.010; repealing section 2, chapter 45, Laws of 1925 ex. sess. and RCW 2.52.020; repealing section 3, chapter 45, Laws of 1925 ex. sess. and RCW 2.52.030; repealing section 4, chapter 45, Laws of 1925 ex. sess., section 2, chapter 112, Laws of 1977 ex. sess. and RCW 2.52.040; repealing section 1, chapter 260, Laws of 1981 and RCW 2.52.050; repealing section 6, chapter 45, Laws of 1925 ex. sess. and RCW 2.52.060; repealing section 7, chapter 45, Laws of 1925 ex. sess. and RCW 2.52.070; and repealing section 8, chapter 45, Laws of 1925 ex. sess., section 5, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 2.52.080.

Referred to Committee on State Government.

**HB 494** by Representatives Wang, Sayan, Kreidler, Monohon, Allen, Stratton, Smitherman, J. King, Moon, Lewis and Powers

AN ACT Relating to podiatric services; amending section 1, chapter 268, Laws of 1947 as last amended by section 10, chapter 102, Laws of 1980 and RCW 48.44.010; amending section 4, chapter 115, Laws of 1969 as amended by section 1, chapter 127, Laws of 1979 and RCW 48.44.220; and adding new sections to chapter 48.44 RCW.

Referred to Committee on Social & Health Services.

**HB 495** by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang, Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson

AN ACT Relating to retirement from public service; adding a new section to chapter 2.12 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 43.43 RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 496** by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betozoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong

AN ACT Relating to property tax relief; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 4, chapter 185, Laws of 1980 and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.385; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 497** by Representatives Jacobsen, Burns, Silver, Rust, Allen, D. Nelson, Charnley, Appelwick, Tanner, Lux, Brekke, Niemi, McMullen, Smitherman, Zellinsky, Miller, Powers, Locke, Sutherland and Crane

AN ACT Relating to higher education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.80 RCW; and declaring an emergency.

Referred to Committee on Higher Education.

**HB 498** by Representatives Crane, Armstrong, Padden, Jacobsen, Appelwick, Todd, Isaacson, Silver, Schoon, Holland and Johnson

AN ACT Relating to driving while intoxicated; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess.

and RCW 46.61.515; adding a new section to chapter 46.61 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 499** by Representatives Sommers, Miller, Smitherman, Betzoff, Burns, Niemi, Locke, Jacobsen, Charnley, Holland, Armstrong and Wang (by Attorney General request)

AN ACT Relating to residential landlord-tenant relationships; amending section 2, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.020; amending section 26, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.260; amending section 28, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.280; amending section 34, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.340; and adding new sections to chapter 59.18 RCW.

Referred to Committee on Judiciary.

**HB 500** by Representatives Martinis, Stratton, B. Williams, Mitchell, McMullen, Charnley, Gallagher, Sommers and Fiske

AN ACT Relating to oil and gas; amending section 3, chapter 146, Laws of 1951 and RCW 78.52.010; amending section 5, chapter 146, Laws of 1951 and RCW 78.52.025; amending section 7, chapter 146, Laws of 1951 and RCW 78.52.031; amending section 10, chapter 146, Laws of 1951 and RCW 78.52.040; amending section 11, chapter 146, Laws of 1951 and RCW 78.52.050; amending section 13, chapter 146, Laws of 1951 and RCW 78.52.100; amending section 14, chapter 146, Laws of 1951 and RCW 78.52.120; amending section 22, chapter 146, Laws of 1951 and RCW 78.52.200; amending section 23, chapter 146, Laws of 1951 and RCW 78.52.210; amending section 24, chapter 146, Laws of 1951 and RCW 78.52.220; amending section 25, chapter 146, Laws of 1951 and RCW 78.52.230; amending section 26, chapter 146, Laws of 1951 and RCW 78.52.240; amending section 27, chapter 146, Laws of 1951 and RCW 78.52.250; amending section 50, chapter 146, Laws of 1951 and RCW 78.52.470; amending section 51, chapter 146, Laws of 1951 and RCW 78.52.480; adding new sections to chapter 78.52 RCW; repealing section 18, chapter 146, Laws of 1951 and RCW 78.52.160; repealing section 19, chapter 146, Laws of 1951 and RCW 78.52.170; repealing section 20, chapter 146, Laws of 1951 and RCW 78.52.180; repealing section 21, chapter 146, Laws of 1951 and RCW 78.52.190; repealing section 36, chapter 146, Laws of 1951 and RCW 78.52.340; repealing section 38, chapter 146, Laws of 1951 and RCW 78.52.350; repealing section 39, chapter 146, Laws of 1951 and RCW 78.52.360; repealing section 40, chapter 146, Laws of 1951 and RCW 78.52.370; repealing section 41, chapter 146, Laws of 1951 and RCW 78.52.380; repealing section 42, chapter 146, Laws of 1951 and RCW 78.52.390; repealing section 43, chapter 146, Laws of 1951 and RCW 78.52.400; repealing section 44, chapter 146, Laws of 1951 and RCW 78.52.410; repealing section 45, chapter 146, Laws of 1951 and RCW 78.52.420; repealing section 46, chapter 146, Laws of 1951 and RCW 78.52.430; repealing section 47, chapter 146, Laws of 1951 and RCW 78.52.440; repealing section 52, chapter 146, Laws of 1951 and RCW 78.52.490; repealing section 53, chapter 146, Laws of 1951, section 138, chapter 81, Laws of 1971 and RCW 78.52.500; repealing section 54, chapter 146, Laws of 1951 and RCW 78.52.510; repealing section 55, chapter 146, Laws of 1951 and RCW 78.52.520; and prescribing penalties.

Referred to Committee on Natural Resources.

**HB 501** by Representative Appelwick

AN ACT Relating to driving while intoxicated; and amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308.

Referred to Committee on Judiciary.

**HB 502** by Representatives Martinis and Gallagher

AN ACT Relating to the purchase of fishing and hunting guide licenses; amending section 77.32.010, chapter 36, Laws of 1955 as last amended by section 7, chapter 310, Laws of 1981 and RCW 77.32.010; amending section 30, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 25, chapter 310, Laws of 1981 and RCW 77.32.211; and adding new sections to chapter 77.32 RCW.

Referred to Committee on Natural Resources.

**HB 503** by Representatives Wilson, Walk, Gallagher, Prince, Struthers, Isaacson and Clayton

AN ACT Relating to the department of transportation; and amending section 13, chapter 151, Laws of 1977 ex. sess. and RCW 41.06.079.

Referred to Committee on State Government.

**HB 504** by Representatives Grimm, Isaacson, Holland and Johnson

AN ACT Relating to property taxation of nonprofit organizations; and amending section 2, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.030.

Referred to Committee on Ways & Means.

**HB 505** by Representatives Martinis and Gallagher

AN ACT Relating to hazardous materials liability; adding new sections to chapter 70.136 RCW; repealing section 1, chapter 172, Laws of 1982 and RCW 70.136.010; repealing section 2, chapter 172, Laws of 1982 and RCW 70.136.020; repealing section 4, chapter 172, Laws of 1982 and RCW 70.136.030; repealing section 3, chapter 172, Laws of 1982 and RCW 70.136.040; repealing section 5, chapter 172, Laws of 1982 and RCW 70.136.050; repealing section 6, chapter 172, Laws of 1982 and RCW 70.136.060; repealing section 7, chapter 172, Laws of 1982 and RCW 70.136.070; and declaring an emergency.

Referred to Committee on Transportation.

**HB 506** by Representatives Todd, Holland, Armstrong, Lux, Brough, Haugen, Appelwick, Powers, McMullen and Jacobsen

AN ACT Relating to real estate brokers and salesmen; amending section 11, chapter 222, Laws of 1951 as amended by section 11, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.130; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Commerce & Economic Development.

**HB 507** by Representatives Vekich, Armstrong, McMullen, Jacobsen, Brekke, Powers and Haugen

AN ACT Relating to life insurance beneficiaries; and adding a new section to chapter 48.01 RCW.

Referred to Committee on Financial Institutions & Insurance.

**SSB 3079** by Committee on Local Government (originally sponsored by Senators Bauer and Sellar)

Authorizing insurance services for officials as well as employees of sewer districts.

Referred to Committee on Local Government.

**SB 3090** by Senators Talmadge and Hughes

Modifying the budget and accounting act.

Referred to Committee on Ways & Means.

## REPORTS OF STANDING COMMITTEES

February 9, 1983

**HB 79** Prime Sponsor, Representative Moon: Allowing cities and towns to charge interest on sewer hook-ups. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Smitherman and Todd.

Absent: Representatives Charnley, Grimm, Hine, Ristuben and Todd.

Passed to Committee on Rules for second reading.

February 9, 1983

**HB 84** Prime Sponsor, Representative Haugen: Modifying the provisions relating to the land ownership prerequisite for special district elections. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Ebersole, Egger, Hine, Mitchell, Smitherman and Todd.



Voting nay: Representatives Van Dyken, Ranking Minority Chair; Broback and Isaacson.

Absent: Representatives Charnley, Grimm, Hine, Ristuben and Todd.

Passed to Committee on Rules for second reading.

February 9, 1983

HB 295 Prime Sponsor, Representative Belcher: Requiring state employees to be paid twice a month. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Johnson, Kaiser, Lux, D. Nelson, O'Brien, Sayan and Vekich.

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

Voting nay: Representatives J. Williams, Ranking Minority Vice Chair; Bond, Nealey, Silver and Taylor.

Rereferred to Committee on Ways & Means.

February 10, 1983

HB 396 Prime Sponsor, Representative Todd: Raising the minimum taxable income for B&O tax purposes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Appelwick, Bond, Braddock, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Sommers, Vice Chair; Brekke and Rust.

February 10, 1983

HB 470 Prime Sponsor, Representative Grimm: Altering provisions relating to state funds. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Bond, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep

February 10, 1983

HB 471 Prime Sponsor, Representative Grimm: Modifying provisions relating to the judiciary education account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

February 10, 1983

ESB 3258 Prime Sponsor, Senator McDermott: Modifying taxes ('81-'83 Biennium). Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\* Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((one)) two and twenty-five one-hundredths~~ percent.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that

portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((one))~~ two and twenty-five one-hundredths percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a 'sale at retail' or a 'sale at wholesale.' The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

NEW SECTION, Sec. 3. There is added to chapter 82.04 RCW a new section to read as follows:

(1) There is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to twenty-five percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive.

(2) There is also levied and shall be collected from every person for the act or privilege of engaging in the business activity of making sales at retail which are exempt from the tax imposed under chapter 82.08 RCW by reason of RCW 82.08.0261 or 82.08.0262, as a part of the tax imposed under RCW 82.04.250, an additional tax equal to twenty-five percent multiplied by the tax payable on those activities under RCW 82.04.250.

(3) To facilitate collection of these additional taxes, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 4. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through ~~((82-04-296))~~ 82.04.250, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.220 through ~~((82-04-296))~~ 82.04.250, inclusive, and RCW 82.04.260 through 82.04.280, inclusive.

To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 5. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to ~~((four))~~ five and one-half percent of the selling price: PROVIDED, That from and after the first day of ~~((December, 1981))~~ March, 1983, until and including the thirtieth day of ~~((April, 1982))~~ June, 1983, such tax shall be levied and collected in an amount equal to ~~((five and five))~~ six and four-tenths percent of the selling price ~~((-- PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to the rate specified in RCW 82.02.030 multiplied by the selling price)).~~

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 6. Section 31, chapter 35, Laws of 1982 1st ex. sess. as amended by section 1, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.02.030 are each amended to read as follows:

(1) ~~((Until and including the day before the change date, the rate of the sales and use taxes under RCW 82.08.020 shall be five and four tenths percent and the rate of the additional taxes under RCW 48.14.020(3), 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.08.150(4), 82.16.020(2), 82.20.010(2), 82.24.020(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be four percent.~~

(2) ~~From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:~~

~~((a) The rate of sales and use taxes under RCW 82.08.020 shall be five and four tenths percent and) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), 82.20.010(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent: PROVIDED. That the additional tax imposed by RCW 82.44.020(5) shall be continued at the rate of three percent for the period July 1 through September 30, 1983;~~

~~((b)) (2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent;~~

~~((c)) (3) The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and~~

~~((d)) (4) The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.~~

~~((3) 'Change date' for the taxes under RCW 48.14.020(3), 54.28.020(2), 54.28.025(2), 82.04.2901, 82.16.020(2), and 82.29A.030(2) means July 1, 1982; for the taxes under RCW 82.08.020, 82.08.150(4), 82.20.010(2), 82.24.020(2), 82.26.020(2), 82.45.060(2), 66.24.210(2), and 66.24.290(2) means August 1, 1982; and for the taxes under RCW 82.27.020(5) and 82.44.020(5) means October 1, 1982;))~~

NEW SECTION. Sec. 7. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Vessel' means every watercraft used or capable of being used as a means of transportation on the water other than a seaplane and includes propulsion machinery and other equipment regularly used with the vessel.

(2) 'Owned' means a lawful right of possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

(3) 'Dealer' means a person, partnership, association, or corporation engaged in the business of selling vessels at wholesale or retail in this state.

(4) 'Department' means the department of licensing.

NEW SECTION. Sec. 8. Except as provided in this chapter, no person may use any vessel on the waters of this state unless the vessel has been registered and displays a vessel number in accordance with this chapter.

NEW SECTION. Sec. 9. The following are exempt from vessel registration under this chapter:

(1) Vessels from a foreign country or another state temporarily using waters subject to Washington jurisdiction;

(2) Military or public vessels of the United States, except recreational-type public vessels;

(3) Vessels owned by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(4) Ships' lifeboats;

(5) Vessels equipped with propulsion machinery of less than ten horse power that:

(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix '1' in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

(6) Vessels which have or are required to have a valid marine document as a vessel of the United States and which are primarily engaged in commerce;

(7) Vessels under fourteen feet in overall length which have no propulsion machinery of any type; and

(8) Vessels under four feet in beam which have no propulsion machinery of any type.

NEW SECTION. Sec. 10. The department shall provide for the issuance of vessel registrations and may appoint agents to collect fees and issue vessel numbers. Each agent of the department shall retain one dollar of the registration fee for each vessel registration application processed by the agent. If the agent is a county auditor, the retained dollar shall be paid to the county treasurer and credited to the county current expense fund. The department shall not issue or renew a registration for a vessel unless the tax due under chapter 82.\_\_\_\_ RCW (sections 15 through 18 of this act) has been paid. Vessel registration fees and taxes collected by the department shall be deposited in the state general fund.

NEW SECTION. Sec. 11. (1) Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars and the tax imposed under chapter 82.\_\_\_\_ RCW (sections 15 through 18 of this act).

(2) Upon receipt of the application and the registration fee, the vessel shall be assigned a vessel number, which shall be affixed to the vessel in a manner prescribed by the department. The vessel number is not required to be affixed to a vessel which has or is required to have a valid marine document as a vessel of the United States.

(3) Vessel registrations are valid for one calendar year. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and tax.

**NEW SECTION.** Sec. 12. (1) Each dealer of vessels in this state shall register with the department in the manner and upon forms prescribed by the department. Upon receipt of a dealer's application for registration and a registration fee of twenty-five dollars, the dealer shall be registered and a vessel number assigned.

(2) The registration fee and vessel number cover all vessels owned and held for sale by the dealer and not rented on a regular commercial basis. Rented vessels shall be registered separately under this chapter.

(3) Dealer vessel numbers are not transferable.

**NEW SECTION.** Sec. 13. The department shall adopt rules under chapter 34.04 RCW to implement this chapter. The department shall adopt by rule a vessel numbering system which conforms to the standard numbering system for vessels set forth in volume 33, part 174, of the code of federal regulations.

**NEW SECTION.** Sec. 14. A violation of this chapter is a misdemeanor punishable as provided in chapter 9A.20 RCW.

**NEW SECTION.** Sec. 15. (1) An excise tax is imposed for the privilege of using a vessel as defined in section 7 of this act upon the waters of this state. The annual amount of the excise tax is one percent of fair market value of the vessel per calendar year or part thereof, as determined under this chapter.

(2) The excise tax for a vessel registered within one month after the date the owner acquired the vessel shall be prorated for the remaining months of the calendar year, including the month in which the vessel is registered if the vessel was not registered in this state for the immediately preceding calendar year.

(3) The excise tax imposed under this chapter is due and payable to the department of licensing or its agents at the time of registration of a vessel.

**NEW SECTION.** Sec. 16. The department of revenue shall prepare at least once each year a depreciation schedule for use in the determination of fair market value for the excise tax imposed by this chapter. The schedule shall be based upon information available to the department of revenue pertaining to the current fair market value of vessels. The fair market value of a vessel for the purposes of the excise tax imposed by this chapter shall be based on the latest purchase price depreciated according to the year of purchase of the vessel. The latest purchase price is the consideration, whether money, credit, rights, or other property expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the vessel. The purchase price must be a reasonable representation of the fair market value of the vessel.

**NEW SECTION.** Sec. 17. (1) Whenever a person applies for registration of a vessel acquired by lease or by gift or which is sold or acquired under conditions wherein the purchase price does not represent the true fair market value of the vessel, the fair market value of the vessel shall be determined as nearly as possible according to such guidebooks, listings, or other information as the department of licensing may have available.

(2) If the vessel is homemade, a notarized declaration of fair market value shall be made by the owner. The department of revenue shall appraise the vessel to establish the value of the vessel for excise tax purposes when it appears that the declared value does not represent the true fair market value of the vessel.

**NEW SECTION.** Sec. 18. The following are exempt from the tax imposed under this chapter:

(1) Vessels exempt from the registration requirements of chapter 88.\_\_\_\_ RCW (sections 7 through 14 of this act);

(2) Vessels primarily engaged in commerce;

(3) Vessels with a fair market value of five thousand dollars or less; and

(4) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 19. Section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels (~~taxable in the state of Washington;~~) which are primarily engaged in (~~interstate~~) commerce (~~foreign commerce or commerce between ports of the state of Washington and the high seas;~~) shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

Sec. 20. Section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090 are each amended to read as follows:

All ships and vessels (~~taxable in the state~~), other than those (~~taxable~~) partially exempt under RCW 84.36.080 and those described in RCW 84.36.079, are exempt from all ad valorem

taxes (~~except taxes levied for any state purpose and twenty percent of taxes levied for all other purposes~~)).

NEW SECTION. Sec. 21. Property taxes paid for a vessel for 1983 shall be allowed as a credit against tax due under section 15 of this act for the same vessel.

NEW SECTION. Sec. 22. Sections 7 through 14 of this act shall constitute a new chapter in Title 88 RCW. Sections 15 through 18 of this act shall constitute a new chapter in Title 82 RCW.

Sec. 23. Section 82.48.020, chapter 15, Laws of 1961 as last amended by section 240, chapter 158, Laws of 1979 and RCW 82.48.020 are each amended to read as follows:

An annual excise tax is hereby imposed for the privilege of using any aircraft in the state. A current certificate of air worthiness with a current inspection date from the appropriate federal agency and/or the purchase of aviation fuel shall constitute the necessary evidence of aircraft use or intended use. The tax shall be collected for each calendar year by the director of licensing, and must be paid during the month of January, except that the tax for 1983 is due on the effective date of this 1983 section. No additional tax shall be imposed under this chapter upon any aircraft upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such aircraft has already been paid for the year in which transfer of ownership occurs. (~~A penalty of five dollars shall be levied against all aircraft not timely registered~~) A violation of this chapter is a misdemeanor punishable as provided in chapter 9A.20 RCW.

Sec. 24. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

The amount of the tax imposed by this chapter for each calendar year or part thereof shall be (~~fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification~~) one percent of the fair market value of the aircraft as determined under this chapter; PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered; PROVIDED FURTHER, That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

NEW SECTION. Sec. 25. There is added to chapter 82.48 RCW a new section to read as follows:

After consultation with the department of licensing, the department of revenue shall prepare at least once each year a schedule for use in the collection of the excise tax imposed under this chapter. The schedule shall be based upon available information pertaining to the fair market value of aircraft. Aircraft shall be classified into a convenient number of classes on the basis of price, make, type, year of manufacture, or any other reasonable basis, and the rate of tax prescribed in RCW 82.48.030 shall be applied to the value of aircraft within the classes as thus determined. In determining fair market value, the department of revenue may use any guidebook, report, or compendium of recognized standing in the aircraft industry. The schedule shall show, so far as possible, the amount of excise tax for aircraft within each class and shall sufficiently describe the aircraft included within each class to enable the department of licensing and its agents to ascertain readily the amount of tax applicable to any particular aircraft.

NEW SECTION. Sec. 26. There is added to chapter 82.48 RCW a new section to read as follows:

Whenever a person applies for a registration for an aircraft which does not appear on the schedule, the applicant shall apply to the county assessor of the applicant's county for computation of the amount of excise tax due. Upon application, the assessor shall appraise the aircraft at its fair market value based on any guidebook, report, or compendium of recognized standing in the aircraft industry, ascertain the amount of excise tax by applying to the appraisal the rate of the tax under this chapter, and give the applicant a certificate showing the excise tax due under this chapter.

NEW SECTION. Sec. 27. Taxes paid under chapter 82.48 RCW before April 1, 1983, for calendar year 1983 shall be allowed as a credit against tax due under RCW 82.48.030 for the same aircraft.

NEW SECTION. Sec. 28. There is added to chapter 82.32 RCW a new section to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of reducing the period after the close of a biennium during which accrued revenue may be credited back to that biennium. If the balance of the account exceeds the amount necessary for the previously stated purpose, moneys in the account may be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system.

**NEW SECTION, Sec. 29.** This act shall not be construed as affecting any existing right acquired, or liability or obligation incurred under the sections amended in this act, nor any rule, regulation, or order adopted, nor any proceeding instituted, under those sections.

**NEW SECTION, Sec. 30.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION, Sec. 31.** (1) The sum of seventy-five thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of revenue for the biennium ending June 30, 1983, to carry out the purposes of sections 7 through 21 of this act.

(2) The sum of seventy-five thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of revenue for the biennium ending June 30, 1983, to carry out the purposes of sections 23 through 27 of this act.

(3) The sum of one hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund for the biennium ending June 30, 1983, to the department of licensing for the purposes of sections 7 through 21 of this act.

**NEW SECTION, Sec. 32.** 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. Sections 1 through 6, and 28 through 32 of this act shall take effect March 1, 1983. Sections 7 through 18, and 21 through 27 of this act shall take effect April 1, 1983. Sections 19 and 20 of this act shall take effect January 1, 1984, for taxes due in 1984 and thereafter. The department of revenue and the department of licensing shall immediately take necessary steps to ensure that all sections of this act are properly implemented on their effective dates. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as amended by section 1, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.02.030; amending section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; amending section 82.48.020, chapter 15, Laws of 1961 as last amended by section 240, chapter 158, Laws of 1979 and RCW 82.48.020; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; adding a new chapter to Title 82 RCW; adding a new chapter to Title 88 RCW; adding new sections to chapter 82.48 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; creating new sections; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, Monohon, Rust, Sayan and Smithman.

**MINORITY recommendation:** Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Addison, Bond, Hastings, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

**Voting nay:** Representatives Cantu, Ranking Minority Chair; Addison, Bond, Fiske, Hastings, McClure, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

#### MOTIONS

On motion of Mr. Heck, the rules were suspended and House Bill No. 396, House Bill No. 470, House Bill No. 471 and Engrossed Senate Bill No. 3258 were placed on the second reading calendar.

On motion of Mr. Heck, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fiske, who was excused.

The Speaker declared the House to be at ease until 3:00 p.m.

The Speaker called the House to order at 3:00 p.m.

The House was recessed until 6:00 p.m.

#### EVENING SESSION

The House was called to order at 6:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fiske, who was excused.

Mr. Heck demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Fiske.

On motion of Mr. Heck, the absent member was excused and the House proceeded with business under the Call of the House.

On motion of Mr. Heck, the House advanced to the sixth order of business.

#### SECOND READING

ENGROSSED SENATE BILL NO. 3258, by Senator McDermott (By Governor Spellman Request)

Modifying taxes ('81-'83 Biennium).

The bill was read the second time.

#### MOTION

Mr. McDonald moved that Engrossed Senate Bill No. 3258 be rereferred to Committee on Ways & Means.

Representatives McDonald and G. Nelson spoke in favor of the motion, and Mr. Heck spoke against it.

#### POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, I refer you to Reed's Rule 120 -- Motion to Commit -- '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.'"

The Speaker: "Your point is well taken, Representative O'Brien. Will you restrain yourself to the issue, Representative Nelson."

Mr. G. Nelson continued his remarks in favor of the motion.

#### POINT OF ORDER

Mr. Hastings: "Mr. Speaker, Representative O'Brien referred to Reed's Rule 120, but he didn't read quite far enough. It says, 'If, however, the proposition be to commit with instructions as to the main question, then debate can be had on the merits.' I submit that Representative McDonald, in his motion, said 'once again,' which implies, in my mind, that we are talking about something we have talked about before, namely the public hearing. To me that is with instructions, and I think the question is open and I would hope you would rule that way, Mr. Speaker."

The Speaker: "Thank you for reading the rest of the rule to us, Representative Hastings."

Mr. Hastings: "Mr. Speaker, you just acknowledged that I read further; you didn't tell me whether my point was well taken or not. I would like a ruling on my point of order."

The Speaker: "Well, next time we have something before us, Representative Hastings, now that Representative Nelson has finished his speech, we'll have an

opportunity to rule on that, but since he has finished his speech, it's beyond that point; we have nothing before us."

Mr. Grimm spoke against the motion.

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, once again Representative Grimm seems to be straying from the subject. The subject is the referral of Engrossed Senate Bill No. 3258 to the Committee on Ways & Means."

The Speaker: "Representative Grimm, will you please restrain yourself to the question of rereferral."

Mr. Grimm concluded his remarks against the motion, and Mr. Van Dyken spoke in favor of it.

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

Mr. Barrett spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Addison.

Mr. Addison: "Representative Grimm, on what day did the Ways & Means Committee hold a hearing on Senate Bill 3258?"

Mr. Grimm: "We held a hearing on the entire issue--the supplemental budget, supplemental revenues, the governor's proposal--about a week or ten days ago. I don't recall the exact day."

Mr. Addison: "On what day did the Ways & Means Committee hold a hearing on the subject of a tax on watercraft?"

Mr. Grimm: "The very same day."

Mr. Addison: "On what day did notice go out to the public that there would be a hearing on the subject of taxation of watercraft?"

Mr. Grimm: "Maybe I can save you time on a number of questions. The notice that went out to the public--to everyone who had indicated an interest personally, through letters, or individuals who wanted to be notified, or representatives of organizations, the public, private industry, and the press, which is obviously both electronic and written, which is obviously the major conduit for the notification of individuals as to the business before the legislature--that there would be a hearing on the Governor's proposal for supplemental budget and revenue and other alternatives. Everyone knew the process to which we were entering and had an opportunity to present testimony on the entire range of issues before us at this time."

Mr. Addison spoke in favor of the motion, and Ms. Sommers spoke against it.

#### POINT OF ORDER

Mr. Taylor: "Mr. Speaker, this is a new legislature and we are speaking to the issue at hand, not past history. Let's address the facts. My point of order is that I think we should address the fact the hearing was never held on either the biennial revenue package or the supplemental. I would ask the speaker to address herself to that point, with which she has been very well connected the past few days."

The Speaker: "I believe, Representative Taylor, and Representative Sommers, we would like you to stick to that, although there have been references to past discussions in previous legislatures on the floor all evening. We would like to, if at all possible, stick to the question of rereferral."

Ms. Sommers concluded her remarks against the motion, and Mr. Pruitt also spoke against it.

Representatives Patrick and West spoke in favor of the motion.



## POINT OF ORDER

Mr. O'Brien: "The gentleman is completely out of order, Mr. Speaker. He's involving personalities and engaging in discussions of other members. He is in violation of our rules."

The Speaker: "I see a lot of heads nodding on both sides of the aisle, Representative O'Brien. Would you try to restrict yourself to the question, Representative West, of whether or not this bill should be rereferred to Ways & Means Committee."

## ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 3258 to Committee on Ways and Means, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal.)

Mr. Grimm moved adoption of the committee amendment.

Mr. Cantu moved adoption of the following amendment to the committee amendment:

On page 1, after line 5 insert:

"NEW SECTION. Section 1. This act shall terminate on June 30, 1983."

Renumber the remaining sections and correct internal references.

Mr. Cantu spoke in favor of the amendment to the committee amendment.

## POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I was having trouble following the arguments in favor of this amendment when we got back on the subject of scheduling meetings and hearings. I wonder if, in your judgment, the arguments were pertinent to the motion?"

The Speaker: "Representative Cantu, it's clear that this deals with the matter of whether or not this act will terminate on June 30, 1983, not on any other issue. Would you please speak to that."

Mr. Cantu concluded his remarks in favor of the amendment. Representatives Vander Stoep, Isaacson, Bond, Brough, Barnes and Tilly spoke in favor of the amendment to the amendment, and Ms. Rust spoke against it.

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

Representatives Hastings and Holland spoke in favor of the amendment and Mr. Moon spoke against it.

## POINT OF ORDER

Ms. Rust: "The speaker is not speaking on the subject of the amendment, which is whether or not we are going to terminate these taxes. He is speaking on the nature of our present tax structure."

The Speaker: "Representative Holland, would you address the question, please."

Mr. Holland continued his remarks in favor of the amendment, and Mr. B. Williams also spoke in favor of the amendment.

POINT OF ORDER

Mr. Heck: "Mr. Speaker, we have all been very patient in listening to the very learned Representative Williams wax eloquent for well over seven or eight minutes about matters that don't directly pertain whatsoever to the amendment. The amendment is to terminate the proposed tax increase as of June 30, and this is a wonderful dissertation about national---"

POINT OF ORDER

Mr. Hastings: "Mr. Speaker, our rules allow a member to speak for ten minutes per time. Representative Williams has spoken for less time than that, and I think he ought to be given the right to speak his full allotted time according to the House rules that we all adopted."

The Speaker: "Representative Hastings, I believe that Representative Heck had two points: One was what he was speaking about, and second, how long it was taking him to get there. Representative Heck's point is that Representative Williams should speak to the question, and if he would do that please. You still have two minutes and fifty-seven seconds of your ten minutes, Representative Williams."

POINT OF ORDER

Mr. Hastings: "Mr. Speaker, I was hoping that you would rule on points of order when they are made and not allow debate or remarks prior to stating a point."

Mr. Williams concluded his remarks in favor of the amendment, and Mr. Lewis also spoke in favor of the amendment.

POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Rust, I want to make sure that I heard you correctly earlier when you made your comments on this amendment. Did I hear you correctly, that there is, indeed, a good chance that we may see taxes substantially higher than those in the present Senate Bill 3258?"

Ms. Rust: "No, this bill is not as high as the Senate bill. The Senate bill eliminates the termination date that was passed during the last biennium. Those termination dates are still in effect as of the present. We will be going through the process of hearing from the public, hearing from the agencies, to establish a budget for the next biennium. At that time, we can make the decisions on what we are going to do with our termination dates. Even if we decide to continue some of the temporary taxes, the tax level, in all probability, will be lower than they are now. If we do nothing to those termination dates, leave them as they are, the tax rates will go down automatically when those taxes are terminated. Does that answer your question?"

Mr. Patrick: "Not really. Let me ask the question in a different way. Are you saying, in effect, that there is a chance that we may have higher taxes over and above those taxes that we are talking about tonight?"

Ms. Rust: "I can't say what the chances are. We will be having public hearings and we will be making decisions. I think the taxes will be lower and they will be for this time between now and the end of the biennium. A lot of people have made promises that we will terminate the sales tax on food, and I think--I can't speak for the rest of the body--but I'm certain that this will happen, and beginning the first of July, we will all enjoy no taxes, but for this period right now, we have to do this because otherwise we've heard what will happen--the Governor told us."

Representatives Patrick and Schoon spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Earlier in the evening, the lady from the First District, a member of your party and a member of Ways & Means Committee, indicated that \$8 billion which would be set--assuming this amendment fails--for the next biennium would be the floor on which the next biennial budget would be built. I had understood you to say that we are going to operate on a zero-based budget, and that we are going to build from the ground up, and we are going to examine every agency's budget and not make any budget assumptions. Was her statement wrong or are we going to assume, immediately, that a zero-based budget means a minimum of \$8 billion?"

Mr. Grimm: "No, Representative Rust's statement--the lady from First District--was not wrong. There is a relatively straightforward explanation as to what she said and its accuracy. We will be looking, and have been looking, at every agency. We will be looking at every expenditure that is made in the way of tax loopholes, tax exemptions, that will be addressed; there's no question about it, as far as individual expenditures. As to overall base, given our current situation, an \$8 billion budget in the next biennium is not unreasonable. Why is that? First of all, the current biennium, in which we are doing our work, has a revenue shortfall that required action to meet the level of spending below which the most conservative legislature in anyone's memory would be able to go. It is not unreasonable, even though there can be changes and cuts, to assume that with the mistakes that were made in the past biennium, in which we are currently serving, that we cannot go below that. Furthermore, a current situation has been compounded as we face the next biennium, by the fact that the budget--even as it is, out of balance--deferred several major expenditures. How could one justify a budget perhaps of as much as \$8 billion? The most conservative legislature in the history of the state at this time is not raising salaries of state employees, but on the last day of the biennium there will be--by action of the previous legislature--again, very conservative--a seven percent salary increase for state employees. Fair? Yes. Do I oppose it? No. In fact, neither did you, those of you who were here to vote on it. What is the effect of that seven percent increase? Even you, as a very conservative majority last year, were unable to eliminate, or didn't wish to eliminate, \$290 million in the next biennium. The 25th month--the number one priority of the financial community that we have to buy back--total cost, \$300 million. Starting in 1977, during Democratic control, a revenue accrual account was created into which funds were being put, rainy day funds--"

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, it seems to me that the present speaker is straying considerably from the question posed by Representative Vander Stoep."

The Speaker: "Please don't stray, if you are straying, Representative Grimm. Stick to the point, would you please."

Mr. Grimm: "If you were to buy back, as I am proposing, a significant portion, a reasonable portion, and get back on schedule to buy back the 25th month, it would cost us about \$250 million in the next biennium. If we were on schedule, it would only cost us about \$40 or \$50 additional million, but \$80 million, actually more in the last current biennium, was taken to balance this current biennium, even though it is now out of balance. That adds to the problem. What about the constitutional responsibility to fund schools? More than \$200 million was cut. I think we have a responsibility to meet that paramount duty in the state, so it's not difficult to explain how one, as a reasonable person, can get to an \$8 billion budget. That doesn't mean, and this is what Representative Rust was pointing out, that we will not be looking at every agency, every program and every tax loophole, which is really an expenditure of state government. We will be. She's right."

Representatives Vander Stoep and Long spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Cantu to page 1 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Fiske - 1.

The Speaker called on Mr. O'Brien to preside.

Mr. Schoon moved adoption of the following amendment to the committee amendment:

On page 2, line 7 after "transaction," insert "This section shall terminate on July 1, 1983."

Mr. Schoon spoke in favor of the amendment, and Ms. Sommers spoke against it.

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

Representatives Broback, J. Williams and Barnes spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Schoon to page 2, line 7 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment to the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Barrett moved adoption of the following amendment to the committee amendment:

On page 1, line 6 strike all of section 1 and renumber the remaining sections consecutively.

Representatives Barrett, McDonald, Struthers and Hastings spoke in favor of the amendment to the amendment, and Ms. Sommers spoke against it.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Barrett, striking section 1 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment to the amendment was not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King

R. Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prufft, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Excused: Representative Fiske - 1.

#### POINT OF PERSONAL PRIVILEGE

Mr. G. Nelson: "Mr. Speaker, eighteen minutes ago, I made a motion relative to having the hotline down on the first floor--"

The Speaker (Mr. O'Brien presiding): "A point of personal privilege has to pertain to you and not some outside function."

Mr. G. Nelson: "Mr. Speaker, it does. I was informed from the rostrum that my request was being fulfilled relative to having the hotline manned so the messages would be delivered. I had a security person go down, the door was locked, the door was opened and every line on that console—that group of four consoles—was—"

The Speaker (Mr. O'Brien presiding): "You are out of order, Representative Nelson. You are completely out of order. If you have a problem relative to the administration of the legislature, you talk to the Chief Clerk about it. He tells me that the hotline was closed and they were trying to get it open. It closes at 8 p.m., very economical, he's watching the costs."

#### POINT OF INFORMATION

Mr. G. Nelson: "Mr. Speaker, when will the hotlines be opened this evening? And, Mr Speaker, if it's too much of a problem I would be happy to volunteer people to be on those hotlines this evening. I will personally take people from the Republican staff to make sure that we receive the messages that nobody has been able to provide to the members of this body."

The Speaker (Mr. O'Brien presiding): "I have been very tolerant of you, Representative Nelson. The hotline has nothing to do with this legislative process. You are out of order."

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 2, line 23 strike "~~((one)) two and twenty-five one-hundredths percent~~" and insert "one percent on all persons whose income is exclusively from commissions and two and twenty-five one-hundredths percent on all other persons"

Mr. Tilly spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. J. King.

Mr. J. King: "Representative Tilly, would it be conceivable that a trial attorney, on a contingency basis, could call that a commission under the outlines of this amendment? Or could an architect on a consultant basis shift that and call it a commission and say he's working on a commission basis?"

Mr. Tilly: "That's not the intent of the amendment, Representative King."

Mr. J. King: "Would that be conceivable with the way the amendment is drafted?"

Mr. Tilly: "That's not the intent, Representative King."

Mr. J. King spoke against the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Tilly, while the very respected representative who has just spoken is working on this problem, hopefully in an open government form, do you mean to tell me that the person who is selling shoes door-to-door, the kid who is trying to earn his or her way through college selling encyclopedias, the kid

who maybe sells newspapers on commission, is going to have to pay this horrendous rate that would possibly prevent this person from accomplishing his or her dreams or even making ends meet?"

Mr. Tilly: "That's possible."

Mr. Lewis spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative King, you mentioned the problem that you can't respond to your hotline messages; I'm just wondering if that might be as a result of the fact that it's shut down now?"

Mr. J. King: "The remarks that I made, Representative Vander Stoep, is not that I couldn't respond to them—I always respond to my hotlines—I said your eloquence kept me from reading them."

Representatives Cantu and Tilly spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 2, line 23 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; excused, 1.

Voting yea: Representatives Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representative Fiske - 1.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, according to Rule 21D, having voted on the prevailing side by which the preceding amendment was defeated, I have the right to file a notice of a motion for reconsideration. However, I have a problem that the rules don't seem to address, and I need your ruling before I can proceed. My question, sir, is: Do I need to file it the same day that the vote was taken? Should I do it now? Are you telling me that I cannot file this on the second day if the matter is still on second reading?"

The Speaker (Mr. O'Brien presiding): "You would have to move to reconsider immediately."

Mr. Barrett: "Does that mean, Mr. Speaker, that we are prohibited at any time from filing a motion for reconsideration on the second day that the matter is still before the body?"

The Speaker (Mr. O'Brien presiding): "The second day isn't before us, so I'm not going to answer your question."

Mr. Barrett: "You did not answer my question. My question is what my rights would be on the second day?"

The Speaker (Mr. O'Brien presiding): "Your question is moot because we are not on the second day."

#### MOTION FOR RECONSIDERATION

Mr. Barrett, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the Tilly amendment to page 2, line 23 of the committee amendment failed.

Mr. Tilly spoke against the motion.

Mr. Barrett: "Mr. Speaker, I am accepting the fact that what you have ruled is that second reading reconsideration is to be treated the same as final passage reconsideration, and as such, this will be taken up on the next working day and not at the present time."

The Speaker (Mr. O'Brien presiding): "Final passage is a little bit different than an amendment on second reading."

The motion was lost.

Mr. Betrozoff moved adoption of the following amendment to the committee amendment:

On page 3, line 7 after "section." insert "This section shall terminate on July 1, 1983."

Representatives Betrozoff, Long and West spoke in favor of the amendment, and Ms. Rust spoke against it.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr. West.

Mr. West: "Representative Rust, my question to you would be: Do you anticipate, in the spending program I'm sure we will see, a seven percent raise for state employees with an additional five percent for state public employees in that budget?"

Ms. Rust: "A tax increase is not an increase of \$8.1 billion; that's the total amount. We will be having public hearings; we will be listening to state employees and to the agencies, and the Committee on Ways & Means will make the decision on the increases that are paid."

Mr. West: "Representative Rust, do you anticipate a pay raise for public employees this year?"

Ms. Rust: "I can't speak for the body."

Mr. West: "Do you personally anticipate voting for a pay raise for the public employees?"

Ms. Rust: "I will listen to the testimony given by the agencies and by the public employees, and I will keep those facts in mind, considering what kind of revenues that we can raise."

Mr. West spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Lewis.

Mr. Lewis: "Turning to you, Representative Rust, as the lead person from Ways & Means, I appreciate the clarity on this tax increase to the floor, and we could be borrowing again in the next biennium, but you mentioned something about this onerous tax that we are discussing now and trying to straighten out with this amendment. You stated that we will be developing or striving for a tax that is fair, and we will replace that with a fair tax and replace it with--in your words--'a better tax.' Again, could you clarify what you mean by a better tax or a fair tax? Are you talking about an income tax or---"

#### POINT OF ORDER

Ms. Sommers: "Mr. Speaker, the questioner is not asking a question about the proposed amendment."

The Speaker (Mr. O'Brien presiding): "That's very true. Mr. Lewis, you are out of order with your question to Representative Rust."

## POINT OF INQUIRY

Mr. Betzoff yielded to question by Mr. Padden.

Mr. Padden: "Representative Betzoff, since we didn't have any public hearings on this, I'm not certain what are all the various services that are covered with the B&O tax on services? At least the ones that you are aware of?"

Mr. Betzoff: "In addition to architects—which I gave you the example of the family business in Renton for architects—there are attorneys, certified public accountants, engineers would be covered, doctors, dentists, and I believe barbers, would also be some of the categories."

Representatives Padden, Fuhrman, Addison, Schoon and Bond spoke in favor of the amendment to the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betzoff to page 3, line 7 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment to the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Mitchell moved adoption of the following amendment to the committee amendment:

On page 3, line 7 following "section" insert "; PROVIDED, That gross income from medical services shall be taxed at a rate of one percent"

Representatives Mitchell, B. Williams, Addison and Vander Stoep spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Mitchell spoke again in favor of the amendment to the committee amendment.

## POINT OF PERSONAL PRIVILEGE

Mr. Appelwick: "Mr. Speaker, I've been somewhat reluctant because I've felt there has been a great deal of bad judgment this evening and certainly poor discretion and abuse to the public in the legislature, but I must demand from Representative Addison a formal apology for stating that the members of this body, myself included, were attempting to blackmail the people of the State of Washington. That statement was beneath the dignity of the members of this House and the people of the state."

## POINT OF ORDER

Mr. Barrett: "I ask you to rule on Rule 18G. I believe Representative Appelwick is out of order in presenting his point of personal privilege. There has been a speaker since Representative Addison spoke."

The Speaker (Mr. O'Brien presiding): "The Speaker is certainly in sympathy with Representative Appelwick and what he wanted to say in his comments. We have really broken some of the rules here this evening, and we've been trying to do everything we can to maintain proper decorum and respect for each other, and it's gone beyond the Speaker's realm of power. We've been very tolerant up here because of the tremendous number of amendments that are before us. We would like to have, of course, the cooperation of the minority party here so that we can expedite our work before us."



Mr. Isaacson spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Mitchell to page 3, line 7 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Harugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

The Speaker resumed the Chair.

Mr. Bond moved adoption of the following amendment to the committee amendment:

On page 3, line 7 following "section." insert:

"NEW SECTION, Sec. 3. There is added to chapter 82.04 RCW a new section to read as follows:

In computing tax under this chapter, a person collecting tax under chapters 82.08 and 82.12 RCW may credit against the amount of the tax otherwise due under this chapter one-fourth of one percent of the tax collected under chapters 82.08 and 82.12 RCW as compensation for collecting the tax and complying with the reporting requirements."

Remember the remaining sections consecutively.

Representatives Bond and Struthers spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Bond spoke again in favor of the amendment.

#### POINT OF INQUIRY

Ms. Hankins yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Hankins, as the ranking minority chair on State Government Committee, I think you reported in caucus a day or so ago that there is a bill passed out of the committee that allows for compensation for state employees if the payment or the check was late or something like that. Would you clarify that for me?"

Ms. Hankins: "Yes, Representative Hastings, it is a penalty if you do not meet your payroll in time. It's a one percent penalty."

#### POINT OF ORDER

Ms. Hine: "Mr. Speaker, I fail to see how this relates to this amendment before us."

The Speaker: "Representatives Hankins and Hastings, this question and answer does not appear to relate to the amendment before us. Please address your remarks to that question."

Mr. Hastings spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond, adding a new section to page 3 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders,

Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representative Fiske - 1.

Mr. Fuhrman moved adoption of the following amendment to the committee amendment:

On page 3, line 23 after "inclusive" insert ": PROVIDED, That only seven percent multiplied by the tax payable by forest products manufacturers shall constitute the additional tax imposed by this section on forest products manufacturers"

Mr. Fuhrman spoke in favor of the amendment, and Ms. Sommers spoke against it.

#### POINT OF INQUIRY

Mr. Fuhrman yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Fuhrman, in your remarks, when you referred to state employees receiving a pay raise and the voluntary action of private sector employees, I wonder if you are aware that the state employees, as of this July, will be nearly twenty-five percent below prevailing wage? If you were aware that last July they were thirteen percent below prevailing wage, and were you aware that was not a voluntary deduction---"

#### POINT OF ORDER

Mr. Hastings: "Mr. Speaker, the issue here is a timber tax amendment, and the question to Representative Fuhrman deals with other compensation. I think he ought to be asking questions dealing with the timber tax issue."

The Speaker: "Representative Sayan, could you attempt to structure your questions in relationship to the amendment?"

Mr. Sayan spoke against the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman to page 3, line 23 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Fiske - 1.

Ms. Allen moved adoption of the following amendment to the committee amendment:

On page 3, line 23 following "inclusive" insert ": PROVIDED, That only seven percent multiplied by the tax payable by aluminum companies shall constitute the additional tax imposed by this section on aluminum companies"

Representatives Allen, B. Williams, West, Stratton, McDonald, Taylor, Hastings and Vander Stoep spoke in favor of the amendment, and Mr. Heck spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Allen to page 3, line 23 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B. Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Fiske - 1.

The Speaker called on Mr. O'Brien to preside.

Mr. Clayton moved adoption of the following amendment to the committee amendment:

On page 3, line 23 following "inclusive" insert ": PROVIDED, That only seven percent multiplied by the tax payable by food processing companies shall constitute the additional tax imposed by this section on food processing companies."

Representatives Clayton and Nealey spoke in favor of the amendment, and Ms. Rust spoke against it.

## POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Rust, since you opened the issue on the floor during debate on exemptions and differentials, doesn't that same publication mention one of the exemptions, the sales tax on food?"

Ms. Rust: "Representative Lewis, are you speaking to the amendment before us?"

Mr. Lewis: "Yes, I am, because you have brought up the question of the tax exemptions dealing with food processors. For my own clarification, while I do believe -- my memory is coming back -- I do believe the sales tax on food is exempted, but your remarks leave open a question to me. Does this mean that as a part of the better tax and the tax that is fair, we're talking about doing away with all tax exemptions on agricultural products as well as the extension of the B&O tax to farmers?"

Ms. Rust: "Representative Lewis, I don't think you are addressing the subject of the amendment. I'll be glad to answer your questions if you are."

Mr. Lewis: "Well, I think I am. I rule that I am."

The Speaker (Mr. O'Brien presiding): "Mr. Lewis, you proceed to talk on this amendment."

Representatives Lewis, Dickie, Smith, Isaacson, Addison and Fuhrman spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clayton to page 3, line 23 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B. Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Fiske - 1.

Ms. Ellis moved adoption of the following amendment by Representatives Ellis, Armstrong, Isaacson and Hankins to the committee amendment:

On page 3, line 23 after "inclusive" insert "except that this additional tax shall not apply to any business engaged in the disposal of low level waste as defined in RCW 43.145.010"

Representatives Ellis and Hankins spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ellis and others to the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Brough, Haugen, Wang - 3.

Excused: Representative Fiske - 1.

Mr. Vander Stoep moved adoption of the following amendment to the committee amendment:

On page 4, line 11 after "thousandth." insert "This section shall terminate on July 1, 1983."

Mr. Vander Stoep spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment, and Mr. Addison also spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to page 4, line 11 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 4, after line 11 insert:

"Sec. 4. Section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd 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, dry beans, lentils, triticale, 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 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.

(7) 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))~~ one-eighth of one percent.

(8) 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.

(9) 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.

(10) 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.

(11) 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.

(12) 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.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to

such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460."

Renumber the remaining sections consecutively and correct internal references.

Representatives Hastings and Dickie spoke in favor of the amendment, and Ms. Rust spoke against it.

#### POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Hastings, I see in the same section of the law that your amendment deals with, actually subsection (5), that the tax rate on remanufacturing by canning, preserving and dehydrating of fresh fruit and vegetables is three tenths of one percent, which currently is the same as the tax rate on the processing of meat products. Yet, you are reducing that rate by approximately fifty percent or more than that, down to .00125. What would be the difference? Why would you want to have a rate for meat products and their manufacture that's different from the manufacturing of fruits and vegetables?"

Mr. Hastings: "Very simply, Representative Nelson, for equity. Seafood processors process seafood -- meat. Beef processors process beef -- meat. The issue ought to be the same and for that reason, for the equity of it. It seems to me that this is an extremely high volume, low profit margin business. As a matter of fact, the return is somewhere less than a penny on a dollar--less than one percent. At the rate of .33, if you tack that surcharge on there, you are taxing them at an incredibly high rate. If you equate that to a corporate profit tax, it would be very close to fifty percent, and it seems to me that is an extremely high rate that hardly anybody could absorb, so it's for the equity of it, Representative Nelson, that I think the rate ought to be down to that rate."

Mr. D. Nelson: "Are you suggesting that somehow the manufacture of fruits and vegetables is a more profitable business than is the manufacture of meat?"

Mr. Hastings: "Well, Representative Nelson, I guess when you get right to the crux of the problem that we've been trying to communicate to you tonight, is the give and take had we had a public hearing. We could have had people from each industry, and they could have stood up there maybe, and we could have asked them--you're not a member of the Ways and Means Committee, but I know I served on Revenue with you before and I know at that time, we had the opportunity to ask these individuals why there is a differential in rates. I recall specifically former Speaker of the House, Charlie Hodde, at that time Director of Revenue, came in there and he had all those answers tucked in the back of his head, and he gave us a reason 'why' on all of that. Had we had the benefit of a public hearing, we probably could have gone through this whole thing and found out exactly why there is a differential."

Mr. D. Nelson: "Referring back to comments by Representative Nickell, who, I think, indicated that the manufacturer of fruits and vegetables -- I believe he was talking about that --was a low profit margin industry and since he is very expert in that area, coming from a farming area, I guess I would accept his advice as much as I would accept Mr. Hodde's advice. If he tells me that manufacturing of fruits and vegetables is a very high volume, low profit industry, then I'm wondering why we should tax them at more than double the rate that we tax meat products or seafood products?"

Mr. Hastings: "Representative Nickell chose not to run this time. He's not in the body now and I don't recall his remarks."

Mr. D. Nelson: "Citing the comments of one of your members, whose name I don't remember, but who described himself as a farmer and suggested that the industry is a low profit industry, why do you think--could you speculate as to why we should tax at a more than double rate a very important part of our agricultural economy when we have a lower rate for seafood and meat products?"

Mr. Hastings: "Representative Nelson, the first motion when we first started here tonight was to rerefer this bill back to Ways and Means Committee. If I recall the arguments of why we ought to do that, it's for the purpose of a public hearing. As a matter of fact, there is a point of order that was raised that was out of order, and I stood up. I recall, and said that as part of the motion made, '...for the purpose of public hearing.' I think probably, we could still have the time to go into reconsideration if you are as interested as I am on this subject. We could reconsider that amendment."

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Mr. Smith, in the amendment that we are considering in another part of the same section of the law, the rate on the manufacture, canning, preserving, freezing of fresh fruits and vegetables, if we adopt this amendment, would be more than twice the manufacture of meat products. Can you explain to me why those two industries that exist in your area should have that different kind of rate on their B&O tax?"

Mr. Smith: "Well, you know this is my time of night. I happen to be the kind of farmer that milks cows and I would like to explain that I do sell my cows and I sell my beef. If you should ask me, I just think anything you put on farmers is bad because we're so danged broke now we don't know what we are doing, and now you are really going to dig a hole for us. We had Mt. St. Helens that buried us once and now you are going to bury us again."

Mr. D. Nelson: "Would you say a rate that's twice as high is twice as bad then?"

Mr. Smith: "We're already buried now; we might get our heads above ground if you'd leave us alone. I think we should treat everybody alike and just go all the way and exempt everything. If you guys want to eat, you're going to have to start thinking about us farmers a little bit."

Mr. Taylor spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to page 4, adding a section to the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Fiske - 1.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, I have 1:57 a.m., Saturday, February 12. Is this the 33rd legislative day or the 34th legislative day?"

The Speaker (Mr. O'Brien presiding): "It is the 33rd legislative day."

Mr. J. King moved adoption of the following amendments by Representatives J. King, Ristuben, Galloway, Sutherland, Heck and Tanner to the committee amendment:

On page 3, line 31 after "82.08.0262" insert "and from every person engaging in the business activity of making sales at retail, other than sales exempt under RCW 82.08.0284, within border counties"

On page 4, after line 11 insert:

**\*NEW SECTION.** Sec. 3. There is added to chapter 82.04 RCW a new section to read as follows:

As used in section 4 of this act and RCW 82.08.030, 'border counties' means those counties physically bordering on a state which does not impose a retail sales or use tax."

Renumber the remaining sections consecutively.

On page 5, line 19 after "price))" insert "in counties other than border counties, and equal to five and four-tenths percent of the selling price in border counties. For the purposes of determining the applicable rate under this section, where a retail sale occurs shall be determined under RCW 82.14.020."

On page 6, after line 4 insert:

"Sec. 6. Section 81.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 8, Laws of 1981 2nd 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 property acquired at a casual or isolated sale, and 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 RCW 82.12.0252, 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 in effect for the retail sales tax under RCW 82.08.020, as now or hereafter amended, in the county in which the article is used."

Renumber the remaining sections consecutively and correct internal references.

Representatives J. King and Galloway spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Addison.

Mr. Addison: "Representative King, is the intent of your amendment that the various services that are paid for by the state, such as the portion that the schools in your area and welfare benefits to people living in these counties, be reduced by a similar proportion to the lower sales tax to be paid in that area?"

Mr. J. King: "The intent of the amendment is simply to exempt residents of Clark, Skamania and Klickitat counties from paying an increase in the sales tax offset by an increase in the B&O tax."

Mr. Addison spoke against the amendments.

#### POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Tilly.

Mr. Tilly: "Representative King, since we didn't get to discuss this in the Ways and Means Committee, what is the fiscal impact of this amendment on an annual basis?"

Mr. J. King: "It's impossible to determine it with the substantial revenue loss going out of the state. There's no way to determine that."

Mr. Tilly: "You are unable to answer the question, is that correct?"

Mr. J. King: "I'm saying it's impossible to determine. Nobody can give you a firm answer on that. It's interesting that you should address an issue on that; it's the first time it's been addressed all night on any amendment offered."

Mr. Tilly spoke against the amendments.

#### POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Taylor.

Mr. Taylor: "Does this include the Spokane area, for instance, my district?"



Mr. J. King: "No, it doesn't. The situation is entirely different from the Spokane area."

Representatives Taylor, Hastings, Clayton, Isaacson and Smith spoke against the amendments, and Mr. Fuhrman spoke in favor of them.

#### MOTION

Mr. Padden moved that the amendments by Representative J. King and others to the committee amendment be laid on the table.

#### ROLL CALL

The Clerk called the roll on the motion to table the amendments by Representative J. King and others to the committee amendment to Engrossed Senate Bill No. 3258, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Cantu spoke against the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative J. King and others to the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 17; nays, 80; excused, 1.

Voting yea: Representatives Crane, Fuhrman, Galloway, Grimm, Halsan, Heck, King J, Kreidler, Nelson D, Ristuben, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 17.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 80.

Excused: Representative Fiske - 1.

#### MOTION

On motion of Mr. Heck, Representative Taylor was excused from the Call of the House.

Ms. Silver moved adoption of the following amendment to the committee amendment:

On page 1, line 6 strike all of sections 1 through 4 and renumber the remaining sections consecutively.

Representatives Silver, Patrick, Dickie, West and Long spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Schmidt asked Ms. Rust to yield to question, and Ms. Rust refused to yield.

Ms. Schmidt spoke in favor of the amendment.

#### POINT OF ORDER

Mr. D. Nelson: "I think the amendment before us is addressing the B&O tax and not a budget. I would ask the speaker to stick to the amendment."

The Speaker: "Representative Schmidt, the point is well taken. This amendment deals with elimination of B&O tax increase. Would you please restrict your remarks to that and that alone."

Ms. Schmidt concluded her remarks in favor of the amendment, and Ms. Brough also spoke in favor of it.

#### POINT OF INQUIRY

Mr. Padden asked Ms. Sommers to yield to question, and she refused to yield.

#### POINT OF INQUIRY

Mr. B. Williams yielded to question by Mr. Padden.

Mr. Padden: "Representative Williams, do you have any figures as to what the equivalent would be here on the B&O tax in this bill where we are raising it twenty-five percent additional surtax, or thirty-two percent surtax, and of course, we're increasing services from .107 to .225. Do you have any idea what the equivalent would be, and if that were a corporate income tax, what the rate would be?"

Mr. B. Williams: "The equivalent in a corporate income tax would be between thirteen and fifteen percent, which would be the highest corporate income tax in the United States, higher than even the great states of Taxachussettes and Minnesota."

Representatives Padden, Tilly, J. Williams, Smith and Isaacson spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver striking 4 sections of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Saryan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Fiske - 1.

Mr. Nealey moved adoption of the following amendment:

On page 5, after line 8 insert the following:

"Sec. 5. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Selling price' means the consideration, whether money, credits, rights, or other property, expressed in the terms of money paid or delivered by a buyer to a seller (—) without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080; PROVIDED, That the value of trade-in property of like kind may be subtracted from the total consideration paid.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the 'selling price' shall be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe;

(2) 'Seller' means every person making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal;

(3) 'Buyer' and 'consumer' include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of

individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof;

(4) The meaning attributed in chapter 82.04 RCW to the terms 'tax year,' 'taxable year,' 'person,' 'company,' 'sale,' 'sale at retail,' 'retail sale,' 'sale at wholesale,' 'wholesale,' 'business,' 'engaging in business,' 'cash discount,' 'successor,' 'consumer,' 'in this state,' and 'within this state' (~~shall~~) apply equally to the provisions of this chapter."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Nealey, Chandler, Struthers, Padden, Tilly and West spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nealey adding a new section on page 5 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Vekich, Waik, Wang, and Mr. Speaker - 51.

Excused: Representative Fiske - 1.

Mr. Locke moved adoption of the following amendment to the committee amendment:

On page 5, beginning on line 9 strike all material through "82.12.020." on page 6, line 4 and insert the following:

"Sec. 5. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to ~~((four and one-half) five and six-tenths percent of the selling price: PROVIDED, That from and after the first day of (December, 1981) March, 1983, until and including the thirtieth day of (April, 1982) June, 1983, such tax shall be levied and collected on sales and use of food in an amount equal to five and four-tenths percent of the selling price, and on all other sales and uses in an amount equal to six and five-tenths percent of the selling price((-PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to the rate specified in RCW 82.02.030 multiplied by the selling price))~~.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020."

Renumber the sections consecutively and correct internal references accordingly

Representatives Locke, Vander Stoep, Taylor, Addison, Ballard, McDonald and Haugen spoke in favor of the amendment, and Representatives Lewis and Mitchell spoke against it.

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. West.

Mr. West: "Representative Locke, you indicated, I believe, in your remarks that we'd have enough money to accomplish this. Did you give a dollar figure in the margin and the amount of money to be raised by this?"

Mr. Locke: "Yes, our figures are on the amendment. It indicates that exclusion of food from the sales tax will result in a decrease in state revenues of \$13 million, but by increasing the sales tax an additional .1 of one percent for a total of 1.1

percent on nonfood items, it generates \$10.1 million for a net loss of only \$2.9 million."

Mr. West: "So your dollars have 2.9 to spare?"

Mr. Locke: "\$2.9 less total revenue of the state for the rest of the biennium. That is based on the Ways and Means staff projection of a \$42 million cushion."

Mr. Locke spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Locke adding a new section 5 to the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 30; nays, 67; excused, 1.

Voting yea: Representatives Addison, Allen, Belcher, Bond, Brough, Charnley, Dellwo, Ebersole, Fisch, Fisher, Halsan, Isaacson, King P. Locke, McClure, McDonald, Moon, Nelson D. Nelson G. Padden, Patrick, Powers, Pruitt, Sanders, Silver, Smitherman, Taylor, Van Dyken, Vander Stoep, West - 30.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Ellis, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Long, Lux, Martinis, McMullen, Miller, Mitchell, Monohon, Nealey, Niemi, O'Brien, Prince, Ristuben, Rust, Sayan, Schmidt, Schoon, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 67.

Excused: Representative Fiske - 1.

Mr. Locke moved adoption of the following amendments to the committee amendment:

On page 5 of the amendment, line 18 strike "one-half" and insert "(~~one-half~~) six tenths"

On page 5 of the amendment, on line 26 strike "four" and insert "five"

On page 6 of the amendment after line 4 insert the following:

"Sec. 6. Section 48, chapter 35, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

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, except that sections 28, 29, and 30 of this act shall take effect on May 1, 1982, sections 33 and 34 of this act shall take effect on (~~July~~) June 1, 1983, and sections 35 through 38 of this act shall take effect on January 1, 1983.

Sections 28 and 29 of this act shall expire on July 1, 1983. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

Renumber the sections consecutively and correct internal references accordingly.

Mr. Locke spoke in favor of the amendment, and Mr. Lewis spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Locke to pages 5 and 6 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 30; nays, 67; excused, 1.

Voting yea: Representatives Addison, Belcher, Betzoff, Brough, Dellwo, Ebersole, Fisch, Fuhrman, Halsan, Holland, Isaacson, King P. Locke, Long, McDonald, Mitchell, Moon, Nelson D. Nelson G, O'Brien, Padden, Patrick, Powers, Pruitt, Sanders, Schoon, Smitherman, Taylor, Todd, Wilson - 30.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Egger, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Lux, Martinis, McClure, McMullen, Miller, Monohon, Nealey, Niemi, Prince, Ristuben, Rust, Sayan, Schmidt, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 67.

Excused: Representative Fiske - 1.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson, Hankins, Struthers, Prince, Hastings, Clayton, Nealey, Bond, Padden, Fuhrman, Silver, Williams, Barrett, Taylor, Tilly and West to the committee amendment:

On page 5, beginning on line 9 strike all of section 5 and insert the following:

"Sec. 5. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Selling price' means the consideration, whether money, credits, rights, or other property, expressed in the terms of money paid or delivered by a buyer to a seller, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the 'selling price' shall be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe:

(2) 'Seller' means every person making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal:

(3) 'Buyer' and 'consumer' include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof;

(4) 'Border counties' means those counties physically bordering on another state or nation which does not impose a retail sales or use tax as high as the retail sales and use tax imposed in Washington state, and the counties adjacent to those counties.

(5) The meaning attributed in chapter 82.04 RCW to the terms 'tax year,' 'taxable year,' 'person,' 'company,' 'sale,' 'sale at retail,' 'retail sale,' 'sale at wholesale,' 'wholesale,' 'business,' 'engaging in business,' 'cash discount,' 'successor,' 'consumer,' 'in this state' and 'within this state' shall apply equally to the provisions of this chapter.

Sec. 6. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to ~~((four and one-half))~~ six and four-tenths percent of the selling price: PROVIDED, That ~~((from and after the first day of December, 1981, until and including the thirtieth day of April, 1982;))~~ such tax shall be levied and collected in border counties in an amount equal to five and ~~((five))~~ four-tenths percent of the selling price ~~((PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to the rate specified in RCW 82.02.030 multiplied by the selling price))~~. For the purposes of determining the applicable rate under this section, where a retail sale occurs shall be determined under RCW 82.14.020.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 7. Section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 8, Laws of 1981 2nd 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 property acquired at a casual or isolated sale, and 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 RCW 82.12.0252, 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 in effect for the retail sales tax under RCW 82.08.020, as now or hereafter amended, in the county in which the article is used.

Sec. 8. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

(1) Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of ~~((forty-four))~~ forty-seven one-hundredths of one percent; PROVIDED, That such tax shall be levied and collected from such persons making sales at retail in border counties at the rate of fifty-eight one-hundredths of one percent of gross proceeds of such sales.

(2) For the purpose of determining the applicable rate under this section, "border counties" means those counties physically bordering on a state or nation which does not impose a retail sales or use tax as high as the retail sales and use tax imposed in Washington state, and the counties adjacent to those counties. Where a retail sale occurs shall be determined under RCW 82.14.020."

Renumber the sections consecutively and correct any internal reference accordingly

Representative Isaacson spoke in favor of the amendment to the amendment, and Ms. Sommers spoke against it.

Mr. Isaacson spoke again in favor of the amendment, and Mr. Vander Stoep spoke against it.

Mr. Barrett spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Isaacson and others to the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 19; nays, 78; excused, 1.

Voting yea: Representatives Barrett, Bond, Clayton, Fuhrman, Hankins, Hastings, Heck, Isaacson, Mitchell, Nealey, Padden, Prince, Ristuben, Silver, Sutherland, Tanner, Taylor, West, Williams B - 19.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams J, Wilson, Zellinsky, and Mr. Speaker - 78.

Excused: Representative Fiske - 1.

Mr. Struthers moved adoption of the following amendment to the committee amendment:

On page 6, line 4 after "RCW 82.12.020." insert "This section shall terminate on July 1, 1983."

Representatives Struthers, Fuhrman, Vander Stoep and Hastings spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to page 6, line 4 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Fiske - 1.

Mr. J. Williams moved adoption of the following amendment to the committee amendment:

On page 9, strike lines 17 through 21 and insert:

"(6) Vessels which have or are required to have a valid marine document as a vessel of the United States and which are engaged in commerce as determined by the rules and regulations of the Internal Revenue Service."

Representatives J. Williams and Sommers spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. Williams to page 9, lines 17 through 21 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fiske - 1.

Ms. Sommers moved adoption of the following amendment:

On page 11, after line 31 strike lines 32, 33, 34 and 35 and insert:

"NEW SECTION, Sec. 14. Any person charged with the enforcement of this chapter may request for inspection the certificate of registration from any vessel owner or operator to ascertain the legal and registered ownership of such vessel. Failure to provide such certificate for inspection upon the request of any person charged with enforcement of this chapter constitutes a violation of this chapter and subjects the person requested to produce such document to the penalties provided by section 15 of this act.

NEW SECTION, Sec. 15. (1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations a fine of four hundred dollars per vessel.

(2) Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions."

Renumber the subsequent sections consecutively and correct any internal references accordingly.

Representatives Sommers and Van Dyken spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers to page 11 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 90; nays, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Bond, Cantu, Clayton, Nealey, Padden, Taylor, West - 7.

Excused: Representative Fiske - 1.

Ms. Miller moved adoption of the following amendment to the committee amendment:

On page 12, following line 25 insert:

"(4) One-fifth of the tax collected under this section shall be placed into a special account in the general fund, hereby created, dedicated for use for marine parks and marine recreation and leisure purposes"

Representatives Miller, Betrozoff, J. Williams, Hastings and West spoke in favor of the amendment, and Representatives Sommers, Hine and Kaiser spoke against it.

Ms. Miller spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller to page 12 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Ms. Sommers moved adoption of the following amendments by Representatives Sommers and J. Williams:

On page 13, line 2 strike "latest" and insert "original"

On page 13, line 4 strike "latest" and insert "original"

On page 13, line 14 following "Sec. 17," strike lines 15 through 26 and insert "(1) If the original purchase price is not known, the owner may have the county assessor appraise the vessel, which value shall be used if less than the value established by the department of revenue."

Representatives J. Williams and Sommers spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Sommers and J. Williams to page 13 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Clayton, Dickie, Haugen - 3.

Excused: Representative Fiske - 1.

Ms. Schmidt moved adoption of the following amendment to the committee amendment:

On page 13, line 35 following "vessel" insert ": PROVIDED, That the fair market value may be proven by the vessel owner as the sum of the value of the material and labor purchased to construct the vessel"

Ms. Schmidt spoke in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schmidt to page 13, line 35 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 44.



Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 53.

Excused: Representative Fiske - 1.

Ms. Schmidt moved adoption of the following amendment to the committee amendment:

On page 13, following line 35 insert the following:

"NEW SECTION, Sec. 18. Any vessel owner may appeal the fair market value of the owner's vessel established by the department of revenue to the board of equalization of the county in which the owner resides or in which the vessel is berthed."

Renumber the remaining sections consecutively.

Representatives Schmidt, Van Dyken and Sommers spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schmidt to page 13, adding a new section to the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Vekich - 1.

Excused: Representative Fiske - 1.

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 12, line 26 strike sections 16 and 17 and insert:

"NEW SECTION, Sec. 16. The fair market value shall be established by the vessel owner submitting a notarized declaration of the fair market value of the vessel. The department of revenue may purchase the vessel for a price of one hundred five percent of the value stated in the declaration."

Renumber the remaining sections consecutively and correct internal references.

Mr. Addison spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to page 12 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 38; nays, 59; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Wilson - 38.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 59.

Excused: Representative Fiske - 1.

Mr. J. Williams moved adoption of the following amendment to the committee amendment:

On page 14, strike lines 7 and 8 and insert

"(2) Vessels engaged in commerce as determined by the rules and regulations of the Internal Revenue Service."

Representatives J. Williams and Van Dyken spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. Williams to page 14 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fiske - 1.

Ms. Miller moved adoption of the following amendment to the committee amendment:

On page 7, line 30 strike all of sections 7 through 22 and renumber the remaining sections consecutively.

Representatives Miller, Taylor and McDonald spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Taylor spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr Taylor yielded to question by Mr. Tanner.

Mr. Tanner: "Representative Taylor, I'm curious if your friend who owns the marina and had eighteen employees and now has only three, has communicated with Ronald Reagan about the collapse of the national economy?"

Mr. Taylor: "Well, I would guess so, yes. He happens to be a Republican who supported Reagan, I can tell you that much, and was willing to hang tough as long as he could, but you know, when our friends and neighbors boot us in the face too, then that gets a little more serious."

Representatives Cantu, J. Williams, G. Nelson, Betrozoff and Schmidt spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller to page 7, line 30 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King R, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Excused: Representative Fiske - 1.

Mr. Ballard moved adoption of the following amendment to the committee amendment:

On page 15, beginning on line 17 strike all of sections 23, 24, 25, 26 and 27 and insert the following:

"Sec. 23. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

The amount of the tax imposed by this chapter for each calendar year shall be ~~((fifteen))~~ fifty dollars for each single engine aircraft, and ~~((twenty-five))~~ eighty dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED FURTHER, That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made."

Renumber the sections consecutively and correct internal references accordingly.

Representatives Ballard, Nealey, Prince, Struthers, Bond, McDonald and Hastings spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Tilly, as a member of the Ways and Means Committee, I don't remember having hearings on this proposed airplane tax measure, but then I don't sit on Revenue Subcommittee, and I'm wondering if, since you do, was there such a hearing?"

Mr. Tilly: "Representative Vander Stoep, did you mean the full Ways and Means Committee? The answer is 'no.' Or was your question on the subcommittee? The answer is still 'no.'"

Mr. Vander Stoep: "Specifically, I'm wondering, if on the proposal that we're voting on today in the House version, was there a public hearing on that proposal? A public hearing where people could come in and testify?"

Mr. Tilly: "No, Representative Vander Stoep, there wasn't."

Representatives Vander Stoep, B. Williams and Padden spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ballard to page 15 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Todd, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Fiske - 1.

#### MOTION FOR RECONSIDERATION

Mr. Tilly, having voted on the prevailing side moved that the House immediately reconsider the vote by which the amendment by Representative Ballard to page 15 of the committee amendment was not adopted.

Mr. Tilly spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Tilly, I'm at a loss to find out what, for goodness sake, is wrong with this amendment, and I can't seem to get an answer. I wonder if your yellow book has the answer there someplace where we could probably dissect that out?"

Mr. Tilly: "The answer isn't in the book. This is a policy matter that this legislature has to establish, the 98 members in the House and the 49 in the Senate, and then the Governor, but I do believe what I said about the recommendation of this, the group that put this together, certainly would support the amendment."

Representatives McDonald, Bond and Barrett spoke in favor of the motion, and Mr. Heck spoke against it.

## POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I'm afraid if the speaker is allowed to continue, he may impugn my motives. I think the speaker should be reminded that the Speaker of the House will decide when we are sent home; it is not either party."

Mr. Heck continued his remarks against the motion.

Representatives Barnes, Betrozoff and Ballard spoke in favor of the motion.

## POINT OF ORDER

Mr. Sutherland: "Mr. Speaker, I believe we cannot refer to another house here."

The Speaker: "Your point is well taken. Representative Ballard, please do not speak about the other body."

Mr. Ballard continued his remarks in favor of the motion, and Mr. Fuhrman also spoke in favor of it.

## POINT OF ORDER

Ms. Hine: "Mr. Speaker, I don't believe the remarks are germane to the subject of reconsideration."

The Speaker: "Representative Fuhrman, will you restrict your remarks to the question."

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, if I read the rules correctly, it opens up the entire debate, and it is full-ranging when you talk about a reconsideration."

The Speaker: "Well, Representative McDonald, it is true that one can talk in general terms about the subject matter, but that subject matter does not include everything in the universe."

Mr. Fuhrman concluded his remarks in favor of the motion, and Representatives B. Williams, Bond and Miller also spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion that the House immediately reconsider the vote by which the amendment by Representative Ballard to page 15 of the committee amendment was not adopted, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B. Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt,

Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Betrozoff moved adoption of the following amendment to the committee amendment:

On page 15 of the amendment, beginning on line 17, strike all of sections 23, 24, 25, 26 and 27 and insert the following:

"Sec. 23. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Aircraft' means any weight-carrying device or structure for navigation of the air(;) which is designed to be supported by the air(~~-but which is heavier than air~~);

(2) 'Director' means the director of licensing; ((and))

(3) 'Person' includes a firm, partnership or corporation;

(4) 'Small multi-engine fixed wing' means any multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than fifty-seven hundred pounds; and

(5) 'Large multi-engine fixed wing' means any multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of fifty-seven hundred pounds or more.

Sec. 24. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) The amount of the tax imposed by this chapter for each calendar year shall be ((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification. PROVIDED: That the calendar year)) as follows:

Months elapsed

since aircraft  
manufactured

Type of aircraft

Registration  
fee

Over But not  
over

0	59	Single engine fixed wing	\$ 40
0	59	Small multi-engine fixed wing	50
0	59	Large multi-engine fixed wing	65
0	59	Turboprop multi-engine fixed wing	80
0	59	Turbojet multi-engine fixed wing	125
0	59	Helicopter	75
59	119	Single engine fixed wing	35
59	119	Small multi-engine fixed wing	45
59	119	Large multi-engine fixed wing	55
59	119	Turboprop multi-engine fixed wing	60
59	119	Turbojet multi-engine fixed wing	100
59	119	Helicopter	55
119	179	Single engine fixed wing	30
119	179	Small multi-engine fixed wing	40
119	179	Large multi-engine fixed wing	45
119	179	Turboprop multi-engine fixed wing	50
119	179	Turbojet multi-engine fixed wing	75
119	179	Helicopter	50
179	239	Single engine fixed wing	25
179	239	Small multi-engine fixed wing	35
179	239	Large multi-engine fixed wing	40
179	239	Turboprop multi-engine fixed wing	45
179	239	Turbojet multi-engine fixed wing	50
179	239	Helicopter	40
239		Single engine fixed wing	20
239		Small multi-engine fixed wing	30
239		Large multi-engine fixed wing	35
239		Helicopter	35
All ages		Sailplane	20
All ages		Lighter than air	20
All ages		Multi-engine ex-military	100
All ages		Multi-engine ex-air carrier	100
All ages		Home built	20

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month

in which the aircraft is being registered: PROVIDED ((FURTHER)), That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

NEW SECTION. Sec. 25. Sections 23 and 24 of this act shall take effect January 1, 1983."

Renumber the remaining sections consecutively.

On page 20 of the amendment, beginning on line 11 after "(2)" strike all material down through "(3)" on line 19.

On page 20 of the amendment, line 33 strike "28 through 32" and insert "26 through 29".

On page 20 of the amendment, line 36 strike "27" and insert "22"

Representatives Betzoff and Taylor spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betzoff to page 15 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Patrick moved adoption of the following amendment to the committee amendment:

On page 20, following line 26 insert:

"Sec. 32. Section 48, chapter 35, Laws of 1982 1st ex. sess. is amended to read as follows:

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, except that sections 28, 29, and 30 of this act shall take effect on May 1, 1982, section 33 and 34 of this act shall take effect on ~~((July 1))~~ March 1, 1983, and sections 35 through 38 of this act shall take effect on January 1, 1983.

Sections 28 and 29 of this act shall expire on July 1, 1983. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

Representatives Patrick, McDonald, Padden, G. Nelson, Taylor and Vander Stoep spoke in favor of the amendment, and Representatives Sommers and Appelwick spoke against it.

Mr. Taylor demanded an oral roll call vote and the demand was sustained.

Mr. Patrick spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patrick to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 34; nays, 63; excused, 1.

Voting yea: Representatives Addison, Ballard, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Fuhrman, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McClure, McDonald, Miller, Mitchell, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Van Dyken, West, Williams J, Wilson - 34.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smith, Smitherman, Sommers,

Stratton, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 63.

Excused: Representative Fiske - 1.

Ms. Silver moved adoption of the following amendment to the committee amendment:

On page 20 after line 26 insert the following:

"NEW SECTION, Sec. 32. Sections 1 through 4 shall terminate on July 1, 1985."

Ms. Silver spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Fiske - 1.

Mr. Ballard moved adoption of the following amendment to the committee amendment:

On page 20 after Line 26 insert the following:

"NEW SECTION, Sec. 32. Sections 23 through 27 shall terminate on July 1, 1983."

Mr. Ballard spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ballard to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Fiske - 1.

Mr. Fuhrman moved adoption of the following amendment to the committee amendment:

On page 20 following line 26 insert a new section as follows:

"NEW SECTION, Sec. 32. The state shall not increase its revenues for any year by more than fifty percent of the growth in the state's average real personal annual income for the previous year."

Renumber the remaining sections accordingly.

Mr. Fuhrman spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Fuhrman yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Fuhrman, if this passes, which law would be in force in this state--this law or Initiative 62, which was passed by the voters in 1979,

which says that tax revenues shall be proportional to personal income and not fifty percent of personal income?"

Mr. Fuhrman: "I would like this law to be in effect, and I would like it to be effective as of right today."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B. Williams J, Wilson - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Ms. Galloway moved adoption of the following amendment to the committee amendment:

On page 20 after line 26 insert the following:

"Sec. 32. Section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050 are each amended to read as follows:

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the department pursuant to the provisions of RCW 82.08.060. The tax required by this chapter, to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the department, and any seller who appropriates or converts the tax collected to his own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a gross misdemeanor.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of his own acts or the result of acts or conditions beyond his control, he shall, nevertheless, be personally liable to the state for the amount of the tax.

The amount of tax, until paid by the buyer to the seller or to the department, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor. The tax required by this chapter to be collected by the seller shall be stated separately from the selling price (~~and for purposes of determining the tax due from the buyer to the seller and from the seller to the department~~), unless the seller elects to include the tax in the selling price and clearly informs the purchaser that the tax is included, and the price list, advertisements, sales document, contract, or other agreement between the parties sets forth the current tax rate. If the seller does not so elect, it shall be conclusively presumed that the selling price quoted in any price list, advertisements, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter.

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten percent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the department; and all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32 RCW, the fifteenth day of the month following the tax period in which the purchase was made shall be considered as the due date of the tax.

Sec. 33. Section 82.08.120, chapter 15, Laws of 1961 as amended by section 51, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.120 are each amended to read as follows:

Whoever, excepting as expressly authorized by this chapter, refunds, remits, or rebates to a buyer, either directly or indirectly and by whatever means, all or any part of the tax levied by this chapter, or makes in any form of advertising, verbal or otherwise, any statements which



might infer that he is absorbing the tax or paying the tax for the buyer (~~by an adjustment of prices, or at a price including the tax, or~~) in any (~~other~~) manner whatsoever shall be guilty of a misdemeanor: PROVIDED, That this section shall not be construed to require the seller to state the tax imposed under this chapter separately from the selling price if the buyer is informed as required under RCW 82.08.050. The violation of this section by any person holding a license granted by the state or any political subdivision thereof shall be sufficient grounds for the cancellation of the license of such person upon written notification by the department of revenue to the proper officer of the department granting the license that such person has violated the provisions of this section. Before any license shall be canceled hereunder, the licensee shall be entitled to a hearing before the department granting the license under such regulations as the department may prescribe."

Renumber the sections consecutively and correct internal references accordingly.

Representatives Galloway, Tilly and Van Dyken spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Galloway to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 89; nays, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Brekke, Clayton, Dickie, Fisher, Kaiser, Lux, Moon, Sanders - 8.

Excused: Representative Fiske - 1.

Mr. Broback moved adoption of the following amendment to the committee amendment:

On page 20, line 34 following "1983" insert ": PROVIDED, HOWEVER, That the tax increase levied in section 5 shall not apply to sales made pursuant to any contractual agreement entered into prior to March 1, 1983"

Representatives Broback, Bond and West spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Broback spoke again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Broback to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Sloep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

The Speaker called on Mr. O'Brien to preside.

Ms. Sommers moved adoption of the following amendment to the committee amendment:

On page 20, after line 34 strike lines 35 and 36, and on page 21, line 1 strike "April 1, 1983." and insert "Sections 7 through 13, 16 through 19, and 22 through 28 of this act shall take effect April 1, 1983. Sections 14 and 15 of this act shall take effect May 1, 1983."

Ms. Sommers spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Schoon asked Ms. Sommers to yield to question and she refused to yield.

Ms. Miller spoke against the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers to page 20 of the committee amendment to Engrossed Senate Bill No. 3258, and the amendment was adopted by the following vote: Yeas, 65; nays, 32; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickle, Fuhrman, Hankins, Holland, Isaacson, Long, McDonald, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams J, Wilson - 32.

Excused: Representative Fiske - 1.

POINT OF PERSONAL PRIVILEGE

Mr. West: "Mr. Speaker, it's 7:30 in the morning and I'm tired. Now I'm used to working at night. I used to be a cop and I got tired on that job too, but you know, I had a duty to do in that job and I have a duty here too, Mr. Speaker and members of the House. The night has been going long and we've been struggling with these amendments. In fact, my associate here from Steilacoom told me a sad story; he told me his cat died yesterday, and Mr. Speaker, the thing that I think distressed me the most and gives me the greatest pain and suffering here is the fact that I came here from Spokane; I came across the mountains; I don't get over to this side very often, and I came here to represent 85,000 people from my district. All the residents, men, women and children, from my district--"

The Speaker (Mr. O'Brien presiding): "I think you are wandering away from your point of personal privilege."

Mr. West: "Mr. Speaker, I'm trying to say why I am hurt and why I am upset."

The Speaker (Mr. O'Brien presiding): "Why don't you put it in writing and bring it to the desk."

Mr. West: "Mr. Speaker and members of the House, with your indulgence, I guess the thing that upsets me and hurts me the most is the fact that we've brought a lot of amendments here tonight, and they were amendments that affect a piece of legislation and we--"

The Speaker (Mr. O'Brien presiding): "Mr. West, you are out of order. You're talking about issues and that isn't within the realm of personal privilege."

Mr. Padden moved adoption of the following amendment to the committee amendment:

On page 21, following line 16 insert new sections as follows:

NEW SECTION, Sec. 33. Section 34 of this act shall take effect on July 1, 1983.

NEW SECTION, Sec. 34. 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 Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Representatives Padden and Addison spoke in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to page 21 of the committee amendment to Engrossed Senate Bill No. 3258,

and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Fiske - 1.

Mr. Grimm moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Galloway, the following amendment to the title amendment was adopted:

On page 22, line 22 of the title amendment, after "82.48.030;" insert "amending section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050; amending section 82.08.120, chapter 15, Laws of 1961 as amended by section 51, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.120;"

The committee amendment as amended was adopted.

The Speaker resumed the Chair.

#### MOTION

Mr. Heck moved that the rules be suspended, and Engrossed Senate Bill No. 3258 as amended by the House be advanced to third reading and final passage.

Mr. Hastings spoke against the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 3258 as amended by the House to final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Excused: Representative Fiske - 1.

#### MOTIONS

On motion of Mr. Heck, the House advanced to the eleventh order of business.

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

On motion of Mr. Heck, the House adjourned until 7:34 a.m., Saturday, February 12, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 12, 1983

The House was called to order at 7:35 a.m. by the Speaker.

Mr. Heck demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Fiske.

On motion of Mr. Heck, Representative Fiske was excused and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Prayer was offered by Representative Paul Pruitt of Seattle.

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

## MOTION

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

## THIRD READING

ENGROSSED SENATE BILL NO. 3258 AS AMENDED BY THE HOUSE, by Senator McDermott (by Governor Spellman request)

Modifying taxes ('81-'83 Biennium).

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

Mr. Grimm spoke in favor of passage of the bill and Mr. Cantu spoke against it.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Grimm, have you contacted financial institutions, Citibank, Wall Street, as to what their opinions might be on this revenue package and how we are going about it?"

Mr. Grimm: "No, Representative Cantu, I do not rely upon or expect the financial community to be responsible for the writing of the specifics as to revenue or budgets, but approaches. It was in conversation; I spoke with individuals representing financial institutions and markets here in Seattle and, also, approximately a month ago in New York at which other individuals were present from the legislature. They did indicate the importance of the twenty-fifth month, of sound financial practices, of stability, points that Representative Rust and others have made. They speak in concepts and approaches, and those are basically the guidelines that are indicative of the hallmarks of prudent state management."

Mr. Cantu continued his remarks in opposition to passage of the bill.

Representatives McDonald, Tilly, G. Nelson, Bond and Wilson spoke against passage of the bill, and Representatives Sommers, Lux, Heck and D. Nelson spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3258 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representative Fiske - 1.

Engrossed Senate Bill No. 3258 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Heck, further business under the Call of the House was dispensed with.

On motion of Mr. Heck, the House was adjourned until 11:00 a.m., Monday, February 14, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 14, 1983

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 The Speaker and Representative Kreidler, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katherine Skillestad and Jimmie Brazeau. Prayer was offered by The Reverend Lester G. Olson, Minister of the Gloria Dei Lutheran Church of Olympia.

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

## INTRODUCTIONS AND FIRST READING

HB 508 by Representatives Sommers, G. Nelson, Grimm, Dellwo, Monohon and Fiske (by State Auditor request)

AN ACT Relating to the collection of fees, fines, and forfeitures for violations of statutes and ordinances; amending section 46, chapter 299, Laws of 1961 as amended by section 4, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.46.120; amending section 105, chapter 299, Laws of 1961 and RCW 3.62.010; amending section 106, chapter 299, Laws of 1961 as last amended by section 8, chapter 73, Laws of 1971 and RCW 3.62.020; amending section 108, chapter 299, Laws of 1961 as amended by section 2, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.62.040; amending section 109, chapter 299, Laws of 1961 as last amended by section 1, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.050; amending section 110, chapter 299, Laws of 1961 as last amended by section 1, chapter 330, Laws of 1981 and RCW 3.62.060; amending section 1, chapter 24, Laws of 1905 as last amended by section 8, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.92.060; amending section 1, chapter 19, Laws of 1980 as last amended by section 10, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 28A.87.010, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.010; amending section 35A.42.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.42.010; amending section 1, chapter 158, Laws of 1963 and RCW 46.08.172; amending section 23, chapter 64, Laws of 1975-76 2nd ex. sess. as amended by section 75, chapter 136, Laws of 1979 ex. sess. and RCW 46.44.105; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 6, chapter 209, Laws of 1975 1st ex. sess. as amended by section 1, chapter 57, Laws of 1977 and RCW 46.61.587; amending section 13, chapter 10, Laws of 1982 as amended by section 1, chapter 12, Laws of 1982 1st ex. sess. and RCW 46.63.110; reenacting section 13, chapter 10, Laws of 1982 as last amended by section 4, chapter 14, Laws of 1982 1st ex. sess. and by section 16 of this 1983 act and RCW 46.63.110; amending section 46.68.050, chapter 12, Laws of 1961 as last amended by section 23, chapter 199, Laws of 1969 ex. sess. and RCW 46.68.050; amending section 8, chapter 39, Laws of 1963 as last amended by section 4, chapter 76, Laws of 1977 and RCW 46.81.070; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 175, chapter 151, Laws of 1979 and RCW 75.08.230; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 310, Laws of 1981 and RCW 77.12.170; amending section 2, chapter 97, Laws of 1965 ex. sess. as last amended by section 36, chapter 78, Laws of 1980 and RCW 77.12.201; creating new sections; repealing section 7, chapter 132, Laws of 1981 and RCW 2.56.100; repealing section 1, chapter 199, Laws of 1969 ex. sess., section 2, chapter 130, Laws of 1974 ex. sess., section 129, chapter 78, Laws of 1980 and RCW 3.62.015; repealing section 4, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.055; repealing section 2, chapter 330, Laws of 1981 and RCW 3.62.080; repealing section 10, chapter 302, Laws of 1977 ex. sess., section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035; repealing section 4, chapter 330, Laws of 1981 and RCW 13.40.260; repealing section 2, chapter 70, Laws of 1980, section 6, chapter 330, Laws of 1981 and RCW 36.18.027; repealing section 3, chapter 212, Laws of 1977 ex. sess., section 1, chapter 164, Laws of 1979 ex. sess., section 8, chapter 4, Laws of 1981, section 1, chapter 127, Laws of 1981 and RCW 43.101.210; repealing section 3, chapter 130, Laws of 1974 ex. sess. and RCW 46.61.518; repealing section 2, chapter 9, Laws of 1970 ex. sess., section 1, chapter 26, Laws of 1971 ex. sess., section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; repealing section 5, chapter 39, Laws of 1963 and RCW 46.81.040; repealing section 3, chapter 9, Laws of

1970 ex. sess. and RCW 46.81.050; repealing section 7, chapter 39, Laws of 1963, section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060; repealing section 1, chapter 57, Laws of 1975, section 31, chapter 78, Laws of 1980 and RCW 77.21.050; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 509** by Representatives Kreidler, Lewis, Dellwo, Ballard, Wang, B. Williams, Broback, Braddock, J. King, Stratton, Ebersole and Sommers (by Department of Social and Health Services request)

AN ACT Relating to health services; amending section 1, chapter 161, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1980 and RCW 70.38.015; amending section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 1, chapter 119, Laws of 1982 and RCW 70.38.025; amending section 3, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.035; amending section 4, chapter 161, Laws of 1979 ex. sess. as amended by section 3, chapter 139, Laws of 1980 and RCW 70.38.045; amending section 6, chapter 161, Laws of 1979 ex. sess. as amended by section 5, chapter 139, Laws of 1980 and RCW 70.38.065; amending section 8, chapter 161, Laws of 1979 ex. sess. as amended by section 6, chapter 139, Laws of 1980 and RCW 70.38.085; amending section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter 119, Laws of 1982 and RCW 70.38.105; amending section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115; amending section 12, chapter 161, Laws of 1979 ex. sess. as amended by section 10, chapter 139, Laws of 1980 and RCW 70.38.125; amending section 13, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.135; amending section 16, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.905; amending section 17, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.910; amending section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030; amending section 43.20.050, chapter 8, Laws of 1965 as last amended by section 49, chapter 141, Laws of 1979 and RCW 43.20.050; amending section 43.20.010, chapter 8, Laws of 1965 as last amended by section 46, chapter 141, Laws of 1979 and RCW 43.20A.600; amending section 5, chapter 102, Laws of 1967 ex. sess. as amended by section 55, chapter 141, Laws of 1979 and RCW 43.20A.650; amending section 6, chapter 102, Laws of 1967 ex. sess. as amended by section 56, chapter 141, Laws of 1979 and RCW 43.20A.655; amending section 2, chapter 3, Laws of 1970 ex. sess. and RCW 9.02-.070; amending section 15.36.200, chapter 11, Laws of 1961 and RCW 15.36.200; amending section 15.36.355, chapter 11, Laws of 1961 and RCW 15.36.355; amending section 1, chapter 72, Laws of 1971 and RCW 16.70.010; amending section 2, chapter 72, Laws of 1971 and RCW 16.70.020; amending section 4, chapter 72, Laws of 1971 and RCW 16.70.040; amending section 2, chapter 253, Laws of 1957 as amended by section 25, chapter 141, Laws of 1979 and RCW 18.20.020; amending section 4, chapter 253, Laws of 1957 and RCW 18.20-.040; amending section 6, chapter 253, Laws of 1957 and RCW 18.20.060; amending section 9, chapter 253, Laws of 1957 as amended by section 3, chapter 189, Laws of 1971 ex. sess. and RCW 18.20.090; amending section 11, chapter 253, Laws of 1957 and RCW 18.20.110; amending section 12, chapter 108, Laws of 1937 and RCW 18.39.160; amending section 16, chapter 108, Laws of 1937 and RCW 18.39.170; amending section 15, chapter 43, Laws of 1981 and RCW 18.39.215; amending section 2, chapter 168, Laws of 1951 as amended by section 32, chapter 141, Laws of 1979 and RCW 18.46.010; amending section 6, chapter 168, Laws of 1951 and RCW 18.46.050; amending section 7, chapter 168, Laws of 1951 and RCW 18.46.060; amending section 9, chapter 168, Laws of 1951 and RCW 18.46.080; amending section 12, chapter 57, Laws of 1970 ex. sess. as last amended by section 5, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.120; amending section 6, chapter 117, Laws of 1943 and RCW 19.32.110; amending section 28A.31.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 32, Laws of 1971 and RCW 28A.31.010; amending section 28A.31.030, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 32, Laws of 1971 and RCW 28A.31.030; amending section 1, chapter 46, Laws of 1973 and RCW 28A.31.050; amending section 3, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.104; amending section 4, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.106; amending section 6, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.110; amending section 9, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.116; amending section 3, chapter 47, Laws of 1979 and RCW 28A.31.134; amending section 5, chapter 47, Laws of 1979 and RCW 28A.31.138; amending section 28A.59.180, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 158, Laws of 1982 and by section 11, chapter 191, Laws of 1982 and RCW 28A.59.180; amending section 35.67.030, chapter 7, Laws of 1965 and RCW 35.67.030; amending section 35.67.070, chapter 7, Laws of 1965 and RCW 35.67.070; amending section 35.88.020, chapter 7, Laws of 1965 and RCW 35.88.020; amending section 36.62.010, chapter 4, Laws of 1963 and RCW 36.62.010; amending section 36.62.020, chapter 4, Laws of 1963 and RCW 36.62.020; amending section 22, chapter 304, Laws of 1981 and RCW 59.20.190; amending section 14, chapter 108, Laws of 1937 as amended by section 218, chapter 158, Laws of 1979 and RCW 68.08.230; amending section 1, chapter 197, Laws of

1957 and RCW 69.06.010; amending section 2, chapter 197, Laws of 1957 and RCW 69.06.020; amending section 7, chapter 137, Laws of 1937 and RCW 69.12.070; amending section 3, chapter 144, Laws of 1955 and RCW 69.30.030; amending section 5, chapter 144, Laws of 1955 and RCW 69.30.050; amending section 6, chapter 144, Laws of 1955 and RCW 69.30.060; amending section 8, chapter 144, Laws of 1955 as amended by section 71, chapter 141, Laws of 1979 and RCW 69.30.080; amending section 12, chapter 102, Laws of 1967 ex. sess. as amended by section 1, chapter 25, Laws of 1969 ex. sess. and RCW 70.01.010; amending section 10, chapter 51, Laws of 1967 ex. sess. as amended by section 79, chapter 141, Laws of 1979 and RCW 70.05.060; amending section 12, chapter 51, Laws of 1967 ex. sess. as amended by section 80, chapter 141, Laws of 1979 and RCW 70.05.070; amending section 14, chapter 51, Laws of 1967 ex. sess. as amended by section 82, chapter 141, Laws of 1979 and RCW 70.05.090; amending section 16, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.110; amending section 17, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.120; amending section 22, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.150; amending section 3, chapter 114, Laws of 1919 and RCW 70.24.030; amending section 4, chapter 114, Laws of 1919 and RCW 70.24.040; amending section 6, chapter 114, Laws of 1919 and RCW 70.24.050; amending section 8, chapter 114, Laws of 1919 and RCW 70.24.070; amending section 5, chapter 114, Laws of 1919 and RCW 70.24.080; amending section 6, chapter 54, Laws of 1967 and RCW 70.28.035; amending section 5, chapter 71, Laws of 1899 as amended by section 3, chapter 54, Laws of 1967 and RCW 70.28.050; amending section 5, chapter 162, Laws of 1943 as last amended by section 22, chapter 277, Laws of 1971 ex. sess. and RCW 70.32.050; amending section 1, chapter 267, Laws of 1955 as amended by section 106, chapter 141, Laws of 1979 and RCW 70.41.010; amending section 3, chapter 267, Laws of 1955 as amended by section 9, chapter 189, Laws of 1971 ex. sess. and RCW 70.41.030; amending section 4, chapter 267, Laws of 1955 and RCW 70.41.040; amending section 8, chapter 267, Laws of 1955 and RCW 70.41.080; amending section 11, chapter 267, Laws of 1955 as last amended by section 12, chapter 201, Laws of 1982 and RCW 70.41.110; amending section 12, chapter 267, Laws of 1955 and RCW 70.41.120; amending section 13, chapter 267, Laws of 1955 and RCW 70.41.130; amending section 18, chapter 267, Laws of 1955 and RCW 70.41.180; amending section 1, chapter 175, Laws of 1975 1st ex. sess. and RCW 70.41.190; amending section 9, chapter 183, Laws of 1945 as amended by section 21, chapter 51, Laws of 1967 ex. sess. and RCW 70.46.090; amending section 1, chapter 231, Laws of 1969 ex. sess. and RCW 70.54.110; amending section 3, chapter 83, Laws of 1907 as last amended by section 3, chapter 52, Laws of 1979 ex. sess. and RCW 70.58.020; amending section 12, chapter 83, Laws of 1907 as last amended by section 8, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.080; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 70.58.095; amending section 3, chapter 159, Laws of 1945 as last amended by section 14, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.180; amending section 6, chapter 159, Laws of 1945 as last amended by section 2, chapter 162, Laws of 1979 ex. sess. and RCW 70.58.200; amending section 1, chapter 133, Laws of 1939 as last amended by section 2, chapter 101, Laws of 1979 ex. sess. and RCW 70.58.210; amending section 6, chapter 177, Laws of 1959 and RCW 70.58.350; amending section 2, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.210; amending section 5, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.240; amending section 6, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.250; amending section 8, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.270; amending section 2, chapter 82, Laws of 1967 as amended by section 1, chapter 27, Laws of 1975-76 2nd ex. sess. and RCW 70.83.020; amending section 3, chapter 82, Laws of 1967 as amended by section 113, chapter 141, Laws of 1979 and RCW 70.83.030; amending section 5, chapter 82, Laws of 1967 and RCW 70.83.050; amending section 23, chapter 302, Laws of 1971 ex. sess. as amended by section 1, chapter 123, Laws of 1972 ex. sess. and RCW 70.108.040; amending section 5, chapter 142, Laws of 1977 ex. sess. and RCW 70.116.050; amending section 2, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.020; amending section 1, chapter 176, Laws of 1913 as last amended by section 1, chapter 240, Laws of 1927 and RCW 85.08.020; adding a new section to chapter 43.20 RCW; adding a new section to chapter 70.38 RCW; creating new sections; repealing section 6, chapter 117, Laws of 1943 and RCW 19.32.110; repealing section 43.20.100, chapter 8, Laws of 1965, section 44, chapter 75, Laws of 1977 and RCW 43.20.100; repealing section 43.20.140, chapter 8, Laws of 1965, section 58, chapter 141, Laws of 1979 and RCW 43.20.140; repealing section 11, chapter 102, Laws of 1967 ex. sess. and RCW 43.20.200; repealing section 12, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.140; section 16, chapter 190, Laws of 1939, section 1, chapter 30, Laws of 1961 and RCW 69.16.115; repealing section 17, chapter 190, Laws of 1939, section 2, chapter 30, Laws of 1961 and RCW 69.16.120; repealing section 16, chapter 112, Laws of 1939 and RCW 69.20.095; repealing section 17, chapter 112, Laws of 1939 and RCW 69.20.100; repealing section 5, chapter 161, Laws of 1979 ex. sess., section 4, chapter 139, Laws of 1980 and RCW 70.38.055; repealing section 14, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.145; repealing section 12, chapter 139, Laws of 1980 and RCW 70.38.911; repealing section 14, chapter 267, Laws of 1955 and RCW 70.41.140; repealing section 33, chapter 99, Laws of 1979 and RCW 43.131.213; repealing section 75,



chapter 99, Laws of 1979 and RCW 43.131.214; providing effective dates; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 510** by Representatives Sommers, G. Nelson, Grimm, Dellwo, Fiske and Monohon

AN ACT Relating to the collection of fees, fines, and forfeitures for violations of statutes and ordinances; amending section 46, chapter 299, Laws of 1961 as amended by section 4, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.46.120; amending section 105, chapter 299, Laws of 1961 and RCW 3.62.010; amending section 106, chapter 299, Laws of 1961 as last amended by section 8, chapter 73, Laws of 1971 and RCW 3.62.020; amending section 108, chapter 299, Laws of 1961 as amended by section 2, chapter 241, Laws of 1975 1st ex. sess. and RCW 3.62.040; amending section 109, chapter 299, Laws of 1961 as last amended by section 1, chapter 10, Laws of 1973 1st ex. sess. and RCW 3.62.050; amending section 110, chapter 299, Laws of 1961 as last amended by section 1, chapter 330, Laws of 1981 and RCW 3.62.060; amending section 1, chapter 24, Laws of 1905 as last amended by section 8, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.92.060; amending section 1, chapter 19, Laws of 1980 as last amended by section 10, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 28A.87.010, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.010; amending section 35A.42.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.42.010; amending section 1, chapter 158, Laws of 1963 and RCW 46.08.172; amending section 23, chapter 64, Laws of 1975-76 2nd ex. sess. as amended by section 75, chapter 136, Laws of 1979 ex. sess. and RCW 46.44.105; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 6, chapter 209, Laws of 1975 1st ex. sess. as amended by section 1, chapter 57, Laws of 1977 and RCW 46.61.587; amending section 13, chapter 10, Laws of 1982 as amended by section 1, chapter 12, Laws of 1982 1st ex. sess. and RCW 46.63.110; reenacting section 13, chapter 10, Laws of 1982 as last amended by section 4, chapter 14, Laws of 1982 1st ex. sess. and by section 16 of this 1983 act and RCW 46.63.110; amending section 46.68.050, chapter 12, Laws of 1961 as last amended by section 23, chapter 199, Laws of 1969 ex. sess. and RCW 46.68.050; amending section 8, chapter 39, Laws of 1963 as last amended by section 4, chapter 76, Laws of 1977 and RCW 46.81.070; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 175, chapter 151, Laws of 1979 and RCW 75.08.230; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 310, Laws of 1981 and RCW 77.12.170; amending section 2, chapter 97, Laws of 1965 ex. sess. as last amended by section 36, chapter 78, Laws of 1980 and RCW 77.12.201; creating new sections; repealing section 7, chapter 132, Laws of 1981 and RCW 2.56.100; repealing section 1, chapter 199, Laws of 1969 ex. sess., section 2, chapter 130, Laws of 1974 ex. sess., section 129, chapter 78, Laws of 1980 and RCW 3.62.015; repealing section 4, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.055; repealing section 2, chapter 330, Laws of 1981 and RCW 3.62.080; repealing section 10, chapter 302, Laws of 1977 ex. sess., section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035; repealing section 4, chapter 330, Laws of 1981 and RCW 13.40.260; repealing section 2, chapter 70, Laws of 1980, section 6, chapter 330, Laws of 1981 and RCW 36.18.027; repealing section 3, chapter 212, Laws of 1977 ex. sess., section 1, chapter 164, Laws of 1979 ex. sess., section 8, chapter 4, Laws of 1981, section 1, chapter 127, Laws of 1981 and RCW 43.101.210; repealing section 3, chapter 130, Laws of 1974 ex. sess. and RCW 46.61.518; repealing section 2, chapter 9, Laws of 1970 ex. sess., section 1, chapter 26, Laws of 1971 ex. sess., section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; repealing section 5, chapter 39, Laws of 1963 and RCW 46.81.040; repealing section 3, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.050; repealing section 7, chapter 39, Laws of 1963, section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060; repealing section 1, chapter 57, Laws of 1975, section 31, chapter 78, Laws of 1980 and RCW 77.21.050; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 511** by Representatives Garrett, Isaacson, Patrick, Fisher and Hine

AN ACT Relating to local improvements; and amending section 35.43.040, chapter 7, Laws of 1965 as last amended by section 1, chapter 17, Laws of 1981 and RCW 35.43.040.

Referred to Committee on Local Government.

**HB 512** by Representatives Isaacson, Kaiser, Hankins, Ellis, Stratton, Smith, Hine, Dickie, Struthers, Hastings and Braddock

AN ACT Relating to sales of impounded livestock; and amending section 7, chapter 31, Laws of 1951 and RCW 16.13.070.

Referred to Committee on Agriculture.

**HB 513** by Representatives Charnley, Pruitt and Jacobsen

AN ACT Relating to lobbyists and their employers; and amending section 15, chapter 1, Laws of 1973 as amended by section 10, chapter 147, Laws of 1982 and RCW 42.17.150.

Referred to Committee on Constitution, Elections & Ethics.

**HB 514** by Representatives R. King, Mitchell, Galloway and Johnson

AN ACT Relating to educational clinics; and amending section 1, chapter 341, Laws of 1977 ex. sess. as amended by section 38, chapter 3, Laws of 1983 and RCW 28A.97.010.

Referred to Committee on Education.

**HB 515** by Representatives Armstrong, McMullen and Crane

AN ACT Relating to judges' salaries; amending section 1, chapter 144, Laws of 1953 as last amended by section 4, chapter 255, Laws of 1979 ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 5, chapter 255, Laws of 1979 ex. sess. and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 6, chapter 255, Laws of 1979 ex. sess. and RCW 2.08.090; declaring an emergency; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 516** by Representatives Bond, Patrick, Stratton, Fuhrman, Chandler, Sanders, Ballard, Isaacson, West and Johnson

AN ACT Relating to education; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.27 RCW.

Referred to Committee on Education.

**HB 517** by Representatives Grimm, Kreidler, Walk, Halsan and Wang

AN ACT Relating to carnival rides and devices; and adding a new section to Title 19 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 518** by Representatives R. King and Clayton (by Department of Employment Security request)

AN ACT Relating to the federal unemployment trust fund; amending section 62, chapter 35, Laws of 1945 as last amended by section 1, chapter 6, Laws of 1973 and RCW 50.16.030; and declaring an emergency.

Referred to Committee on Labor.

**HB 519** by Representative Crane

AN ACT Relating to trials; amending section 35.23.600, chapter 7, Laws of 1965 as amended by section 8, chapter 116, Laws of 1965 ex. sess. and RCW 35.23.600; amending section 35.24.460, chapter 7, Laws of 1965 as last amended by section 29, chapter 136, Laws of 1979 ex. sess. and RCW 35.24.460; amending section 35.27.540, chapter 7, Laws of 1965 as last amended by section 32, chapter 136, Laws of 1979 ex. sess. and RCW 35.27.540; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 520** by Representatives Hine, Barnes, Garrett and Gallagher

AN ACT Relating to special district rates and charges; adding a new section to chapter 56.08 RCW; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Energy & Utilities.

**HB 521** by Representatives Crane and Todd

AN ACT Relating to the homestead exemption; and amending section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050.

Referred to Committee on Judiciary.

**HB 522** by Representatives Locke, Padden, Crane, Prince, Halsan, Brough, O'Brien, Addison, Burns, Charnley, Lewis, Appelwick, Belcher, D. Nelson, Lux, Allen, Tilly, P. King, Smitherman, Dellwo, Moon and Niemi

AN ACT Relating to criminal procedure; adding a new section to chapter 10.40 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 523 by Representative Lux

AN ACT Relating to trustees; amending section 30.24.020, chapter 33, Laws of 1955 and RCW 30.24.020; and adding a new section to chapter 30.24 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 524 by Representative Brekke

AN ACT Relating to social and health services; amending section 19, chapter 6, Laws of 1981 1st ex. sess. as amended by section 3, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.035; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 525 by Representatives Bond, Sanders, Fuhrman, West, Wilson, J. Williams, Schmidt, Hastings and Isaacson

AN ACT Relating to sales and use taxation; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

HB 526 by Representatives Monohon, Kreidler and Vander Stoep

AN ACT Relating to retirement from public service; adding a new section to chapter 41.32 RCW; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Ways & Means.

HB 527 by Representatives Smitherman, Grimm, Braddock and Ebersole

AN ACT Relating to budget and accounting; amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030; amending section 9, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.035; amending section 43.88.060, chapter 8, Laws of 1965 as last amended by section 2, chapter 247, Laws of 1977 ex. sess. and RCW 43.88.060; amending section 43.88.080, chapter 8, Laws of 1965 as amended by section 5, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.080; amending section 43.88.110, chapter 8, Laws of 1965 as last amended by section 1, chapter 15, Laws of 1982 2nd ex. sess. and RCW 43.88.110; amending section 43.88.120, chapter 8, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1981 and RCW 43.88.120; amending section 11, chapter 10, Laws of 1982 and RCW 43.88.160; amending section 2, chapter 23, Laws of 1977 as amended by section 143, chapter 151, Laws of 1979 and RCW 43.88.505; amending section 3, chapter 23, Laws of 1977 as amended by section 144, chapter 151, Laws of 1979 and RCW 43.88.510; amending section 2, chapter 280, Laws of 1981 and RCW 43.88.525; amending section 3, chapter 280, Laws of 1981 as amended by section 2, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.530; and amending section 5, chapter 280, Laws of 1981 and RCW 43.88.540.

Referred to Committee on Ways & Means.

HB 528 by Representative O'Brien

AN ACT Relating to liquor retailers; amending section 23-S added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 43, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.380; amending section 6, chapter 85, Laws of 1982 and RCW 66.24.500; and amending section 23-H added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.28.070.

Referred to Committee on Commerce & Economic Development.

HB 529 by Representative Charnley

AN ACT Relating to taxation of local government; and amending section 82.04.030, chapter 15, Laws of 1961 as amended by section 1, chapter 28, Laws of 1963 ex. sess. and RCW 82.04.030.

Referred to Committee on Ways & Means.

HB 530 by Representative Charnley

AN ACT Relating to local government; amending section 35.31.020, chapter 7, Laws of 1965 as amended by section 12, chapter 164, Laws of 1967 and RCW 35.31.020; and

amending section 35.31.040, chapter 7, Laws of 1965 as amended by section 13, chapter 164, Laws of 1967 and RCW 35.31.040.

Referred to Committee on Local Government.

**HB 531** by Representatives Hine and Charnley

AN ACT Relating to local government; and amending section 3, chapter 256, Laws of 1979 ex. sess. and RCW 48.62.030.

Referred to Committee on Local Government.

**HB 532** by Representatives McMullen, Allen, Halsan, Vekich, Tanner, Galloway, Brough, Burns, Jacobsen, Haugen, Miller, Ristuben, Fisher, D. Nelson, Charnley, P. King, Stratton, Sutherland, Pruitt, Monohon, Ellis, Heck and Dellwo

AN ACT Relating to tuition and fees at institutions of higher education; and amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100.

Referred to Committee on Higher Education.

**HB 533** by Representatives Lux, Sanders, P. King, Broback, Tanner, Stratton and Ballard

AN ACT Relating to practices prohibited by collection agencies; and amending section 16, chapter 253, Laws of 1971 ex. sess. as amended by section 5, chapter 254, Laws of 1981 and RCW 19.16.250.

Referred to Committee on Financial Institutions & Insurance.

**HB 534** by Representatives P. King, Allen, Broback, Fisher and Gallagher

AN ACT Relating to public transportation benefit authorities; amending section 11, chapter 270, Laws of 1975 1st ex. sess. as amended by section 40, chapter 151, Laws of 1979 and RCW 36.57A.010; amending section 14, chapter 270, Laws of 1975 1st ex. sess. and RCW 36.57A.040; amending section 15, chapter 270, Laws of 1975 1st ex. sess. as amended by section 2, chapter 44, Laws of 1977 ex. sess. and RCW 36.57A.050; amending section 24, chapter 270, Laws of 1975 1st ex. sess. and RCW 36.57A.140; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Transportation.

**HB 535** by Representatives Garrett, P. King, Charnley, Allen, Patrick, G. Nelson, Fisher, Martinis and Powers

AN ACT Relating to sales and use taxes for public transportation systems; and amending section 2, chapter 296, Laws of 1971 ex. sess. as last amended by section 1, chapter 163, Laws of 1980 and RCW 82.14.045.

Referred to Committee on Transportation.

**HB 536** by Representatives Powers, Allen, Charnley, Armstrong, Garrett, Patrick, Ebersole, Fisher, Lux, G. Nelson, Martinis and Braddock

AN ACT Relating to motor vehicle excise taxes and public transportation; amending section 7, chapter 270, Laws of 1975 1st ex. sess. as amended by section 1, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.2721; amending section 14, chapter 255, Laws of 1969 ex. sess. as last amended by section 3, chapter 319, Laws of 1981 and RCW 35.58.279; adding a new section to chapter 35.58 RCW to be codified within the range of RCW 35.58.272 through 35.58.279; declaring an emergency; and providing an effective date.

Referred to Committee on Transportation.

**HB 537** by Representatives Garrett, Charnley, Allen, Lux, Armstrong, Fisher and Barnes

AN ACT Relating to public transportation funding; amending section 8, chapter 255, Laws of 1969 ex. sess. as amended by section 2, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.273; declaring an emergency; and providing an effective date.

Referred to Committee on Transportation.

**HB 538** by Representatives Garrett, Charnley, Allen, Lux, Broback, Crane, Patrick, Hine, G. Nelson, Brekke, Todd, Fisher, Ebersole, Clayton, Gallagher and Powers

AN ACT Relating to conduct on buses; adding a new section to chapter 9.91 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Transportation.

HB 539 by Representatives Egger, Crane, Todd, Charnley, Lux, Allen, Broback, Patrick, Mitchell, G. Nelson, Fisher, Clayton, Gallagher, Martinis, Brekke, Wilson, Jacobsen, Braddock, Johnson and Powers

AN ACT Relating to motor vehicle fuel taxation; amending section 23, chapter 37, Laws of 1980 as amended by section 1, chapter 147, Laws of 1980 and RCW 82.08.0255; and adding a new section to chapter 82.36 RCW.

Referred to Committee on Transportation.

HB 540 by Representatives Ebersole, Allen, Fisher, G. Nelson and Gallagher

AN ACT Relating to public transportation benefit areas; and amending section 23, chapter 270, Laws of 1975 1st ex. sess. and RCW 36.57A.130.

Referred to Committee on Transportation.

HB 541 by Representatives Martinis, Lewis, Braddock and Ellis

AN ACT Relating to retail sales and use taxes for public transportation purposes; and amending section 2, chapter 296, Laws of 1971 ex. sess. as last amended by section 1, chapter 163, Laws of 1980 and RCW 82.14.045.

Referred to Committee on Transportation.

HB 542 by Representatives Kaiser, Nealey, Ellis, Smith, Clayton, Sutherland, Braddock, Chandler, J. Williams, Hankins and Isaacson

AN ACT Relating to aircraft; adding new sections to chapter 9A.48 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 543 by Representatives Ellis, Nealey, Sutherland, Clayton, Braddock, Chandler, Hankins, J. Williams, Isaacson and Brekke

AN ACT Relating to liens for crop dusting and spraying; amending section 9-312, chapter 157, Laws of 1965 ex. sess. as last amended by section 3, chapter 186, Laws of 1982 and RCW 62A.9-312; and adding new sections to chapter 60.14 RCW.

Referred to Committee on Judiciary.

HB 544 by Representatives Long, Johnson, Kreidler, Sommers, McDonald, Ballard, West, J. Williams, Tilly, Miller, Van Dyken, Chandler, Allen, Mitchell, Betzoff, Cantu, Broback, Galloway, D. Nelson, Hankins, Isaacson and Brekke

AN ACT Relating to excise taxation; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Ways & Means.

HB 545 by Representatives Schmidt, McMullen, Martinis, Wilson, Fiske and Isaacson

AN ACT Relating to vehicles for handicapped persons and the licensing thereof; amending section 1, chapter 11, Laws of 1979 and RCW 46.37.340; amending section 3, chapter 121, Laws of 1965 ex. sess. as amended by section 1, chapter 75, Laws of 1979 and RCW 46.20.025; adding a new section to chapter 46.20 RCW; adding a new section to chapter 46.37 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 546 by Representatives McMullen, Schmidt, Vekich, Walk and Isaacson

AN ACT Relating to vehicles for handicapped persons; amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 1, chapter 148, Laws of 1977 ex. sess. and RCW 46.16.010; amending section 3, chapter 121, Laws of 1965 ex. sess. as amended by section 1, chapter 75, Laws of 1979 and RCW 46.20.025; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.20 RCW; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 547 by Representatives Lux and Sanders

AN ACT Relating to public depositaries; amending section 28A.58.440, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.440; amending section 6, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.120; amending section 7, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.130; amending section 8, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.140; amending section 35A.40.050, chapter 119, Laws of 1967 ex. sess. as amended by section 64, chapter 3, Laws of 1983 and RCW 35A.40.050; amending section 3, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.160; amending section 4, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.170; amending section 5, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.180; amending section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 95, Laws of 1977 ex. sess. and RCW 39.58.010; amending section 2, chapter 193, Laws of 1969 ex. sess. as amended by section 10, chapter 126, Laws of 1973 and RCW 39.58.020; amending section 4, chapter 193, Laws of 1969 ex. sess. as amended by section 2, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.040; amending section 5, chapter 193, Laws of 1969 ex. sess. as last amended by section 3, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.050; amending section 6, chapter 193, Laws of 1969 ex. sess. as amended by section 12, chapter 126, Laws of 1973 and RCW 39.58.060; amending section 8, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.080; amending section 10, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.100; amending section 5, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.105; amending section 6, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.108; amending section 13, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.130; amending section 43.85.010, chapter 8, Laws of 1965 as last amended by section 7, chapter 77, Laws of 1975 1st ex. sess. and RCW 43.85.010; amending section 43.85.210, chapter 8, Laws of 1965 and RCW 43.85.210; amending section 43.85.230, chapter 8, Laws of 1965 and RCW 43.85.230; amending section 1, chapter 230, Laws of 1969 ex. sess. and RCW 43.85.250; amending section 2, chapter 230, Laws of 1969 ex. sess. and RCW 43.85.260; amending section 1, chapter 123, Laws of 1973 and RCW 43.86A.010; amending section 15, chapter 103, Laws of 1959 as last amended by section 3, chapter 24, Laws of 1981 and RCW 56.16.160; amending section 16, chapter 108, Laws of 1959 as last amended by section 4, chapter 24, Laws of 1981 and RCW 57.20.160; adding a new section to chapter 39.58 RCW; repealing section 11, chapter 176, Laws of 1963, section 3, chapter 111, Laws of 1965 and RCW 32.12.100; repealing section 1, chapter 6, Laws of 1951 and RCW 33.52.010; and repealing section 11, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.110.

Referred to Committee on Financial Institutions & Insurance.

HB 548 by Representatives Ballard and Miller

AN ACT Relating to public water supply systems; amending section 1, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.010; amending section 2, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.020; amending section 3, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.030; amending section 5, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.050; amending section 7, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.070; amending section 8, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.080; amending section 9, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.090; amending section 10, chapter 99, Laws of 1977 ex. sess. as amended by section 13, chapter 201, Laws of 1982 and RCW 70.119.100; amending section 11, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.110; amending section 13, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.130; and amending section 14, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.140.

Referred to Committee on Local Government.

HB 549 by Representatives Ellis, Lewis, Dickie and Clayton

AN ACT Relating to the teachers' retirement system; and amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter ...(SB 3039), Laws of 1983 and RCW 41.32.010.

Referred to Committee on Ways & Means.

HB 550 by Representatives Schoon, Brough, Sanders, Fisch, Johnson and Isaacson

AN ACT Relating to public assistance; and amending section 1, chapter 116, Laws of 1979 as amended by section 1, chapter 160, Laws of 1980 and RCW 74.38.070.

Referred to Committee on Energy & Utilities.

HB 551 by Representatives Nealey, Kaiser and Hastings

AN ACT Relating to the seal of the state of Washington; adding a new chapter to Title 43 RCW; repealing section 1, chapter 170, Laws of 1947 and RCW 9.91.050; repealing section 2, chapter 170, Laws of 1947 and RCW 9.91.055; and prescribing penalties.

Referred to Committee on State Government.

HB 552 by Representatives Halsan, Martinis, Vander Stoep, Padden, Heck, Fiske, Grimm, Miller, Charnley, Silver, Zellinsky, Broback, Jacobsen, Brough, McMullen, Holland, Ristuben, Chandler, Egger, Ballard, Fisher, Schmidt, Ebersole, J. Williams, Powers, Allen, Smitherman, Rust, Belcher, Locke, Galloway, Appelwick, Braddock, Crane, Todd, Walk, Armstrong, P. King, Sutherland, Brekke, Kaiser, Dellwo, McClure, Vekich, O'Brien, Hine, Moon, Niemi, Johnson and Isaacson

AN ACT Relating to the Washington state patrol; and adding a new section to chapter 43.43 RCW.

Referred to Committee on State Government.

HJR 30 by Representatives Bond, Sanders, Fuhrman, West, Padden, Isaacson and J. Williams

Limiting tax increases.

Referred to Committee on Ways & Means.

HJR 31 by Representatives Schoon, Brough, Allen, Long, Fisch, Brekke and Johnson

Modifying the voting requirement on excess levies of school districts (50% of those voting plus one).

Referred to Committee on Education.

#### REPORTS OF STANDING COMMITTEES

February 11, 1983

HB 31 Prime Sponsor, Representative Wang: Providing that using or threatening to use an apparent deadly weapon is forcible compulsion for the crime of rape in the first degree. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Ellis, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

February 11, 1983

HB 36 Prime Sponsor, Representative Hastings: Modifying provisions relating to the formation of sewer districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 6 after "the" strike "method" and insert "methods"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Ebersole, Grimm and Hine.

Passed to Committee on Rules for second reading.

February 11, 1983

HB 77 Prime Sponsor, Representative Martinis: Permitting a longer time period for the acquisition of property by port districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard,

Brockback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Ebersole, Grimm and Hine.

Passed to Committee on Rules for second reading.

February 11, 1983

HB 99 Prime Sponsor, Representative Wang: Modifying the procedures governing defendants acquitted by reasons of insanity. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Ellis, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

February 11, 1983

HB 174 Prime Sponsor, Representative Armstrong: Requiring information about money judgments to be filed with the court clerk. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair, McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Ellis, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

February 10, 1983

HB 177 Prime Sponsor, Representative Wang: Establishing a maximum initial temperature setting for water heaters. Reported by Committee on Social & Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Brockback, Ebersole, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Braddock, J. King, McClure, G. Nelson and Niemi.

Passed to Committee on Rules for second reading.

February 11, 1983

HB 344 Prime Sponsor, Representative Armstrong: Modifying the laws regulating professional corporations. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair, McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Ellis, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

February 11, 1983

HB 348 Prime Sponsor, Representative Armstrong: Modifying the corporation laws. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 13, line 9 before "All" insert "(1)"

On page 13, line 11 after "thereof" strike all material down to and including "act" on line 12

On page 13, beginning on line 12 insert a new subsection to read as follows:



"(2) Subsection (1) does not apply to any persons assuming to act as a corporation during a period of administrative dissolution if the corporation is subsequently reinstated under the provisions of sections 2 and 3 of this 1983 act."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Ellis, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

February 11, 1983

HCR 3 Prime Sponsor, Representative Charnley; Continuing the Joint Ad Hoc Committee on Science and Technology. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 30 insert "BE IT FURTHER RESOLVED, That the Joint Ad Hoc Committee on Science and Technology shall evaluate those issues and problems it deems important plus those referred to it. Normally the issues and problems would contain scientific and technical information and require input from more than one standing committee. The joint committee shall report to the forty-eighth legislature, second regular session, alternative means available to the legislature for considering such issues and problems and recommend the best of these means; and"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives Bond, Johnson and Taylor.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Heck, the House recessed until 5:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 5:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

The Speaker declared the House recessed until 8:00 p.m.

#### EVENING SESSION

The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Johnson and Van Dyken. Representative Johnson was excused.

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

#### THIRD READING

SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 6, by Committee on Commerce & Economic Development (originally sponsored by Representatives Tanner, B. Williams, J. King, Ebersole, Monohon, Van Dyken, West, Stratton, Haugen, Egger, Galloway, Fisch, Sayan, Belcher, Powers, Pruitt, Vekich, Charnley, Broback, Hine, Halsan, Tilly, Brekke, Garrett, Lewis, Todd and Ristuben)

Establishing the emergency commission on economic development and job creation.

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

Mr. Tanner spoke in favor of passage of the resolution.

## POINT OF INQUIRY

Mr. Tanner yielded to question by Mr. Padden.

Mr. Padden: "Representative Tanner, in the committee hearings in the Commerce and Economic Development Committee, we talked about the cost, the fiscal note and there was no official fiscal note, but I believe there was a memorandum passed out here a few days back, and I wonder if you could indicate to the House what the cost will be for this legislation?"

Mr. Tanner: "Yes, Representative Padden, the cost of this commission was estimated, using the Governor's Tax Advisory Council as a model; the per diem is to be paid based on the legislative per diem allowance, which would be \$5,280 for the eight legislative members and it would be \$10,560 for the nonlegislative members. The travel expense was estimated based on the average miles traveled for members of the Tax Advisory Commission, which was also a broad-based commission and that's estimated to be \$14,545 for legislative members and \$29,090 for nonlegislative members. This is based on an estimate of fifteen meetings by the commission, which is the number of meetings that was held by the Tax Advisory Council. There is an additional \$16,000 allotted for nonlegislative staff, principally consulting services. The total cost is estimated to be \$75,475, and is to be paid out of the budget of the two houses."

Mr. J. King spoke in favor of the resolution.

## POINT OF INQUIRY

Mr. Tanner yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Tanner, did you say that it would also look at the tourism program for this state?"

Mr. Tanner: "I did not say that; however, there are many categories under the charge of this commission that would allow addressing the tourism issue. For one, it's just the appropriate state role in economic development and job creation, which is kind of the flagship heading in terms of the subject matters to be looked at. Also, there is an area involving small business that should be addressed and, certainly, the category 9, which is recommendation for revitalizing and strengthening of businesses currently operating. There is, however, no specific category involving tourism. There is no specific category involving any particular industry. It's a number of general areas of analysis that should be addressed by the commission with regard to getting this economy turned around."

Ms. Schmidt: "May I assume, then, that tourism is something that would be appropriate to look at as far as helping to turn the economy around?"

Mr. Tanner: "Absolutely."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 6, and the resolution was adopted by the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Bond, Van Dyken - 2.

Excused: Representative Johnson - 1.

Substitute House Concurrent Resolution No. 6, having received the constitutional majority, was declared adopted.

HOUSE BILL NO. 256, by Representatives Charnley, Tilly, Brough, Martinis, Todd, D. Nelson, Addison, Jacobsen, Miller, Moon, G. Nelson, Sanders, Taylor, Silver, Isaacson and Barrett

Deleting the penalty tax when changing land classified under chapter 84.34 RCW to tax exempt status for conservation purposes.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 256, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Bond, Van Dyken - 2.

Excused: Representative Johnson - 1.

House Bill No. 256, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Van Dyken appeared at the bar of the House.

HOUSE JOINT MEMORIAL NO. 4, by Representatives Moon, Fuhrman, Egger, Todd, Miller, D. Nelson, Sutherland, Isaacson and B. Williams

Petitioning that the federal government delegate all permitting authority for small scale hydroelectric facilities to the states.

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

Representatives Moon and D. Nelson spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Bond - 1.

Excused: Representative Johnson - 1.

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

## MOTION

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

## SECOND READING

HOUSE BILL NO. 107, by Representatives R. King, Betrozoff, Clayton, Heck, O'Brien, Patrick, Galloway, Hine, Sanders and Mitchell

Allowing specified hospitals and school districts to form self-insurance groups.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 26th Day, February 4, 1983.)

Mr. D. King moved adoption of the committee amendment.

Mr. Lux moved adoption of the following amendment to the committee amendment:

On line 3 after "section" insert a period and strike the last 2 lines of the committee amendment.

Mr. Lux spoke in favor of the amendment to the amendment.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Lux, could you tell the body just exactly, by putting in the period and deleting the following lines, what we are deleting as it refers to the RCW's?"

Mr. Lux: "Representative Struthers, what we are deleting--there are two classes of hospitals. There are district hospitals that have three elected commissioners that are elected by the people. There are public authority hospitals, like the public health service hospital in Seattle that are a unique sort of an entity. There are county hospitals like Harborview and a state hospital like the University Hospital. Then there are proprietary hospitals that are owned by private hospital corporations and there are private nonprofit hospitals like St. Joe's, Group Health, and any number of others. There are some alcohol treatment hospitals that are proprietary hospitals. All of these hospitals fall into two different categories: The public district hospitals are in one category and the private nonprofit and the proprietary are in another category. The department has a difficult time trying to put these in two different categories, because the way the bill is set up it applies to public school districts, which are public entities, and public entities cannot go broke. If they go broke or bankrupt, then another entity takes them over. The same thing applies to public hospital districts, but with private nonprofits, you have an altogether different situation. In the competitive world of hospitalization, there is a real problem and the department is in a real quandry about that. They are separated in the bill, and that's why there must be two classes because we have a law, a constitutional law in the State of Washington, that you cannot loan or support private enterprise with public money. That's the difference because you have a public district hospital and a private nonprofit and proprietary hospital, and they fall into two different categories."

Mr. Struthers: "Then, Representative Lux, would this prohibit one of the other groups from forming as a self-insured group if we were to eliminate the language here?"

Mr. Lux: "This would prohibit the private nonprofit and the proprietary from forming self-insured groups, yes. You should understand, Representative Struthers, that there are 113 hospitals in the state of Washington that fall under this classification. What was testified to in the committee by the Department of Labor and Industries was one hundred sixty-eight hospitals--they had some nursing homes that fell into the category that do not fall into a real hospital category as defined by the Hospital Commission or Social and Health Services. There is some confusion in that whole area, and what we are trying to do is clean up and clear up that confusion so that we don't kill the bill."

Mr. Struthers spoke against the amendment to the amendment.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Lux, I'm a little bit confused. The Providence Hospital in Everett and the General Hospital in Everett--which classification would they come under?"

Mr. Lux: "Representative Mitchell, I don't know, but I imagine they are private nonprofit hospitals. I would assume they are."

Mr. Mitchell: "Does that mean that they would not be able to have a self-insured program?"

Mr. Lux: "I don't know what size those hospitals are, Representative Mitchell, but I can tell you that out of the one hundred thirteen hospitals in the State of Washington, fifty of those hospitals are already self-insured. If those hospitals have assets of \$1 million and put up a \$200,000 bond, they are already self-insured. You are talking about a very few hospitals in this classification. I think we should understand that all of the larger hospitals are already self-insured."

Mr. Mitchell: "If they have over \$1 million assets, and if they do not have a self-insurance program or any group, would they be able to participate?"

Mr. Lux: "I think you're going to have to run that by me one more time."

Mr. Mitchell: "Our hospitals are 200-bed or more; they have assets of more than \$1 million--that's the statement you made, and needless to say, if they do not have a self-insurance program or belong to a program that does have that at this time, would they be able to participate in a group insurance now?"

Mr. Lux: "I'm sure they wouldn't need to participate in a group. I think you will find that a hospital that has over \$1 million in assets and can put up this \$200,000 bond would not find it advisable to go into a group."

Mr. Mitchell: "But the larger the group, the more assets it has, and therefore, it would be able to have a stronger insurance program and, thereby be able to protect the individual consumer and its own employees. So my question is: If they do not have self-insurance now, would they be able to participate if your amendment goes through?"

Mr. Lux: "Not the private nonprofit or the proprietors; no, they would not be able to participate."

Representatives Mitchell and R. King spoke against the amendment to the committee amendment.

## MOTIONS

On motion of Mr. Heck, further consideration of House Bill No. 107 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

On motion of Mr. Heck, the House advanced to the eleventh order of business.

The Speaker announced that Mr. James Gillespie, a lawyer from Spokane, had been appointed to the Redistricting Commission.

Mr. G. Nelson announced the appointment of Mr. Don Eldridge of Olympia to the Redistricting Commission.

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Tuesday, February 15, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 15, 1983

The House was called to order at 11:00 a.m. by the Speaker (Mr. Wang presiding). The Clerk called the roll and all members were present except Representative Smitherman.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carolyn Powers and Derek Warner. Prayer was offered by The Reverend Lester G. Olson, Minister of the Gloria Dei Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 12, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3062,  
SUBSTITUTE SENATE BILL NO. 3127,  
SUBSTITUTE SENATE BILL NO. 3181,  
ENGROSSED SENATE BILL NO. 3282,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 553 by Representatives O'Brien, B. Williams, Walk, Long, Taylor, Miller and Isaacson (by Attorney General request)

AN ACT Relating to charitable solicitations; amending section 2, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 80, chapter 158, Laws of 1979 and RCW 19.09.020; amending section 3, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.030; amending section 10, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 227, Laws of 1982 and RCW 19.09.100; amending section 21, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 227, Laws of 1982 and RCW 19.09.210; amending section 14, chapter 222, Laws of 1977 ex. sess. as amended by section 12, chapter 227, Laws of 1982 and RCW 19.09.275; amending section 34, chapter 13, Laws of 1973 1st ex. sess. as amended by section 13, chapter 227, Laws of 1982 and RCW 19.09.340; amending section 5, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.050; amending section 19, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 227, Laws of 1982 and RCW 19.09.190; adding new section to chapter 19.09 RCW; and providing an effective date.

Referred to Committee on State Government.

HB 554 by Representatives Locke, G. Nelson, McDonald, Burns, Miller, Armstrong, Dellwo, Monohon, Crane, P. King, Brough, Long, Taylor and Isaacson (by Attorney General request)

AN ACT Relating to small claims courts; amending section 10, chapter 187, Laws of 1919 and RCW 12.40.100; amending section 11, chapter 187, Laws of 1919 as last amended by section 1, chapter 40, Laws of 1975 1st ex. sess. and RCW 12.40.110; adding new sections to chapter 12.40 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 555 by Representatives Locke, Padden, Smitherman, Belcher, Allen, Fisher, Brough, Lux, Miller, Brekke, Niemi, Egger, Burns, Dellwo, Monohon, Powers, Wang, Charnley and Jacobsen

AN ACT Relating to discrimination; amending section 17, chapter 270, Laws of 1955 as last amended by section 2, chapter 259, Laws of 1981 and RCW 49.60.250; and creating a new section.

Referred to Committee on Judiciary.

HB 556 by Representatives Locke, Allen, Armstrong, Wang, Belcher, Burns, McClure, Brough, Brekke, Niemi, Pruitt, Charnley and Jacobsen

AN ACT Relating to unlawful discrimination based on sexual orientation in employment, housing, public accommodations, credit, insurance, and commercial transactions; amending section 7, chapter 119, Laws of 1975-'76 2nd ex. sess. and RCW 48.30.300; amending section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 as last amended by section 2, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 127, Laws of 1979 and RCW 49.60.030; amending section 3, chapter 183, Laws of 1949 as last amended by section 3, chapter 127, Laws of 1979 and RCW 49.60.040; amending section 8, chapter 270, Laws of 1955 as last amended by section 4, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 as last amended by section 146, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.60.130; amending section 1, chapter 68, Laws of 1959 as last amended by section 4, chapter 127, Laws of 1979 and RCW 49.60.175; amending section 5, chapter 141, Laws of 1973 as amended by section 5, chapter 127, Laws of 1979 and RCW 49.60.176; amending section 6, chapter 141, Laws of 1973 as last amended by section 6, chapter 127, Laws of 1979 and RCW 49.60.178; amending section 9, chapter 37, Laws of 1957 as last amended by section 6, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as last amended by section 8, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.190; amending section 11, chapter 37, Laws of 1957 as last amended by section 9, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.200; amending section 14, chapter 37, Laws of 1957 as amended by section 7, chapter 127, Laws of 1979 and RCW 49.60.215; amending section 4, chapter 167, Laws of 1969 ex. sess. as last amended by section 8, chapter 127, Laws of 1979 and RCW 49.60.222; amending section 5, chapter 167, Laws of 1969 ex. sess. as amended by section 9, chapter 127, Laws of 1979 and RCW 49.60.223; amending section 6, chapter 167, Laws of 1969 ex. sess. as amended by section 10, chapter 127, Laws of 1979 and RCW 49.60.224; and amending section 7, chapter 167, Laws of 1969 ex. sess. as last amended by section 11, chapter 127, Laws of 1979 and RCW 49.60.225.

Referred to Committee on Judiciary.

HB 557 by Representatives Gallagher, Walk and D. Nelson

AN ACT Relating to the state building code; adding a new chapter to Title 19 RCW; repealing section 1, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.010; repealing section 2, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.020; repealing section 3, chapter 96, Laws of 1974 ex. sess., section 8, chapter 110, Laws of 1975 1st ex. sess., section 11, chapter 14, Laws of 1977 ex. sess., section 1, chapter 76, Laws of 1979 ex. sess., section 1, chapter 8, Laws of 1980 and RCW 19.27.030; repealing section 4, chapter 96, Laws of 1974 ex. sess., section 12, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.040; repealing section 5, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.050; repealing section 6, chapter 96, Laws of 1974 ex. sess., section 2, chapter 282, Laws of 1975 1st ex. sess., section 1, chapter 64, Laws of 1980 and RCW 19.27.060; repealing section 7, chapter 96, Laws of 1974 ex. sess., section 59, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.070; repealing section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075; repealing section 8, chapter 96, Laws of 1974 ex. sess., section 1, chapter 282, Laws of 1975 1st ex. sess. and RCW 19.27.080; repealing section 9, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.090; repealing section 1, chapter 8, Laws of 1975 1st ex. sess. and RCW 19.27.100; repealing section 1, chapter 37, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.110; repealing section 2, chapter 37, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.111; repealing section 1, chapter 11, Laws of 1975-'76 2nd ex. sess. and RCW 19.27.120; repealing section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200; repealing section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210; repealing section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220; repealing section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230; repealing section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240; repealing section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250; repealing section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260; repealing section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270; repealing section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280; repealing section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290;

repealing section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300; repealing section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310; repealing section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905; making an appropriation; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

**HB 558** by Representatives Armstrong, Brough, Ebersole, Miller, Wang and Todd

AN ACT Relating to motor vehicle licenses; amending section 3, chapter 148, Laws of 1980 and RCW 46.20.342; amending section 46.20.340, chapter 12, Laws of 1961 as amended by section 42, chapter 121, Laws of 1965 ex. sess. and RCW 46.12.240; adding new sections to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 559** by Representatives Egger, Niemi, Crane, Padden, Stratton, Dellwo, Tanner, West, Bond, Fuhrman, Moon and Locke

AN ACT Relating to penalty assessments; amending section 7, chapter 132, Laws of 1981 and RCW 2.56.100; amending section 2, chapter 330, Laws of 1981 and RCW 3.62.080; amending section 10, chapter 302, Laws of 1977 ex. sess. as amended by section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035; amending section 3, chapter 212, Laws of 1977 ex. sess. as last amended by section 1, chapter 127, Laws of 1981 and RCW 43.101-.210; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 2, chapter 9, Laws of 1970 ex. sess. as last amended by section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; and adding a new section to chapter 46.63 RCW.

Referred to Committee on Judiciary.

**HB 560** by Representatives P. King, Powers, Crane and Zellinsky

AN ACT Relating to law enforcement; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

**HB 561** by Representatives P. King, Powers, Crane, Ebersole, Long, Taylor, Wang, Isaacson and Jacobsen

AN ACT Relating to victims of drunk drivers; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 156, Laws of 1980 and RCW 7.68.020; and amending section 10, chapter 302, Laws of 1977 ex. sess. as amended by section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035.

Referred to Committee on Judiciary.

**HB 562** by Representative Lewis

AN ACT Relating to off-road and nonhighway vehicles; and amending section 17, chapter 47, Laws of 1971 ex. sess. as last amended by section 41, chapter 136, Laws of 1979 ex. sess. and RCW 46.09.120.

Referred to Committee on Environmental Affairs.

**HB 563** by Representatives Armstrong, Haugen, Braddock, Wang, Brekke, Powers, Jacobsen, Dellwo, P. King, Appelwick, Monohon, Lewis, Allen, Crane, Niemi, Todd, Charnley, Tanner and McClure

AN ACT Relating to public utilities; amending section 80.01.080, chapter 14, Laws of 1961 and RCW 80.01.080; amending section 80.01.100, chapter 14, Laws of 1961 and RCW 80.01.100; amending section 80.04.510, chapter 14, Laws of 1961 and RCW 80.04.510; amending section 80.24.020, chapter 14, Laws of 1961 and RCW 80.24.020; adding a new chapter to Title 80 RCW; prescribing penalties; and making an appropriation.

Referred to Committee on Judiciary.

**HB 564** by Representatives Garrett and Barnes

AN ACT Relating to metropolitan council compensation; and amending section 35.58.160, chapter 7, Laws of 1965 as amended by section 2, chapter 84, Laws of 1974 ex. sess. and RCW 35.58.160.

Referred to Committee on Local Government.

**HB 565** by Representatives Smitherman, Powers, Zellinsky, Hine, Halsan, Wang, Crane, J. King, Kaiser, Walk, Fisher, Ebersole and Todd



AN ACT Relating to high technology business promotion and employment opportunities; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 566 by Representatives Prince, Walk, Sanders, Todd and Miller

AN ACT Relating to business and occupation taxation of out-of-state businesses; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250; and creating a new section.

Referred to Committee on Ways & Means.

HB 567 by Representatives Zellinsky, Martinis, Smitherman and Vekich

AN ACT Relating to the state ferry system; and adding new sections to chapter 47.60 RCW.

Referred to Committee on Transportation.

HB 568 by Representatives Lux, Charnley and Jacobsen

AN ACT Relating to motor vehicles; adding a new chapter to Title 46 RCW; adding a new section to chapter 46.29 RCW; creating a new section; making an appropriation; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 569 by Representatives Fisher, Fisch, Tanner, Miller, Jacobsen, Smitherman, Zellinsky and Powers

AN ACT Relating to public disclosure reports required to be filed with county officials; adding a new section to chapter 29.07 RCW; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 570 by Representatives Kaiser, Smith, Egger, Nealey, Todd, Fiske, McMullen, Tilly, Belcher, Tanner, Braddock, Ellis, Smitherman, Halsan, Ballard, Miller and Isaacson

AN ACT Relating to education; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW.

Referred to Committee on Agriculture.

HB 571 by Representatives Hankins, Isaacson, Sutherland, Dickie, Stratton, Lewis, Moon, Nealey, Clayton and Van Dyken

AN ACT Relating to the removal of territory from special purpose districts; and adding a new section to chapter 70.44 RCW.

Referred to Committee on Local Government.

HB 572 by Representatives Struthers, Silver, Hastings, Patrick, Brough, Chandler and Tilly

AN ACT Relating to work release programs; and adding a new section to chapter 72.65 RCW.

Referred to Committee on Social & Health Services.

HCR 10 by Representatives Barrett, Stratton, Brough, Egger, Padden, Fuhrman, Bond, Chandler, Nealey, Allen, Tanner, West, Powers, Silver, Miller and Sanders

Commending sponsors of the Pacific Northwest Trade Expo and wishing success to participants.

Referred to Committee on Commerce & Economic Development.

SB 3062 by Senators Gaspard, Shinpoch, Newhouse, McDermott, Warnke, Deccio and Hayner

Modifying the determination of school district employee's service periods under the public employees retirement system.

Referred to Committee on Ways & Means.

SB 3127 by Senators Talmadge, Bender, Hemstad, Goltz and Shinpoch

Modifying the distribution of industrial insurance awards and settlements.

Referred to Committee on Judiciary.

SB 3181 by Senators Talmadge, Hemstad, Hughes and Pullen

Modifying provisions relating to involuntary treatment.

Referred to Committee on Judiciary.

ESB 3282 by Senators Guess, Peterson and Hansen

Enacting the Multistate Highway Transportation Agreement.

Referred to Committee on Transportation.

#### SECOND READING

HOUSE BILL NO. 107, by Representatives R. King, Betrozoff, Clayton, Heck, O'Brien, Patrick, Galloway, Hine, Sanders and Mitchell

Allowing specified hospitals and school districts to form self-insurance groups.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. Wang presiding) stated the question before the House to be the amendment by Representative Lux to the committee amendment.

Mr. Lux spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Lux, I thought it would be good to review the question and answer period we had last night regarding the private nonprofit hospitals. The question I asked you was: Would hospitals similar to Providence Hospital and the General Hospital in Everett be able to be involved in a group insurance program?"

Mr. Lux: "Representative Mitchell, I think the answer was that if the amendment passes, as I understand, the hospitals you are referring to are either private nonprofit or they are proprietary; they are private profit-making hospitals. There are only eleven for-profit hospitals in the State of Washington. The other fifty-five are private nonprofit, which would be St. Joe's and the General you are referring to, Group Health, all those other hospitals are private nonprofit hospitals."

Mr. Mitchell: "You said last night that if they didn't already belong to such a group, that they would not be about to incorporate their hospital in a new insurance group."

Mr. Lux: "What I said last night, Representative Mitchell, is that there are no group arrangements for hospitals at this time. The hospitals are self-insured. The fifty hospitals that are now self-insured in the State of Washington self-insure under the self-insurance laws that were passed in 1971 which allow for single entities--those with a million dollars in assets and a \$200,000 bond. That would apply to hospitals, lumber yards, timber outfits--any kind of an industry in the State of Washington that has a million dollars in assets and can put up a \$200,000 bond to meet the criteria of the department, can self-insure."

Representatives Mitchell and R. King spoke against the amendment to the amendment.

A division was called.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Lux to the committee amendment to House Bill No. 107, and the amendment was not adopted by the following vote: Yeas, 35; nays, 62; absent, 1.

Voting yea: Representatives Appelwick, Armstrong, Brække, Burns, Crane, Ebersole, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Jacobsen, Kaiser, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Powers, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang - 35.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, King J, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 62.

Absent: Representative Smitherman - 1.

The Speaker (Mr. Wang presiding) stated the question before the House to be the committee amendment.

Representatives R. King, Lux and Mitchell spoke in favor of the committee amendment, and it was adopted.

The Clerk read the following amendment by Representative Lux:

On page 1, line 16 after "service districts" insert "or" and on page 1, line 19 after "state," strike all material through "this state," on line 22.

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

House Bill No. 107 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 396, by Representatives Todd, Barnes, Sutherland, Mitchell, Grimm, Crane, Tanner, Miller, Locke, B. Williams, Charnley, Holland, Kaiser, Ebersole, Betzoff, Ristuben, P. King, Powers, Sayan, Johnson, Jacobsen, Vekich, Armstrong and Fisch

Raising the minimum taxable income for B&O tax purposes.

The bill was read the second time.

On motion of Mr. Heck, further consideration of House Bill No. 396 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 470, by Representative Grimm

Altering provisions relating to state funds.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 470 was substituted for House Bill No. 470, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 470 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 471, by Representative Grimm

Modifying provisions relating to the judiciary education account.

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

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

## MOTIONS

On motion of Mr. Heck, HOUSE BILL NO. 489 was rereferred from Committee on Transportation to Committee on Judiciary.

On motion of Mr. Heck, HOUSE BILL NO. 543 was rereferred from Committee on Judiciary to Committee on Agriculture.

On motion of Mr. Heck, the House advanced to the eleventh order of business.

## POINT OF PERSONAL PRIVILEGE

Ms. Belcher: "Today is the anniversary of the birthday of one of our founding mothers, Susan B. Anthony. We currently have twenty women serving in this House of Representatives, and that could not have occurred without the outstanding efforts of women such as Susan B. Anthony. She campaigned throughout the country on behalf of our right to vote, and as a result, we have had women serving in this House since as early as 1923. It seems appropriate to me that we remember today is her birthday."

## POINT OF PERSONAL PRIVILEGE

Ms. Allen: "I would like to ask the House to join us in celebrating the birthdate of a woman who I like to look at as the second greatest emancipator. She was the early leader in equal rights, attending the first convention that was held on women's rights in 1848. She was a woman of exceptional organizational ability and political acumen. After the Civil War, Susan B. Anthony gave full attention to equal rights and published, for three years, a newspaper calling for educational suffrage, irrespective of sex or color, as well as equal pay for equal work (heard that one before?), practical education of women, more liberal divorce laws. She died in 1906 at the age of 96, having attended her last suffrage convention only a month before. What a lady!

There were two states and two territories that legislated in favor of women's suffrage before the 19th Amendment, and it was all due to the work of Susan B. Anthony. She fought for the creation of the true republic: Men, their rights, and nothing more; women, their rights and nothing less."

## MOTION

On motion of Mr. Heck, the House recessed until 5:30 p.m.

## EVENING SESSION

The House was called to order at 5:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

## MOTION

Mr. McDonald moved that Engrossed Senate Bill No. 3258 be rereferred to Committee on Ways and Means.

## SPEAKER'S RULING

The Speaker: "Representative McDonald, it seems rather difficult to make a motion to refer something that isn't yet in front of us."

## MESSAGE FROM THE SENATE

February 14, 1983

Mr. Speaker:

The Senate refuses to concur with the House amendments to ENGROSSED SENATE BILL NO. 3258, 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. Heck moved that the House refuse to recede from its amendments to Engrossed Senate Bill No. 3258, and ask the Senate for a conference thereon.

## MOTION

Mr. McDonald moved that Engrossed Senate Bill No. 3258 be rereferred to Committee on Ways and Means.

## POINT OF ORDER

Mr. Heck: "Mr. Speaker, my point of order is that I think a check of the parliamentary procedures by which we operate will indicate that Representative

McDonald's motion is outranked by a motion that would, in effect, bring the two bodies closer together."

## SPEAKER'S RULING

The Speaker: "Your point is well taken, Representative Heck."

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, we don't have joint rules at this time."

The Speaker: "That's correct."

Mr. McDonald: "Mr. Speaker, if we don't have joint rules, how can we establish a conference committee?"

The Speaker: "By passing the motion Representative Heck has made and using the appropriate Reed's Rule, which I'm sure you have found, and the House rules."

Mr. McDonald: "Could you give me a citation on those rules?"

The Speaker: "House Rule 30 says, 'The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.'"

## POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Where in Reed's are we referring?"

The Speaker: "Chapter 15, beginning on page 157."

Mr. McDonald: "What specific rule, Mr. Speaker?"

The Speaker: "Primarily in chapter 15, but also in numerous rules in chapter 7."

Mr. McDonald: "Mr. Speaker, we have a fairly significant parliamentary procedure right here, and it would be more appropriate, it seems to me, to get a ruling from the Chair that is more comprehensive. Clearly, we want to understand it."

The Speaker: "More specific or more comprehensive?"

Mr. McDonald: "More specific and more comprehensive."

The Speaker: "This is a very cumbersome process, since we do not have joint rules, by going through the process in order to get to conference, one must use the citation of various rules in those two chapters."

## POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, Engrossed Senate Bill No. 3258 as amended by the House has passed the House and now has come back. Our rules provide, with a Senate amendment to a House bill, the House bill passed by the Senate with an amendment or amendments which change the scope and object of the bill, upon being received in the House shall be rereferred to the appropriate committee and shall take the same course as the original bill. This is an analysis and this points out the fact that if it were a House bill, maybe your motion might be in order, but this bill has already passed the House and now we are in communication between the House and the Senate, and the bill belongs in this process. It's gone beyond the realm of one of our committee actions. Therefore, I would say that Representative McDonald's motion is out of order."

The Speaker stated the question before the House to be the motion by Representative Heck that the House refuse to recede from its amendments to Engrossed Senate Bill No. 3258, and ask the Senate for a conference thereon.

## POINT OF PERSONAL PRIVILEGE

Mr. Taylor: "Mr. Speaker, I think it was our belief that you would recognize Representative McDonald for a very sincere, honest motion. I think in spite of the Speaker Pro Tem's ruling, there's still a chance to rectify--"

## POINT OF ORDER

Mr. Heck: "Representative Taylor is not addressing the body to a point of personal privilege, but is speaking to the motion and the process we are following this evening."

The Speaker: "Incidentally, Representative Taylor, if this motion doesn't pass and does fail, of course I will recognize Representative McDonald, but since Representative Heck's motion is of a higher order, I cannot in conscience deal with Representative McDonald's motion until we have dealt with Representative Heck's motion because it is of a higher order."

Mr. Taylor: "All I was trying to do (and this is a point of personal privilege) is to say that I feel strongly that people like the two hundred voters who met you Saturday morning and the others who were denied the right of a public hearing should have a chance--"

## POINT OF ORDER

Mr. Heck: "The same remarks apply."

The Speaker stated the question before the House to be the motion by Representative Heck.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House refuse to recede from its amendments to Engrossed Senate Bill No. 3258 and ask the Senate for a conference thereon, and the motion was carried by the following vote: Yeas, 54; nays, 44; absent, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

## POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, based on the motion by Representative Heck, I guess my point is now for a reference to Reed's that first of all establishes the conference committee; and secondly, how the conference committee will be formed and, more importantly, where the rules cite the procedures used in a conference committee that, I guess, we are making up here as we go along?"

The Speaker: "The Speaker would like to make reference to Reed's Rule 240. The Speaker would then consult the minority leader for the name which he would appoint. Obviously, it is a fiscal matter and probably would be someone from a fiscal committee. Then as far as the number is concerned, Representative Nelson, the Speaker feels that three would be a fair number and that if the Senate were to concur with that request, then, of course, each of us would have three, two of the majority party and one from the minority party in each House."

Mr. G. Nelson: "In Reed's Rule 240 I find that it doesn't refer to consultation with the minority leader or does it specifically indicate the numbers as you have thus far explained. I might point out, if I may, Mr. Speaker, that it says in the last sentence of Rule 240, 'If, for example (this is an example only), three were appointed by each house, two should represent the majority in each house and one the minority.' At no time does it say that's explicit, and I would respectfully ask, Mr. Speaker, in the case of rules before this body, it has not been what the desire has been of the presiding officer, but what the desire is of the remaining 97 members of this body--together with the 49 in the Senate--in the establishment of Joint Rules

that essentially provide new process and an arrangement by which we can effectively carry out disputes between the two bodies. Reed's Rules are very general, I might point out. Mr. Speaker, they are not a nuts-and-bolts provision as to how we operate and I would simply ask that this body reconsider its position and, in fact, go ahead with the adoption of Joint Rules."

The Speaker: "Do you have a better number in mind?"

Mr. G. Nelson: "Yes, my number at this time would be 98. All members of this body at this time should be voting and looking at this particular subject matter in an open hearing whereby we can effectively look at each part of the revenue package, not just those that simply were in a striking amendment that was essentially rushed through these chambers without the light of day and which will, in fact, have some impact on not only the 98 members here, but also essentially on all those who are now going to pay the tax bill. I think, before we proceed under a disguised set of rules, that we should effectively be passing Joint Rules that carry out the intent of any well-formulated body such as this one. It would seem strikingly unfair, at this point in time, to proceed any further."

The Speaker appointed Representatives Sommers and Grimm to serve on the conference committee.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, at this point in time, we have no rule in front of us that indicates the number of persons that could be appointed to any conference committee should such a committee be formed. Just as we have in the rules of the House, which specifically indicates the numbers of each committee before these chambers, the same should be true of every committee. I reference Representative O'Brien's remarks during the question that Representative McDonald pursued, that we do, in fact, have a committee process. The same is true with a committee and the same is true with something called a conference committee. There's a specific number that has to be addressed in this chamber, and we don't just arbitrarily pick how many members are going to be on Ways and Means, or how many are in Commerce and Economic Development, or Judiciary. We have a set number established in the rules of this body. To do anything other than that is a dictatorial operation, a tyranny, something that goes well beyond a fair, deliberative process, and I think--"

#### POINT OF ORDER

Mr. Heck: "Mr. Speaker, clearly Representative Nelson is impugning your motives and the rest of us. I find it interesting, Mr. Speaker--"

#### POINT OF ORDER

Mr. Barrett: "I believe the rules call for the fact that when someone demands a point of order, he state his point of order rather than give a speech."

The Speaker: "I would like to rule that Representative Nelson's point of order is not well taken and ask him if he has a name to submit for the conference committee."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, should there be a conference committee established by something like Joint Rules, could you advise the body under which rules and how a conference committee will act; how the report will be made, and how many signatures would be necessary, and how a Free Conference Committee would be--"

#### POINT OF ORDER

Mr. O'Brien: "Mr Speaker, precedent has already been established in this House. In 1975, we didn't have any joint rules, but we worked out a majority that Reed's calls for so we have established precedence. I would say the conference would be appointed according to what was done in prior years and I'm sure this is the intention. It's perfectly clear that when it's set forth by precedence, by Journal--"

all you have to do is look in the Journals and how it was set in 1975--and you will find out the precedent that was established."

The Speaker: "Representative O'Brien, the issue at hand is one that is a different set of circumstances than in 1975, so your point is not well taken."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, I think 1975 rules were extremely good, and I would think it would be informative if you would advise this body of those particular rules in 1975 on the joint activity of the conference. I agree with Representative O'Brien. He is absolutely right, and I believe it was Speaker Sawyer who initiated that particular arrangement at that time, and I would hope that, perhaps, we could proceed under something of the same kind. I would like to know, Mr. Speaker, should a conference committee be formed, how many signatures would be necessary to provide the conference report?"

The Speaker: "Representative Nelson, I call to your attention Rule 243 and 244, 'Action of Conference Committee,' which explain that very well."

Mr. G. Nelson: "I would remind the Speaker that you had previously mentioned that we would go by virtue of the traditions established in this body, and the traditions have never indicated that a simple majority would be necessary. Is that now the rule of the Senate and the House?"

The Speaker: "What it says, Representative Nelson, is the majority of the representatives of each house--that's what's in Reed's."

Mr. G. Nelson: "Mr. Speaker, looking back on the traditional approach, I would reference the Speaker's attention to Rule 6 of the Joint Rules of 1981-82, which effectively indicated that in the event the members of the conference committee cannot agree on a request for a Free Conference Committee, a majority of the conference committee members of each house may report back from the conference committee, and then, I'm led to believe, that would go to Free Conference. Would you advise this body, Mr. Speaker, of how the Free Conference Committee would operate?"

The Speaker: "We sincerely hope that we don't have to go to Free Conference. We will be able to rule on that matter when it is before us, if it ever is."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, is it my understanding that we are using Reed's Parliamentary Rules?"

The Speaker: "When we don't have the joint rules before us, we are going to deal with all of Reed's Parliamentary Rules which apply to the particular situation."

Mr. Barrett: "Mr. Speaker, the book you are referring to says, 'Free conference is the only one known to our parliamentary law.' Does this mean that any conference we take, then, will be a Free Conference?"

The Speaker: "The Speaker has already indicated that we are not there yet and may never be there. The question the Speaker has directed to Representative Nelson is to name his appointee."

Mr. Nelson G: "Mr. Speaker, I would like to name the following forty-four members to the conference committee: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brough--"

The Speaker: "You are out of order, Representative Nelson. I assume the first name you mentioned is the one you wish to have and the others are a support staff?"

Mr. G. Nelson: "Mr. Speaker, I believe that would be incorrect again and I think, at this point, it is not proper for us to try and guess what the rules are on how many members there will be. At this point in time, Mr. Speaker, I would respectfully request that we bring the joint rules out here so that this body can be deliberative and open and carry out the due process that I think is beholding of the tradition of



this body. Granted, it can now establish a new autocratic arrangement on establishing a committee that has no statutory presence, no presence in any rule, and has simply been referred to at the whim of the presiding officer. I don't believe it really is in the best judgment of this body to carry out that particular arrangement."

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Mr. Speaker, at what point during the last session were the Joint Rules adopted?"

The Speaker: "My recollection was that it was February 24, 1981. Representative Heck."

MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Wednesday, February 16, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 16, 1983

The House was called to order at 11:00 a.m. by the Speaker (Mr. Charnley 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 Davis and Joe Sauter. Prayer was offered by The Reverend Lester G. Olson, Minister of the Gloria Dei Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 15, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3083,

SENATE BILL NO. 3165,

SENATE BILL NO. 3167,

SUBSTITUTE SENATE BILL NO. 3197,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HB 573 by Representatives Zöllinsky, Smitherman, Vekich, McMullen, Haugen and Powers

AN ACT Relating to the care of children; amending section 1, chapter 172, Laws of 1967 as last amended by section 192, chapter 3, Laws of 1983 and RCW 74.15.010; and adding a new section to chapter 74.15 RCW.

Referred to Committee on Social & Health Services.

HB 574 by Representatives Hine, Van Dyken, Garrett, Isaacson, Kreidler, Haugen, Mitchell, Allen, Ballard and Broback

AN ACT Relating to the consideration of local excise tax revenues arising from local purchases in awarding purchase contracts; and adding a new section to chapter 39.30 RCW.

Referred to Committee on Local Government.

HB 575 by Representatives Kaiser, Crane, Mitchell, Lewis, Garrett, Gallagher, Johnson, Lux, Bond, Hine, Vekich, Addison, Schmidt, Tilly, Smith, Miller, Ebersole, Haugen and Isaacson

AN ACT Relating to veterans; creating new sections; and making an appropriation.

Referred to Committee on State Government.

HB 576 by Representatives Kaiser, Gallagher, Mitchell, Lewis, Lux, Johnson, Hine, Vekich, Crane, Struthers, Schmidt, Tilly, Miller, Ebersole and Isaacson

AN ACT Relating to veterans; amending section 1, page 208, Laws of 1888 as last amended by section 1, chapter 180, Laws of 1947 and RCW 73.08.010; amending section 2, page 208, Laws of 1888 as last amended by section 2, chapter 180, Laws of 1947 and RCW 73.08.030; amending section 4, page 209, Laws of 1888 as last amended by section 4, chapter 180, Laws of 1947 and RCW 73.08.050; amending section 5, page 209, Laws of 1888 as last amended by section 5, chapter 180, Laws of 1947 and RCW 73.08.060; amending section 6, page 209, Laws of 1888 as last amended by section 1, chapter 15, Laws of 1949

and RCW 73.08.070; amending section 7, page 210, Laws of 1888 as last amended by section 6, chapter 155, Laws of 1980 and RCW 73.08.080; and adding a new section to chapter 84.55 RCW.

Referred to Committee on State Government.

HB 577 by Representatives Egger, Clayton and McClure

AN ACT Relating to civil service; amending section 4, chapter 31, Laws of 1935 and RCW 41.08.050; and amending section 4, chapter 13, Laws of 1937 and RCW 41.12.050.

Referred to Committee on Local Government.

HB 578 by Representatives Isaacson and D. Nelson

AN ACT Relating to the utilities and transportation commission; and amending section 80.01.040, chapter 14, Laws of 1961 and RCW 80.01.040.

Referred to Committee on Energy & Utilities.

HB 579 by Representatives Tanner, Patrick, Egger, Allen, Powers, Barrett, Smitherman, J. King, Monohon, Braddock, Broback, Brekke, Van Dyken, Miller, Brough, Haugen, Long and Holland

AN ACT Relating to prison work programs; and creating new sections.

Referred to Committee on Social & Health Services.

HB 580 by Representatives Tanner, Barrett, Egger, Ebersole, Powers, Ristuben, Smitherman, J. King, Monohon, Braddock, B. Williams and Holland

AN ACT Relating to economic development; creating a new chapter in Title 43 RCW; and making an appropriation.

Referred to Committee on Commerce & Economic Development.

HB 581 by Representatives Egger, Gallagher, Ristuben, Martinis, Sutherland, Fuhrman and Haugen

AN ACT Relating to cities and towns; amending section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180; and declaring an emergency.

Referred to Committee on Local Government.

HB 582 by Representatives Kaiser and Smith

AN ACT Relating to public waters; amending section 2, chapter 104, Laws of 1959 as last amended by section 1, chapter 40, Laws of 1973 1st ex. sess. and RCW 89.16.020; amending section 4, chapter 104, Laws of 1959 as last amended by section 2, chapter 216, Laws of 1981 and RCW 89.16.040; adding new sections to chapter 90.40 RCW; and creating new sections.

Referred to Committee on Agriculture.

HB 583 by Representatives Kaiser and Smith

AN ACT Relating to reclamation by the state; and amending section 1, chapter 216, Laws of 1981 and RCW 89.16.055.

Referred to Committee on Agriculture.

HB 584 by Representatives Belcher, Kreidler and J. King

AN ACT Relating to promotional drawings; and amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020.

Referred to Committee on Commerce & Economic Development.

HB 585 by Representatives McClure, Haugen, B. Williams, Monohon, Vekich, Martinis, Fisch and D. Nelson

AN ACT Relating to salmon; and amending section 3, chapter 184, Laws of 1974 ex. sess. as amended by section 4, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.460.

Referred to Committee on Natural Resources.

HB 586 by Representatives Moon and Crane

AN ACT Relating to cities and towns; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

**HB 587** by Representative Moon

AN ACT Relating to counties; and adding a new section to chapter 36.32 RCW.

Referred to Committee on Local Government.

**HB 588** by Representatives Zellinsky, Smitherman, Egger, Schmidt, Isaacson, Hankins, McClure, Fisch, Miller, Vekich, Sayan, Powers and Holland

AN ACT Relating to the state jail commission; amending section 2, chapter 131, Laws of 1981 and RCW 70.48A.020; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 589** by Representatives Sanders, Isaacson, J. Williams, Patrick, Clayton and Betrozoff

AN ACT Relating to the county road administration board; adding new sections to chapter 43.131 RCW; repealing section 1, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.010; repealing section 2, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.020; repealing section 3, chapter 120, Laws of 1965 ex. sess., section 5, chapter 85, Laws of 1971 ex. sess. and RCW 36.78.030; repealing section 4, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.040; repealing section 5, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.050; repealing section 6, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.060; repealing section 7, chapter 120, Laws of 1955 ex. sess., section 4, chapter 235, Laws of 1977 ex. sess. and RCW 36.78.070; repealing section 8, chapter 120, Laws of 1965 ex. sess., section 5, chapter 182, Laws of 1969 ex. sess., section 1, chapter 1, Laws of 1975 1st ex. sess., section 80, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 36.78.080; repealing section 9, chapter 120, Laws of 1965 ex. sess., section 1, chapter 257, Laws of 1977 ex. sess. and RCW 36.78.090; repealing section 10, chapter 120, Laws of 1965 ex. sess., section 2, chapter 257, Laws of 1977 ex. sess. and RCW 36.78.100; and repealing section 11, chapter 120, Laws of 1965 ex. sess., section 42, chapter 151, Laws of 1979 and RCW 36.78.110.

Referred to Committee on Transportation.

**HB 590** by Representatives B. Williams, Betrozoff and Lewis

AN ACT Relating to industrial development; and adding a new chapter to Title 43 RCW.

Referred to Committee on Commerce & Economic Development.

**HB 591** by Representatives Belcher, Ballard, Kreidler, Locke, Niemi, Burns, Hine, Rust, Jacobsen, Fisher, Ellis, McClure, Appelwick, Monohon, Allen, Powers, Wang and Dellwo

AN ACT Relating to general assistance; amending section 1, chapter 6, Laws of 1981 1st ex. sess. as amended by section 5, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.005; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 592** by Representatives B. Williams, Tilly and Lewis

AN ACT Relating to small business investment; and adding a new chapter to Title 43 RCW.

Referred to Committee on Commerce & Economic Development.

**HB 593** by Representatives Moon, Miller and R. King

AN ACT Relating to state correctional institutions; and adding a new section to chapter 41.06 RCW.

Referred to Committee on State Government.

**HB 594** by Representatives Kreidler, Lewis and Dellwo

AN ACT Relating to medical assistants; amending section 1, chapter 2, Laws of 1983 and RCW 18.71.030; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Social & Health Services.

HB 595 by Representatives Ellis, Lewis, Dickie, Clayton, Smith, Chandler, Kaiser and Grimm

AN ACT Relating to the Yakima river system; adding a new section to chapter 43.21A RCW; and making an appropriation.

Referred to Committee on Agriculture.

HB 596 by Representatives Todd, Isaacson, D. Nelson, Long, Gallagher and Miller

AN ACT Relating to the state building code; and amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030.

Referred to Committee on State Government.

HB 597 by Representatives Moon, O'Brien, Patrick and Brough

AN ACT Relating to recreation; amending section 9, chapter 218, Laws of 1963 as last amended by section 7, chapter 210, Laws of 1981 and RCW 36.68.480; amending section 13, chapter 218, Laws of 1963 as last amended by section 10, chapter 210, Laws of 1981 and RCW 36.68.520; and adding a new section to chapter 36.68 RCW.

Referred to Committee on Local Government.

HB 598 by Representatives Prince, Tanner, Struthers, Crane, Long, Hankins, Nealey, G. Nelson, Patrick, Hastings, Fuhrman, Taylor, Zellinsky, Tilly, McMullen, Barnes, Ellis, Mitchell, Dickie, Betzoff, Brough, Ballard, Wilson, Padden, Allen, Fisher, Miller, Smith, Van Dyken, Holland, Chandler, Silver, Addison, Dellwo, Ristuben and Lewis

AN ACT Relating to inheritance taxation; and creating a new section.

Referred to Committee on Ways & Means.

HB 599 by Representatives Belcher, Armstrong, Niemi, Burns, Jacobsen, Allen and Lux

AN ACT Relating to the regulation of real estate transactions; amending section 17, chapter 235, Laws of 1953 as amended by section 6, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.071; amending section 14, chapter 252, Laws of 1941 as last amended by section 49, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.85.080; adding new sections to chapter 18.85 RCW; and providing effective dates.

Referred to Committee on Commerce & Economic Development.

HB 600 by Representatives Belcher, Armstrong, Niemi, Burns, Jacobsen, Appelwick and Lux

AN ACT Relating to real estate brokers and salesmen; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Judiciary.

HB 601 by Representatives Moon, Grimm, G. Nelson and Miller

AN ACT Relating to the payment of rates and charges by the state to general purpose units of local government for storm water control facilities; adding a new section to chapter 35.67 RCW; adding a new section to chapter 36.89 RCW; and adding a new section to chapter 36.94 RCW.

Referred to Committee on Local Government.

HB 602 by Representatives Todd, Allen, Charnley, Braddock, Van Dyken, Haugen and Lux

AN ACT Relating to the conveyance of real property; creating a new section; and adding new sections to chapter 64.04 RCW.

Referred to Committee on Judiciary.

HB 603 by Representatives Belcher, Armstrong, Niemi, Burns, Appelwick, Haugen and Lux

AN ACT Relating to real estate commissions; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Commerce & Economic Development.

**HB 604** by Representatives Belcher, Armstrong, Niemi, Burns, Jacobsen and Lux

AN ACT Relating to the real estate commission; amending section 17, chapter 235, Laws of 1953 as amended by section 6, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.071; amending section 14, chapter 252, Laws of 1941 as last amended by section 49, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.85.080; and providing an effective date.

Referred to Committee on Commerce & Economic Development.

**HB 605** by Representatives O'Brien, Sommers, Betzoff and Miller

AN ACT Relating to the state convention and trade center; amending section 3, chapter 34, Laws of 1982 and RCW 67.40.030; amending section 4, chapter 34, Laws of 1982 and RCW 67.40.040; amending section 6, chapter 34, Laws of 1982 and RCW 67.40.060; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

**HJM 16** by Representatives Belcher, Hankins, Hine, Long, Ellis, Schmidt, Sommers, Allen, Niemi, Silver, Powers, Brough, Brekke, Miller, Rust, Fisher, Galloway, Stratton, Monohon, Haugen, Heck, G. Nelson, Wang, Schoon, Appelwick, Betzoff, Pruitt, Johnson, Smitherman, Mitchell, Zellinsky, Vander Stoep, Burns, Patrick, Jacobsen, Ballard, D. Nelson, McDonald, Garrett, Addison, Fisch, Taylor, McMullen, Van Dyken, Vekich, Chandler, Gallagher, Tanner, Sutherland, Ristuben, Crane, Braddock, Moon, Armstrong, Lux, J. King, Todd, Kreidler, Charnley, R. King, Halsan, Locke, Martinis, Kaiser, J. Williams, Ebersole, Isaacson, Dellwo, Holland, O'Brien and Lewis

Requesting the adoption of the Economic Equity Act II.

Referred to Committee on Constitution, Elections & Ethics.

**HJM 17** by Representatives Powers, Miller, Hine, Allen, Niemi, Brough, Ellis, Silver, Belcher, Fisher, Sommers, Hankins, Brekke, Galloway, Rust, Stratton, Monohon, Haugen, Heck, Patrick, Wang, Schoon, Appelwick, Vander Stoep, Pruitt, Betzoff, Smitherman, Ristuben, Zellinsky, Sayan, Burns, McClure, Jacobsen, Egger, D. Nelson, Grimm, Garrett, O'Brien, Fisch, Tanner, McMullen, Crane, Vekich, Armstrong, Sutherland, Charnley, J. King, R. King, Dellwo, P. King, Lux, Braddock, Moon, Halsan, Todd, Kreidler, Locke, Prince, Martinis, Kaiser, Barrett, Isaacson, and Lewis

Urging the passage of the Equal Rights Amendment to the U.S. Constitution.

Referred to Committee on Constitution, Elections & Ethics.

**HJM 18** by Representatives Sutherland, Heck, B. Williams, Barrett, Betzoff, Smith, Fiske, Ellis, G. Nelson, Nealey, West, Broback, Egger, Kaiser, Stratton, Halsan, Galloway, Tanner, Padden, Fuhrman, Monohon, Ristuben, Isaacson and Hastings

Requesting Congress to refrain from imposing further federal control over land in the Columbia River Gorge.

Referred to Committee on Natural Resources.

**HJM 19** by Representatives Tilly, B. Williams, Taylor, Johnson, Barnes, Chandler, Smith, Sanders, Prince, Silver, Allen, Miller, G. Nelson, Patrick, Brough, Ballard, Wilson, J. Williams, Isaacson, Betzoff and Lewis

Asking Congress to adequately fund the Export Import Bank.

Referred to Committee on Commerce & Economic Development.

**HJR 32** by Representatives Smitherman, Zellinsky, Galloway and R. King

Promoting capital construction and jobs by authorizing special financing of public improvements from increased revenues from benefited property.

Referred to Committee on Commerce & Economic Development.

HJR 33 by Representative Allen

Changing the constitutional requirements for funding education.

Referred to Committee on Education.

SB 3083 by Senators Warnke, Rasmussen and Hayner (by Department of Licensing request)

Modifying certain license fees and procedures.

Referred to Committee on Commerce & Economic Development.

SB 3165 by Senators Barr, Hansen, Patterson and Hayner

Extending state route 21 to Kahlotus.

Referred to Committee on Transportation.

SB 3167 by Senator Peterson

Extending state route number 530.

Referred to Committee on Transportation.

SSB 3197 by Committee on Financial Institutions (originally sponsored by Senators Wojahn, Sellar, Moore and Woody)

Providing insurance coverage for reconstructive breast surgery resulting from a mastectomy.

Referred to Committee on Financial Institutions & Insurance.

## REPORTS OF STANDING COMMITTEES

February 11, 1983

HB 47 Prime Sponsor, Representative Garrett: Extending and modifying the municipal research council. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Grimm and Hine.

Passed to Committee on Rules for second reading.

February 14, 1983

HB 95 Prime Sponsor, Representative Rust: Requiring a permit to explore for oil in marine waters. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Delliwo, Jacobsen, Lux, Pruitt and Van Dyken.

Voting nay: Representatives Hankins and J. Williams.

Absent: Representatives Clayton, Lewis and Lux.

Passed to Committee on Rules for second reading.

February 15, 1983

HB 133 Prime Sponsor, Representative Powers: Exempting military personnel and their spouses and dependent children from nonresident tuition and fee differentials. Reported by Committee on Rules.

Rereferred to Committee on Ways & Means.

February 15, 1983

HB 136 Prime Sponsor, Representative R. King: Imposing a time limit on filing certain unfair labor practice complaints. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 14, 1983

HB 233 Prime Sponsor, Representative Haugen: Establishing a commercial anadromous game fish buyer's license and extending the excise on food fish and shellfish to commercially harvested anadromous game fish. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Vander Stoep, Vekich, B. Williams and Wilson.

Voting nay: Representative Sutherland.

Absent: Representatives Locke and Vander Stoep.

Passed to Committee on Rules for second reading.

February 14, 1983

HB 252 Prime Sponsor, Representative Rust: Requiring motor oil to be recycled. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux and Pruitt.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Ranking Minority Chair; Hankins, Van Dyken and J. Williams.

Absent: Representatives Clayton, Lewis and Lux.

Passed to Committee on Rules for second reading.

February 14, 1983

HB 259 Prime Sponsor, Representative Martinis: Revising laws regulating hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 4 after "source of" insert "used"

On page 3, following line 29 insert "The provisions of this section do not apply to major repair, restoration, or alteration of a vehicle thirty years of age or older."

On page 6, line 29 strike "motor vehicle or trailer" and insert "vehicle"

On page 8, line 11 after "or the" strike "chief of the"

On page 8, line 13 after "((members" strike ")") the chief of" and insert "(of))"

On page 9, line 6 after "or the" strike "chief of the"

On page 9, line 8 after "((members" strike ")") the chief of" and insert "(of)"

Signed by Representatives Martinis, Chair; Egger, Vice Chair Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representative Garrett.

Passed to Committee on Rules for second reading.

February 15, 1983

HB 333 Prime Sponsor, Representative Jacobsen: Deleting the extra fee requirement for students enrolled for more than eighteen credit hours. Reported by Committee on Rules.



Rereferred to Committee on Ways and Means.

February 14, 1983

HB 357 Prime Sponsor, Representative Kaiser: Modifying provisions relating to the veterinary board of governors and animal technicians. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 33 after "shall" strike "~~((have the power to))~~" and insert "have the power to"

On page 5, line 31 after "this" strike "section" and insert "chapter"

On page 5, line 33 after "Actions" insert "in the practice of his or her profession"

On page 7, beginning on line 3 strike all material through "stayed;" and renumber the remaining subsections accordingly.

On page 7, line 6 after "time;" strike "and"

On page 7, line 8 after "chapter" insert "; and

(9) Any combination of the foregoing, which may be partly or totally stayed"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland, Moon, Prince and Todd.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 25, by Representatives R. King and Clayton (by Department of Labor and Industries request)

Clarifying the requirements for vocational rehabilitation.

The bill was read the second time. Committee on Labor recommendation: Majority do pass as amended. (For amendments, see Journal, 32nd Day, February 10, 1983.)

On motion of Mr. R. King, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 25, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 25, having received the 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. 87, by Representatives Charnley and Brough

Modifying metropolitan municipal corporation council membership.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brough spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 87, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

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

HOUSE BILL NO. 122, by Representatives P. King, Allen, Moon, McClure, J. King, Miller, G. Nelson, Galloway, Braddock, Zellinsky, Armstrong, Betzoff and Isaacson

Modifying provisions relating to cultural arts, stadium and convention districts.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. P. King spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 122, and the bill passed the House by the following vote: Yeas, 88; nays, 10; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Cantu, Clayton, Dickie, Fuhrman, Hastings, Kaiser, Padden, Sanders, Tilly, West - 10.

House Bill No. 122, having received the 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. 83, by Representatives Sayan, Walk, Hankins and Johnson

Permitting certain HEP board meetings and hearings to be held at locations other than colleges.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 83, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner,

Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 83, having received the 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. 125, by Representatives Moon, Walk, Kreidler and Sayan

Eliminating the exemption from civil service for certain department of corrections personnel.

The bill was read the second time. Committee on State Government recommendation: Majority do pass as amended. (For amendment, see Journal, 32nd Day, February 10, 1983.)

On motion of Mr. Walk the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 125, and the bill passed the House by the following vote: Yeas, 87; nays, 11; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Bond, Cantu, Fuhrman, Hastings, Haugen, Mitchell, Nealey, Padden, West, Wilson - 11.

Engrossed House Bill No. 125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 112, by Representatives Rust, Patrick and Powers

Modifying procedures for complaints against water well contractors.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 112, and the bill passed the House by the following vote: Yeas, 95; nays, 03; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Padden, Wilson - 3.

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

HOUSE BILL NO. 198, by Representatives Pruitt, Vander Stoep, Kreidler, Charnley, Sayan, Mitchell, Garrett, Tilly, Ristuben, Van Dyken, Powers, Johnson, Burns, Schmidt, Jacobsen, Broback, Zellinsky, Nealey, Smitherman, Clayton, Fuhrman, Taylor, Barnes, Vekich, Halsan, Sutherland, Isaacson, Fisch, Betzoff, Fisher, Holland, Braddock, Schoon, McClure, Ballard, Niemi, Brough, Stratton, J. Williams, Haugen, Egger, Crane, Silver, Rust, Cantu, Tanner, Wilson, Belcher, Locke, Lux, Wang, O'Brien, Hine, Heck, Dellwo, Padden, Ellis, Ebersole, Addison, D. Nelson, Patrick, Long, Todd, McMullen and Hankins

Modifying laws regulating fitting and dispensing hearing aids.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 9, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 198, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

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

HOUSE BILL NO. 207, by Representatives Stratton, Egger, Dellwo, Barrett, Lewis, Garrett, J. Williams, Martinis, Gallagher, Sanders, Clayton, Wilson, Betzoff and Patrick

Revising regulation of signs near railroad grade crossings.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 207 was substituted for House Bill No. 207, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 207 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 207, and the bill passed the House by the following vote: Yeas, 97; nays, 01; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Barnes - 1.

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

### THIRD READING

SUBSTITUTE HOUSE BILL NO. 470, by Committee on Ways & Means (originally sponsored by Representative Grimm)

Altering provisions relating to state funds.

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

Representative Sommers spoke in favor of passage of the bill, and Representatives Vander Stoep and Tilly spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 470, and the bill passed the House by the following vote: Yeas, 55; nays, 43; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, 820 Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Substitute House Bill No. 470, having received the 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. Wang, the House recessed until 5:30 p.m.

### EVENING SESSION

The House was called to order at 5:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Thursday, February 17, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 17, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative McDonald, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages DeAnne Pearce and Lee Belas. Prayer was offered by The Reverend Howard Caesar, Minister of the Unity Church of Olympia.

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

## MOTION

Mr. G. Nelson moved that the House adhere to its position with regard to the amendment to Engrossed Senate Bill No. 3258.

The Speaker: "We don't have the bill before us, Representative Nelson. We will receive a message from the Senate which deals with its action with what we have sent, and for that reason, your motion is out of order."

## POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, is Engrossed Substitute Senate Bill No. 3258 as amended in front of this body, or has it been sent to the Senate with the message asking for a conference?"

The Speaker: "The bill is in our possession; the message, however, is in the Senate and we are not in the proper order of business to make the motion which you made."

Mr. G. Nelson: "Mr. Speaker, on which order of the day would that motion be proper other than at a time when a message has been received from the Senate?"

The Speaker: "The eighth order."

## MOTION

Mr. G. Nelson moved that the House advance to the eighth order of business.

Mr. G. Nelson spoke in favor of the motion.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, according to Rule 15 it says, 'Messages from the governor or senate or any communication from any state officer may be read at any time.' My point of parliamentary inquiry is, why can action on this be only on eighth order when you can read in the message at any time?"

The Speaker: "We don't have a message before us, so there is nothing to make the motion on. The only order of business, therefore, where one could make the motion would be on the eighth order according to Rule 15(B)."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, it appears that we are divided. You said just a moment ago that you had the bill here, but we have a message over there. It seems to me that, somehow, they have to be tied together and my point is: How can we act on a bill when it has a message that deals with that bill over in the Senate unless we receive what the Senate has to say? I wonder how we can act on a bill unless the Senate acts one way or the other on the message?"

The Speaker: "We don't believe we can, Representative Hastings, but apparently Representative Nelson believes we can since he wants to get to the eighth order of business to make a motion on something. We agree with you."

Mr. Heck spoke against the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion that the House advance to the eighth order of business, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative McDonald - 1.

#### INTRODUCTIONS AND FIRST READING

HB 563 by Representatives Armstrong, Haugen, Braddock, Wang, Brekke, Powers, Jacobsen, Dellwo, P. King, Appelwick, Monohon, Lewis, Allen, Crane, Niemi, Todd, Charnley, Tanner and McClure

AN ACT Relating to public utilities; amending section 80.01.080, chapter 14, Laws of 1961 and RCW 80.01.080; amending section 80.01.100, chapter 14, Laws of 1961 and RCW 80.01.100; amending section 80.04.510, chapter 14, Laws of 1961 and RCW 80.04.510; amending section 80.24.020, chapter 14, Laws of 1961 and RCW 80.24.020; adding a new chapter to Title 80 RCW; prescribing penalties; and making an appropriation.

Referred to Committee on Judiciary.

HB 606 by Representatives R. King, Patrick, Fisch, Lux, Ellis, Jacobsen and Belcher

AN ACT Relating to labor relations; and adding new sections to chapter 49.36 RCW.

Referred to Committee on Labor.

HB 607 by Representatives Fisch, Schoon, Pruitt, Tanner, Powers, Jacobsen, Sayan, Fisher, J. King, Vekich and Monohon

AN ACT Relating to a presidential preference primary; creating a new chapter in Title 29 RCW; and providing for a vote of the people.

Referred to Committee on Constitution, Elections & Ethics.

HB 608 by Representatives Kaiser, Smith, Pruitt, Stratton, Van Dyken, Todd, Egger, Braddock and Jacobsen

AN ACT Relating to food products; adding new sections to chapter 69.04 RCW; and prescribing penalties.

Referred to Committee on Agriculture.

HB 609 by Representatives Sutherland, Betzoff, Egger, Martinis, Prince, J. Williams, Patrick, Schoon, Barrett, McDonald and Miller

AN ACT Relating to driver licensing; and amending section 46.20.120, chapter 12, Laws of 1961 as last amended by section 6, chapter 61, Laws of 1979 and RCW 46.20.120.

Referred to Committee on Transportation.

HB 610 by Representatives Charnley and Braddock

AN ACT Relating to the state lottery; and amending section 4, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.040.

Referred to Committee on Commerce & Economic Development.

**HB 611** by Representatives Fisher, Betzoff, Ellis, Zellinsky and Ebersole

AN ACT Relating to the definition of "fleet" for the purposes of motor vehicle emission control; and amending section 1, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.010.

Referred to Committee on Environmental Affairs.

**HB 612** by Representatives Galloway, Schmidt, Zellinsky and J. King

AN ACT Relating to alcoholic beverages; and amending section 1, chapter 55, Laws of 1967 as last amended by section 19, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.490.

Referred to Committee on Commerce & Economic Development.

**HB 613** by Representatives J. King, Padden, Lux, West and Isaacson

AN ACT Relating to school and educational employees' payroll deductions; and amending section 28A.58.560, chapter 223, Laws of 1969 ex. sess. as last amended by section 113, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.560.

Referred to Committee on Ways & Means.

**HB 614** by Representatives Galloway, Schmidt, Zellinsky, J. King, Charnley, Hankins, Tanner and Jacobsen

AN ACT Relating to excise taxation; and amending section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050.

Referred to Committee on Ways & Means.

**HB 615** by Representatives Patrick and Miller (by Secretary of State request)

AN ACT Relating to the regulation of campaign financing; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Constitution, Elections & Ethics.

**HB 616** by Representatives Long, Sommers, Holland, Johnson and Isaacson

AN ACT Relating to proceeds of the state lottery; amending section 4, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.040; amending section 24, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.240; and creating a new section.

Referred to Committee on Commerce & Economic Development.

**HB 617** by Representatives Walk, Hankins, Addison and Belcher (by Secretary of State request)

AN ACT Relating to the productivity board; amending section 1, chapter 142, Laws of 1965 ex. sess. as last amended by section 6, chapter 167, Laws of 1982 and RCW 41.60.010; amending section 1, chapter 167, Laws of 1982 and RCW 41.60.015; amending section 5, chapter 142, Laws of 1965 ex. sess. as last amended by section 11, chapter 167, Laws of 1982 and RCW 41.60.050; amending section 17, chapter 167, Laws of 1982 (uncodified); and declaring an emergency.

Referred to Committee on State Government.

**HB 618** by Representatives Belcher and Moon

AN ACT Relating to state employees' deferred compensation; and amending section 1, chapter 274, Laws of 1975 1st ex. sess. as last amended by section 3, chapter 256, Laws of 1981 and RCW 41.04.260.

Referred to Committee on State Government.

**HB 619** by Representatives Hine, Patrick, Egger, Allen, Jacobsen and Miller

AN ACT Relating to public works and improvements in first class cities; and amending section 1, chapter 56, Laws of 1975 1st ex. sess. as amended by section 1, chapter 89, Laws of 1979 ex. sess. and RCW 35.22.620.

Referred to Committee on Local Government.



HB 620 by Representatives Lux, Belcher and Kreidler (by State Employees Insurance Board request)

AN ACT Relating to state employees' insurance; and amending section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 1, chapter 34, Laws of 1982 1st ex. sess. and RCW 41.05.025.

Referred to Committee on Financial Institutions & Insurance.

HB 621 by Representatives Locke, Barrett, Miller, Burns, Tanner, Brough, McMullen, Jacobsen, Silver, Allen, R. King, D. Nelson, Crane, Powers, Sutherland, Niemi, Grimm, Belcher, Brekke, Pruitt, Heck and Lux

AN ACT Relating to procedures involving higher education programs; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and declaring an emergency.

Referred to Committee on Higher Education.

HB 622 by Representatives R. King, Clayton, Belcher, Tanner and Isaacson

AN ACT Relating to industrial insurance; amending section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 20, Laws of 1982 1st ex. sess. and RCW 51.32.190; and amending section 26, chapter 43, Laws of 1972 ex. sess. as amended by section 55, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.210.

Referred to Committee on Labor.

HB 623 by Representative D. Nelson

AN ACT Relating to energy; amending section 1, chapter 45, Laws of 1970 ex. sess. as amended by section 29, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.010; amending section 2, chapter 45, Laws of 1970 ex. sess. as last amended by section 2, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.020; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; and amending section 6, chapter 45, Laws of 1970 ex. sess. as last amended by section 5, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.060.

Referred to Committee on Energy & Utilities.

HB 624 by Representatives D. Nelson, Rust, Brekke and Silver

AN ACT Relating to revenue and taxation; and adding a new section to chapter 84.38 RCW.

Referred to Committee on Ways & Means.

HB 625 by Representatives D. Nelson and Rust

AN ACT Relating to property tax exemptions for nonprofit organizations; amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.020; amending section 2, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.030; amending section 22, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.480; and amending section 7, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 4, chapter 141, Laws of 1981 and RCW 84.36.805.

Referred to Committee on Ways & Means.

HCR 11 by Representatives G. Nelson, McDonald, Addison, Allen, Ballard, Barnes, Barrett, Betzozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, Van Dyken, West, B. Williams, J. Williams and Wilson

Adopting Joint Rules of the Legislature.

Referred to Committee on Rules.

#### MOTION

Mr. Heck moved that the bills and the resolution listed on today's agenda under the fourth order of business be considered first reading and be referred to the committees designated.

## MOTION

Mr. G. Nelson moved that the motion by Representative Heck be amended to exclude House Concurrent Resolution No. 11.

Representatives G. Nelson and Van Dyken spoke in favor of the motion, and Mr. Wang spoke against it.

Mr. Barrett demanded an oral roll call and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that House Concurrent Resolution No. 11 remain on the first reading calendar, and the motion was lost by the following vote: Yeas, 43; nays, 53; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Absent: Representative Egger - 1.

Excused: Representative McDonald - 1.

## POINT OF INQUIRY

Mr. Heck yielded to question by Mr. B. Williams.

Mr. B. Williams: "Representative Heck, I know that we are under the fourth order of business which is the introduction and first reading of bills. I also notice that, according to the Associated Press in this morning's paper, the new tax proposal was introduced into the legislature yesterday by your party. The normal procedure would be that the bill would show on first reading today. Is there such a bill?"

Mr. Heck: "I have read today's introductions and I see no such bill. I would be very insistent that we hold the wire services accountable for such egregious errors in reporting."

The Speaker stated the question before the House to be the motion by Representative Heck that the bills on first reading be referred to the committees designated.

The motion was carried.

## REPORTS OF STANDING COMMITTEES

February 15, 1983

HB 6 Prime Sponsor, Representative D. Nelson: Modifying provisions relating to unemployment compensation where individuals have had substantial periods of part-time employment. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Smith and Struthers.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Smith and Struthers.

Passed to Committee on Rules for second reading.

February 15, 1983

HB 24 Prime Sponsor, Representative R. King: Allowing the department to take disciplinary action against self-insured employers. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, Smith and Struthers.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 16, 1983

HB 73 Prime Sponsor, Representative Moon: Raising debt limits for cities, towns and hospital districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Egger, Grimm, Hine, Ristuben, Smitherman and Todd.

Voting nay: Representatives Chandler, Isaacson and Mitchell.

Absent: Representatives Ebersole and Smitherman.

Passed to Committee on Rules for second reading.

February 14, 1983

HB 96 Prime Sponsor, Representative Martinis: Requiring reflectorized whistle posts at certain railroad crossings. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 after "design" strike all the material down through and including "W," on line 10 and insert " ."

On page 1, line 10 after "maintained" strike "eighty rose on" and insert "at least eighty rose from"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Ranking Minority Vice Chair; Barrett, Sanders, Smith and J. Williams.

Absent: Representative Clayton.

Passed to Committee on Rules for second reading.

February 16, 1983

HB 111 Prime Sponsor, Representative R. King: Modifying provisions relating to water and sewer district treasurers. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole, Grimm and Smitherman.

Passed to Committee on Rules for second reading.

February 15, 1983

HB 113 Prime Sponsor, Representative Braddock: Authorizing the provision of heating services by local governmental entities. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Fiske, Gallagher, Hastings, Jacobsen, Martinis, Miller, Moon, Nealey, Pruitt and Sutherland.

Voting nay: Representatives Bond and Fuhrman.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 15, 1983

**HB 117** Prime Sponsor, Representative R. King: Modifying procedures for the reduction in force of community college faculty members due to a financial emergency. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Signed by Representatives Clayton, Ranking Minority Chair; Smith and Struthers.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

February 14, 1983

**HB 143** Prime Sponsor, Representative Martinis: Revising payment of vehicle license fees. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Clayton, Fisch, Fisher, Hankins, McMullen, Mitchell, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Charnley, Gallagher, Garrett, Patrick and Prince.

Passed to Committee on Rules for second reading.

February 16, 1983

**HB 159** Prime Sponsor, Representative Braddock: Allocating funds to border areas for increased police protection. Reported by Committee on Rules.

Referred to Committee on Ways & Means.

February 14, 1983

**HB 184** Prime Sponsor, Representative McMullen: Authorizing the DOT to make contracts. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 following "(2)" strike all the material down to and including "contract," on line 22 and insert the following: "Subject to the limitations of RCW 4.24.115, the department may include in any authorized contract a provision for indemnifying the other contracting party against specific loss or damages arising out of the performance of the contract."

On page 2, following section 1 add a new section as follows:

"**NEW SECTION, Sec. 2.** This 1983 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 "transportation" strike "and" and on line 2 of the title after ".260" insert ": and declaring an emergency"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair; Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Fisch, Fisher, Gallagher, McMullen, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Clayton, Hankins, Mitchell and Vekich.

Passed to Committee on Rules for second reading.

February 16, 1983

**HB 217** Prime Sponsor, Representative Moon: Modifying provisions on liens on public works. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ballard, Ebersole, Grimm, Hine and Smitherman.

Passed to Committee on Rules for second reading.

February 15, 1983

HB 231 Prime Sponsor, Representative Hine: Creating the evergreen state skill corporation. Reported by Committee on Commerce & Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Smitherman, Stratton and Walk.

Absent: Representatives B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Barrett, Brough, Padden, Schmidt, Schoon, Silver, Tilly, Van Dyken and Wilson.

Rereferred to Committee on Ways & Means.

February 15, 1983

HB 441 Prime Sponsor, Representative J. King: Modifying provisions relating to liquor service at international trade expositions and receptions. Reported by Committee on Commerce & Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Silver, Smitherman, Stratton, Walk and Wilson.

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

Voting nay: Representatives Schoon and Van Dyken.

Absent: Representatives Appelwick, Barrett, Schmidt, Tilly and Wilson.

Passed to Committee on Rules for second reading.

#### MOTIONS

On motion of Mr. Heck, the House recessed until 3:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 3:15 p.m. by the Speaker.

On motion of Mr. Heck, the House was recessed until 5:30 p.m.

#### SECOND AFTERNOON SESSION

The House was called to order at 5:30 p.m. by the Speaker.

On motion of Mr. Heck the House was recessed until 7:00 p.m.

#### EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fuhrman, Nealey, Patrick, Schmidt and Wilson. Representative Fuhrman was excused.

## MOTION

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

## MESSAGE FROM THE SENATE

February 17, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 61,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 61.

## THIRD READING

HOUSE BILL NO. 471, by Representative Grimm

Modifying provisions relating to the judiciary education account.

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

Representatives Grimm and Cantu spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 471, and the bill passed the House by the following vote: Yeas, 92; absent, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Barrett, Nealey, Patrick, Schmidt, Wilson - 5.

Excused: Representative Fuhrman - 1.

House Bill No. 471, having received the 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. 43, by Committee on Social & Health Services (originally sponsored by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sayan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Dellwo, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton)

Modifying provisions concerning medical care services.

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

Representatives Ellis and Lewis spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 43, and the bill passed the House by the following vote: Yeas, 93; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith,

Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Nealey, Patrick, Schmidt, Wilson - 4.

Excused: Representative Fuhrman - 1.

Substitute House Bill No. 43, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Schmidt and Wilson appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 107, by Representatives R. King, Betrozoff, Clayton, Heck, O'Brien, Patrick, Galloway, Hine, Sanders and Mitchell

Allowing specified hospitals and school districts to form self-insurance groups.

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

Representatives R. King and Clayton spoke in favor of passage of the bill and Mr. Lux spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Lux.

Mr. Lux: "Representative King, this bill requires that the Department of Labor and Industries adopt rules governing the formation of these self-insured groups for hospitals. This allows, as I understand it, the Department to require that the group be of a certain size and have a certain amount of assets. As I understand it, there are only about five or eight public hospitals out there. Would the Department be able to set the requirements to determine whether or not this would be a large enough group to self-insure? Would it have the power and the authority to do that?"

Mr. R. King: "I think the Department has the authority to set reasonable standards to make the group sufficiently large enough to meet the same standards that an individual hospital would under the existing system. I think, if the same restrictions or requirements are imposed, it would be called reasonable. That would be the million dollars and the other requirements that are in the other law. If they went much beyond that, it might be challenged in terms of legislative intent, and the intent of this legislature would be that the fund would be large enough to insure that injured workers would receive what is entitled to them over the period of their lifetime."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 107, and the bill passed the House by the following vote: Yeas, 58; nays, 37; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fiske, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, King J, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nelson G, O'Brien, Padden, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Garrett, Halsan, Jacobsen, Kaiser, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Powers, Pruitt, Ristuben, Rust, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Wang - 37.

Absent: Representatives Nealey, Patrick - 2.

Excused: Representative Fuhrman - 1.

Engrossed House Bill No. 107, having received the 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. 129, by Committee on State Government (originally sponsored by Representatives Halsan, Walk, Vekich, Kreidler, Belcher, Vander Stoep, P. King, Zellinsky, Powers, Ebersole, Appelwick, Johnson, Garrett and D. Nelson)

Modifying the provisions governing accumulated vacation leave for state employees.

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

Representatives Halsan and Taylor spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 129, and the bill passed the House by the following vote: Yeas, 89; nays, 6; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Clayton, Dickie, Sanders, West, Wilson - 6.

Absent: Representatives Nealey, Patrick - 2.

Excused: Representative Fuhrman - 1.

Substitute House Bill No. 129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Nealey appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 297, by Committee on Judiciary (originally sponsored by Representatives Padden, Armstrong, Kreidler, Wang, Holland, Ristuben, Ballard, Hastings and Dellwo)

Approving the sentencing guidelines and prosecuting standards of the sentencing guidelines commission.

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

Representatives Armstrong, Padden and Wang spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Armstrong yielded to question by Ms. Stratton.

Ms. Stratton: "Representative Armstrong, can you give me some kind of a time frame for when the drug offense sentencing will be addressed?"

Mr. Armstrong: "It will be addressed in the next session on recommendation of the Sentencing Guidelines Commission brought to the legislature by the beginning of the 1984 session. This year they came on January 10 with a final report, and I assume the report would be due the same time next year."

Representatives Stratton and Tilly spoke in favor of passage of the bill, and Ms. Schmidt spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 297, and the bill passed the House by the following vote: Yeas, 88; nays, 8; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald,



McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, and Mr. Speaker - 88.

Voting nay: Representatives Chandler, Clayton, Dickie, Schmidt, Smith, Smitherman, Wilson, Zellinsky - 8.

Excused: Representatives Fuhrman, Patrick - 2.

Engrossed Substitute House Bill No. 297, having received the 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, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 79, by Representatives Moon and Van Dyken

Allowing cities and towns to charge interest on sewer hook-ups.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 79 was substituted for House Bill No. 79, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 79 was read the second time.

Mr. Addison moved adoption of the following amendment:

On page 1, line 18 following "connection" insert "PROVIDED, That if replacement cost is used, financing charges may not be included"

Representatives Addison and Moon spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 79 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 36, by Representatives Hastings, Hine, Isaacson and Mitchell

Modifying provisions relating to the formation of sewer districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 1, line 6 after "the" strike "method" and insert "methods"

On motion of Mr. Moon, the amendment was adopted.

House Bill No. 36 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 47, by Representatives Garrett, Walk, Hankins, Johnson, Stratton and Hine

Extending and modifying the municipal research council.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 47 was substituted for House Bill No. 47, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 47 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 77, by Representatives Martinis, Wilson, Moon, Johnson, Sanders, Zellinsky and Mitchell

Permitting a longer time period for the acquisition of property by port districts.

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

HOUSE BILL NO. 31, by Representatives Wang, Armstrong, Padden, Johnson, Brough, McMullen, Ristuben, Miller, Fuhrman, Holland, Broback, Isaacson, Silver, P. King, Hastings, Bond, Addison, Mitchell, R. King, B. Williams, Patrick, Lewis, Allen, Tanner, Long, Brekke, Barrett and West

Providing that using or threatening to use an apparent deadly weapon is forcible compulsion for the crime of rape in the first degree.

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

HOUSE BILL NO. 99, by Representatives Wang and Tanner

Modifying the procedures governing defendants acquitted by reasons of insanity.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 99 was substituted for House Bill No. 99, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 99 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 174, by Representatives Armstrong, Padden, Charnley and Hastings

Requiring information about money judgments to be filed with the court clerk.

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

Mr. Heck demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Fuhrman, Patrick and Todd.

On motion of Mr. Heck, the absent members were excused and the House proceeded with business under the Call of the House.

#### MESSAGES FROM THE SENATE

February 17, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 61,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 17, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 3258, and the following conferees have been appointed: Senators McDermott, Gaspard, Hayner.

Sidney R. Snyder, Secretary.

#### APPOINTMENT OF CONFEREE

The Speaker announced the appointment of Representative G. Nelson to the Conference Committee on Engrossed Senate Bill No. 3258.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, historical precedents in the House and under Reed's Rules of Order, have allowed for two types of conference committees; namely, what I will call simply a conference committee where the conferees would only act on the amendments and disputes that are within the amendments. Then we had the Free Conference Committee where the conferees could add, delete or even change language and report back to the House by a super majority. My

point of parliamentary inquiry, Mr. Speaker, is which conference are we going to act under with this conference?"

The Speaker: "I'm somewhat confused by your reference to precedent and a super majority. Be that aside, we believe that we are in a posture, under Reed's Rules, of being in conference under chapter 15."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Under chapter 15, Mr. Speaker, I believe it was yesterday that you referenced Reed's 243, and you mentioned that you were in conference, and I refer you to the last sentence of the first paragraph which says: 'It often happens that several conferences are had before an agreement is reached.' My question relates to my first point regarding conferences. Is the conference we are going to have the one that can simply add or delete on the amendments only, the one that I called a Conference Committee, which of course we've had here in historical precedents in this House before, or is it going to be the Free Conference?"

The Speaker: "A conference committee which was appointed tonight."

Mr. Hastings: "Mr. Speaker, then it will be the Conference Committee and not Free Conference? Is that correct?"

Mr. Speaker: "As of right now, that is correct."

Mr. Hastings: "Mr. Speaker, I wonder, then, what are the powers of this Conference Committee? Is it the historical precedents that we have had in the House in the past?"

The Speaker: "The Conference Committee generally would have the powers as outlined under Reed's 241."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, let me go a little further. In Reed's 242, the Free Conference Committee, although you have outlined that it is in 241, there is a section there that says: 'This method of conference is the only one known to our parliamentary law, at least it is the only one now in practice. When two legislative bodies in this country have a conference, it is a free conference.' I assume, sometime down the line, we will be getting a Free Conference Committee. I'm wondering if we will be operating then on the second half of the first paragraph which says: 'Instead of being confined to reasons adopted by either of the Houses, each member may present his own. A conference may therefore be a free conference though each House may have instructed its members and limited them to the terms of agreement.' That is my point of parliamentary inquiry."

The Speaker: "Well, Representative McDonald, as I referred to Representative Hastings some time ago, we are already in the mode of a conference committee, not a Free Conference Committee, which you are citing in 242. I don't assume we are necessarily ever going to get to a Free Conference. The conferees may meet and resolve their differences and may never have to come back and ask for powers of Free Conference. Until they have had a chance to meet and discuss their differences and so forth, we'll never know."

Mr. McDonald: "If we do get to a point of Free Conference, then we have a further inquiry to get this tacked down a little more clearly. In Reed's 240, which you have referenced, it says, 'If, for example, three are appointed by each house, two should represent the majority in each house and one the minority.' This is referring to the total number of people on this committee. I assume we are operating under this. Is that what we are operating under?"

The Speaker: "Well, for one thing, the Speaker never did reference Reed's 240, but it does say, 'If, for example...' and that's all it is--an example in 240--'as far as possible,' and so forth. We'll do as much as we possibly can, but I don't see the citation there. I don't understand it; I didn't cite 240."

Mr. McDonald: "Mr. Speaker, you did cite chapter 15, and that's the only reference that we've been able to find in all of chapter 15, which addresses how the

conference committee should be staffed or who should be appointed to it. I am assuming that we must be under 240."

The Speaker: "Citing Reed's 240, yesterday the House appointed two conferees and now the Senate has agreed to three conferees also. We then appointed Representative Gary Nelson to that conference. If either body were to change that, of course, we would reexamine that. For example, the Senate would have five, we would have five; but the decision that has been made, at least at this point, between the two bodies is that we have as conferees three from the House and three from the Senate, two from the majority party in each House and one from the minority party."

Mr. McDonald: "We're trying to go through uncharted waters together. Further, in 244, from the way you answered Representative Hastings, it was unclear to me exactly how we are going to operate as far as the voting is concerned, but I guess in 244, starting on the second line, '...must be in writing and signed by those agreeing thereto, and must have the signatures of a majority of the representatives of each House.' I assume that must be what we are operating under."

The Speaker: "Would you repeat your point please?"

Mr. McDonald: "We're struggling with how many people it's going to take to report this bill out. It says on the second line, '...and signed by those agreeing thereto, and must have the signatures of a majority of the representatives of each House.' Is that what we are operating under?"

The Speaker: "The way it is interpreted is that two Senators and two House members must sign the report."

Mr. McDonald: "Further point of parliamentary inquiry: If then, we do revert back to 242, a Free Conference Committee Report, Mr. Speaker, how many people would we be talking about reporting that amendment out?"

The Speaker: "We don't know at this point, because, hopefully, we'll never get to Free Conference but if we do, we'll be pleased to deal with that matter at that time, Representative McDonald. Perhaps the conferees will agree and we won't have to deal with that."

Mr. McDonald: "I guess I'm still confused about this, because if we are operating under chapter 15, it clearly states in here under 242, which I understand is not recognized this far, 'This method of conference is the only one known to our parliamentary law....' It seems that if we are operating under Reed's Rules, a Free Conference is the only one we should operate under."

The Speaker: "Is it your position that the mode in which we now are is the one of Free Conference? Is that what you are saying?"

Mr. McDonald: "I'm just trying to understand the rulings. If we are under Reed's Rules, then it seems to me that would lead us in that direction. Again, we are in uncharted waters, Mr. Speaker."

The Speaker: "Last night the Speaker ruled that we were in conference and, then, possibly we would go to Free Conference in the future. If I understand what your point is, if there is no objection, I would rule that we are in Free Conference if that is your point."

Mr. McDonald: "Mr. Speaker, don't we need a motion to go into Free Conference?"

The Speaker: "That's what the Speaker thought, but that's why I didn't understand your range of questions. It appears to the Speaker that you are suggesting we are under a mode of Free Conference, and we're not objecting to that. I'll be pleased to rule that way, but otherwise, we must go through the process of conference before we get to a motion to ask for Free Conference."

Mr. McDonald: "I'm certainly satisfied with your process, but we're just trying to get it packed in. One final question: If we do go into Free Conference, Rule 26 applies?"

The Speaker: "That would be correct."

Representative Todd appeared at the bar of the House.

#### MOTIONS

Mr. G. Nelson moved that the rules be suspended and that the Conference Committee be open to the public and to the news media for consideration of Engrossed Senate Bill No. 3258, notwithstanding Reed's Rule 243.

Mr. G. Nelson spoke in favor of the motion.

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

#### ROLL CALL

The Clerk called the roll on the motion that the Conference Committee's consideration of Engrossed Senate Bill No. 3258 be open to the public and the news media, and the motion was carried by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fuhrman, Patrick - 2.

#### POINT OF PERSONAL PRIVILEGE

Mr. Hastings: "Mr. Speaker, what we've done here tonight, I think, needs some explanation. What we've done is something future legislators may look upon and wonder why we did it. We have broken a precedent that I think may come back to haunt all of us because--"

#### POINT OF ORDER

Mr. Heck: "Mr. Speaker, Representative Hastings is making a speech about the process here this evening and not making a point of personal privilege."

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, under questions of privilege, Rule 178, going down to the fifth line, it says--talking about points of personal privilege, it talks about '...rights of the House collectively, its safety, dignity, and the integrity of its proceedings.' It seems to me that Representative Hastings was certainly within the bounds of that rule."

The Speaker: "Representative Hastings, will it be short?"

Mr. Hastings: "Thank you, Mr. Speaker. What we have done now is to set a precedent without Joint Rules and specifically, it's to appoint a free conference and to determine the number of votes it takes to report out of the conference committee. As I pointed out earlier, in my points of parliamentary inquiry, the House had the precedent in history of having four votes to pass out a conference report and a super majority, or five votes, to pass out a Free Conference Committee Report. What we have done tonight is set the precedent that hereafter a Free Conference Report can be passed out by only four votes. I would argue that is not good from the standpoint of legislating, because if you take that to the extreme, four people could make all the decisions in the House and the minority would be completely shut out. That's the precedent we are setting here by allowing this to go on, and I rise to this point of personal privilege simply to let you know what you are doing by condoning this. The games were played over here that go a lot further than just this bill. You ought to know that and that's the reason for my point."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Now that we have established the open government type of motion relative to the conference committee, would you be kind enough to advise

this body when the conference committee will meet--hopefully, in the daylight hours--and what time and where, so that the members and the public and the news media will be able to witness the activity of this particular committee?"

The Speaker: "The Speaker has been so busy the last forty-five minutes answering points of parliamentary inquiry that he has been unable to get to his office and contact the conferees to find out when it's convenient for them to get together. Perhaps sometime tonight that will be accomplished. At this point, I've been terribly busy on the rostrum."

Mr. G. Nelson: "Mr. Speaker, could you advise the body who the Chairman of the Committee is?"

The Speaker: "No."

Mr. G. Nelson: "Would you advise this body how the Chairman of the conference committee is selected?"

The Speaker: "I'm afraid I don't know the answer to that. I haven't studied the rules. Do you have a suggestion?"

Mr. G. Nelson: "I accept the chairmanship, Mr. Speaker. In that we wanted this open government opportunity, I willingly accept and I thank you."

#### MOTION

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

#### MOTION

Mr. G. Nelson moved that House Rule 26 be suspended for the purpose of consideration of the conference Committee report on Engrossed Senate Bill No. 3258.

Representatives G. Nelson and Heck spoke in favor of the motion and it was carried.

#### MOTION

On motion of Mr. Heck, the House was adjourned until 11:00 a.m., Friday, February 18, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**FORTIETH DAY****MORNING SESSION**

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House Chamber, Olympia, Wash., Friday, February 18, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Fuhrman and West. Representative Fuhrman was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michelle Foster and Mike Egan. Prayer was offered by The Reverend Lester G. Olson, Gloria Dei Lutheran Church of Olympia.

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

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

Mr. Heck demanded a Call of the House and the demand was sustained.

**CALL OF THE HOUSE**

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond, Fuhrman and West.

On motion of Mr. Heck, the absent members were excused, and the House proceeded with business under the Call of the House.

**SPEAKER'S PRIVILEGE**

The Speaker recognized the Washington Wheat Queen, Teresa Cochran, and appointed Representatives Prince and Nealey to escort her to the rostrum.

Queen Teresa, a senior at Colfax High School, briefly addressed the House, and the Speaker instructed the committee to escort her from the House Chambers.

**REPORT OF CONFERENCE COMMITTEE**

February 18, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3258, modifying taxes ('81-'83 Biennium), have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Senators McDermott, Gaspard; Representatives Grimm, Sommers.

**MOTION**

Mr. Heck moved that the House adopt the report of the Conference Committee and grant the request of the committee for Free Conference.

Mr. Heck spoke in favor of the motion.

**POINT OF PARLIAMENTARY INQUIRY**

Mr. Hastings: "Mr. Speaker, now that the motion has been made to go into the mode of Free Conference, my point of parliamentary inquiry is that historically, in Free Conference, the conference report is accompanied by papers that will say what the Free Conference report will do. My point is: Is it the intent of this report to establish a new precedent whereby a Free Conference can be called without papers?"

The Speaker: "At this point we are operating under Reed's Rules rather than the Joint Rules and it is my understanding that the Conference Committee report is in place on each member's desk."

Mr. Hastings: "Since Reed's is unclear on exactly whether or not this report ought to be with or without papers, and the fact that we have historical precedent, is it the intention that this is a precedent that we would present the Conference report without the papers?"

The Speaker: "We're trying to give as much information to as many people as we can. We feel that we have done this by putting it on the members' desks."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, we are referring to Reed's 241. The last sentence says: 'While a free conference was being had neither House remained in session.' Is it the intention of the Speaker that the Houses adjourn so the Free Conference can meet?"

The Speaker: "You are referring to Reed's Rule 241, and really, you should be reading Reed's 242 which reads, 'With us the conference committee can sit during the session of both Houses.'"

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. speaker, if we are to go back to the rulings you have made the past few days, we are accepting that when Reed's says 'conference,' Reed's means the type of conference that was held this morning. When Reed's says 'Free Conference,' Reed's means Free Conference of the type we are referring to now. Would it then be possible for you to rule, please, where the word 'conference' is used in the context you were just referring to, it says: 'The conference committee can sit during the session of both Houses.' However, where it says 'Free Conference' it says neither House may remain in session. I think we need clarification."

The Speaker: "Representative Barrett, the Speaker has ruled, and will continue to rule, that what we are talking about is Free Conference. Your point is not well taken."

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, I just noticed at the bottom of this report of the Conference Committee that there are only four signatures. That's insufficient to ask for the powers of Free Conference if we are going by tradition. I'm wondering how you rule on that? I guess I am citing in the Joint Rules of 1981, the Rule 8."

#### SPEAKER'S RULING

The Speaker: "The Speaker will rule that the majority in both the conference and Free Conference, in Rule 244, '...must have the signatures of a majority of the representatives of each House.' Under Reed's Rules, since we do not have Joint Rules, the Speaker would rule, in this case, that in the case of conference or Free Conference, this would apply."

Mr. McDonald: "Mr. Speaker, then that means a departure from the past. It will be four instead of five signatures, and since there are four members of the majority party, there could be a situation in which the minority party would have absolutely no voice in this conference report. Is that about right?"

The Speaker: "I don't know how it's going to turn out, Representative McDonald."

The motion by Representative Heck that the Conference Committee on Engrossed Senate Bill No. 3258 be granted the powers of Free Conference was carried.

#### POINT OF PERSONAL PRIVILEGE

Mr. B. Williams: "I rise under point of personal privilege, Reed's Rule 178, 179 and 180. I rise to my feet today, very sad, very heavy-hearted over this system which we are following. I'm not rising as a Republican, and those of you who have



seen the events of the last hour are disturbed that I am making my point and say, 'Hey, just keep your cool; you can get a shot in later.' I'm not looking for a political shot. I have a grave concern over the dignity and the integrity of the legislative procedure. Ladies and gentlemen of the body, I am so concerned that if I thought for one minute my resignation might arouse the body to realize what is going on at the present time, I would do so. My concern is over the issue which has been going on for the past year, but more importantly, by how we have been treating parliamentary procedure and how we've been acting as a constitutionally elected body. Although at times I feel bad that I'm in the minority, and I don't have much say, I recognize that; but I also recognize that the minority does have some rights guaranteed to it by the Constitution, guaranteed to it by past practices.

"As I mentioned, my concern is over what has been happening in the body. The tremendous waste of time as we've gathered and recessed and waited; the fact that we've been here nearly one week since we passed the last revenue bill without any public hearings, without any opportunity to express our feelings on the issue. It concerns me that there are no rules before us as far as how conference committees run; that we go through countless parliamentary procedures trying to find out what the rules are. It concerns me that last night I stayed up and read the Report of the Conference Committee, which has not yet met, came in this morning and found out that the committee, which had not yet met, had changed the report overnight, and in some of the areas there were larger tax increases and in some areas, smaller tax increases than the package I had looked at after midnight last night.

"Today you saw what concerns me more than anything else. I hadn't planned to speak on it because I didn't know it would occur. You saw an attempt to shut up a member of the body because a member of the other party didn't know what he was going to say. If that ever occurs in the body again, I am shocked beyond belief. I was not recognized by the Speaker because my leadership was not here, and I had not checked in advance with them over what I would say. You saw me on my feet, and you saw the House go at recess because people wanted to inquire over what Bob Williams was going to say when he stood up.

"We are State Representatives, and I was told by some of my staff, 'Oh Bob, just be quiet, you can get a political shot in later.' I don't want a political shot. I want us to realize the impact of what we are doing, because maybe today we are doing it over this issue to the minority, a Republican; tomorrow we could do it to the farmer; another day we could do it to someone else, if we so chose. Many of us campaigned on the theme that bipartisan solutions were needed to solve the pressing problems, and I was proud of Representative Sommers and of the then-Representative Thompson and Representative McDonald, for working together in the interim before we knew what party would be in control and after the election, before we knew who would chair the Ways and Means Committee on looking at alternatives for the budget. We recognized that we probably would have to work together to come up with some kind of a compromise, and we said we supported open government and, yet, we've seen the process completely thrown out. We've seen that today the pressing issue before the State of Washington is the supplemental revenue package. I've mentioned to your caucus chairman several times -- and sometimes I kid around a lot, so she might think I'm kidding -- that I would like to come into your caucus on that side of the aisle (my caucus is tired of me) because I think that within a few minutes, we could reach agreement on the supplemental revenue package. If you had it laid out before you like it is in one of the charts right now, you would see that the House Democrat revenue proposal raises \$187.5 million between now and the end of June; the Senate Democrat package raises \$195.5 million, a difference of only \$8 million, or a difference of one-tenth of one percent of the biennial budget, when there is a surplus of over \$40 million. I think, as hard as that vote may be for some of us, we could quickly reach a solution between now and the end of the fiscal year. I think the real challenge before us is to look at what we're doing to parliamentary procedure. Look at what we're doing to what were the rights of the minority and allow open government. Allow us to participate. Today the citizens of my legislative district are looking at increased taxation without any type of representation. I'm unable to get up and to state what

the effects will be in my district in an open public hearing. For that I urge you to consider the effect of what is going on."

POINT OF PERSONAL PRIVILEGE

Mr. Moon: "I've always been one who has sponsored the rights of the minorities and the rights of the oppressed. I sat through, the other night, an all-time record with the continuing session, and during all this delay, there was never an attempt to develop and adopt Joint Rules. I think, had this been attempted, maybe you wouldn't have had to go through all these things you're complaining about. I think sometimes we have to get to the key issues and the key points. I hope shortly after this thing is over, both sides will get together and develop some joint rules, so that we have some form to work under, rather than having to resort to Reed's Rules and not know for sure what the system is that we are working under. I hope you will devote some time and develop some joint rules, and not spend so much time on long speeches that go on and on through the night."

POINT OF PERSONAL PRIVILEGE

Mr. G. Nelson: "I feel as though my motives and the motives of others who sponsored House Concurrent Resolution No. 11 that was introduced at the beginning of this week to establish Joint Rules, have been impugned. There was not a serious attempt to bring a sequence of actions that would have, in fact, caused us to come to a conclusion much earlier than Friday, the 18th of February. I feel the previous speaker, who voted against even considering those joint rules, should be corrected and the record should be clear as to our intent to cooperate and to get this process concluded in the best possible fashion. At the same time, I would like the body to know that we'll, I believe on both sides of the aisle, respect the rights and the privileges of those who speak to let their minds be known as to the things they are very concerned about that are going to be addressed by this legislature."

POINT OF PERSONAL PRIVILEGE

Mr. Heck: "I think we are now at a point in time where the rubber meets the road. There have been several questionable remarks made about the motives of others and considerable discussions here about this process. I think that when you put all of it in context as to what this legislature is valiantly struggling with, and that is the single largest fiscal crisis in the history of this state, an impoverished infant which we found on our doorstep on November 3rd, we have tried at every turn to deal with this thing in a straightforward step-up-to-it-and-solve-it fashion. I find it somewhat hard to believe that there would be criticism of the process because of the lack of joint rules, when two years ago at this point we hadn't yet adopted them. Traditionally, we do not have joint rules in the House until sometime in February or March; it's not unusual. It takes time to negotiate those differences with the Senate, and after what we did to improve the standing rules of this House--nobody here has mentioned that the gag rule was eliminated. If we had been operating under the rules of 1981-83, we would not have sat here for sixteen hours the other night; instead, we showed a great deal of tolerance and patience to allow you to engage in that filibuster. If we had engaged in that debate under the rules in 1981-83---"

POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, at this time there are people who are speaking who are indicating that we filibustered, and are, in fact, impugning the activities of this body during the course of establishing amendments that would clarify what was in a major tax bill that goes far beyond the immediate revenue shortfall for this biennium. I feel that when we allow members to speak in a distorted fashion and where they are now indicating something that isn't a fact, and especially using derogatory inferences as that of 'filibuster'--which was not the case--then it deludes the activities were of those members who were proposing amendments during that long session. I would ask the Speaker to maintain control over such people, who might impugn those of us who were very interested in getting a measure out of this body."

The Speaker: "If the Speaker had maintained control, he would have done it when Representative Williams spoke. Please, Representative Heck, stick to your point of personal privilege."

Mr. Heck: "Mr. Nelson, the word is 'implication,' not 'inference.' I think some sincerity, by which we can measure your activity the other night, is measured more by the absence of any alternatives to the \$145 to \$185 million problem. At no point in time have we seen a comprehensive budget and revenue package which you would support. As Representative Taylor used to say, years ago, 'Where is your solution?' In addition to the one hundred amendments, each of which dealt---

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, under Rule 178, Question of Privilege, it talks about the 'safety, dignity and integrity of its proceedings.' It also mentions that you cannot be going on to other measures. I think Representative Heck is straying far afield in his remarks."

The Speaker: "He is; he's fallen into the tradition of the last three speakers. Would you sum up please, Representative Heck."

Mr. Heck: "I think the main reason why I chose to ask for a point of personal privilege is to clarify the incident that occurred this morning that has resulted in all this long debate. Speaker Ehlers, out of courtesy to the members of the Republican leadership, did not recognize Representative Williams because of leadership's absence from the Chamber in meeting with Governor Spellman. He certainly agreed that would occur in a timely fashion. Whether it was earlier or later did not warrant the kind of outrageous statements that we've heard today. It was all understood and a matter of courtesy that the thing developed as it did."

#### INTRODUCTIONS AND FIRST READING

##### HB 626 by Representative Grimm

AN ACT Relating to adoption; amending section 1, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.015; amending section 3, chapter 291, Laws of 1955 as last amended by section 1, chapter 85, Laws of 1980 and RCW 26.32.030; amending section 2, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.032; amending section 4, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.036; amending section 5, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.038; amending section 8, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.044; amending section 9, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.046; amending section 10, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.048; amending section 11, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.052; amending section 12, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.054; amending section 13, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.056; amending and reenacting section 12, chapter 291, Laws of 1955 as amended by section 1, chapter 101, Laws of 1979 ex. sess. and by section 19, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.120; adding new sections to chapter 26.32 RCW; and providing an effective date.

Referred to Committee on Judiciary.

##### HB 627 by Representatives Armstrong, Monohon, Padden, Sommers, Crane, Niemi and Dellwo

AN ACT Relating to the administrator for the courts; and amending section 1, chapter 259, Laws of 1957 as last amended by section 7, chapter 255, Laws of 1979 ex. sess. and RCW 2.56.010.

Referred to Committee on Ways & Means.

##### HB 628 by Representatives Grimm, Walk and Moon

AN ACT Relating to flood protection; amending section 6, chapter 220, Laws of 1982 and RCW 43.21C.220; amending section 2, chapter 286, Laws of 1971 ex. sess. as amended by section 1, chapter 13, Laws of 1982 1st ex. sess. and RCW 90.58.020; amending section 10, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.100; adding new sections to chapter 90.58 RCW; and making an appropriation.

Referred to Committee on Local Government.

**HB 629** by Representatives Stratton, West, Egger, Barrett, Kaiser, Ellis, Dellwo, G. Nelson, Silver, Ebersole, Lewis, P. King, Johnson, Haugen and Powers

AN ACT Relating to drug enforcement; adding a new chapter to Title 69 RCW; and creating new sections.

Referred to Committee on Judiciary.

**HB 630** by Representatives Locke, Tilly and Halsan

AN ACT Relating to courts; amending section 16, chapter 98, Laws of 1979 and RCW 26.27.160; amending section 1, chapter 38, Laws of 1973 as last amended by section 5, chapter 330, Laws of 1981 and RCW 36.18.020; amending section 36.18.110, chapter 4, Laws of 1963 and RCW 36.18.110; and amending section 36.18.120, chapter 4, Laws of 1963 and RCW 36.18.120.

Referred to Committee on Judiciary.

**HB 631** by Representatives Jacobsen, Vekich, Niemi, Moon, D. Nelson, Armstrong, McClure, Appelwick, Belcher, Lux, Allen and R. King

AN ACT Relating to joint operating agencies; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.370; and amending section 2, chapter 3, Laws of 1981 1st ex. sess. as amended by section 3, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.374.

Referred to Committee on Energy & Utilities.

**HB 632** by Representatives Hine, Barnes, Tilly, Braddock, Todd, Fuhrman, Patrick, Van Dyken, Crane, Kaiser, Jacobsen, Gallagher, Lewis, Smitherman, Moon, Garrett, R. King, D. Nelson, B. Williams, Wilson, Mitchell, Zellinsky, Ebersole, Walk, Sanders, Dellwo, Johnson, Brekke and Tanner

AN ACT Relating to veterans; and amending section 43.61.030, chapter 8, Laws of 1965 as last amended by section 21, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.61.030.

Referred to Committee on State Government.

**HB 633** by Representatives Grimm, Wang, Gallagher and Dellwo

AN ACT Relating to education; amending section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 3, chapter 250, Laws of 1979 ex. sess. and RCW 28A.41.140; amending section 1, chapter 359, Laws of 1977 ex. sess. and RCW 28A.58.750; and amending section 2, chapter 359, Laws of 1977 ex. sess. and RCW 28A.58.752.

Referred to Committee on Education.

**HB 634** by Representatives Haugen, Kreidler, Johnson, Stratton, Mitchell, Wang and Dellwo

AN ACT Relating to state residential schools; amending section 2, chapter 166, Laws of 1981 and RCW 72.33.161; providing an effective date; and declaring an emergency.

Referred to Committee on Social & Health Services.

**HB 635** by Representatives Monohon, B. Williams, J. King, Grimm and Sommers

AN ACT Relating to state funds; amending section 1, chapter 87, Laws of 1975-'76 2nd ex. sess. as last amended by section 9, chapter 139, Laws of 1981 and RCW 9.46.115; amending section 10, chapter 218, Laws of 1973 1st ex. sess. as amended by section 5, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.100; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

**HB 636** by Representatives Lux, Clayton, Crane, Tilly, Monohon, Tanner, Moon, Jacobsen, Ballard, D. Nelson, Burns, Dickie, Brough, Charnley, Allen, Pruitt, Todd, Barnes, Fisch, P. King, Garrett, Dellwo, Ristuben, Vekich, Ebersole, Lewis, R. King, Johnson and Long

AN ACT Relating to the victims of uninsured motorists; amending section 27, chapter 150, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1981 and RCW

48.22.030; creating a new chapter in Title 46 RCW; prescribing penalties; declaring an emergency; and providing effective dates.

Referred to Committee on Financial Institutions & Insurance.

HB 637 by Representatives R. King, Allen, Belcher, Patrick, Kreidler and Lux

AN ACT Relating to personnel boards; amending section 6, chapter 36, Laws of 1969 ex. sess. as last amended by section 19, chapter 338, Laws of 1981 and RCW 28B.16.060; and amending section 8, chapter 10, Laws of 1982 and RCW 41.06.110.

Referred to Committee on State Government.

HB 638 by Representatives Haugen, Fiske and Wilson

AN ACT Relating to state government; and creating new sections.

Referred to Committee on Ways & Means.

HB 639 by Representatives McMullen, Wilson, Patrick, Garrett, Jacobsen, Holland and Gallagher

AN ACT Relating to civil actions; and adding a new section to chapter 66.44 RCW.

Referred to Committee on Judiciary.

HB 640 by Representatives Charnley, Allen, Burns, Grimm, Miller, R. King, Sayan, Heck, Fisher, Kreidler, Rust, D. Nelson, Lux and Powers

AN ACT Relating to tuition and fees at institutions of higher education; amending section 6, chapter 257, Laws of 1981 as amended by section 18, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.202; amending section 7, chapter 257, Laws of 1981 as amended by section 19, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.402; amending section 8, chapter 257, Laws of 1981 as amended by section 10, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.502; and declaring an emergency.

Referred to Committee on Higher Education.

HB 641 by Representatives R. King, Barnes and Hine

AN ACT Relating to fire insurance premiums taxation; adding a new section to chapter 48.14 RCW; adding a new section to chapter 43.79 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 642 by Representatives Tilly, Kreidler, Bond, Pruitt, Van Dyken, McDonald, Taylor, Burns, B. Williams, Ristuben, Silver, Ballard and Long

AN ACT Relating to the state lottery; amending section 4, chapter 7, Laws of 1982 2nd ex. sess. and RCW 67.70.040; and creating a new section.

Referred to Committee on Commerce & Economic Development.

EHB 643 by Representatives Locke, Schmidt, Armstrong and Dellwo

AN ACT Relating to service and filing liability and casualty insurance claims; amending section 3, chapter 106, Laws of 1967 ex. sess. and RCW 11.40.011; and creating a new section.

Referred to Committee on Judiciary.

HB 644 by Representatives Martinis, Hastings, Barrett, R. King, Wilson, Monohon and McMullen

AN ACT Relating to the control of gambling; amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020; amending section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110; and creating a new section.

Referred to Committee on Commerce & Economic Development.

HB 645 by Representatives Belcher, Niemi, Miller, Brough, Brekke, Galloway, Powers, Fisher, Stratton, Allen, Rust, Hine, Jacobsen and Crane

AN ACT Relating to search and seizure; adding a new section to chapter 10.79 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 646 by Representatives Heck, G. Nelson, Tanner and Tilly

AN ACT Relating to public accounting; amending section 7, chapter 226, Laws of 1949 as amended by section 25, chapter 34, Laws of 1975--76 2nd ex. sess. and RCW 18.04.080; amending section 31, chapter 226, Laws of 1949 and RCW 18.04.320; amending section 34, chapter 226, Laws of 1949 as amended by section 7, chapter 114, Laws of 1969 and RCW 18.04.350; amending section 35, chapter 226, Laws of 1949 and RCW 18.04.360; amending section 36, chapter 226, Laws of 1949 and RCW 18.04.370; amending section 37, chapter 226, Laws of 1949 and RCW 18.04.380; amending section 38, chapter 226, Laws of 1949 and RCW 18.04.390; adding new sections to chapter 18.04 RCW; creating a new section; repealing section 1, chapter 226, Laws of 1949 and RCW 18.04.020; repealing section 2, chapter 226, Laws of 1949 and RCW 18.04.030; repealing section 3, chapter 226, Laws of 1949 and RCW 18.04.040; repealing section 4, chapter 226, Laws of 1949 and RCW 18.04.050; repealing section 5, chapter 226, Laws of 1949 and RCW 18.04.060; repealing section 6, chapter 226, Laws of 1949, section 1, chapter 294, Laws of 1961 and RCW 18.04.070; repealing section 8, chapter 226, Laws of 1949 and RCW 18.04.090; repealing section 9, chapter 226, Laws of 1949, section 8, chapter 75, Laws of 1977 and RCW 18.04.100; repealing section 11, chapter 226, Laws of 1949, section 1, chapter 114, Laws of 1969, section 17, chapter 292, Laws of 1971 ex. sess., section 7, chapter 158, Laws of 1979 and RCW 18.04.120; repealing section 12, chapter 226, Laws of 1949 and RCW 18.04.130; repealing section 15, chapter 226, Laws of 1949, section 2, chapter 114, Laws of 1969, section 1, chapter 229, Laws of 1975 1st ex. sess. and RCW 18.04.160; repealing section 16, chapter 226, Laws of 1949 and RCW 18.04.170; repealing section 17, chapter 226, Laws of 1949 and RCW 18.04.180; repealing section 18, chapter 226, Laws of 1949 and RCW 18.04.190; repealing section 19, chapter 226, Laws of 1949, section 3, chapter 114, Laws of 1969, section 2, chapter 229, Laws of 1975 1st ex. sess., section 8, chapter 158, Laws of 1979 and RCW 18.04.200; repealing section 21, chapter 226, Laws of 1949, section 4, chapter 114, Laws of 1969, section 3, chapter 229, Laws of 1975 1st ex. sess., section 9, chapter 158, Laws of 1979 and RCW 18.04.220; repealing section 23, chapter 226, Laws of 1949 and RCW 18.04.240; repealing section 24, chapter 226, Laws of 1949 and RCW 18.04.250; repealing section 25, chapter 226, Laws of 1949 and RCW 18.04.260; repealing section 26, chapter 226, Laws of 1949 and RCW 18.04.270; repealing section 27, chapter 226, Laws of 1949, section 5, chapter 114, Laws of 1969, section 4, chapter 229, Laws of 1975 1st ex. sess. and RCW 18.04.280; repealing section 28, chapter 226, Laws of 1949, section 6, chapter 114, Laws of 1969, section 1, chapter 23, Laws of 1973 1st ex. sess., section 5, chapter 229, Laws of 1975 1st ex. sess., section 10, chapter 158, Laws of 1979 and RCW 18.04.290; repealing section 29, chapter 226, Laws of 1949, section 2, chapter 294, Laws of 1961, section 2, chapter 23, Laws of 1973 1st ex. sess. and RCW 18.04.300; repealing section 30, chapter 226, Laws of 1949 and RCW 18.04.310; repealing section 32, chapter 226, Laws of 1949 and RCW 18.04.330; repealing section 33, chapter 226, Laws of 1949 and RCW 18.04.340; repealing section 39, chapter 226, Laws of 1949 and RCW 18.04.400; repealing section 40, chapter 226, Laws of 1949 and RCW 18.04.900; repealing section 2, chapter 223, Laws of 1982 and RCW 43.131.247; repealing section 6, chapter 223, Laws of 1982 and RCW 43.131.248; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

#### MOTION

On motion of Mr. Heck, the bills listed on today's agenda under the fourth order of business were considered first reading and referred to the committee designated.

#### REPORTS OF STANDING COMMITTEES

February 16, 1983

HB 261 Prime Sponsor, Representative Belcher: Increasing the maximum number of letters and numbers on personalized license plates from six to seven. Reported by Committee on Natural Resources.

MAJORITY recommendation: MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, McClure, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams, Wilson.

Voting nay: Representative Isaacson.

Absent: Representatives Martinis, Sommers.

Referred to Committee on Ways and Means.

February 16, 1983

HB 278 Prime Sponsor, Representative Stratton: Reorganizing the fisheries code. Reported by Committee on Natural Resources.

The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Locke, McClure, McMullen, Miller, Sanders, Sayan, Vander Stoep, B. Williams.

Voting nay: Representatives Fiske, Isaacson, Sutherland, Wilson.

Absent: Representatives Johnson, Martinis, Sommers.

Passed to Committee on Rules for second reading.

February 16, 1983

HB 292 Prime Sponsor, Representative Rust: Modifying provisions relating to the state water pollution control act. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 22 add the following new sections:

\*NEW SECTION. Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

The department of ecology is empowered to participate fully in and is empowered to administer all programs of the federal Resource Conservation and Recovery Act, as it exists on the effective date of this act (42 U.S.C. Sec. 6901 et. seq.), contemplated for participation and administration by a state under that act.

NEW SECTION. Sec. 3. There is added to chapter 43.21A RCW a new section to read as follows:

The department of ecology is authorized to participate fully in and is empowered to administer all programs of the federal Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et. seq.), as it exists on the effective date of this act, contemplated for state participation and administration under that act.

NEW SECTION. Sec. 4. There is added to chapter 43.21A RCW a new section to read as follows:

The department of ecology, the department of natural resources, the department of social and health services, and the oil and gas conservation committee are authorized to participate fully in and are empowered to administer all programs of Part C of the federal Safe Drinking Water Act \*42 U.S.C. § 300 (h) (et. seq.), as it exists on the effective date of this act, contemplated for state participation in administration under the act. The department of ecology, in the implementation of powers provided herein, shall enter into agreements of administration with the departments of social and health services and natural resources and the oil and gas conservation committee to administer those portions of the state program, approved under the federal act, over which the said departments and committee have primary subject matter authority under existing state law. The departments of social and health services and natural resources and the oil and gas conservation committee are empowered to enter into such agreements and perform the administration contained therein."

On page 1, line 1 of the title after "control;" strike "and" and on line 3 after ".260" insert "; adding a new section to chapter 70.105 RCW; and adding new sections to 43.21A RCW"

Signed by Representatives Rust, Chair; Powers, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brække, Burns, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken.

Voting nay: Representatives Clayton, Hankins.

Passed to Committee on Rules for second reading.

February 16, 1983

HB 318 Prime Sponsor, Representative Hine: Establishing procedures for moorage facilities to enforce moorage and storage regulations. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 3 after "county," insert "metropolitan park district"

On page 2, line 16 after "county," insert "metropolitan park district,"

On page 3, line 25 after "county," insert "metropolitan park district,"

On page 3, line 25 after "town," insert "metropolitan park district."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman, Todd.

Absent: Representatives Ebersole, Grimm, Smitherman.

Passed to Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. Heck, the rules were suspended to allow consideration of House Resolution No. 83-19.

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-19, by Representatives McMullen and Fiske

WHEREAS, Mr. A.H. Bingham was a distinguished member of the Washington State House of Representatives in 1933; and

WHEREAS, Mr. A.H. Bingham served fifty years ago at a time of similar plight in Washington State, and was a leader in Washington's reconstruction effort; and

WHEREAS, Mr. A.H. Bingham recognizes the importance of his fellow man and equal opportunities for all; and

WHEREAS, Mr. A.H. Bingham has continued to promote that philosophy throughout his life; and

WHEREAS, Mr. A.H. Bingham has continued to serve his country through community activities and involvement; and

WHEREAS, This enthusiasm for life and public service is an example from which we can all learn;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Mr. A.H. Bingham be recognized for his contributions to the United States, to Washington, and to humanity alike through adoption of this resolution.

Mr. McMullen moved adoption of the resolution. Representatives McMullen and Fiske spoke in favor of it and it was adopted.

The Speaker appointed Representatives McMullen and Fiske to escort Mr. A. H. Bingham to the rostrum.

Mr. Bingham addressed the House shortly and the Speaker presented the resolution to him.

The Speaker requested the committee to escort Mr. Bingham from the House Chamber.

#### MOTIONS

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

On motion of Mr. Heck, the House recessed until 2:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Fuhrman, Padden, Sanders and West, who were excused.

Mr. Heck demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond, Fuhrman, Padden, Sanders and West.



On motion of Mr. Heck, the absent members were excused and the House proceeded with business under the Call of the House.

## MESSAGE FROM THE SENATE

February 18, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 147,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 147.

## MESSAGES FROM THE SENATE

February 18, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 3258, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

February 18, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SENATE BILL NO. 3258 as amended by the Free Conference Committee, and said bill is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3258, modifying taxes ('81-'83 biennium), have had the same under consideration and we recommend that the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((one))~~ two percent.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((one))~~ two percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall

not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

**NEW SECTION.** Sec. 3. There is added to chapter 82.04 RCW a new section to read as follows:

As used in RCW 82.04.2901 and 82.08.020, "border counties" means:

(1) Those counties physically bordering on or included within a standard metropolitan statistical area, as determined by the United States census bureau, located wholly or partially in a state which does not impose a retail sales tax; and

(2) Those counties physically bordering both on a state which does not impose a retail sales tax and a county specified in subsection (1) of this section but lying to the east of the counties specified in subsection (1) of this section.

**NEW SECTION.** Sec. 4. There is added to chapter 82.04 RCW a new section to read as follows:

(1) There is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to thirty-two percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive.

(2) There is also levied and shall be collected from every person for the act or privilege of engaging in the business activity of making sales at retail which are exempt from the tax imposed under chapter 82.08 RCW by reason of RCW 82.08.0261 or 82.08.0262, as a part of the tax imposed under RCW 82.04.250, an additional tax equal to thirty-two percent multiplied by the tax payable on those activities under RCW 82.04.250.

(3) To facilitate collection of these additional taxes, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 5. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of April, 1982, (~~until and including the thirtieth day of June, 1983;~~) there is levied and shall be collected from every person, other than persons taxed under section 4 of this 1983 act, for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW (~~(82.04.220 through 82.04.290, inclusive;)~~) 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW (~~(82.04.220 through 82.04.290, inclusive;)~~) 82.04.250: PROVIDED, That such tax shall be levied and collected from such persons making sales at retail in border counties in an amount equal to thirty-two percent multiplied by the tax payable under the provisions of RCW 82.04.250.

To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 6. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths (~~(four and one-half)~~) percent of the selling price (~~(- PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of April, 1982, such tax shall be levied and collected in an amount equal to five and five tenths percent of the selling price; PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to the rate specified in RCW 82.02.030 multiplied by the selling price);~~) PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 7. Section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 8, Laws of 1981 2nd 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 property acquired at a casual or isolated sale, and 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 RCW 82.12.0252, 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 in effect for the retail sales tax under RCW 82.08.020, as now or hereafter amended, in the county in which the article is used.

Sec. 8. Section 31, chapter 35, Laws of 1982 1st ex. sess. as amended by section 1, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.02.030 are each amended to read as follows:

(1) ~~((Until and including the day before the change date, the rate of the sales and use taxes under RCW 82.08.020 shall be five and four-tenths percent and the rate of the additional taxes under RCW 48.14.020(3), 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.08.150(4), 82.16.020(2), 82.20.010(2), 82.24.020(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be four percent.~~

~~(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:~~

~~(a) The rate of sales and use taxes under RCW 82.08.020 shall be five and four-tenths percent and)~~ The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), 82.20.010(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent; PROVIDED, That the additional tax imposed by RCW 82.44.020(5) shall be continued at the rate of three percent for the period July 1 through September 30, 1983;

~~((b))~~ (2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent;

~~((c))~~ (3) The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and

~~((d))~~ (4) The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

~~((3) "Change date" for the taxes under RCW 48.14.020(3), 54.28.020(2), 54.28.025(2), 82.04.2901, 82.16.020(2), and 82.29A.030(2) means July 1, 1982; for the taxes under RCW 82.08.020, 82.08.150(4), 82.20.010(2), 82.24.020(2), 82.26.020(2), 82.45.060(2), 66.24.210(2), and 66.24.290(2) means August 1, 1982; and for the taxes under RCW 82.27.020(5) and 82.44.020(5) means October 1, 1982.))~~

**NEW SECTION.** Sec. 9. An excise tax is imposed for the privilege of using a vessel for which registration is required under chapter 88, RCW (sections 14 through 22 of this act), except vessels covered by a dealer's registration number under this chapter. The annual amount of the excise tax is one percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.

The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under section 18 of this act. A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year. The excise tax on vessels required to be registered in this state on the effective date of this section shall be paid by June 30, 1983.

**NEW SECTION.** Sec. 10. The excise tax imposed under this chapter is due and payable to the department of licensing or its agents at the time of registration of a vessel. The department of licensing shall not issue or renew a registration for a vessel until the tax is paid in full.

The excise tax collected under this chapter shall be deposited in the general fund.

**NEW SECTION.** Sec. 11. The department of revenue shall prepare at least once each year a depreciation schedule for use in the determination of fair market value for the purposes of this chapter. The schedule shall be based upon information available to the department of revenue pertaining to the current fair market value of vessels. The fair market value of a vessel for the purposes of this chapter shall be based on the most recent purchase price depreciated according to the year of the most recent purchase of the vessel. The most recent purchase price is the consideration, whether money, credit, rights, or other property expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the vessel.

**NEW SECTION.** Sec. 12. (1) If a vessel has been acquired by lease or gift, or the most recent purchase price of a vessel is not known to the owner, the department of revenue shall appraise the vessel before registration.

(2) If after registration the department of revenue determines that the purchase price stated by the owner is not a reasonable representation of the true fair market value of a vessel at the time of purchase, the department of revenue shall appraise the vessel.

(3) If a vessel is homemade, the owner shall make a notarized declaration of fair market value. The fair market value of the vessel for the purposes of this chapter shall be the declared value, unless after registration the department of revenue determines that the declared value is not a reasonable representation of the true fair market value of the vessel in which case the department of revenue shall appraise the vessel.

(4) If the department of revenue appraises a vessel, the fair market value of the vessel for the purposes of this chapter shall be the appraised value. If the vessel has been registered before appraisal, the department of revenue shall refund any overpayment of tax to the owner or notify the owner of any additional tax due. The owner shall pay any additional tax due within thirty days after notification by the department.

NEW SECTION. Sec. 13. (1) Any vessel owner disputing an appraised value under section 12 of this act may petition for a conference with the department as provided under RCW 82.32.160, or for reduction of the tax due as provided under RCW 82.32.170.

(2) Any vessel owner having received a notice of denial of a petition or a notice of determination made for the owner's vessel under RCW 82.32.160 or 82.32.170 may appeal to the board of tax appeals as provided under RCW 82.03.190. In deciding a case appealed under this section, the board of tax appeals may require an independent appraisal of the vessel. The cost of the independent appraisal shall be apportioned between the department and the vessel owner as provided by the board.

NEW SECTION. Sec. 14. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Vessel" means every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane.

(2) "Owner" means a person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

(3) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling vessels at wholesale or retail in this state.

(4) "Department" means the department of licensing.

NEW SECTION. Sec. 15. Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter.

NEW SECTION. Sec. 16. Vessel registration is required under this chapter except for the following:

(1) Vessels owned and operated by the United States, another state, or a political subdivision thereof;

(2) Vessels owned and operated by this state, or by any municipality or political subdivision thereof;

(3) Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than sixty days;

(4) Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;

(5) Vessels used as a ship's tender or lifeboat;

(6) Vessels under sixteen feet in length or whose primary propulsion is human power;

(7) Vessels which are temporarily in this state undergoing repair or alteration and vessels which are designed and used exclusively for racing;

(8) Vessels used exclusively for commercial fishing purposes; and

(9) Vessels which have or are required to have a valid marine document as a vessel of the United States and which are primarily engaged in commerce.

NEW SECTION. Sec. 17. The department shall provide for the issuance of vessel registrations and may appoint agents for collecting fees and issuing registration numbers and decals. Fees for vessel registrations collected by the director shall be deposited in the general fund.

NEW SECTION. Sec. 18. Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel and such other information as may be required by the department, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars per year and the excise tax imposed under chapter 82.\_\_\_\_ RCW (sections 9 through 13 of this act). Any fees required for licensing agents under RCW 46.01.140 shall be in addition to the six-dollar annual registration fee.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall

be affixed to the vessel in a manner prescribed by the department. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

**NEW SECTION, Sec. 19.** (1) Each dealer of vessels in this state shall register with the department in the manner and upon forms prescribed by the department. Upon receipt of a dealer's application for registration and the registration fee provided in subsection (2) of this section, the dealer shall be registered and a registration number assigned.

(2) The registration fee for dealers shall be twenty-five dollars per year, and the fee shall cover all vessels owned by the dealer for sale and not rented on a regular commercial basis by the dealer. Rented vessels shall be registered separately under sections 15 through 18 of this act.

(3) Dealer registration numbers are nontransferable.

(4) Section 15 of this act does not apply to any dealer or employee or prospective customer of the dealer with respect to any vessel covered by the dealer's registration number and used for a business purpose of the dealer, such as a demonstration vessel or for purposes of testing or making repairs.

**NEW SECTION, Sec. 20.** The department may adopt rules under chapter 34.04 RCW to implement this chapter.

**NEW SECTION, Sec. 21.** Any person charged with the enforcement of this chapter may request for inspection the certificate of registration from any vessel owner or operator to ascertain the legal and registered ownership of such vessel. Failure to provide such certificate for inspection upon the request of any person charged with enforcement of this chapter constitutes a violation of this chapter and subjects the person requested to produce such document to the penalties provided by section 22 of this act.

**NEW SECTION, Sec. 22.** (1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

Sec. 23. Section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels (~~taxable in the state of Washington, engaged in interstate commerce, foreign commerce or commerce between ports of the state of Washington and the high seas;~~) which are exempt from excise tax under subsections (8) and (9) of section 16 of this 1983 act shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

Sec. 24. Section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090 are each amended to read as follows:

All ships and vessels (~~taxable in the state~~), other than those (~~taxable~~) partially exempt under RCW 84.36.080 and those described in RCW 84.36.079, are exempt from all ad valorem taxes (~~except taxes levied for any state purpose and twenty percent of taxes levied for all other purposes~~).

**NEW SECTION, Sec. 25.** Property taxes paid for a vessel for 1983 shall be allowed as a credit against tax due under section 9 of this act for the same vessel.

**NEW SECTION, Sec. 26.** Sections 14 through 22 of this act shall constitute a new chapter in Title 88 RCW. Sections 9 through 13 of this act shall constitute a new chapter in Title 82 RCW.

Sec. 27. Section 82.48.020, chapter 15, Laws of 1961 as last amended by section 240, chapter 158, Laws of 1979 and RCW 82.48.020 are each amended to read as follows:

An annual excise tax is hereby imposed for the privilege of using any aircraft in the state. A current certificate of air worthiness with a current inspection date from the appropriate federal agency and/or the purchase of aviation fuel shall constitute the necessary evidence of aircraft use or intended use. The tax shall be collected for each calendar year by the director of licensing, and must be paid during the month of January, except that the tax for 1983 is due

on the effective date of this 1983 section. No additional tax shall be imposed under this chapter upon any aircraft upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such aircraft has already been paid for the year in which transfer of ownership occurs. ~~((A penalty of five dollars shall be levied against all aircraft not timely registered))~~ A violation of this chapter is a misdemeanor punishable as provided in chapter 9A.20 RCW.

Sec. 28. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

The amount of the tax imposed by this chapter for each calendar year or part thereof shall be ~~((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification))~~ one percent of the fair market value of the aircraft as determined under this chapter: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED FURTHER, That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

NEW SECTION. Sec. 29. There is added to chapter 82.48 RCW a new section to read as follows:

After consultation with the department of licensing, the department of revenue shall prepare at least once each year a schedule for use in the collection of the excise tax imposed under this chapter. The schedule shall be based upon available information pertaining to the fair market value of aircraft. Aircraft shall be classified into a convenient number of classes on the basis of price, make, type, year of manufacture, or any other reasonable basis, and the rate of tax prescribed in RCW 82.48.030 shall be applied to the value of aircraft within the classes as thus determined. In determining fair market value, the department of revenue may use any guidebook, report, or compendium of recognized standing in the aircraft industry. The schedule shall show, so far as possible, the amount of excise tax for aircraft within each class and shall sufficiently describe the aircraft included within each class to enable the department of licensing and its agents to ascertain readily the amount of tax applicable to any particular aircraft.

NEW SECTION. Sec. 30. There is added to chapter 82.48 RCW a new section to read as follows:

Whenever a person applies for a registration for an aircraft which does not appear on the schedule, the applicant shall apply to the county assessor of the applicant's county for computation of the amount of excise tax due. Upon application, the assessor shall appraise the aircraft at its fair market value based on any guidebook, report, or compendium of recognized standing in the aircraft industry, ascertain the amount of excise tax by applying to the appraisal the rate of the tax under this chapter, and give the applicant a certificate showing the excise tax due under this chapter.

NEW SECTION. Sec. 31. Taxes paid under chapter 82.48 RCW before June 30, 1983, for calendar year 1983 shall be allowed as a credit against tax due under RCW 82.48.030 for the same aircraft.

Sec. 32. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ~~((twenty-five))~~ ten days in the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls.

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

NEW SECTION. Sec. 33. There is added to chapter 82.32 RCW a new section to read as follows:

The revenue accrual account is hereby created in the state general fund. At the close of each fiscal biennium, the state treasurer shall transfer the balance in the state general fund to this account. Moneys in this account may only be spent after appropriation by statute for the purpose of decreasing the unfunded liability of a state retirement system.

NEW SECTION. Sec. 34. This act shall not be construed as affecting any existing right acquired, or liability or obligation incurred under the sections amended in this act, nor any rule, regulation, or order adopted, nor any proceeding instituted, under those sections.

NEW SECTION. Sec. 35. 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. 36. (1) The sum of twelve thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund to the department of revenue for the biennium ending June 30, 1983, to carry out the purposes of sections 9 through 25, and 27 through 31 of this act.

(2) The sum of two hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the general fund for the biennium ending June 30, 1983, to the department of licensing for the purposes of sections 9 through 25 of this act.

NEW SECTION. Sec. 37. 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 March 1, 1983, except as follows:

(1) Sections 9 through 22, and 25 through 31 of this act shall take effect June 30, 1983.

(2) Sections 23 and 24 of this act shall take effect January 1, 1984, for taxes first due in 1984 and thereafter.

The department of revenue and the department of licensing shall immediately take necessary steps to ensure that all sections of this act are properly implemented on their effective dates. The additional taxes and tax rate changes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 130, Laws of 1975-76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.12.020; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as amended by section 1, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.02.030; amending section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; amending section 82.48.020, chapter 15, Laws of 1961 as last amended by section 240, chapter 158, Laws of 1979 and RCW 82.48.020; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090; adding a new chapter to Title 82 RCW; adding a new chapter to Title 88 RCW; adding new sections to chapter 82.48 RCW; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.32 RCW; creating new sections; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency."

Signed by Senators McDermott, Gaspard; Representatives Grimm, Sommers.

#### MINORITY REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1983

Mr. Speaker:

Mr. President:

We, a minority of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3258, modifying taxes ('81-'83 biennium), have had the same under consideration, and we recommend that the Free Conference Committee Report be not adopted.

Signed by Senator Hayner; Representative G. Nelson.

#### MOTION

Mr. Grimm moved that the report of the Free Conference Committee be adopted.

Mr. Grimm spoke in favor of the motion, and Mr. G. Nelson spoke against it.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Grimm, for the purpose of clarifying section 6, regarding limitation of retail sales in border counties, and for the use of the Department of Revenue could you explain how retailers are to determine the correct place of sale?"

Mr. Grimm: "For the purpose of becoming the location of a retail sale for local sales tax purposes, the Department of Revenue has adopted rules under the local sales tax, Revised Code of Washington 82.14.020. It is the intent of the bill that these same rules will be used to determine the place of sales for border towns and counties."

Representatives Cantu, Vander Stoep, Fiske and B. Williams spoke against the motion, and Mr. Grimm spoke again in favor of it.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Walk.

Mr. Walk: "Representative Grimm, regarding the buy-back of the twenty-fifth month, I've heard it said here that it's an appropriation item as such. Could you clarify that for me? Is the Conference Committee Report, through an appropriation, trying to buy back the twenty-fifth month, or is it some other means?"

Mr. Grimm: "Representative Walk, I apologize for any confusion that may have occurred on this question. The easiest thing to do is to refer to the spread sheet you have. As you can see when you add up all the tax increases, it shows a proposed 1983-85 revenue total of \$8,556,500,000. Immediately below that it says the twenty-fifth month buy-back. The important thing to note is that the buy-back is in parentheses. It seems to connote an appropriation and in the past (and I apologize for any incorrect implication I've given), that this entails an appropriation. It does not. We are actually cutting the Senate's revenue proposal by \$293.4 million, so the taxes raised in the next biennium are only \$8,263,100,000, not \$8,556,500,000. There will be no appropriation for the twenty-fifth month. It will not appear in the budget that's coming back to us from the Senate, and it will not appear in the biennial budget. The twenty-fifth month--all we're doing is saying that instead of counting revenue derived from the next biennium through August 20, of 1985, we will say 'no,' that revenue will not accrue to us in the next biennium; it cannot be used for the development of any budget. We will count the revenue only through July 10, generally accepted accounting procedures. It is not an appropriation. It is simply a revenue deduct because you will not be counting that revenue in the current biennium. Now--and I think this is what caused the humor a moment ago--that revenue will be raised, but it will not be counted in the '83-'85 biennium; it will be counted in the '85-'87 biennium. It does get rid of the gimmick; it says that it is going to be raised in the biennium in which it occurs. That's what the twenty-fifth month buy-back is."

Representative Sommers spoke in favor of the motion and Representatives Berozoff, Taylor, Brough, Isaacson and Long spoke against it.

Mr. Struthers demanded an oral roll call vote on the motion, and the demand was sustained.

Representatives Addison and Barrett spoke against the motion.

## SPEAKER'S ADMONITION

The Speaker: "Representative Barrett, you have bordered, on a number of occasions, on a violation of our rules. The Speaker has let it go quite long enough. Please be careful with your remarks."

Mr. Barrett continued his remarks against the motion. Representatives Tilly, Patrick, Lewis, Holland and McDonald spoke against the motion, and Mr. Sayan spoke in favor of it.



## ROLL CALL

The Clerk called the roll on the motion that the Report of the Free Conference Committee on Engrossed Senate Bill No. 3258 be adopted, and the motion was carried by the following vote: Yeas, 50; nays, 43; excused, 5.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Excused: Representatives Bond, Fuhrman, Padden, Silver, West - 5.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Senate Bill No. 3258 as amended by Free Conference Committee.

Representatives Grimm and Heck spoke in favor of passage of the bill, and Representatives G. Nelson and Struthers spoke against it.

Mr. Wang demanded an oral roll call vote and the demand was sustained.

## POINT OF PERSONAL PRIVILEGE

Mr. Appelwick: "Under a point of personal privilege, I must share with the members of the House, and respectfully request the Clerk to insert in the House Journal, my strong and continuing opposition to the sales tax on food, and my strong opposition to an increase in the sales tax while it applies to food. But today, I will cast my vote in favor of the revenue package on ESB 3258 because I feel the impending crisis and disruption of state services, of education, and of the administration of government is a far greater woe to inflict on this state. I dare not risk the failure of the bill or the ensuing cuts, and I encourage other members to join me in signing this bill.

"I express this sentiment for myself and for Representative McClure, specifically, and I am sure others will share our concerns."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3258 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 50; nays, 43; excused, 5.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Excused: Representatives Bond, Fuhrman, Padden, Silver, West - 5.

Engrossed Senate Bill No. 3258 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

February 18, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, and asks for a Free Conference thereon, and the President has appointed as Senate conferees thereon: Senators McDermott, Gaspard, Hayner, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Grimm moved that the House refused to grant the request of the Senate for a Free Conference on Engrossed Second Substitute Senate Bill No. 3100, and ask the Senate for a conference thereon.

The motion was carried.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Grimm, Sommers and Cantu as conferees on Engrossed Second Substitute Senate Bill No. 3100.

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

## MESSAGE FROM THE SENATE

February 18, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 147,  
SENATE BILL NO. 3258,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3258.

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, February 21, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FORTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 21, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fuhrman, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sheri Plante and Peter Bismuti. Prayer was offered by The Reverend L. D. McNall, Minister of Visitation, United Churches of Olympia.

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

## MESSAGE FROM THE SENATE

February 18, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3087,  
 SENATE BILL NO. 3118,  
 ENGROSSED SENATE BILL NO. 3203,  
 SUBSTITUTE SENATE BILL NO. 3225,  
 SUBSTITUTE SENATE BILL NO. 3256,  
 SENATE BILL NO. 3314,  
 SENATE BILL NO. 3379,  
 SENATE BILL NO. 3393,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 647 by Representatives Tilly and Gallagher

AN ACT Relating to fees and expenses awarded in civil actions; amending section 85, page 237, Laws of 1854 as last amended by section 1, chapter 30, Laws of 1975-'76 2nd ex. sess. and RCW 12.20.060; and adding new sections to chapter 4.84 RCW.

Referred to Committee on Judiciary.

HB 648 by Representatives Kaiser, Smith, Hastings, Isaacson and Clayton

AN ACT Relating to pesticides; and amending section 10, chapter 249, Laws of 1961 as amended by section 3, chapter 191, Laws of 1971 ex. sess. and RCW 17.21.100.

Referred to Committee on Agriculture.

HB 649 by Representatives Brekke, Fiske, Braddock, Kreidler and Johnson

AN ACT Relating to state institutions; and amending section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060.

Referred to Committee on Social & Health Services.

HB 650 by Representatives Brekke, Kreidler, Braddock, Pruitt, Moon, R. King, Brough, Rust, Burns, Charnley, Lewis, Niemi, Appelwick, Allen, Stratton, Wang and McClure

AN ACT Relating to the standard of need for public assistance; and amending section 4, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.770.

Referred to Committee on Social & Health Services.

HB 651 by Representatives Grimm, Walk, Johnson, Vander Stoep, Belcher, Allen, Nealey, J. King, Brough, Lewis, Appelwick, Halsan, Burns,

Fisch, Kreidler, Smitherman, Zellinsky, Niemi, Fisher, Ellis, Long and Dellwo

AN ACT Relating to public employment; amending section 6, chapter 311, Laws of 1981 and RCW 41.64.050; amending section 7, chapter 311, Laws of 1981 and RCW 41.64-.060; amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.070; adding a new chapter to Title 41 RCW; adding new sections to chapter 28B.16 RCW; adding new sections to chapter 41.06 RCW; adding new sections to chapter 41.64 RCW; creating new sections; repealing section 6, chapter 36, Laws of 1969 ex. sess., section 73, chapter 34, Laws of 1975-'76 2nd ex. sess., section 19, chapter 338, Laws of 1981 and RCW 28B.16.060; repealing section 20, chapter 36, Laws of 1969 ex. sess., section 18, chapter 151, Laws of 1979 and RCW 28B.16.200; repealing section 3, chapter 1, Laws of 1961 and RCW 41.06.030; repealing section 8, chapter 10, Laws of 1982 and RCW 41.06.110; repealing section 13, chapter 1, Laws of 1961, section 3, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.130; repealing section 28, chapter 1, Laws of 1961, section 1, chapter 215, Laws of 1963, section 13, chapter 167, Laws of 1982 and RCW 41.06.280; and providing an effective date.

Referred to Committee on State Government.

**HB 652** by Representatives Lux, McMullen, Niemi, Burns, D. Nelson, R. King, Armstrong and Tanner

AN ACT Relating to public contracts; and adding a new chapter to Title 39 RCW.

Referred to Committee on State Government.

**HB 653** by Representatives Braddock and McMullen

AN ACT Relating to livestock; amending section 1, chapter 107, Laws of 1959 as amended by section 1, chapter 182, Laws of 1961 and RCW 16.65.010; amending section 2, chapter 107, Laws of 1959 and RCW 16.65.020; amending section 4, chapter 107, Laws of 1959 as amended by section 2, chapter 91, Laws of 1979 ex. sess. and RCW 16.65.040; amending section 6, chapter 107, Laws of 1959 and RCW 16.65.060; amending section 9, chapter 107, Laws of 1959 as amended by section 3, chapter 192, Laws of 1971 ex. sess. and RCW 16.65.090; amending section 10, chapter 107, Laws of 1959 and RCW 16.65.100; amending section 15, chapter 107, Laws of 1959 and RCW 16.65.150; amending section 18, chapter 107, Laws of 1959 and RCW 16.65.180; amending section 19, chapter 107, Laws of 1959 and RCW 16.65.190; amending section 4, chapter 182, Laws of 1961 as amended by section 5, chapter 192, Laws of 1971 ex. sess. and RCW 16.65.200; amending section 26, chapter 107, Laws of 1959 and RCW 16.65.260; amending section 40, chapter 107, Laws of 1959 as amended by section 5, chapter 182, Laws of 1961 and RCW 16.65.400; amending section 18, chapter 232, Laws of 1963 and RCW 16.65.423; and adding new sections to chapter 16.65 RCW.

Referred to Committee on Agriculture.

**HB 654** by Representatives Braddock, Egger, Silver, Fuhrman, Haugen, West, Van Dyken, Hastings, Isaacson, Bond, Barnes, Dickie and Tanner

AN ACT Relating to cities; amending section 35.21.420, chapter 7, Laws of 1965 and RCW 35.21.420; amending section 1, chapter 52, Laws of 1967 ex. sess. and RCW 35.21.422; and amending section 1, chapter 34, Laws of 1969 as amended by section 1, chapter 260, Laws of 1971 ex. sess. and RCW 84.36.010.

Referred to Committee on Ways & Means.

**HB 655** by Representatives Padden, Smitherman, Addison, Armstrong, Wang, Dellwo and Lewis

AN ACT Relating to privileged communications; and adding a new chapter to Title 5 RCW.

Referred to Committee on Judiciary.

**HB 656** by Representatives Brekke, Kreidler, Mitchell, Burns, Addison, Jacobsen, G. Nelson, Lux, Haugen, Fiske, Schoon, Long and Miller

AN ACT Relating to property tax exemptions; amending section 7, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 4, chapter 141, Laws of 1981 and RCW 84.36-.805; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways & Means.

**HB 657** by Representatives Sutherland, Wilson, Heck, Schmidt, Ristuben and Monohon

AN ACT Relating to timber excise taxes; amending section 3, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.030; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; and amending section 1, chapter 146, Laws of 1981 as amended by section 3, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.073.

Referred to Committee on Ways & Means.

HB 658 by Representatives J. King, Dickie, O'Brien, Stratton, Gallagher and Clayton

AN ACT Relating to industrial insurance; and amending section 27, chapter 289, Laws of 1971 ex. sess. as last amended by section 9, chapter 323, Laws of 1977 ex. sess. and RCW 51.14.020.

Referred to Committee on Labor.

HB 659 by Representatives P. King, Lewis, Ellis and Wang

AN ACT Relating to local improvement assessments; amending section 35.50.030, chapter 7, Laws of 1965 as last amended by section 1, chapter 91, Laws of 1982 and RCW 35.50.030; amending section 35.50.230, chapter 7, Laws of 1965 as last amended by section 3, chapter 91, Laws of 1982 and RCW 35.50.230; amending section 35.50.250, chapter 7, Laws of 1965 as amended by section 5, chapter 91, Laws of 1982 and RCW 35.50.250; amending section 35.50.260, chapter 7, Laws of 1965 as last amended by section 7, chapter 91, Laws of 1982 and RCW 35.50.260; and amending section 35.50.270, chapter 7, Laws of 1965 as amended by section 8, chapter 91, Laws of 1982 and RCW 35.50.270.

Referred to Committee on Local Government.

HB 660 by Representatives Garrett, Tilly, J. King, Tanner, Pruitt, Prince, Haugen, Mitchell, Appelwick, West, Ebersole, O'Brien, Barrett, G. Nelson, Johnson, Gallagher, Kaiser, Walk, R. King, Taylor, Zellinsky, Isaacson, Patrick, Crane, Long, Silver, Miller and Van Dyken

AN ACT Relating to revenue and taxation; amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 661 by Representatives Halsan and Schmidt

AN ACT Relating to forest protection; amending section 1, chapter 102, Laws of 1977 ex. sess. as last amended by section 1, chapter 55, Laws of 1982 1st ex. sess. and RCW 76.04.360; and amending section 8, chapter 207, Laws of 1971 ex. sess. as last amended by section 2, chapter 55, Laws of 1982 1st ex. sess. and RCW 76.04.515.

Referred to Committee on Natural Resources.

HB 662 by Representatives Tilly, B. Williams, Sanders, J. King, Nealey, Silver, Chandler, Schoon, Betrozoff, Ballard, Brough and Allen

AN ACT Relating to a state industrial training program in the community colleges; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

HB 663 by Representatives Moon, Jacobsen, Garrett, Gallagher, R. King, Dellwo, Powers and Sayan

AN ACT Relating to state employees' insurance; amending section 90, chapter ... (SB 3037), Laws of 1983 and RCW 41.05.010; and amending section 8, chapter 39, Laws of 1970 ex. sess. as last amended by section 6, chapter 136, Laws of 1977 ex. sess. and RCW 41.05.080.

Referred to Committee on Financial Institutions & Insurance.

HB 664 by Representatives Belcher, Allen, Kreidler, Vekich and Sayan

AN ACT Relating to employees of the state liquor control board; amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 173, Laws of

1975 1st ex. sess. and RCW 66.08.050; and amending section 2, chapter 108, Laws of 1967 ex. sess. as amended by section 98, chapter 3, Laws of 1983 and RCW 41.56.020.

Referred to Committee on State Government.

**HB 665** by Representatives Belcher, Allen, Kreidler, R. King, Sayan, Ristuben, Dellwo and Powers

AN ACT Relating to public employment; and amending section 5, chapter 59, Laws of 1969 as last amended by section 1, chapter 120, Laws of 1980 and RCW 41.04.230.

Referred to Committee on State Government.

**HB 666** by Representatives Walk and Patrick (by Gambling Commission request)

AN ACT Relating to gambling devices; repealing section 1, chapter 87, Laws of 1975-76 2nd ex. sess., section 6, chapter 326, Laws of 1977 ex. sess., section 9, chapter 139, Laws of 1981 and RCW 9.46.115; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 667** by Representative Lux (by Insurance Commissioner request)

AN ACT Relating to insurance; amending section 7, chapter 115, Laws of 1969 and RCW 48.44.011; amending section 6, chapter 115, Laws of 1969 and RCW 48.44.015; amending section 5, chapter 115, Laws of 1969 and RCW 48.44.095; amending section 11, chapter 115, Laws of 1969 and RCW 48.44.166; amending section 3, chapter 139, Laws of 1974 ex. sess. and RCW 48.44.212; amending section 9, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.080; amending section 12, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.110; adding a new section to chapter 48.17 RCW; adding a new section to chapter 48.44 RCW; adding new sections to chapter 48.46 RCW; repealing section 8, chapter 115, Laws of 1969 and RCW 48.44.045; repealing section 9, chapter 115, Laws of 1969, section 3, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.162; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

**HB 668** by Representatives P. King, Charnley and Zellinsky

AN ACT Relating to insurance reporting; and adding new sections to chapter 48.05 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 669** by Representatives Lux, Rust, Charnley, Gallagher and R. King

AN ACT Relating to hazardous waste; adding new sections to chapter 70.105 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

**HB 670** by Representatives Lux, Charnley, D. Nelson, Brekke and Burns

AN ACT Relating to revenue and taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; amending section 42, chapter 26, Laws of 1967 ex. sess. as last amended by section 6, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. as amended by section 8, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. as amended by section 9, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.180; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; amending section 10, chapter 172, Laws of 1981 and RCW 82.04.265; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270; amending section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290; creating a new section; adding a

new title to the Revised Code of Washington, to be numbered Title 82A RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

**HB 671** by Representatives Sayan, Nealey, Belcher, Vekich and R. King

AN ACT Relating to rewards; amending section 1, page 124, Laws of 1886 as last amended by section 1, chapter 211, Laws of 1981 and RCW 10.85.030; amending section 3, page 124, Laws of 1886 as amended by section 2, chapter 53, Laws of 1979 ex. sess. and RCW 10.85.040; and amending section 2, page 124, Laws of 1886 as amended by section 3, chapter 53, Laws of 1979 ex. sess. and RCW 10.85.050.

Referred to Committee on Judiciary.

**HB 672** by Representatives D. Nelson, Sanders, O'Brien, Johnson, Pruitt, Addison, Sayan, Lewis, Vekich, Lux, R. King, Jacobsen and Long

AN ACT Relating to participation in state government and organizations by citizens; adding a new chapter to Title 43 RCW; and providing an expiration date.

Referred to Committee on State Government.

**HB 673** by Representatives Stratton, Isaacson, Monohon, West, Egger, Barrett, Prince, Ellis, Dellwo, Fuhrman, Nealey and Silver

AN ACT Relating to law enforcement; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

**HB 674** by Representatives Sutherland, Tanner, J. King, B. Williams, Ristuben and Heck

AN ACT Relating to food fish; and adding a new section to chapter 75.12 RCW.

Referred to Committee on Natural Resources.

**HB 675** by Representatives Dellwo, Schmidt, J. King, Zellinsky and Stratton

AN ACT Relating to alcoholic beverages; and amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 85, Laws of 1982 and RCW 66.28.010.

Referred to Committee on Commerce & Economic Development.

**HB 676** by Representatives Lux, Monohon, Armstrong, Sayan, Vekich, Fisch, Zellinsky, Moon, Walk, P. King, Galloway, Burns and Garrett

AN ACT Relating to financial institutions; amending section 60, chapter 282, Laws of 1959 as last amended by section 1, chapter 68, Laws of 1979 ex. sess. and RCW 21.20.005; amending section 45, chapter 282, Laws of 1959 as last amended by section 33, chapter 68, Laws of 1979 ex. sess. and RCW 21.20.450; amending section 9, chapter 171, Laws of 1973 1st ex. sess. as last amended by section 41, chapter 68, Laws of 1979 ex. sess. and RCW 21.20.720; amending section 1, chapter 10, Laws of 1979 as amended by section 61, chapter 136, Laws of 1981 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 as amended by section 62, chapter 136, Laws of 1981 and RCW 43.17.020; amending section 43.19.010, chapter 8, Laws of 1965 as amended by section 1, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.010; amending section 43.24.020, chapter 8, Laws of 1965 as last amended by section 95, chapter 158, Laws of 1979 and RCW 43.24.020; amending section 42, chapter 170, Laws of 1965 ex. sess. as amended by section 96, chapter 158, Laws of 1979 and RCW 43.24.024; amending section 1, chapter 334, Laws of 1977 ex. sess. as amended by section 113, chapter 158, Laws of 1979 and RCW 46.01.011; amending section 5, chapter 156, Laws of 1965 as last amended by section 116, chapter 158, Laws of 1979 and RCW 46.01.050; adding a new chapter to Title 43 RCW; creating new sections; repealing section 43.19.020, chapter 8, Laws of 1965, section 1, chapter 185, Laws of 1977 ex. sess. and RCW 43.19.020; repealing section 43.19.030, chapter 8, Laws of 1965, section 7, chapter 40, Laws of 1975, section 8, chapter 270, Laws of 1977 ex. sess. and RCW 43.19.030; repealing section 43.19.040, chapter 8, Laws of 1965 and RCW 43.19.040; repealing section 43.19.050, chapter 8, Laws of 1965 and RCW 43.19.050; repealing section 43.19.080, chapter 8, Laws of 1965 and RCW 43.19.080; repealing section 43.19.090, chapter 8, Laws of 1965, section 43, chapter 75, Laws of 1977 and RCW 43.19.090; repealing section 1, chapter 241, Laws of 1981 and RCW 43.19.095; repealing section 43.19.100, chapter 8, Laws of 1965, section 2, chapter 185, Laws of 1977 ex. sess., section 113, chapter 3, Laws of 1982 and RCW 43.19.100; repealing section 43.19.110, chapter 8, Laws of 1965 and RCW 43.19.110; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 677 by Representative Sommers

AN ACT Relating to property taxation; amending section 84.64.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 322, Laws of 1981 and RCW 84.64.030; amending section 84.64.050, chapter 15, Laws of 1961 as last amended by section 4, chapter 322, Laws of 1981 and RCW 84.64.050; and amending section 84.56.090, chapter 15, Laws of 1961 and RCW 84.56.090.

Referred to Committee on Ways & Means.

HB 678 by Representatives Lux, Wang, Sommers, Moon, D. Nelson, Charnley and Brekke

AN ACT Relating to insurance premium tax credits; amending section 9, chapter 259, Laws of 1971 ex. sess. as last amended by section 2, chapter 183, Laws of 1977 ex. sess. and RCW 48.32A.090; and repealing section 11, chapter 109, Laws of 1975-'76 2nd ex. sess., section 1, chapter 183, Laws of 1977 ex. sess. and RCW 48.32.145.

Referred to Committee on Financial Institutions & Insurance.

HB 679 by Representatives Belcher, Allen, Sayan, Long and Powers

AN ACT Relating to retirement from public service; and adding a new section to chapter 41.50 RCW.

Referred to Committee on Ways & Means.

HB 680 by Representatives Appelwick, Charnley, Sayan, Lux and Jacobsen

AN ACT Relating to safety in public school buildings; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; and prescribing penalties.

Referred to Committee on Education.

HB 681 by Representatives Powers, Schoon, Appelwick, Haugen, Allen, Ristuben, Holland, P. King, Miller, Egger, Zellinsky, Smitherman, Jacobsen, Brough, Tilly, R. King, Long, Silver, D. Nelson and Sayan

AN ACT Relating to drug and alcohol education; amending section 28A.05.010, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 71, Laws of 1969 and RCW 28A.05.010; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; creating new sections; and making an appropriation.

Referred to Committee on Education.

HB 682 by Representatives Lux, D. Nelson, Burns and Jacobsen

AN ACT Relating to banking; creating the bank of Washington; adding a new chapter to Title 30 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 683 by Representatives Vekich, Patrick, Monohon, Sayan, Fisher, Fisch, McMullen and Tanner

AN ACT Relating to industrial insurance appeals; and adding a new section to chapter 51.52 RCW.

Referred to Committee on Labor.

HB 684 by Representatives Van Dyken, Galloway, G. Nelson, Barnes, Holland, Taylor, Schoon, Barrett, Hine, Addison and Brough

AN ACT Relating to statutory wills; and adding a new chapter to Title 11 RCW.

Referred to Committee on Judiciary.

HB 685 by Representatives Van Dyken and Moon

AN ACT Relating to local government actions concerning shoreline management; amending section 15, chapter 234, Laws of 1959 as last amended by section 6, chapter 221, Laws of 1982 and RCW 34.04.150; amending section 3, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 13, Laws of 1982 1st ex. sess. and RCW 90.58-.030; amending section 14, chapter 286, Laws of 1971 ex. sess. as last amended by section 1, chapter 358, Laws of 1977 ex. sess. and RCW 90.58.140; amending section 18, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 51, Laws of 1975-'76 2nd ex. sess. and RCW 90.58.180; amending section 19, chapter 286, Laws of 1971 ex. sess. and



RCW 90.58.190; amending section 21, chapter 286, Laws of 1971 ex. sess. and RCW 90.58-.210; adding new sections to chapter 90.58 RCW; and declaring an emergency.

Referred to Committee on Environmental Affairs.

**HB 686** by Representatives Charnley, Rust, Kreidler, Belcher, Smitherman, Allen, Jacobsen and D. Nelson

AN ACT Relating to marine sanctuaries; and creating a new section.

Referred to Committee on Environmental Affairs.

**HB 687** by Representatives Lux and Sanders

AN ACT Relating to banking; amending section 30.04.110, chapter 33, Laws of 1955 as amended by section 1, chapter 136, Laws of 1969 and RCW 30.04.110; amending section 2, chapter 194, Laws of 1963 and RCW 30.04.128; amending section 30.04.140, chapter 33, Laws of 1955 as amended by section 2, chapter 133, Laws of 1967 and RCW 30.04.140; amending section 7, chapter 136, Laws of 1969 and RCW 30.04.215; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 7, chapter 196, Laws of 1982 and RCW 30.04.230; adding new sections to chapter 30.04 RCW; repealing section 30.04.150, chapter 33, Laws of 1955 and RCW 30.04.150; repealing section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160; repealing section 30.04.200, chapter 33, Laws of 1955 and RCW 30.04.200; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

**HB 688** by Representatives Appelwick, Lewis, Kreidler, Wang, Locke and Halsan

AN ACT Relating to privileged communications for nurses; amending section 294, page 187, Laws of 1854 as last amended by section 1, chapter 56, Laws of 1982 and RCW 5.60.060; amending section 51.04.050, chapter 23, Laws of 1961 and RCW 51.04.050; and amending section 95, page 117, Laws of 1854 as last amended by section 1, chapter 81, Laws of 1977 ex. sess. and RCW 10.52.020.

Referred to Committee on Social & Health Services.

**HB 689** by Representatives Silver, J. King, B. Williams, Tanner, Schmidt, Schoon, Brough, Padden, Johnson, Tilly, Long and Sanders

AN ACT Relating to small business; adding a new chapter to Title 43 RCW; adding a new section to chapter 43.88 RCW; adding a new section to chapter 43.31 RCW; and declaring an emergency.

Referred to Committee on Commerce & Economic Development.

**HB 690** by Representatives Van Dyken, Kaiser, Prince, Galloway and Miller

AN ACT Relating to agricultural districts; amending section 6, chapter 87, Laws of 1970 ex. sess. as last amended by section 10, chapter 148, Laws of 1981 and RCW 84.34-.060; amending section 10, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.065; and adding a new chapter to Title 15 RCW.

Referred to Committee on Agriculture.

**HB 691** by Representatives Sayan, Vekich, Powers, McClure, Belcher and Fisch

AN ACT Relating to license fees for oyster farmers; and amending section 2, chapter 201, Laws of 1982 and RCW 43.20A.055.

Referred to Committee on Social & Health Services.

**HB 692** by Representatives Van Dyken, Moon and Miller

AN ACT Relating to agricultural land; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways & Means.

**HB 693** by Representatives D. Nelson, Allen, Miller, Charnley, Rust, Burns, Jacobsen, Kreidler, Appelwick, Brekke and Hine

AN ACT Relating to the higher education institutional long-term loan fund; and amending section 9, chapter 257, Laws of 1981 as amended by section 13, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.820.

Referred to Committee on Higher Education.

HB 694 by Representatives Sayan, Fisch, Fisher, Lux and McClure

AN ACT Relating to labor; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Commerce & Economic Development.

HB 695 by Representatives Smitherman, Patrick, Lux, Lewis, Stratton, Mitchell, Chandler, Galloway, Walk, Vekich, Haugen, Gallagher, Johnson, Martinis, Ebersole, Ristuben and Zellinsky

AN ACT Relating to child custody; amending section 22, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.220; amending section 25, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.250; amending section 26, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.260; adding new sections to chapter 26.09 RCW; creating a new section; repealing section 19, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.190; and repealing section 21, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.210.

Referred to Committee on Judiciary.

HB 696 by Representatives Van Dyken, Padden, Taylor, Hine, G. Nelson, Patrick, Garrett, Isaacson, Gallagher, Tanner, Long and Brough

AN ACT Relating to property tax relief; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 4, chapter 185, Laws of 1980 and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.385; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 697 by Representatives Van Dyken, Patrick, Silver and Miller

AN ACT Relating to pornography; adding new sections to chapter 9.68 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 698 by Representatives Sutherland and Addison

AN ACT Relating to property tax levies; and adding a new section to chapter 84.52 RCW.

Referred to Committee on Local Government.

HB 699 by Representatives D. Nelson, Pruitt and Barnes

AN ACT Relating to elections; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010; amending section 29.80.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.020; amending section 29.80.040, chapter 9, Laws of 1965 as amended by section 2, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.040; amending section 29.81.010, chapter 9, Laws of 1965 as amended by section 1, chapter 143, Laws of 1973 1st ex. sess. and RCW 29.81.010; amending section 1, chapter 72, Laws of 1969 ex. sess. and RCW 29.81.012; and adding a new section to chapter 29.80 RCW.

Referred to Committee on Constitution, Elections & Ethics.

HB 700 by Representatives Locke, Lewis, Belcher, Niemi, Wang and Brough

AN ACT Relating to sexual offenses; amending section 3, chapter 10, Laws of 1982 as amended by section 11, chapter 192, Laws of 1982 and RCW 9A.44.040; amending section 5, chapter 14, Laws of 1975 1st ex. sess. as amended by section 2, chapter 244, Laws of 1979 ex. sess. and RCW 9A.44.050; amending section 6, chapter 14, Laws of 1975 1st ex. sess. as amended by section 3, chapter 244, Laws of 1979 ex. sess. and RCW 9A.44.060; and amending section 9A.88.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.44.100.

Referred to Committee on Judiciary.

HB 701 by Representatives Schmidt, Martinis, Wilson, Zellinsky, Brough, Smitherman, Fiske, McMullen, Schoon, Clayton, Powers and Sayan

AN ACT Relating to the state ferry system; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

HJM 20 by Representatives Martinis, Wilson, Stratton, Haugen, Sayan, Taylor, Mitchell and Tanner

Petitioning Congress that the proposed United States-Canada salmon interception treaty be rejected.

Referred to Committee on Natural Resources.

HJM 21 by Representatives Martinis, Hine, Lux, Sayan, Tanner and Crane

Requesting limits on exemptions for undocumented vessels.

Referred to Committee on Transportation.

HJR 34 by Representatives Lux, D. Nelson and Burns

Amending the state Constitution to allow the establishment of the bank of Washington.

Referred to Committee on Financial Institutions & Insurance.

HCR 12 by Representatives R. King, Wang and D. Nelson

Requesting the establishment of the National Academy of Peace and Conflict Resolution.

SSB 3087 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Moore, Bottiger, Shinpoch, Talmadge, Hughes and McManus)

Authorizing payment of shared work unemployment insurance.

Referred to Committee on Labor.

SB 3118 by Senators Talmadge, Newhouse and Vognild

Modifying provisions relating to workers' compensation.

Referred to Committee on Labor.

ESB 3203 by Senators Peterson, Bender, Haley, Hemstad, Talmadge and Deccio (by Legislative Transportation Committee request)

Requiring child restraints in motor vehicles.

Referred to Committee on Transportation.

SB 3225 by Senators Williams, Quigg and Moore (by State Energy Office request)

Regulating district heating system services.

Referred to Committee on Energy & Utilities.

SSB 3256 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Fuller, Bender, Hansen, Conner, Moore, Warnke, Benitz, Bauer, Talmadge and Fleming)

Permitting public entities involved in the generation, sale, or distribution of energy to provide energy conservation analyses and financing assistance for their customers.

Referred to Committee on Energy & Utilities.

SB 3314 by Senators Vognild, Quigg and Wojahn (by Department of Employment Security request)

Establishing the OASI revolving fund.

Referred to Committee on Labor.

SB 3379 by Senators Owen, Fuller, Vognild, Bender and Quigg

Providing group fishing permits for the handicapped and senior citizens.

Referred to Committee on Natural Resources.

SB 3393 by Senators Talmadge, Clarke and Hemstad

Permitting judges to belong to the National Guard.

Referred to Committee on State Government.

REPORTS OF STANDING COMMITTEES

February 17, 1983

HB 140 Prime Sponsor, Representative Lux: Requiring certain information to be provided to 62-year-old life insurance policyowners. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "writing" strike "at least" and insert "at some time after the insured's sixty-first birthday, but no later than"

On page 1, line 8 after "available" insert "under the policy"

On page 2, line 8 strike "(d)" and insert "(3)"

On page 2, line 10 after "interest" insert ", in such written material"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Vice Chair; Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, Monohon, Vekich, Wang and West.

Absent: Representatives Sanders, Ranking Minority Chair; Ballard, P. King, Kreidler and West.

Passed to Committee on Rules for second reading.

February 17, 1983

HB 141 Prime Sponsor, Representative Lux: Modifying the rate and form filing fee. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 1 after "YEAR" insert ", OR IN THE CASE OF AN INSURER SEEKING ADMISSION TO THE STATE, PRIOR TO ISSUANCE OF ITS CERTIFICATE OF AUTHORITY"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Monohon, Vekich and Wang.

Absent: Representatives Ballard, Garrett, Johnson, P. King, Kreidler, Monohon and West.

Passed to Committee on Rules for second reading.

February 18, 1983

HB 149 Prime Sponsor, Representative Pruitt: Establishing reporting requirements for governmental officials receiving honoraria, entering into contracts, or entering into employment or personal service contracts. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

February 17, 1983

HB 251 Prime Sponsor, Representative Sayan: Establishing the state employment and conservation corps. Reported by Committee on Commerce & Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk and Wilson.

Absent: Representatives Padden and Powers.

Rereferred to Committee on Ways & Means.

February 18, 1983

HB 254 Prime Sponsor, Representative Ebersole: Establishing a state housing finance commission. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representatives Bond and Lux.

Passed to Committee on Rules for second reading.

February 17, 1983

HB 257 Prime Sponsor, Representative Belcher: Modifying exemption of certain agricultural employees from industrial insurance coverage. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brække, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Smith and Struthers.

Passed to Committee on Rules for second reading.

February 18, 1983

HB 260 Prime Sponsor, Representative Haugen: Authorizing the state patrol to charge fees for certain criminal records. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representatives Bond and Lux.

Passed to Committee on Rules for second reading.

February 18, 1983

HB 304 Prime Sponsor, Representative Walk: Authorizing the appointment of state employees as special deputies in the state patrol. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 23 strike all material beginning with "The chief" through and including "office," on line 4 of page 2 and insert the following:

"The chief may personally appoint, with the consent of the state treasurer, employees of the office of the state treasurer who are qualified under the standards of the criminal justice training commission, or who have comparable training and experience, to serve as special deputies. The law enforcement powers of any special deputies appointed in the office of the state treasurer shall be designated by the chief and shall be restricted to those powers necessary to provide for statewide security of the holdings or property of or under the custody of the office of the state treasurer. These appointments may be revoked by the chief at any time and shall be revoked upon the written request of the state treasurer or by operation of law upon termination of the special deputy's employment with the office of the state treasurer or thirty days after the chief who made the appointment leaves office."

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey, O'Brien, Sayan and Silver.

Absent: Representatives Bond and Lux.

Passed to Committee on Rules for second reading.

February 17, 1983

HB 359 Prime Sponsor, Representative Kreidler: Establishing guidelines for the regulation of health professions and occupations not now regulated. Reported by Committee on Social & Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, G. Nelson, Niemi, Padden, Stratton, Wang and West.

Absent: Representatives Broback, J. King and B. Williams.

Passed to Committee on Rules for second reading.

February 17, 1983

HB 371 Prime Sponsor, Representative Lux: Modifying provisions on examinations of health care service contractors and health maintenance organizations. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23 after "chapter," strike all material down to and including "years," on line 24.

On page 2, line 14 after "exceed" strike "one" and insert "one-half"

On page 2, line 35 after "chapter," strike all material to and including "years," on line 36.

On page 3, line 24 after "exceed" strike "one" and insert "one-half"

Signed by Representatives Lux, Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Cantu, Crane, Dickie, Galloway, Hankins, Johnson, Monohon, Wang and West.

MINORITY recommendation: Do not pass. Signed by Representatives Zellinsky, Vice Chair, and Vekich.

Absent: Representatives Ballard, Garrett, P. King and Kreidler.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 344, by Representatives Armstrong, Fiske and Tanner (by Secretary of State request)

Modifying the laws regulating professional corporations.

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

HOUSE BILL NO. 348, by Representatives Armstrong, Fiske, Tanner and Padden (by Secretary of State request)

Modifying the corporation laws.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments see Journal, 36th Day, February 14, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 259, by Representatives Martinis, Prince and Charnley (by Department of Licensing request)

Revising laws regulating hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 38th Day, February 16, 1983.)

On motion of Mr. Gallagher the committee amendments were adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives Charnley, Isaacson, Hine, Hankins, Hastings and Sanders

Continuing the Joint Ad Hoc Committee on Science and Technology.

The resolution was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 36th Day, February 14, 1983.)

On motion of Mr. Walk, the committee amendment was adopted.

The resolution was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 84, by Representatives Haugen, McMullen, Moon, Braddock, Sayan, Ellis, Wilson, Fiske, Van Dyken, Isaacson and Mitchell

Modifying the provisions relating to the land ownership prerequisite for special district elections.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 84 was substituted for House Bill No. 84, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 84 was read the second time.

Mr. Isaacson moved adoption of the following amendments by Representatives Isaacson, Haugen, Nealey and Broback:

On page 2, line 4 after "qualified" insert "After the election to establish the district, such a landowner must own land that is determined to receive benefits from the improvements or proposed improvements by the diking district, before he or she may be an elector"

On page 3, line 35 after "qualified" insert "After the election to establish the district, such a landowner must own land that is determined to receive benefits from the improvements or proposed improvements by the drainage district, before he or she may be an elector"

On page 5, line 36 after "election" insert "which land is determined to receive benefits from the improvements of proposed improvements."

On page 8, line 6 after "qualified" insert "After the election to establish the district, such a landowner must own land that is determined to receive benefits from the improvements or proposed improvements by the diking and drainage district, before he or she may be an elector"

Mr. Isaacson spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Isaacson, I know what you are trying to get at here because we had this discussion in the Local Government Committee. Who determines that a landowner will receive benefits or not? What is the mechanism for deciding this person may vote and that person may not?"

Mr. Isaacson: "Again, the language has been carefully constructed to read that after the direction to establish the district, such a landowner must own land that is determined to receive benefits from the improvements or proposed improvements by the diking district. In other words, it is incumbent upon the diking district when it is formed to determine that a landowner lives within that district for which that diking district would apply. It's incumbent upon the commissioners of the district to assure that the landowners own land in the area to be benefited by the diking district."

Mr. Charnley: "So the commission would make that decision if there was an appeal or if the landowner decided he wanted to or didn't want to be included? The commissioners would be the people he would appeal to?"

Mr. Isaacson: "That is correct. The commissioners of that district must make that determination."

Mr. Moon spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTIONS

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

On motion of Mr. Heck, HOUSE BILL NO. 530 was rereferred from Committee on Local Government to Committee on Judiciary.

On motion of Mr. Heck, HOUSE BILL NO. 651 was rereferred from Committee on Commerce & Economic Development to Committee on State Government.

On motion of Mr. Heck, HOUSE BILL NO. 693 was rereferred from Committee on Social & Health Services to Committee on Higher Education.

The Speaker announced the House would adjourn until 11:00 a.m., Tuesday, February 22, 1983, but reminded the members of the Memorial Service to be held at 1:15 p.m.

#### MOTION

On motion of Mr. Heck, the House was adjourned until 11:00 a.m., Tuesday, February 22, 1983.

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#### MEMORIAL PROGRAM

Presiding: President of the Senate John A. Cherberg  
Chairperson: Speaker Pro Tempore John L. O'Brien

#### INVOCATION

by  
Father Theodore I. Marmo  
Pastor  
St. Michael's Parish, Olympia

"Almighty God, we acknowledge You as the author and giver of life. To You all preachers look hopefully as You give them reward in good season. We thank You for Your presence in the lives of those who have been our colleagues who served our fellow citizens in the promotion of the common good. Be with us now as we bring to mind the gifts they have given. Inspire us by their courage; teach us by their example. Bring us to be with them in Your love and mercy to rejoice in the fullness of life which You give, Who now lives and reigns forever and ever. Amen."

#### ST. MARTIN'S ABBEY SCHOLA

Brother Aelred, Brother Elias, Father George, Brother Ronald (flutists)  
Fiducia . . . . . Isaac Watts (words) 1674-1748 Robinson c1810 (music)  
Shall We Gather at the River . . . . . Robert Lowery

#### MEMORIAL TRIBUTE

by  
Speaker Pro Tempore John L. O'Brien

"We are assembled here today to pay tribute to lives and services of distinguished former members of the Senate and House of Representatives of the State of Washington who have passed from among us during the past two years. On behalf of the people of our state, the Forty-Eighth Legislative Session conveys its respect to these deceased legislators who once sat in the Chambers of the House and Senate as we are doing today, answering roll calls on sometimes critical measures, attending committee meetings and, above all else, serving to the best of their abilities to make our state a better and more enjoyable place to live for their constituencies. While they have passed to the Great Beyond, their achievements, records and valued services have been recorded in the Journals of the Senate and House



and are acknowledged forever more, a permanent part of the history of the State of Washington. We express our sympathies to the bereaved families and their friends and also share with them on this memorable occasion, the fond and happy memories of these former legislators who served beyond the call of duty and responsibilities, and who truly loved their state. They have left a legacy of dedicated service that will remain always in our hearts. I will now call the roll of former members."

CANDLE SERVICE

IN MEMORIAM

In tribute to the memories of our distinguished former members of the Senate and House of Representatives who have passed from among us during the preceding biennium, the Forty-Eighth Legislative Session of the State of Washington conveys its respects on behalf of the people of our State. May the memory of their dedicated service remain in our hearts.

In Memory of:

J. Bruce Burns  
 Joe Chytil  
 Frank Connor  
 John L. Cooney  
 Mary U. Farquharson  
 Dwight S. Hawley  
 John L. Hendricks  
 L. B. Judd  
 Lloyd Lindgren  
 Delbert Pence  
 Emma Abbott Ridgway  
 Jess V. Sapp  
 Harry A. Siler  
 Kenneth H. Simmons  
 Don L. Talley  
 Paul G. Thomas  
 John K. Yearout

Tribute by

Representative P. J. Gallagher  
 Senator William H. Fuller  
 Representative Gary F. Locke  
 Senator Margaret Hurley  
 Senator Nita Rinehart  
 Representative Louise Miller  
 Senator Richard W. Hemstad  
 Representative Lyle J. Dickie  
 Representative Avery Garrett  
 Representative Eugene A. Prince  
 Representative Mary Margaret Haugen  
 Senator Lowell Peterson  
 Senator Sam C. Guess  
 Representative George W. Walk  
 Senator Alan Thompson  
 Senator Phil Talmadge  
 Representative Bob Williams

Flower Tribute by Members of the Senate and House of Representatives

The Lord's Prayer by Mallotte and

Battle Hymn of the Republic by Julia Ward Howe . . . . . Nancy Olson  
 Accompanist, Representative Barney McClure

Amazing Grace by John Newton . . . . . Ralph Munro, Secretary of State

BENEDICTION by

The Reverend Sheryl Peterson,  
 Assistant Pastor, United Churches of Olympia

"Now may the God of love and peace fill us so that we might abound with hope. May God bless you and keep you. May God's face shine upon and be gracious unto you. May God look upon you with kindness and grant you peace. Amen."

Taps. . . . . Bugler SSC John S. Collins, Jr. - 133rd Army Band  
 Color Guard . . . . . NCOIC - Sgt. David Gaubatz  
     Cpl. Lawrence Kessel  
     Cpl. Matthew Smith  
     Pvt. Gary Beagles  
     Pvt. Charles Hamilton  
     Co. A-3d Bn. 161st Inf. (M)

The President of the Senate, John A. Cherberg, announced the closure of the Memorial Service.

The House of Representatives was adjourned until 11:00 a.m., Tuesday, February 22, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FORTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 22, 1983

The House was called to order at 11:00 a.m. by the Speaker (Ms. Niemi presiding). The Clerk called the roll and all members were present except Representative P. King, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Krissy Nelson and Greg Jensen. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 21, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3131,  
ENGROSSED SENATE BILL NO. 3134,  
ENGROSSED SUBSTITUTTE SENATE BILL NO. 3277,  
SENATE BILL NO. 3363,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HB 702 by Representatives Braddock, Armstrong, Moon, Clayton, Smith, Dickie, Tilly, Holland, Schoon, Silver and Long

AN ACT Relating to bond propositions; and adding a new chapter to Title 39 RCW.

Recommended referral: Committee on Constitution, Elections & Ethics.

HB 703 by Representatives Locke, Armstrong and P. King

AN ACT Relating to health care consent; and adding a new chapter to Title 70 RCW.

Recommended referral: Committee on Judiciary.

HB 704 by Representatives Armstrong, Tilly, Wang, Hastings, Sommers and Fisher

AN ACT Relating to superior courts; amending section 5, chapter 126, Laws of 1913 as last amended by section 2, chapter ... (SB 3037), Laws of 1983 and RCW 2.32.240; and adding new sections to chapter 2.32 RCW.

Recommended referral: Committee on Judiciary.

HB 705 by Representatives Fuhrman, Chandler and Bond

AN ACT Relating to the compulsory attendance law; amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010; creating a new section; and providing penalties.

Recommended referral: Committee on Education.

HB 706 by Representatives Todd, Miller, Tilly, Lux, Isaacson, Garrett, Brough, Crane, McDonald, Walk, Taylor, Holland and Barrett

AN ACT Relating to property taxes; and adding a new section to chapter 84.56 RCW.

Recommended referral: Committee on Ways & Means.

HB 707 by Representatives Armstrong and R. King

AN ACT Relating to rules of construction; and adding a new section to chapter 1.12 RCW.

Recommended referral: Committee on Judiciary.

**HB 708** by Representatives Walk, Hankins, Isaacson, Johnson, Nealey, Prince, Charnley and Wilson

AN ACT Relating to the archaeological research center; amending section 27, chapter 99, Laws of 1979 and RCW 43.131.201; amending section 69, chapter 99, Laws of 1979 and RCW 43.131.202; providing an expiration date; and declaring an emergency.

Recommended referral: Committee on State Government.

**HB 709** by Representatives Martinis and Armstrong (by Attorney General request)

AN ACT Relating to the utilities and transportation commission; amending section 80.01.100, chapter 14, Laws of 1961 and RCW 80.01.100; adding a new section to chapter 80.04 RCW; and making an appropriation.

Recommended referral: Committee on Judiciary.

**HB 710** by Representatives D. Nelson, Miller, Braddock and Todd

AN ACT Relating to local government; adding a new chapter to Title 35 RCW; and declaring an emergency.

Recommended referral: Committee on Energy & Utilities.

**HB 711** by Representatives Locke, Zellinsky, Patrick, McMullen, Niemi, Crane, Stratton, Egger, Monohon, P. King, Dellwo, Appelwick, Smitherman, Padden, Isaacson and Miller (by Attorney General request)

AN ACT Relating to rights of crime victims, survivors of crime victims, and witnesses of crime; amending section 1, chapter 145, Laws of 1981 and RCW 7.69.010; amending section 2, chapter 145, Laws of 1981 and RCW 7.69.020; amending section 3, chapter 145, Laws of 1981 and RCW 7.69.030; amending section 1, chapter 24, Laws of 1905 as last amended by section 8, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.92.060; amending section 11, chapter 137, Laws of 1981 and RCW 9.94A.110; amending section 12, chapter 137, Laws of 1981 as amended by section 4, chapter 192, Laws of 1982 and RCW 9.94A.120; amending section 14, chapter 137, Laws of 1981 as amended by section 5, chapter 192, Laws of 1982 and RCW 9.94A.140; amending section 4, chapter 133, Laws of 1955 and RCW 9.95.030; amending section 7, chapter 98, Laws of 1969 and RCW 9.95.125; amending section 3, chapter 114, Laws of 1935 as last amended by section 40, chapter 136, Laws of 1981 and RCW 9.95.170; amending section 1, chapter 19, Laws of 1980 as last amended by section 10, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.95.210; adding new sections to chapter 7.69 RCW; adding a new section to chapter 9.95 RCW; adding a new section to chapter 72.01 RCW; and providing effective dates.

Recommended referral: Committee on Judiciary.

**HB 712** by Representatives Wang, Grimm, Kaiser, Ellis, J. King, Garrett, Lux and Rust

AN ACT Relating to hazardous wastes; amending section 1, chapter 10, Laws of 1977 as amended by section 1, chapter 108, Laws of 1982 and RCW 70.95.040; adding a new chapter to Title 70 RCW; prescribing penalties; making an appropriation; providing effective dates; and declaring an emergency.

Recommended referral: Committee on Environmental Affairs.

**HB 713** by Representatives Charnley, Brough, Wang and Kreidler

AN ACT Relating to local health departments; and adding new sections to chapter 70.05 RCW.

Recommended referral: Committee on Social & Health Services.

**HB 714** by Representative R. King (by Department of Employment Security request)

AN ACT Relating to unemployment insurance; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 35, Laws of 1981 and RCW 50.20.120; amending section 89, chapter 35, Laws of 1945 as last amended by section 9, chapter 33, Laws of 1977 ex. sess. and RCW 50.24.010; amending section 10, chapter 2, Laws of 1970 ex. sess. as last amended by section 11, chapter 158, Laws of 1973 1st ex. sess. and RCW

50.29.010; amending section 13, chapter 2, Laws of 1970 ex. sess. as amended by section 12, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.040; amending section 14, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.050; amending section 15, chapter 2, Laws of 1970 ex. sess. as amended by section 13, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.29.060; and repealing section 18, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.140.

Recommended referral: Committee on Labor.

HB 715 by Representatives Grimm and Heck

AN ACT Relating to revenue and taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter ... (SB 3037), Laws of 1983 and RCW 82.32.010; amending section 42, chapter 26, Laws of 1967 ex. sess. as last amended by section 6, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. as amended by section 8, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. as amended by section 9, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.180; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.020; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260; amending section 10, chapter 172, Laws of 1981 and RCW 82.04.265; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270; amending section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter ... (SB 3037), Laws of 1983 and RCW 82.04.290; creating a new section; adding a new title to the Revised Code of Washington, to be numbered Title 82A RCW; prescribing penalties; and providing an effective date.

Recommended referral: Committee on Ways & Means.

HB 716 by Representatives Braddock, McMullen, West, McClure, Fiske and Van Dyken

AN ACT Relating to electrical installations; amending section 1, chapter 169, Laws of 1935 as last amended by section 1, chapter 117, Laws of 1965 ex. sess. and RCW 19.28.010; amending section 1, chapter 30, Laws of 1969 as last amended by section 1, chapter 195, Laws of 1975 1st ex. sess. and RCW 19.28.120; amending section 6, chapter 169, Laws of 1935 and RCW 19.28.190; amending section 8, chapter 169, Laws of 1935 as last amended by section 2, chapter 129, Laws of 1971 ex. sess. and RCW 19.28.210; and amending section 3, chapter 325, Laws of 1959 as last amended by section 1, chapter 97, Laws of 1967 ex. sess. and RCW 19.28.360.

Recommended referral: Committee on Local Government.

HB 717 by Representatives Grimm, Wang, Ellis and Rust

AN ACT Relating to hazardous waste materials; adding a new chapter to Title 43 RCW; and making an appropriation.

Recommended referral: Committee on Ways & Means.

HB 718 by Representatives Jacobsen, Patrick, Van Dyken, Sutherland, Braddock, Egger and Armstrong

AN ACT Relating to law enforcement; adding a new chapter to Title 10 RCW; adding a new section to chapter 43.10 RCW; and providing an effective date.

Recommended referral: Committee on Local Government.

HB 719 by Representatives Galloway, Armstrong and Berozoff

AN ACT Relating to school closures; and adding new sections to chapter 43.21C RCW.

Recommended referral: Committee on Education.

HB 720 by Representatives McClure, Stratton, Kreidler and Lewis

AN ACT Relating to the determination of alcoholism; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515.

Recommended referral: Committee on Social & Health Services.

HB 721 by Representative West

AN ACT Relating to labor relations in county sheriffs' departments including requiring mandatory arbitration, providing an impasse referendum, and prohibiting strikes; and adding new sections to chapter 41.56 RCW.

Recommended referral: Committee on Labor.

HB 722 by Representative R. King

AN ACT Relating to industrial insurance; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 18, chapter 63, Laws of 1982 and RCW 51.32.050; amending section 12, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.072; adding a new section to chapter 51.32 RCW; and repealing section 2, chapter 286, Laws of 1975 1st ex. sess., section 2, chapter 202, Laws of 1977 ex. sess., section 1, chapter 108, Laws of 1979 and RCW 51.32.075.

Recommended referral: Committee on Labor.

HB 723 by Representatives P. King, Tanner, Moon and Lux

AN ACT Relating to damages; and adding a new section to chapter 4.24 RCW.

Recommended referral: Committee on Judiciary.

HB 724 by Representative R. King

AN ACT Relating to injured workers; and adding a new section to chapter 51.04 RCW.

Recommended referral: Committee on Labor.

HB 725 by Representative Grimm (by Code Reviser request)

AN ACT Relating to the publication of the session laws of the state of Washington; making an appropriation; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 726 by Representatives West, Barrett, Bond and Stratton

AN ACT Relating to electricians and electrical installations; amending section 3, chapter 169, Laws of 1935 as last amended by section 61, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.070; and adding a new section to chapter 19.28 RCW.

Recommended referral: Committee on Commerce & Economic Development.

HB 727 by Representatives Rust and McDonald

AN ACT Relating to the Milwaukee Road; adding new sections to chapter 43.30 RCW; making an appropriation; and declaring an emergency.

Recommended referral: Committee on Environmental Affairs.

HB 728 by Representative Moon

AN ACT Relating to special purpose districts; and adding a new section to chapter 42.04 RCW.

Recommended referral: Committee on Local Government.

HB 729 by Representatives Gallagher, Lux, R. King, Fisch, Monohon, Armstrong, Vekich, P. King, Jacobsen, Fisher, Appelwick, Locke and D. Nelson

AN ACT Relating to industrial insurance; amending section 51.24.020, chapter 23, Laws of 1961 as last amended by section 31, chapter 350, Laws of 1977 ex. sess. and RCW 51.24.020; and adding a new section to chapter 51.24 RCW.

Recommended referral: Committee on Labor.

HB 730 by Representatives D. Nelson, Pruitt and Barnes

AN ACT Relating to political advertising; and amending section 29.85.270, chapter 9, Laws of 1965 as amended by section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270.

Recommended referral: Committee on Constitution, Elections & Ethics.

HB 731 by Representatives R. King, D. Nelson, Fisch, Fisher, Sayan and Gallagher

AN ACT Relating to labor and industries; amending section 1, chapter 27, Laws of 1974 ex. sess. and RCW 43.22.010; amending section 27, chapter 80, Laws of 1973 and RCW 49.17.270; adding new sections to chapter 43.22 RCW; creating new sections; repealing section 1, chapter 207, Laws of 1961, section 12, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 70.98.010; repealing section 2, chapter 207, Laws of 1961, section 1, chapter 88, Laws of 1965, section 13, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 70.98.020; repealing section 3, chapter 207, Laws of 1961, section 2, chapter 88, Laws of 1965, section 125, chapter 141, Laws of 1979 and RCW 70.98.030; repealing section 5, chapter 207, Laws of 1961, section 3, chapter 88, Laws of 1965, section 16, chapter 18, Laws of 1970 ex. sess., section 10, chapter 189, Laws of 1971 ex. sess. and RCW 70.98.050; repealing section 8, chapter 207, Laws of 1961, section 5, chapter 88, Laws of 1965 and RCW 70.98.080; repealing section 9, chapter 207, Laws of 1961 and RCW 70.98.090; repealing section 10, chapter 207, Laws of 1961 and RCW 70.98.100; repealing section 11, chapter 207, Laws of 1961, section 6, chapter 88, Laws of 1965 and RCW 70.98.110; repealing section 12, chapter 207, Laws of 1961 and RCW 70.98.120; repealing section 13, chapter 207, Laws of 1961 and RCW 70.98.130; repealing section 14, chapter 207, Laws of 1961 and RCW 70.98.140; repealing section 15, chapter 207, Laws of 1961, section 7, chapter 88, Laws of 1965 and RCW 70.98.150; repealing section 16, chapter 207, Laws of 1961 and RCW 70.98.160; repealing section 17, chapter 207, Laws of 1961, section 27, chapter 77, Laws of 1973 and RCW 70.98.170; repealing section 18, chapter 207, Laws of 1961, section 8, chapter 88, Laws of 1965 and RCW 70.98.180; repealing section 19, chapter 207, Laws of 1961 and RCW 70.98.190; repealing section 20, chapter 207, Laws of 1961 and RCW 70.98.200; repealing section 24, chapter 207, Laws of 1961, section 14, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 70.98.210; repealing section 21, chapter 207, Laws of 1961 and RCW 70.98.900; repealing section 23, chapter 207, Laws of 1961 and RCW 70.98.910; repealing section 25, chapter 207, Laws of 1961 and RCW 70.98.920; repealing section 1, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.010; repealing section 2, chapter 110, Laws of 1979 ex. sess., section 1, chapter 78, Laws of 1982 and RCW 70.121.020; repealing section 3, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.030; repealing section 4, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.040; repealing section 5, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.050; repealing section 6, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.060; repealing section 7, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.070; repealing section 8, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.080; repealing section 9, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.090; repealing section 10, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.100; repealing section 11, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.110; repealing section 12, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.120; repealing section 13, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.130; repealing section 14, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.900; repealing section 15, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.905; repealing section 16, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.910; prescribing penalties; and declaring an emergency.

Recommended referral: Committee on Labor.

HB 732 by Representatives Chandler, Smith, Ellis, Tilly, Egger, Nealey, Prince and Ballard

AN ACT Relating to the Milwaukee Road; and creating new sections.

Recommended referral: Committee on Environmental Affairs.

HB 733 by Representatives Sayan, Galloway and Vekich

AN ACT Relating to a pilot program for a four-day work week in schools; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Recommended referral: Committee on Education.

HB 734 by Representatives Ellis, Lewis, Dickie, Clayton, Walk and Smith

AN ACT Relating to oil and gas conservation; amending section 1, chapter 146, Laws of 1951 and RCW 78.52.001; amending section 3, chapter 146, Laws of 1951 and RCW 78.52.010; amending section 4, chapter 146, Laws of 1951 as last amended by section 7, chapter 180, Laws of 1971 ex. sess. and RCW 78.52.020; amending section 5, chapter 146, Laws of 1951 and RCW 78.52.025; amending section 6, chapter 146, Laws of 1951 and RCW

78.52.030; amending section 11, chapter 146, Laws of 1951 and RCW 78.52.050; amending section 13, chapter 146, Laws of 1951 and RCW 78.52.100; amending section 14, chapter 146, Laws of 1951 and RCW 78.52.120; amending section 8, chapter 180, Laws of 1971 ex. sess. and RCW 78.52.125; amending section 18, chapter 146, Laws of 1951 and RCW 78.52.160; amending section 19, chapter 146, Laws of 1951 and RCW 78.52.170; amending section 21, chapter 146, Laws of 1951 and RCW 78.52.190; amending section 38, chapter 146, Laws of 1951 and RCW 78.52.350; amending section 39, chapter 146, Laws of 1951 and RCW 78.52.360; amending section 40, chapter 146, Laws of 1951 and RCW 78.52.370; amending section 43, chapter 146, Laws of 1951 and RCW 78.52.400; amending section 46, chapter 146, Laws of 1951 and RCW 78.52.430; amending section 49, chapter 146, Laws of 1951 and RCW 78.52.460; amending section 58, chapter 146, Laws of 1951 and RCW 78.52.550; adding new sections to chapter 78.52 RCW; repealing section 22, chapter 146, Laws of 1951 and RCW 78.52.200; repealing section 23, chapter 146, Laws of 1951 and RCW 78.52.210; repealing section 24, chapter 146, Laws of 1951 and RCW 78.52.220; repealing section 25, chapter 146, Laws of 1951 and RCW 78.52.230; repealing section 26, chapter 146, Laws of 1951 and RCW 78.52.240; repealing section 27, chapter 146, Laws of 1951 and RCW 78.52.250; repealing section 28, chapter 146, Laws of 1951 and RCW 78.52.260; repealing section 48, chapter 146, Laws of 1951 and RCW 78.52.450; and prescribing penalties.

Recommended referral: Committee on Natural Resources.

**HB 735** by Representatives Wang, Lewis, Kreidler, Allen, Brekke, McClure, Fisher, Belcher, D. Nelson, Lux, Grimm, Jacobsen, Sommers, Burns, Pruitt, Locke, Moon, R. King and O'Brien

AN ACT Relating to dependent children; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 23, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.12.010; and creating new sections.

Recommended referral: Committee on Social & Health Services.

**HB 736** by Representatives Walk, Grimm, Johnson, Ebersole, Kaiser, Brough, Fisher, Powers, Broback, Smitherman, Schoon, Crane, Todd, Wang and Gallagher

AN ACT Relating to certificates of delinquency; amending section 84.64.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 322, Laws of 1981 and RCW 84.64.030; amending section 84.64.050, chapter 15, Laws of 1961 as last amended by section 4, chapter 322, Laws of 1981 and RCW 84.64.050; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 737** by Representatives Rust and McDonald

AN ACT Relating to the Milwaukee Road; amending section 17, chapter 143, Laws of 1981 as amended by section 110, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); creating new sections; making appropriations; declaring an emergency; and providing an effective date.

Recommended referral: Committee on Environmental Affairs.

**HB 738** by Representatives Tanner, Ellis and Armstrong

AN ACT Relating to allowance of court costs; and amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010.

Recommended referral: Committee on Judiciary.

**HB 739** by Representatives Clayton, Ellis, Wilson, Martinis, Hankins, Smith, Dickie and Barrett

AN ACT Relating to boilers and pressure vessels; and amending section 6, chapter 32, Laws of 1951 and RCW 70.79.060.

Recommended referral: Committee on Transportation.

**HB 740** by Representatives Braddock, J. King, Zellinsky, Tanner, Smitherman, Ebersole and D. Nelson

AN ACT Relating to state government; creating new sections; providing an expiration date; and declaring an emergency.

Recommended referral: Committee on State Government.

**HB 741** by Representatives Isaacson, Moon, Addison, Todd, Sanders, Hine and Dickie



AN ACT Relating to vital statistics; and amending section 29.10.090, chapter 9, Laws of 1965 as amended by section 29, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.090.

Recommended referral: Committee on Local Government.

**HB 742** by Representative Brekke (by Department of Social and Health Services request)

AN ACT Relating to the financial responsibility of parents of minor recipients for services of the department of social and health services; amending section 76, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.220; amending section 9, chapter 126, Laws of 1959 and RCW 72.33.580; amending section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030; amending section 72.40.040, chapter 28, Laws of 1959 as last amended by section 68, chapter 80, Laws of 1977 ex. sess. and RCW 72.40.040; adding new sections to chapter 43.20A RCW; adding a new section to chapter 13.34 RCW; creating new sections; repealing section 4, chapter 127, Laws of 1967 ex. sess., section 64, chapter 292, Laws of 1971 ex. sess. and RCW 71.02.411; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Social & Health Services.

**HB 743** by Representatives Belcher, Miller, Kreidler, Allen, Jacobsen, Betrozoff, McClure, Long, Monohon, Brekke, Locke, Lewis, Ballard, Appelwick, Hine, Zellinsky and Fisher

AN ACT Relating to social workers; adding a new chapter to Title 18 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Recommended referral: Committee on Social & Health Services.

**HB 744** by Representatives Galloway, Johnson, D. Nelson, Gallagher, Burns, Sayan, Jacobsen, Taylor, Lux, Stratton, Broback, Tilly, Prince, Armstrong, Brough, Appelwick and Kaiser (by Washington state public broadcasting commission request)

AN ACT Relating to public broadcasting; amending section 2, chapter 123, Laws of 1980 and RCW 28A.91.100; amending section 3, chapter 123, Laws of 1980 and RCW 28A.91.110; amending section 4, chapter 123, Laws of 1980 and RCW 28A.91.120; creating a new section; repealing section 14, chapter 123, Laws of 1980 and RCW 43.131.240; making an appropriation; providing an effective date; providing an expiration date; and declaring an emergency.

Recommended referral: Committee on State Government.

**HB 745** by Representatives Ristuben, Tanner, Sutherland and Heck

AN ACT Relating to surplus salmon; amending section 43.19.1919, chapter 8, Laws of 1965 as amended by section 11, chapter 21, Laws of 1975-76 2nd ex. sess. and RCW 43.19.1919; and declaring an emergency.

Recommended referral: Committee on Natural Resources.

**HB 746** by Representatives Walk and Johnson (by Office of Financial Management request)

AN ACT Relating to subsistence and travel allowances; amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 83, chapter 151, Laws of 1979 and RCW 43.03.050; amending section 43.03.060, chapter 8, Laws of 1965 as last amended by section 84, chapter 151, Laws of 1979 and RCW 43.03.060; and amending section 3, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.063.

Recommended referral: Committee on Ways & Means.

**HB 747** by Representative Armstrong (by Uniform Legislation Commission request)

AN ACT Relating to the uniform limited partnership act; amending section 20, chapter 51, Laws of 1981 and RCW 25.10.200; and amending section 24, chapter 51, Laws of 1981 and RCW 25.10.240.

Recommended referral: Committee on Judiciary.

**HB 748** by Representatives Van Dyken, Patrick and Garrett

AN ACT Relating to local government authority over streets and roads; and creating a new chapter in Title 47 RCW.

Recommended referral: Committee on Local Government.

HB 749 by Representatives Charnley and Ebersole

AN ACT Relating to prequalifying contractors by municipalities; and adding a new section to chapter 39.04 RCW.

Recommended referral: Committee on Local Government.

HB 750 by Representatives Charnley and Garrett

AN ACT Relating to remedies in the event of nonperformance of duties under contracts for public works; and amending section 14, chapter 260, Laws of 1981 as amended by section 1, chapter 170, Laws of 1982 and RCW 60.28.010.

Recommended referral: Committee on Local Government.

HB 751 by Representatives Charnley, Rust and Jacobsen

AN ACT Relating to pesticides; amending section 4, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.040; amending section 10, chapter 190, Laws of 1971 ex. sess. as amended by section 2, chapter 146, Laws of 1979 and RCW 15.58.100; amending section 15, chapter 190, Laws of 1971 ex. sess. as amended by section 3, chapter 146, Laws of 1979 and RCW 15.58.150; amending section 3, chapter 249, Laws of 1961 as amended by section 2, chapter 92, Laws of 1979 and RCW 17.21.030; adding a new section to chapter 15.58 RCW; and creating a new section.

Recommended referral: Committee on Environmental Affairs.

HB 752 by Representative Moon

AN ACT Relating to local government; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and adding a new section to chapter 42.04 RCW.

Recommended referral: Committee on Local Government.

HB 753 by Representative Moon

AN ACT Relating to local improvements; amending section 35.43.130, chapter 7, Laws of 1965 as amended by section 6, chapter 52, Laws of 1967 and RCW 35.43.130; amending section 35.43.150, chapter 7, Laws of 1965 and RCW 35.43.150; and amending section 35.43.180, chapter 7, Laws of 1965 as last amended by section 8, chapter 52, Laws of 1967 and RCW 35.43.180.

Recommended referral: Committee on Local Government.

HB 754 by Representative Lux

AN ACT Relating to contracts; adding a new section to chapter 19.52 RCW; adding a new section to chapter 63.14 RCW; and declaring an emergency.

Recommended referral: Committee on Financial Institutions & Insurance.

HB 755 by Representatives Dellwo, Halsan and McMullen

AN ACT Relating to recreational immunity; amending section 2, chapter 216, Laws of 1967 as last amended by section 1, chapter 111, Laws of 1980 and RCW 4.24.210.

Recommended referral: Committee on Judiciary.

HB 756 by Representatives Brekke and Hankins

AN ACT Relating to the interagency committee for outdoor recreation; and reenacting and amending section 11, chapter 5, Laws of 1965 as last amended by section 1, chapter 206, Laws of 1981 and by section 7, chapter 338, Laws of 1981 and RCW 43.99.110.

Recommended referral: Committee on Environmental Affairs.

HB 757 by Representatives Clayton and G. Nelson

AN ACT Relating to unemployment compensation; amending section 73, chapter 35, Laws of 1945 as last amended by section 6, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.20.050; amending section 11, chapter 2, Laws of 1970 ex. sess. as amended by section 6, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.29.020; and amending section 22,

chapter 3, Laws of 1971 as last amended by section 12, chapter 35, Laws of 1981 and RCW 50.44.050.

Recommended referral: Committee on Labor.

**HB 758** by Representatives Charnley, Martinis and D. Nelson

AN ACT Relating to transportation; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Transportation.

**HB 759** by Representatives R. King, Sayan, Fisch, Patrick and Jacobsen

AN ACT Relating to labor; adding a new chapter to Title 49 RCW; and prescribing penalties.

Recommended referral: Committee on Labor.

**HB 760** by Representatives Egger, Allen, Hine and Charnley

AN ACT Relating to cities and towns; and amending section 35.23.352, chapter 7, Laws of 1965 as last amended by section 2, chapter 89, Laws of 1979 ex. sess. and RCW 35.23.352.

Recommended referral: Committee on Local Government.

**HB 761** by Representative Pruitt

AN ACT Relating to voter registration; amending section 29.07.095, chapter 9, Laws of 1965 as last amended by section 6, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.095; and amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 3, Laws of 1980 and RCW 29.07.160.

Recommended referral: Committee on Constitution, Elections & Ethics.

**HB 762** by Representative Brekke

AN ACT Relating to nursing homes; amending section 7, chapter 177, Laws of 1980 as amended by section 3, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.070; amending section 12, chapter 177, Laws of 1980 as amended by section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120; amending section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460; amending section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490; amending section 53, chapter 177, Laws of 1980 as amended by section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530; amending section 81, chapter 177, Laws of 1980 as amended by section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810; and amending section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901.

Recommended referral: Committee on Ways & Means.

**HB 763** by Representative B. Williams

AN ACT Relating to drug and alcohol treatment programs for state offenders; amending section 2, chapter 136, Laws of 1981 and RCW 72.09.010; amending section 2, chapter 123, Laws of 1969 ex. sess. as amended by section 2, chapter 103, Laws of 1975-76 2nd ex. sess. and RCW 72.49.020; and adding a new section to chapter 72.09 RCW.

Recommended referral: Committee on Social & Health Services.

**HB 764** by Representative Sommers

AN ACT Relating to the corrections standards board; and amending section 19, chapter 136, Laws of 1981 and RCW 72.09.160.

Recommended referral: Committee on Social & Health Services.

**HB 765** by Representatives R. King and Clayton

AN ACT Relating to industrial insurance; and amending section 2, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 20, Laws of 1982 1st ex. sess. and RCW 51.32.075.

Recommended referral: Committee on Labor.

**HB 766** by Representatives R. King, Sayan, Fisch and Jacobsen

AN ACT Relating to industrial insurance; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 29, chapter 350, Laws of 1977 ex. sess. and RCW

51.16.140; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 18, chapter 63, Laws of 1982 and RCW 51.32.050; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 44, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.060; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 1, chapter 129, Laws of 1980 and RCW 51.32.090; amending section 51.36.010, chapter 23, Laws of 1961 as last amended by section 56, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.010; adding a new section to chapter 51.08 RCW; adding a new section to chapter 51.32 RCW; and adding a new section to chapter 51.52 RCW.

Recommended referral: Committee on Labor.

HB 767 by Representatives Locke, Isaacson and Belcher

AN ACT Relating to forest insect and disease control; amending section 2, chapter 233, Laws of 1951 and RCW 76.06.020; amending section 3, chapter 233, Laws of 1951 and RCW 76.06.030; amending section 4, chapter 233, Laws of 1951 and RCW 76.06.040; amending section 5, chapter 233, Laws of 1951 as amended by section 1, chapter 72, Laws of 1961 and RCW 76.06.050; amending section 6, chapter 233, Laws of 1951 and RCW 76.06.060; amending section 12, chapter 233, Laws of 1951 and RCW 76.06.090; amending section 9, chapter 233, Laws of 1951 as amended by section 12, chapter 67, Laws of 1979 ex. sess. and RCW 76.06.110; adding new sections to chapter 76.06 RCW; repealing section 7, chapter 233, Laws of 1951 and RCW 76.06.070; and repealing section 11, chapter 233, Laws of 1951 and RCW 76.06.080.

Recommended referral: Committee on Natural Resources.

HB 768 by Representative B. Williams

AN ACT Relating to agricultural development; and adding a new chapter to Title 43 RCW.

Recommended referral: Committee on Agriculture.

HB 769 by Representatives Martinis, Wilson and Walk

AN ACT Relating to vehicle size and load; amending section 46.44.010, chapter 12, Laws of 1961 and RCW 46.44.010; amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 4, chapter 113, Laws of 1979 ex. sess. and RCW 46.44.030; and amending section 2, chapter 137, Laws of 1965 as last amended by section 5, chapter 113, Laws of 1979 ex. sess. and RCW 46.44.091.

Recommended referral: Committee on Transportation.

HB 770 by Representatives Wang and Smitherman

AN ACT Relating to the leasehold excise tax; and amending section 2, chapter 61, Laws of 1975-76 2nd ex. sess. as amended by section 11, chapter 196, Laws of 1979 ex. sess. and RCW 82.29A.020.

Recommended referral: Committee on Ways & Means.

HB 771 by Representatives Rust, Sommers and Charnley

AN ACT Relating to solid waste; adding a new section to chapter 43.99F RCW; adding a new section to chapter 70.95 RCW; creating new sections; and making an appropriation.

Recommended referral: Committee on Environmental Affairs.

HB 772 by Representatives Grimm and Armstrong (by Attorney General request)

AN ACT Relating to children; amending section 1, chapter 291, Laws of 1955 and RCW 26.32.010; amending section 1, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.015; amending section 2, chapter 291, Laws of 1955 and RCW 26.32.020; amending section 3, chapter 291, Laws of 1955 as last amended by section 1, chapter 85, Laws of 1980 and RCW 26.32.030; amending section 2, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.032; amending section 3, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.034; amending section 4, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.036; amending section 7, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.042; amending section 8, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.044; amending section 9, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.046; amending section 12, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.054; amending section 14, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.058; amending section 6, chapter 291, Laws of 1955 as amended by section 16, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.060; amending section 9, chapter 291, Laws of 1955 as last amended by section 75, chapter 155, Laws of 1979 and RCW 26.32.090; amending section 12, chapter 63, Laws of 1971 ex. sess. and RCW 26.32.115; amending

section 14, chapter 291, Laws of 1955 and RCW 26.32.140; amending section 15, chapter 291, Laws of 1955 and RCW 26.32.150; amending section 3, chapter 172, Laws of 1971 ex. sess. as amended by section 17, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.210; amending section 9, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.270; amending section 10, chapter 172, Laws of 1971 ex. sess. as amended by section 13, chapter 75, Laws of 1977 and RCW 26.32.280; amending section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 299, Laws of 1981 and RCW 13.04.030; adding new sections to chapter 26.32 RCW; creating new sections; repealing section 5, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.038; repealing section 10, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.048; repealing section 13, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.056; repealing section 11, chapter 291, Laws of 1955, section 38, chapter 292, Laws of 1971 ex. sess. and RCW 26.32.110; repealing section 2, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.200; repealing section 1, chapter 150, Laws of 1935, section 1, chapter 162, Laws of 1939, section 1, chapter 251, Laws of 1951 and RCW 26.36.010; repealing section 2, chapter 150, Laws of 1935 and RCW 26.36.020; repealing section 3, chapter 150, Laws of 1935 and RCW 26.36.030; repealing section 4, chapter 150, Laws of 1935, section 2, chapter 162, Laws of 1939, section 2, chapter 251, Laws of 1951 and RCW 26.36.040; repealing section 1, chapter 82, Laws of 1970 ex. sess., section 21, chapter 80, Laws of 1977 ex. sess., section 20, chapter 165, Laws of 1979 ex. sess. and RCW 26.36.050; repealing section 6, chapter 150, Laws of 1935 and RCW 26.36.060; repealing section 1, chapter 49, Laws of 1903, section 7, chapter 134, Laws of 1973, section 34, chapter 42, Laws of 1975-'76 2nd ex. sess., section 18, chapter 165, Laws of 1979 ex. sess. and RCW 26.37.010; repealing section 2, chapter 49, Laws of 1903, section 44, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.37.020; repealing section 3, chapter 49, Laws of 1903 and RCW 26.37.030; repealing section 4, chapter 49, Laws of 1903 and RCW 26.37.040; repealing section 5, chapter 49, Laws of 1903 and RCW 26.37.050; repealing section 6, chapter 49, Laws of 1903 and RCW 26.37.060; repealing section 7, chapter 49, Laws of 1903 and RCW 26.37.070; repealing section 8, chapter 49, Laws of 1903 and RCW 26.37.080; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Judiciary.

**HB 773** by Representatives Egger, Clayton, Prince, Gallagher, Charnley, Burns, Tanner and Ellis

AN ACT Relating to rural arterials; amending section 7, chapter 120, Laws of 1965 ex. sess. as amended by section 4, chapter 235, Laws of 1977 ex. sess. and RCW 36.78.070; reenacting and amending section 36.81.121, chapter 4, Laws of 1963 as last amended by section 3, chapter 21, Laws of 1975 1st ex. sess. and by section 2, chapter 215, Laws of 1975 1st ex. sess. and RCW 36.81.121; amending section 6, chapter 317, Laws of 1977 ex. sess. as last amended by section 2, chapter 342, Laws of 1981 and RCW 82.36.025; creating a new chapter in Title 36 RCW; and making an appropriation.

Recommended referral: Committee on Transportation.

**HB 774** by Representative Galloway

AN ACT Relating to certain elections; amending section 84.52.056, chapter 15, Laws of 1961 as last amended by section 104, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.056; and providing an effective date.

Recommended referral: Committee on Education.

**HB 775** by Representatives Prince and Gallagher (by Department of Transportation request)

AN ACT Relating to public transportation; reenacting and amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 13, chapter 35, Laws of 1982 1st ex. sess. and by section 20, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.44.150; and adding new sections to chapter 47.05 RCW.

Recommended referral: Committee on Transportation.

**HB 776** by Representative Sommers

AN ACT Relating to timber taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; amending section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015; amending section 1, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.010; amending section 2, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.020; amending section 1, chapter 146, Laws of 1981 as amended by section 3, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.073; amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; amending section 6, chapter 134, Laws of 1980 and RCW 84.33.075; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120;

amending section 16, chapter 294, Laws of 1971 ex. sess. as amended by section 225, chapter 3, Laws of 1983 and RCW 84.33.160; amending section 17, chapter 294, Laws of 1971 ex. sess. as amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33-.071; adding a new chapter to Title 82 RCW to be designated chapter 82.33 RCW; adding a new section to chapter 84.36 RCW; recodifying RCW 84.33.073, 84.33.074, and 84.33.075 as new sections in chapter 82.33 RCW; repealing section 4, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.040; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 22 of this 1983 act and RCW 84.33.071; repealing section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072; repealing section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981 and RCW 84.33.080; repealing section 5, chapter 4, Laws of 1981 and RCW 84.33.085; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090; making appropriations; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 777 by Representatives Hine, Patrick and Holland

AN ACT Relating to annexation of unincorporated areas; adding new sections to chapter 35.13 RCW; and adding new sections to chapter 35A.14 RCW.

Recommended referral: Committee on Local Government.

HB 778 by Representative Grimm AN ACT Relating to consolidation of civil service systems; amending section 1, chapter 12, Laws of 1970 ex. sess. as last amended by section 1, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.020; amending section 4, chapter 1, Laws of 1961 as amended by section 22, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.040; amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.070; amending section 2, chapter 12, Laws of 1970 ex. sess. and RCW 41.06-.080; amending section 16, chapter 1, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1980 and RCW 41.06.160; amending section 28, chapter 1, Laws of 1961 as last amended by section 13, chapter 167, Laws of 1982 and RCW 41.06.280; adding new sections to chapter 41.06 RCW; repealing section 1, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.010; repealing section 2, chapter 36, Laws of 1969 ex. sess., section 41, chapter 169, Laws of 1977 ex. sess., section 14, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.020; repealing section 3, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.030; repealing section 4, chapter 36, Laws of 1969 ex. sess., section 1, chapter 94, Laws of 1977 ex. sess., section 15, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.040; repealing section 6, chapter 36, Laws of 1969 ex. sess., section 73, chapter 34, Laws of 1975-'76 2nd ex. sess., section 19, chapter 338, Laws of 1981 and RCW 28B.16.060; repealing section 7, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.070; repealing section 8, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.080; repealing section 9, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.090; repealing section 10, chapter 36, Laws of 1969 ex. sess., section 1, chapter 19, Laws of 1971 ex. sess., section 2, chapter 154, Laws of 1973, section 2, chapter 75, Laws of 1973 1st ex. sess., section 1, chapter 122, Laws of 1975 1st ex. sess., section 8, chapter 152, Laws of 1977 ex. sess., section 15, chapter 151, Laws of 1979, section 16, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.100; repealing section 9, chapter 152, Laws of 1977 ex. sess., section 19, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.101; repealing section 13, chapter 152, Laws of 1977 ex. sess., section 17, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.105; repealing section 11, chapter 36, Laws of 1969 ex. sess., section 2, chapter 122, Laws of 1975 1st ex. sess., section 10, chapter 152, Laws of 1977 ex. sess., section 16, chapter 151, Laws of 1979,

section 3, chapter 11, Laws of 1980 and RCW 28B.16.110; repealing section 11, chapter 152, Laws of 1977 ex. sess., section 17, chapter 151, Laws of 1979 and RCW 28B.16.112; repealing section 12, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.113; repealing section 12, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.120; repealing section 13, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.130; repealing section 14, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.140; repealing section 15, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.150; repealing section 16, chapter 36, Laws of 1969 ex. sess., section 72, chapter 81, Laws of 1971 and RCW 28B.16.160; repealing section 26, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.170; repealing section 17, chapter 36, Laws of 1969 ex. sess., section 3, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.16.180; repealing section 19, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.190; repealing section 20, chapter 36, Laws of 1969 ex. sess., section 18, chapter 151, Laws of 1979 and RCW 28B.16.200; repealing section 29, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.210; repealing section 31, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.220; repealing section 14, chapter 215, Laws of 1969 ex. sess., section 6, chapter 62, Laws of 1973 and RCW 28B.16.230; repealing section 1, chapter 46, Laws of 1979 ex. sess. and RCW 28B.16.240; repealing section 18, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.250; repealing section 21, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.260; repealing section 22, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.270; repealing section 20, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.280; repealing section 23, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.290; repealing section 18, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.900; repealing section 27, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.910; repealing section 30, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.920; repealing section 28, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.930; and providing an effective date.

Recommended referral: Committee on State Government.

HB 779 by Representatives Patrick and Holland

AN ACT Relating to community planning; creating a new chapter in Title 36 RCW; creating new sections; and declaring an emergency.

Recommended referral: Committee on Local Government.

HJM 22 by Representatives Lux and Moon

Memorializing the President and Congress to adopt a national worker impact policy.

Recommended referral: Committee on Labor.

HJM 23 by Representatives Wang, Johnson, Locke, West, B. Williams, Niemi, Lux, Patrick, Fisher and Burns

Requesting the Congress enact the proposed legislation granting monetary reparations to Japanese-Americans who were interned during World War II.

Recommended referral: Committee on State Government.

HJR 35 by Representatives Isaacson, Pruitt, Barnes, Fisch, Miller, Locke, Long, Jacobsen, Patrick, Charnley, Vander Stoep, Zellinsky, Schoon, Smitherman, Fisher, Sommers, Addison and Sanders

Removing an obsolete provision on presidential voters from the State Constitution.

Recommended referral: Committee on Constitution, Elections & Ethics.

ESB 3131 by Senators Talmadge, Hemstad and Woody

Defining costs which may be awarded to a prevailing party in civil actions.

Recommended referral: Committee on Judiciary.

ESB 3134 by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Extending the license fee on the use of certain special fuels in motor vehicles.

Recommended referral: Committee on Transportation.

ESSB 3277 by Committee on Energy & Utilities (originally sponsored by Senators Rinehart, Hemstad, Williams, Bender, Fuller, Moore, McDermott, Benitz, Haley, Talmadge, Kiskaddon, Guess and Hayner)

Reducing temperature settings on residential hot water heaters.

Recommended referral: Committee on Social & Health Services.

SB 3363 by Senators Moore, Newhouse, Hansen and Thompson

Amending procedures for the selection of port district treasurers.

Recommended referral: Committee on Local Government.

#### MOTION

On motion of Mr. Heck, the bills, memorials and resolutions listed on today's agenda were considered first reading under the fourth order of business and were ordered held on the first reading calendar.

The Speaker (Ms. Niemi presiding) declared the House to be at ease until 3:30 p.m.

The Speaker called the House to order.

#### INTRODUCTIONS AND FIRST READING

HB 780 by Representatives D. Nelson, Locke and Allen

AN ACT Relating to firearms; amending section 1, chapter 172, Laws of 1935 as last amended by section 1, chapter 302, Laws of 1971 ex. sess. and RCW 9.41.010; amending section 4, chapter 172, Laws of 1935 as amended by section 3, chapter 124, Laws of 1961 and RCW 9.41.040; amending section 7, chapter 172, Laws of 1935 as last amended by section 1, chapter 158, Laws of 1979 and RCW 9.41.070; amending section 9, chapter 172, Laws of 1935 as last amended by section 1, chapter 227, Laws of 1969 ex. sess. and RCW 9.41.090; amending section 4, chapter 105, Laws of 1979 ex. sess. as amended by section 6, chapter 145, Laws of 1981 and RCW 10.99.040; amending section 7, chapter 145, Laws of 1981 and RCW 10.99.045; amending section 8, chapter 145, Laws of 1981 and RCW 10.99.055; amending section 6, chapter 157, Laws of 1973 1st ex. sess. as amended by section 3, chapter 32, Laws of 1975 and RCW 26.09.060; amending section 16, chapter 172, Laws of 1935 as amended by section 12, chapter 124, Laws of 1961 and RCW 9.41.160; adding new sections to chapter 9.41 RCW; and prescribing penalties.

Recommended referral: Committee on Judiciary.

HB 781 by Representative Sommers

AN ACT Relating to newspapers; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010; repealing section 21, chapter 37, Laws of 1980 and RCW 82.08.0253; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 782 by Representatives R. King, Fisch and Lux

AN ACT Relating to labor relations; enacting a state labor-management relations act; amending section 15, chapter 234, Laws of 1959 as last amended by section 6, chapter 221, Laws of 1982 and RCW 34.04.150; adding a new chapter to Title 49 RCW; and making an appropriation.

Recommended referral: Committee on Labor.

HB 783 by Representatives Wang and Garrett

AN ACT Relating to insurance; amending section .19.01, chapter 79, Laws of 1947 and RCW 48.19.010; and repealing section .29.14, chapter 79, Laws of 1947 and RCW 48.29.140.

Recommended referral: Committee on Financial Institutions & Insurance.

HB 784 by Representatives McDonald, Grimm, Heck, Cantu, Hine, Tilly, Sommers, G. Nelson, Barrett, Taylor, Sanders and Wang

AN ACT Relating to economic and revenue forecasting; amending section 1, chapter 36, Laws of 1982 1st ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030; amending section 43.88.110, chapter 8, Laws of 1965 as last amended by section 1, chapter 15, Laws of 1982 2nd ex. sess. and RCW 43.88.110; amending section 7, chapter 270,



Laws of 1981 as amended by section 2, chapter 15, Laws of 1982 2nd ex. sess. and RCW 43.88.112; amending section 43.88.120, chapter 8, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1981 and RCW 43.88.120; amending section 5, chapter 280, Laws of 1981 and RCW 43.88.540; amending section 3, chapter 26, Laws of 1967 ex. sess. as amended by section 92, chapter 75, Laws of 1977 and RCW 82.01.060; adding a new chapter to Title 43 RCW; adding a new section to chapter 41.06 RCW; creating a new section; making an appropriation; and providing an effective date.

Recommended referral: Committee on Ways & Means.

**HB 785** by Representatives Martinis, Stratton, B. Williams, Haugen and Wilson

AN ACT Relating to the department of fisheries; creating a new section; making an appropriation; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 786** by Representatives R. King, G. Nelson, Zellinsky, Wilson, Long, Fisher, Smitherman and Jacobsen (by Attorney General request)

AN ACT Relating to cemeteries; amending section 118, chapter 247, Laws of 1943 as last amended by section 2, chapter 133, Laws of 1961 and RCW 68.40.010; amending section 133, chapter 247, Laws of 1943 and RCW 68.44.060; amending section 3, chapter 68, Laws of 1973 1st ex. sess. as amended by section 24, chapter 21, Laws of 1979 and RCW 68.46.030; amending section 6, chapter 68, Laws of 1973 1st ex. sess. as amended by section 25, chapter 21, Laws of 1979 and RCW 68.46.060; amending section 10, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.100; amending section 39, chapter 21, Laws of 1979 and RCW 68.46.210; adding a new section to chapter 68.46 RCW; and prescribing penalties.

Recommended referral: Committee on Judiciary.

**HB 787** by Representatives Sayan, Appelwick, Allen, Schoon, Fisher, Vekich, Stratton, Dellwo, R. King, Holland, Johnson and Miller

AN ACT Relating to unemployment compensation; and amending section 33, chapter 35, Laws of 1945 as last amended by section 3, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.320.

Recommended referral: Committee on Labor.

**HB 788** by Representatives J. King, Lux and Struthers

AN ACT Relating to wholesaler and retailer compensation for affixing cigarette tax stamps; amending section 82.24.070, chapter 15, Laws of 1961 as last amended by section 14, chapter 299, Laws of 1971 ex. sess. and RCW 82.24.070; amending section 2, chapter 59, Laws of 1979 ex. sess. and RCW 82.24.025; and amending section 28A.47.440, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 157, Laws of 1972 ex. sess. and RCW 28A.47.440.

Recommended referral: Committee on Ways & Means.

**HB 789** by Representatives Fisch, Belcher and R. King

AN ACT Relating to eligibility for unemployment compensation benefits and claims; and amending section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090.

Recommended referral: Committee on Labor.

**HB 790** by Representatives Sommers and Miller

AN ACT Relating to higher education; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.80 RCW; creating a new section; and making an appropriation.

Recommended referral: Committee on Higher Education.

**HB 791** by Representatives Charnley, Addison and Sommers

AN ACT Relating to county hospitals; amending section 36.62.180, chapter 4, Laws of 1963 and RCW 36.62.180; amending section 36.62.190, chapter 4, Laws of 1963 and RCW 36.62.190; amending section 36.62.200, chapter 4, Laws of 1963 as amended by section 1, chapter 17, Laws of 1979 ex. sess. and RCW 36.62.200; amending section 36.62.252, chapter 4, Laws of 1963 as last amended by section 1, chapter 277, Laws of 1971 ex. sess. and RCW 36.62.252; amending section 36.62.270, chapter 4, Laws of 1963 as amended by section 2, chapter 277, Laws of 1971 ex. sess. and RCW 36.62.270; amending section 1, chapter 36, Laws of 1967 ex. sess. and RCW 36.62.290; adding new sections to chapter 36.62 RCW;

repealing section 36.62.010, chapter 4, Laws of 1963 and RCW 36.62.010; repealing section 36.62.020, chapter 4, Laws of 1963 and RCW 36.62.020; repealing section 36.62.030, chapter 4, Laws of 1963 and RCW 36.62.030; repealing section 36.62.040, chapter 4, Laws of 1963 and RCW 36.62.040; repealing section 36.62.050, chapter 4, Laws of 1963 and RCW 36.62.050; repealing section 36.62.060, chapter 4, Laws of 1963 and RCW 36.62.060; repealing section 36.62.070, chapter 4, Laws of 1963, section 26, chapter 232, Laws of 1969 ex. sess., section 49, chapter 56, Laws of 1970 ex. sess. and RCW 36.62.070; repealing section 36.62.080, chapter 4, Laws of 1963 and RCW 36.62.080; repealing section 36.62.090, chapter 4, Laws of 1963, section 37, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.62.090; repealing section 36.62.100, chapter 4, Laws of 1963 and RCW 36.62.100; repealing section 36.62.110, chapter 4, Laws of 1963, section 2, chapter 36, Laws of 1967 ex. sess. and RCW 36.62.110; repealing section 36.62.120, chapter 4, Laws of 1963 and RCW 36.62.120; repealing section 36.62.130, chapter 4, Laws of 1963 and RCW 36.62.130; repealing section 36.62.140, chapter 4, Laws of 1963 and RCW 36.62.140; repealing section 36.62.150, chapter 4, Laws of 1963 and RCW 36.62.150; repealing section 36.62.160, chapter 4, Laws of 1963 and RCW 36.62.160; repealing section 36.62.170, chapter 4, Laws of 1963 and RCW 36.62.170; repealing section 36.62.210, chapter 4, Laws of 1963 and RCW 36.62.210; repealing section 36.62.220, chapter 4, Laws of 1963 and RCW 36.62.220; repealing section 36.62.230, chapter 4, Laws of 1963 and RCW 36.62.230; repealing section 36.62.240, chapter 4, Laws of 1963, section 44, chapter 141, Laws of 1979 and RCW 36.62.240; and repealing section 3, chapter 277, Laws of 1971 ex. sess. and RCW 36.62.281.

Recommended referral: Committee on Local Government.

HB 792 by Representatives Belcher, Fisch, R. King and Allen

AN ACT Relating to public employees' collective bargaining; amending section 4, chapter 53, Laws of 1982 1st ex. sess. and RCW 41.06.150; amending section 17, chapter 1, Laws of 1961 as last amended by section 19, chapter 311, Laws of 1981 and RCW 41.06.170; amending section 2, chapter 108, Laws of 1967 ex. sess. as amended by section 98, chapter 3, Laws of 1983 and RCW 41.56.020; amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.030; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 16, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.100; amending section 9, chapter 152, Laws of 1977 ex. sess. as amended by section 19, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.101; amending section 12, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.120; amending section 20, chapter 36, Laws of 1969 ex. sess. as amended by section 18, chapter 151, Laws of 1979 and RCW 28B.16.200; amending section 28, chapter 1, Laws of 1961 as last amended by section 13, chapter 167, Laws of 1982 and RCW 41.06.280; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.58 RCW; adding a new section to chapter 43.01 RCW; creating new sections; repealing section 13, chapter 152, Laws of 1977 ex. sess., section 17, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.16.105; repealing section 11, chapter 36, Laws of 1969 ex. sess., section 2, chapter 122, Laws of 1975 1st ex. sess., section 10, chapter 152, Laws of 1977 ex. sess., section 16, chapter 151, Laws of 1979, section 3, chapter 11, Laws of 1980 and RCW 28B.16.110; repealing section 11, chapter 152, Laws of 1977 ex. sess., section 17, chapter 151, Laws of 1979 and RCW 28B.16.112; repealing section 12, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.113; repealing section 15, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.150; repealing section 16, chapter 36, Laws of 1969 ex. sess., section 72, chapter 81, Laws of 1971 and RCW 28B.16.160; repealing section 14, chapter 215, Laws of 1969 ex. sess., section 6, chapter 62, Laws of 1973 and RCW 28B.16.230; repealing section 16, chapter 1, Laws of 1961, section 2, chapter 152, Laws of 1977 ex. sess., section 58, chapter 151, Laws of 1979, section 1, chapter 11, Laws of 1980 and RCW 41.06.160; repealing section 3, chapter 152, Laws of 1977 ex. sess., section 59, chapter 151, Laws of 1979 and RCW 41.06.163; repealing section 4, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.165; repealing section 13, chapter 215, Laws of 1969 ex. sess. and RCW 41.06.340; repealing section 1, chapter 311, Laws of 1981 and RCW 41.64.010; repealing section 3, chapter 311, Laws of 1981 and RCW 41.64.020; repealing section 4, chapter 311, Laws of 1981 and RCW 41.64.030; repealing section 5, chapter 311, Laws of 1981 and RCW 41.64.040; repealing section 6, chapter 311, Laws of 1981 and RCW 41.64.050; repealing section 7, chapter 311, Laws of 1981 and RCW 41.64.060; repealing section 8, chapter 311, Laws of 1981 and RCW 41.64.070; repealing section 9, chapter 311, Laws of 1981 and RCW 41.64.080; repealing section 10, chapter 311, Laws of 1981 and RCW 41.64.090; repealing section 11, chapter 311, Laws of 1981 and RCW 41.64.100; repealing section 12, chapter 311, Laws of 1981 and RCW 41.64.110; repealing section 13, chapter 311, Laws of 1981 and RCW 41.64.120; repealing section 14, chapter 311, Laws of 1981 and RCW 41.64.130; repealing section 15, chapter 311, Laws of 1981 and RCW 41.64.140; repealing section 2, chapter 311, Laws of 1981 and RCW 41.64.900; repealing section 24, chapter 311, Laws of 1981 and RCW 41.64.910; and providing an effective date.

Recommended referral: Committee on Labor.

HB 793 by Representative Kaiser

AN ACT Relating to agricultural commodities.

Recommended referral: Committee on Agriculture.

HB 794 by Representatives Van Dyken, Braddock, McDonald and McMullen

AN ACT Relating to hydraulic works; and amending section 75.20.100, chapter 12, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1975 1st ex. sess. and RCW 75.20.100.

Recommended referral: Committee on Local Government.

HB 795 by Representatives Tilly, Sanders and Long

AN ACT Relating to cosmetology licensing; amending section 10, chapter ... (SB 3036), Laws of 1983 and RCW 43.24.085; creating a new chapter in Title 18 RCW; repealing section 1, chapter 25, Laws of 1974 ex. sess., section 14, chapter 158, Laws of 1979, section 1, chapter 242, Laws of 1979 ex. sess., section 1, chapter 225, Laws of 1982 and RCW 18.18.010; repealing section 8, chapter 215, Laws of 1937, section 17, chapter 148, Laws of 1973 1st ex. sess., section 15, chapter 158, Laws of 1979, section 2, chapter 225, Laws of 1982 and RCW 18.18.020; repealing section 1, chapter 215, Laws of 1937, section 2, chapter 3, Laws of 1965 ex. sess., section 18, chapter 148, Laws of 1973 1st ex. sess., section 4, chapter 225, Laws of 1982 and RCW 18.18.030; repealing section 18, chapter 215, Laws of 1937, section 19, chapter 148, Laws of 1973 1st ex. sess., section 5, chapter 225, Laws of 1982 and RCW 18.18.040; repealing section 2, chapter 180, Laws of 1951, section 3, chapter 52, Laws of 1957, section 3, chapter 324, Laws of 1959, section 21, chapter 148, Laws of 1973 1st ex. sess., section 6, chapter 225, Laws of 1982 and RCW 18.18.050; repealing section 2, chapter 324, Laws of 1959, section 3, chapter 3, Laws of 1965 ex. sess., section 22, chapter 148, Laws of 1973 1st ex. sess., section 7, chapter 225, Laws of 1982 and RCW 18.18.065; repealing section 4, chapter 180, Laws of 1951, section 5, chapter 52, Laws of 1957, section 4, chapter 3, Laws of 1965 ex. sess., section 6, chapter 283, Laws of 1981, section 8, chapter 225, Laws of 1982 and RCW 18.18.070; repealing section 7, chapter 283, Laws of 1981 and RCW 18.18.075; repealing section 9, chapter 225, Laws of 1982 and RCW 18.18.078; repealing section 3, chapter 225, Laws of 1982 and RCW 18.18.085; repealing section 5, chapter 180, Laws of 1951, section 3, chapter 313, Laws of 1955, section 4, chapter 324, Laws of 1959, section 6, chapter 3, Laws of 1965 ex. sess., section 23, chapter 148, Laws of 1973 1st ex. sess., section 13, chapter 30, Laws of 1975 1st ex. sess., section 2, chapter 242, Laws of 1979 ex. sess. and RCW 18.18.090; repealing section 7, chapter 215, Laws of 1937, section 7, chapter 3, Laws of 1965 ex. sess., section 24, chapter 148, Laws of 1973 1st ex. sess., section 16, chapter 158, Laws of 1979 and RCW 18.18.100; repealing section 1, chapter 168, Laws of 1953, section 11, chapter 225, Laws of 1982 and RCW 18.18.102; repealing section 2, chapter 168, Laws of 1953, section 8, chapter 3, Laws of 1965 ex. sess., section 30, chapter 34, Laws of 1975-76 2nd ex. sess., section 12, chapter 225, Laws of 1982 and RCW 18.18.104; repealing section 3, chapter 168, Laws of 1953 and RCW 18.18.106; repealing section 4, chapter 168, Laws of 1953, section 13, chapter 225, Laws of 1982 and RCW 18.18.108; repealing section 4, chapter 313, Laws of 1955, section 9, chapter 3, Laws of 1965 ex. sess., section 25, chapter 148, Laws of 1973 1st ex. sess., section 14, chapter 225, Laws of 1982 and RCW 18.18.110; repealing section 14, chapter 215, Laws of 1937, section 6, chapter 180, Laws of 1951, section 10, chapter 3, Laws of 1965 ex. sess., section 14, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.18.120; repealing section 5, chapter 313, Laws of 1955, section 15, chapter 225, Laws of 1982 and RCW 18.18.130; repealing section 7, chapter 180, Laws of 1951, section 6, chapter 313, Laws of 1955, section 5, chapter 324, Laws of 1959, section 11, chapter 3, Laws of 1965 ex. sess., section 3, chapter 266, Laws of 1971 ex. sess., section 27, chapter 148, Laws of 1973 1st ex. sess., section 15, chapter 30, Laws of 1975 1st ex. sess., section 2, chapter 310, Laws of 1977 ex. sess., section 3, chapter 242, Laws of 1979 ex. sess., section 16, chapter 225, Laws of 1982 and RCW 18.18.140; repealing section 6, chapter 52, Laws of 1957 and RCW 18.18.150; repealing section 7, chapter 52, Laws of 1957, section 6, chapter 324, Laws of 1959, section 17, chapter 225, Laws of 1982 and RCW 18.18.160; repealing section 8, chapter 52, Laws of 1957, section 7, chapter 324, Laws of 1959, section 18, chapter 225, Laws of 1982 and RCW 18.18.170; repealing section 6, chapter 215, Laws of 1937 and RCW 18.18.180; repealing section 8, chapter 180, Laws of 1951, section 9, chapter 52, Laws of 1957, section 12, chapter 3, Laws of 1965 ex. sess., section 26, chapter 148, Laws of 1973 1st ex. sess., section 19, chapter 225, Laws of 1982 and RCW 18.18.190; repealing section 4, chapter 215, Laws of 1937, section 20, chapter 225, Laws of 1982 and RCW 18.18.200; repealing section 9, chapter 180, Laws of 1951, section 10, chapter 52, Laws of 1957, section 13, chapter 3, Laws of 1965 ex. sess., section 21, chapter 225, Laws of 1982 and RCW 18.18.210; repealing section 15, chapter 215, Laws of 1937, section 8, chapter 324, Laws of 1959, section 28, chapter 148, Laws of 1973 1st ex. sess., section 22, chapter 225, Laws of 1982 and RCW 18.18.220; repealing section 16, chapter 215, Laws of 1937, section 15, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.230; repealing section 14, chapter 3, Laws of 1965 ex. sess., section 31, chapter 34, Laws of 1975-76 2nd ex. sess.,

section 9, chapter 75, Laws of 1977 and RCW 18.18.251; repealing section 11, chapter 52, Laws of 1957, section 9, chapter 324, Laws of 1959, section 17, chapter 3, Laws of 1965 ex. sess., section 29, chapter 148, Laws of 1973 1st ex. sess., section 1, chapter 310, Laws of 1977 ex. sess., section 4, chapter 242, Laws of 1979 ex. sess., section 23, chapter 225, Laws of 1982 and RCW 18.18.260; repealing section 12, chapter 52, Laws of 1957, section 30, chapter 148, Laws of 1973 1st ex. sess., section 24, chapter 225, Laws of 1982 and RCW 18.18.270; repealing section 5, chapter 242, Laws of 1979 ex. sess. and RCW 18.18.275; repealing section 16, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.290; repealing section 20, chapter 148, Laws of 1973 1st ex. sess., section 17, chapter 158, Laws of 1979, section 25, chapter 225, Laws of 1982 and RCW 18.18.300; repealing section 19, chapter 215, Laws of 1937 and RCW 18.18.900; repealing section 20, chapter 215, Laws of 1937 and RCW 18.18.910; repealing section 36, chapter 99, Laws of 1979 and RCW 43.131.219; repealing section 78, chapter 99, Laws of 1979 and RCW 43.131.220; prescribing penalties; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Commerce & Economic Development.

HB 796 by Representatives Walk, J. King, Hankins, B. Williams and Hine

AN ACT Relating to state government; amending section 4, chapter 319, Laws of 1977 ex. sess. as last amended by section 5, chapter 182, Laws of 1982 and RCW 19.02.040; amending section 13, chapter 239, Laws of 1967 and RCW 39.34.120; amending section 1, chapter 10, Laws of 1979 as amended by section 61, chapter 136, Laws of 1981 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 as amended by section 62, chapter 136, Laws of 1981 and RCW 43.17.020; amending section 17, chapter 62, Laws of 1970 ex. sess. as amended by section 68, chapter 141, Laws of 1979 and RCW 43.21A.170; amending section 3, chapter 19, Laws of 1977 ex. sess. as amended by section 150, chapter 151, Laws of 1979 and RCW 43.132.030; amending section 4, chapter 11, Laws of 1982 1st ex. sess. and RCW 43.150.040; amending section 3, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.030; amending section 28, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.270; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 173, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 76.09.030; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating new sections; repealing section 43.31.010, chapter 8, Laws of 1965 and RCW 43.31.010; repealing section 43.31.020, chapter 8, Laws of 1965 and RCW 43.31.020; repealing section 43.31.030, chapter 8, Laws of 1965 and RCW 43.31.030; repealing section 43.31.040, chapter 8, Laws of 1965, section 2, chapter 10, Laws of 1965, section 2, chapter 221, Laws of 1967, section 6, chapter 70, Laws of 1977 ex. sess., section 13, chapter 295, Laws of 1981 and RCW 43.31.040; repealing section 43.31.050, chapter 8, Laws of 1965, section 53, chapter 75, Laws of 1977 and RCW 43.31.050; repealing section 43.31.060, chapter 8, Laws of 1965 and RCW 43.31.060; repealing section 43.31.070, chapter 8, Laws of 1965 and RCW 43.31.070; repealing section 43.31.080, chapter 8, Laws of 1965 and RCW 43.31.080; repealing section 43.31.110, chapter 8, Laws of 1965, section 109, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.31.110; repealing section 43.31.120, chapter 8, Laws of 1965 and RCW 43.31.120; repealing section 43.31.130, chapter 8, Laws of 1965, section 110, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.31.130; repealing section 43.31.140, chapter 8, Laws of 1965 and RCW 43.31.140; repealing section 43.31.150, chapter 8, Laws of 1965 and RCW 43.31.150; repealing section 43.31.160, chapter 8, Laws of 1965, section 54, chapter 75, Laws of 1977 and RCW 43.31.160; repealing section 43.31.170, chapter 8, Laws of 1965 and RCW 43.31.170; repealing section 43.31.180, chapter 8, Laws of 1965 and RCW 43.31.180; repealing section 43.31.200, chapter 8, Laws of 1965, section 42, chapter 171, Laws of 1974 ex. sess. and RCW 43.31.200; repealing section 43.31.210, chapter 8, Laws of 1965 and RCW 43.31.210; repealing section 43.31.220, chapter 8, Laws of 1965 and RCW 43.31.220; repealing section 43.31.230, chapter 8, Laws of 1965 and RCW 43.31.230; repealing section 1, chapter 221, Laws of 1967 and RCW 43.31.350; repealing section 3, chapter 221, Laws of 1967 and RCW 43.31.360; repealing section 4, chapter 221, Laws of 1967 and RCW 43.31.370; repealing section 1, chapter 148, Laws of 1965, section 2, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.790; repealing section 2, chapter 148, Laws of 1965, section 3, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.800; repealing section 3, chapter 148, Laws of 1965, section 3, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.810; repealing section 4, chapter 148, Laws of 1965, section 4, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.820; repealing section 5, chapter 148, Laws of 1965, section 5, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.830; repealing section 1, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.831; repealing section 2, chapter 93, Laws of 1972 ex. sess., section 8, chapter 292, Laws of 1975 1st ex. sess., section 1, chapter 2, Laws of 1981 2nd ex. sess. and RCW 43.31.832; repealing section 3, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.833; repealing section 4, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.834; repealing section 6, chapter 148, Laws of 1965, section 6, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.840; repealing section 8, chapter 148, Laws of

1965, section 7, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.850; repealing section 10, chapter 148, Laws of 1965 and RCW 43.31.860; repealing section 1, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.870; repealing section 2, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.875; repealing section 3, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.880; repealing section 4, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.885; repealing section 5, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.890; repealing section 6, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.895; repealing section 7, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.900; repealing section 8, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.910; repealing section 1, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.915; repealing section 2, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.920; repealing section 3, chapter 70, Laws of 1977 ex. sess., section 9, chapter 6, Laws of 1982 and RCW 43.31.925; repealing section 4, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.930; repealing section 5, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.935; providing an effective date; and declaring an emergency.

Recommended referral: Committee on State Government.

HB 797 by Representatives McClure, Sutherland, Sayan and Heck

AN ACT Relating to timber taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; amending section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015; amending section 1, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.010; amending section 2, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.020; amending section 1, chapter 146, Laws of 1981 as amended by section 3, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.073; amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; amending section 6, chapter 134, Laws of 1980 and RCW 84.33.075; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120; amending section 16, chapter 294, Laws of 1971 ex. sess. as amended by section 225, chapter 3, Laws of 1983 and RCW 84.33.160; amending section 17, chapter 294, Laws of 1971 ex. sess. as amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; adding a new chapter to Title 82 RCW to be designated chapter 82.33 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; recodifying RCW 84.33.073, 84.33.074, and 84.33.075 as new sections in chapter 82.33 RCW; repealing section 4, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.040; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 22 of this 1983 act and RCW 84.33.071; repealing section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072; repealing section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981 and RCW 84.33.080; repealing section 5, chapter 4, Laws of 1981 and RCW 84.33.085; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090; making appropriations; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 798 by Representative Grimm

AN ACT Relating to business and occupation taxation; repealing section 10, chapter 172, Laws of 1981 and RCW 82.04.265; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 799 by Representatives Berozoff, Egger, Schmidt, Belcher, Schoon, Walk, Monohon, Dellwo, Martinis, Garrett, Wilson, J. Williams, Sanders, Mitchell, Patrick, Allen, Fisher, Fisch, Powers, Silver, Long, McMullen, Braddock, Van Dyken, Ballard, Charnley, Miller, Nealey, Vander Stoep, Holland and Johnson

AN ACT Relating to traffic laws; and amending section 15, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 33, Laws of 1972 ex. sess. and RCW 46.61.100.

Recommended referral: Committee on Transportation.

**HB 800** by Representatives Van Dyken, Pruitt, McDonald, Johnson, Allen and Miller

AN ACT Relating to fair political practices; limiting campaign contributions; adding to the duties of the public disclosure commission; amending section 1, chapter 1, Laws of 1973 as amended by section 1, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.010; amending section 3, chapter 1, Laws of 1973 as amended by section 2, chapter 313, Laws of 1977 ex. sess. and RCW 42.17.030; adding new sections to chapter 42.17 RCW; creating a new section; and providing an effective date.

Recommended referral: Committee on Constitution, Elections & Ethics.

**HB 801** by Representatives Wilson, Martinis and Stratton

AN ACT Relating to hydraulic works; and amending section 75.20.100, chapter 12, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1975 1st ex. sess. and RCW 75.20.100.

Recommended referral: Committee on Natural Resources.

**HB 802** by Representative D. Nelson

AN ACT Relating to used oil recycling; and adding new sections to chapter 70.93 RCW.

Recommended referral: Committee on Environmental Affairs.

**HB 803** by Representatives Charnley, Belcher and Rust

AN ACT Relating to revenues from personalized license plates; and amending section 11, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 118, chapter 3, Laws of 1983 and RCW 46.16.605.

Recommended referral: Committee on Environmental Affairs.

**HB 804** by Representatives Smitherman, Zellinsky, Tilly, Sanders, Holland, Schoon, Isaacson, Johnson, Long and Allen

AN ACT Relating to state government; and adding a new section to chapter 43.17 RCW.

Recommended referral: Committee on State Government.

**HB 805** by Representatives Smitherman and Zellinsky

AN ACT Relating to the business and occupation tax; amending section 12, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.395; and amending section 14, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.397.

Recommended referral: Committee on Ways & Means.

**HB 806** by Representatives McClure, Fisch, Sayan and Vekich

AN ACT Relating to cities and towns; and adding a new section to chapter 35.21 RCW.

Recommended referral: Committee on Local Government.

**HB 807** by Representatives D. Nelson, Heck and Galloway

AN ACT Relating to business and occupation taxation; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 808** by Representative Garrett

AN ACT Relating to churches; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 15, chapter 63, Laws of 1982 and RCW 51.12.020; and adding a new section to chapter 51.08 RCW.

Recommended referral: Committee on Labor.

**HB 809** by Representatives Heck, Kreidler, Belcher and Allen

AN ACT Relating to public funds; amending section 9, chapter 167, Laws of 1961 as last amended by section 4, chapter 8, Laws of 1982 2nd ex. sess. and RCW 79.24.580; amending section 79, chapter 21, Laws of 1982 1st ex. sess. as amended by section 2, chapter 8, Laws of 1982 2nd ex. sess. and RCW 79.92.110; amending section 28B.40.751, chapter 223, Laws of 1969 ex. sess. as amended by section 87, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.751; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 810** by Representatives Isaacson, Hankins, Stratton, Hastings and Egger

AN ACT Repealing the energy financing voter approval act (Initiative Measure No. 394); repealing section 1, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.010; repealing section 2, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.020; repealing section 3, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.030; repealing section 4, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.040; repealing section 5, chapter 6, Laws of 1981 2nd ex. sess., section 1, chapter 88, Laws of 1982 and RCW 80.52.050; repealing section 6, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.060; repealing section 7, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.070; repealing section 8, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.080; repealing section 10, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.900; and repealing section 11, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.910.

Recommended referral: Committee on Energy & Utilities.

**HB 811** by Representatives Niemi, Locke, Burns, Fisher and Kreidler

AN ACT Relating to the financial responsibility of recipients and parents of minor recipients for services of the department of social and health services; amending section 76, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.220; amending section 9, chapter 126, Laws of 1959 and RCW 72.33.580; adding new sections to chapter 43.20A RCW; adding a new section to chapter 13.34 RCW; creating new sections; repealing section 4, chapter 127, Laws of 1967 ex. sess., section 64, chapter 292, Laws of 1971 ex. sess. and RCW 71.02.411; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Social & Health Services.

**HB 812** by Representative Monohon

AN ACT Relating to the retirement of public employees; adding new sections to chapter 41.04 RCW; providing an effective date; and making an appropriation.

Recommended referral: Committee on Ways & Means.

**HB 813** by Representatives Lux, Sanders, Broback, Zellinsky, Tanner, Monohon, Garrett and Martinis

AN ACT Relating to financial responsibility for motor vehicle accidents; amending section 8, chapter 169, Laws of 1963 as amended by section 1, chapter 124, Laws of 1965 and RCW 46.29.080; and amending section 49, chapter 169, Laws of 1963 as last amended by section 6, chapter 117, Laws of 1980 and RCW 46.29.490.

Recommended referral: Committee on Judiciary.

**HB 814** by Representatives Lux, Rust, D. Nelson, Garrett, Armstrong, Brekke and Burns

AN ACT Relating to hazardous waste; amending section 1, chapter 101, Laws of 1975-76 2nd ex. sess. and RCW 70.105.010; adding new sections to chapter 70.105 RCW; creating new sections; and making an appropriation.

Recommended referral: Committee on Environmental Affairs.

**HB 815** by Representatives Barrett, R. King and Moon

AN ACT Relating to revenues received by bona fide charitable and nonprofit organizations; and amending section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110.

Recommended referral: Committee on Ways & Means.

**HB 816** by Representatives Charnley, O'Brien, Hine, Locke, Brough, Sommers, McDonald, Niemi and Johnson

AN ACT Relating to local government housing authorities; amending section 35.82-.020, chapter 7, Laws of 1965 as last amended by section 1, chapter 187, Laws of 1979 ex. sess. and RCW 35.82.020; amending section 35.82.070, chapter 7, Laws of 1965 as amended by section 2, chapter 274, Laws of 1977 ex. sess. and RCW 35.82.070; amending section

35.82.080, chapter 7, Laws of 1965 as amended by section 3, chapter 274, Laws of 1977 ex. sess. and RCW 35.82.080; and adding a new section to chapter 35.82 RCW.

Recommended referral: Committee on Local Government.

**HB 817** by Representatives R. King, Patrick, Lux, Brekke, J. King, Schmidt, Pruitt, Clayton, McMullen, Hankins, Fisch, Hine, Heck, Gallagher and Dickie

AN ACT Relating to industrial insurance; and adding a new section to chapter 51.32 RCW.

Recommended referral: Committee on Labor.

**HB 818** by Representative Clayton (by State Patrol request)

AN ACT Relating to the Washington state patrol; and amending section 2, chapter 67, Laws of 1981 as amended by section 1, chapter 189, Laws of 1982 and RCW 34.12.020.

Recommended referral: Committee on State Government.

**HB 819** by Representatives Schoon, Brough, Long and Belcher

AN ACT Relating to motor carrier safety and weight control; amending section 81.80-.010, chapter 14, Laws of 1961 as last amended by section 1, chapter 71, Laws of 1982 and RCW 81.80.010; amending section 81.80.040, chapter 14, Laws of 1961 as last amended by section 1, chapter 6, Laws of 1979 ex. sess. and RCW 81.80.040; amending section 81.80.070, chapter 14, Laws of 1961 as amended by section 1, chapter 242, Laws of 1963 and RCW 81.80.070; amending section 81.80.300, chapter 14, Laws of 1961 as last amended by section 1, chapter 63, Laws of 1977 ex. sess. and RCW 81.80.300; amending section 81.04.390, chapter 14, Laws of 1961 as amended by section 5, chapter 104, Laws of 1980 and RCW 81.04.390; adding new sections to chapter 43.43 RCW; and prescribing penalties.

Recommended referral: Committee on Transportation.

**HB 820** by Representatives Gallagher, Kaiser, Walk and Moon

AN ACT Relating to cities and towns; and amending section 4, chapter 28, Laws of 1969 and RCW 35.79.030.

Recommended referral: Committee on Local Government.

**HB 821** by Representatives Belcher and Miller (by Secretary of State request)

AN ACT Relating to primary elections; amending section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030; amending section 29.80.010, chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010; amending section 29.80.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.020; amending section 29.80.030, chapter 9, Laws of 1965 as amended by section 4, chapter 57, Laws of 1979 ex. sess. and RCW 29.80.030; amending section 29.80.040, chapter 9, Laws of 1965 as amended by section 2, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.040; amending section 29.80.050, chapter 9, Laws of 1965 as amended by section 3, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.050; amending section 29.80.060, chapter 9, Laws of 1965 and RCW 29.80.060; and amending section 1, chapter 243, Laws of 1981 and RCW 29.80.080.

Recommended referral: Committee on Constitution, Elections & Ethics.

**HB 822** by Representatives Barnes and Addison

AN ACT Relating to school districts; creating a new section; and making an appropriation.

Recommended referral: Committee on Education.

**HB 823** by Representative Grimm

AN ACT Relating to claims against the state; and amending section 4, chapter 95, Laws of 1895 as last amended by section 1, chapter 167, Laws of 1979 ex. sess. and RCW 4.92.040.

Recommended referral: Committee on Ways & Means.

**HB 824** by Representatives McClure and Bond

AN ACT Relating to the taxation of motor carriers of freight for hire; and amending section 3, chapter 169, Laws of 1982 and RCW 35.21.850.

Recommended referral: Committee on Transportation.



**HB 825** by Representative Van Dyken

AN ACT Relating to alcoholic beverage control; adding a new section to chapter 66.28 RCW; adding a new section to chapter 66.44 RCW; creating a new section; and prescribing penalties.

Recommended referral: Committee on Judiciary.

**HB 826** by Representative Egger

AN ACT Relating to the urban arterials; amending section 46.68.090, chapter 12, Laws of 1961 as last amended by section 184, chapter 158, Laws of 1979 and RCW 46.68.090; and amending section 6, chapter 317, Laws of 1977 ex. sess. as last amended by section 2, chapter 342, Laws of 1981 and RCW 82.36.025.

Recommended referral: Committee on Transportation.

**HB 827** by Representatives Pruitt, Lewis, Belcher, Long, Miller, Tilly, Halsan and Silver (by Secretary of State request)

AN ACT Relating to voters' and candidates' pamphlets; and adding a new section to chapter 29.81 RCW.

Recommended referral: Committee on Constitution, Elections & Ethics.

**HB 828** by Representatives Schmidt, B. Williams and Hankins

AN ACT Relating to sellers of travel; adding a new chapter to Title 18 RCW; and prescribing penalties.

Recommended referral: Committee on Commerce & Economic Development.

**HB 829** by Representative Cantu

AN ACT Relating to emergency shelter facilities; amending section 22, chapter 155, Laws of 1979 as amended by section 6, chapter 298, Laws of 1981 and RCW 13.32A.080; and amending section 2, chapter 172, Laws of 1967 as last amended by section 5, chapter 118, Laws of 1982 and RCW 74.15.020.

Recommended referral: Committee on Social & Health Services.

**HB 830** by Representative Barnes

AN ACT Relating to participation in the social security system; and amending section 2, chapter 183, Laws of 1957 as amended by section 77, chapter 154, Laws of 1973 1st ex. sess. and RCW 41.33.020.

Recommended referral: Committee on Ways & Means.

**HB 831** by Representatives Schmidt and Sanders

AN ACT Relating to unemployment insurance; amending section 15, chapter 35, Laws of 1945 and RCW 50.04.140; and amending section 1, chapter 181, Laws of 1957 and RCW 50.04.235.

Recommended referral: Committee on Labor.

**HB 832** by Representatives McClure, B. Williams, Vander Stoep, Stratton and Belcher

AN ACT Relating to food fish and shellfish; amending section 13, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.630; adding a new section to chapter 75.28 RCW; and providing an effective date.

Recommended referral: Committee on Natural Resources.

**HB 833** by Representatives Schmidt, Zellinsky, B. Williams, Barrett, Hankins, J. Williams, Ballard, Betrozoff, Schoon, Taylor, Wilson, Sanders, Tilly, Holland, Silver, Isaacson, Johnson, Barnes, Clayton and Miller

AN ACT Relating to commerce and economic development; amending section 80, chapter 340, Laws of 1981 as last amended by section 20, chapter ... (SB 3100), Laws of 1983 (uncodified); making an appropriation; and declaring an emergency.

Recommended referral: Committee on Commerce & Economic Development.

**HB 834** by Representatives Isaacson, D. Nelson and Miller

AN ACT Relating to joint operating agencies; and adding a new section to chapter 43.52 RCW.

Recommended referral: Committee on Energy & Utilities.

**HB 835** by Representative Monohon

AN ACT Relating to state funds; and amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.08.180.

Recommended referral: Committee on Ways & Means.

**HB 836** by Representative West

AN ACT Relating to state government; amending section 2, chapter 320, Laws of 1977 ex. sess. as amended by section 13, chapter 270, Laws of 1981 and RCW 43.88.290; and prescribing penalties.

Recommended referral: Committee on Ways & Means.

**HB 837** by Representatives Schoon, Brough, Long, Belcher and Pruitt

AN ACT Relating to motor vehicle weight control; amending section 81.80.010, chapter 14, Laws of 1961 as last amended by section 1, chapter 71, Laws of 1982 and RCW 81.80.010; amending section 81.80.040, chapter 14, Laws of 1961 as last amended by section 1, chapter 6, Laws of 1979 ex. sess. and RCW 81.80.040; amending section 81.80.070, chapter 14, Laws of 1961 as amended by section 1, chapter 242, Laws of 1963 and RCW 81.80.070; amending section 81.80.300, chapter 14, Laws of 1961 as last amended by section 1, chapter 63, Laws of 1977 ex. sess. and RCW 81.80.300; amending section 81.04.460, chapter 14, Laws of 1961 as amended by section 2, chapter 173, Laws of 1961 and RCW 81.04.460; amending section 81.04.385, chapter 14, Laws of 1961 and RCW 81.04.385; amending section 81.04.387, chapter 14, Laws of 1961 and RCW 81.04.387; amending section 81.04.390, chapter 14, Laws of 1961 as amended by section 5, chapter 104, Laws of 1980 and RCW 81.04.390; adding a new section to chapter 81.80 RCW; and prescribing penalties.

Recommended referral: Committee on Transportation.

**HB 838** by Representatives Stratton, Dellwo, Isaacson, Hastings, Barnes, Egger, Zellinsky, Clayton, Dickie, Ellis, Schmidt, Bond, Hankins and Lewis

AN ACT Relating to public agency financing to acquire an electric generating project or any part thereof or right therein; adding a new chapter to Title 80 RCW; and declaring an emergency.

Recommended referral: Committee on Energy & Utilities.

**HB 839** by Representatives Fisch, Brekke, Jacobsen, D. Nelson and R. King

AN ACT Relating to employment; adding a new section to chapter 49.44 RCW; and prescribing penalties.

Recommended referral: Committee on Labor.

**HB 840** by Representatives Ebersole, Hine, Fisher, Miller, Holland, Patrick and Armstrong

AN ACT Relating to consumer protection; and adding a new section to chapter 19.86 RCW.

Recommended referral: Committee on Judiciary.

**HB 841** by Representatives Barnes, Lux, Bond, R. King, Crane, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell and Holland

AN ACT Relating to absentee service voters; amending section 29.39.130, chapter 9, Laws of 1965 and RCW 29.39.130.

Recommended referral: Committee on Constitution, Elections & Ethics.

**HB 842** by Representatives Pruitt, Long and Miller (by Secretary of State request)

AN ACT Relating to ballot protection and accuracy; amending section 67, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.125; amending section 70, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.145; amending section 71, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.153; amending section 73, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.163; amending section 74, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.167;

adding a new section to chapter 29.34 RCW; and adding a new section to chapter 29.48 RCW.

Recommended referral: Committee on Constitution, Elections & Ethics.

**HB 843** by Representatives Monohon, B. Williams, Sommers and Grimm

AN ACT Relating to retirement from public service; amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010; amending section 1, chapter 274, Laws of 1947 as last amended by section 6, chapter 256, Laws of 1981 and RCW 41.40.010; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; creating a new section; repealing section 2, chapter 10, Laws of 1982 1st ex. sess. and RCW 41.32.4985; repealing section 34, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.187; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 844** by Representatives Sutherland, Isaacson, Ellis, Nealey, Dickie, Egger and Galloway

AN ACT Relating to trespassing; adding new sections to chapter 9A.52 RCW; creating a new section; and prescribing penalties.

Recommended referral: Committee on Agriculture.

**HB 845** by Representative B. Williams

AN ACT Relating to state property; and adding a new chapter to Title 43 RCW.

Recommended referral: Committee on State Government.

**HB 846** by Representative Isaacson

AN ACT Relating to electric utility rate changes and tax credits; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.24 RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 87.03 RCW; and adding a new chapter to Title 80 RCW.

Recommended referral: Committee on Energy & Utilities.

**HB 847** by Representatives Ballard, Betzoff, Brough, Patrick, Broback, Schmidt, Schoon, West, Taylor, Holland and Miller

AN ACT Relating to aircraft excise taxation; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 28, chapter ... (ESB 3258), Laws of 1983 and RCW 82.48.030; amending section 29, chapter ... (ESB 3258), Laws of 1983 and RCW 82.48....; amending section 30, chapter ... (ESB 3258), Laws of 1983 and RCW 82.48....; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 848** by Representatives Braddock, Lewis, Kaiser, Crane, Jacobsen, Gallagher, Smitherman, Moon, Garrett, Barnes, R. King, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders, Tanner and Addison

AN ACT Relating to tuition and fees at institutions of higher education; and amending section 22, chapter 279, Laws of 1971 ex. sess. as last amended by section 1, chapter 83, Laws of 1979 ex. sess. and RCW 28B.15.620.

Recommended referral: Committee on Higher Education.

**HB 849** by Representatives Fiske, McClure, Tanner, Cantu, Ballard, Padden, Taylor, Sanders, Holland, Patrick, Schoon, Silver, Johnson and Long

AN ACT Relating to sheltered workshops; and adding a new chapter to Title 82 RCW.

Recommended referral: Committee on Ways & Means.

**HB 850** by Representatives Kreidler, Lewis, P. King, G. Nelson, Stratton, J. King, Mitchell, Tanner, Ballard, Gallagher, Padden, Barrett, Wang, Addison, Tilly, B. Williams, Haugen, McMullen, R. King, Niemi, Sanders, Holland and Long

AN ACT Relating to nursing homes; amending section 2, chapter 117, Laws of 1951 as last amended by section 15, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.010; amending section 6, chapter 117, Laws of 1951 as last amended by section 2, chapter 11, Laws of 1981 2nd ex. sess. and RCW 18.51.050; amending section 63, chapter 211, Laws of

1979 ex. sess. as amended by section 3, chapter 11, Laws of 1981 2nd ex. sess. and RCW 18.51.091; amending section 20, chapter 177, Laws of 1980 and RCW 74.46.200; adding new sections to chapter 18.51 RCW; and providing an effective date.

Recommended referral: Committee on Social & Health Services.

**HB 851** by Representatives Burns, Prince, R. King, Powers, Zellinsky, D. Nelson, Allen, Jacobsen and Silver

AN ACT Relating to state employees' travel costs; and amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 83, chapter 151, Laws of 1979 and RCW 43.03.050.

Recommended referral: Committee on Ways & Means.

**HB 852** by Representatives Barnes, Brough, Patrick, Long, J. Williams, Schoon, Sanders and Johnson

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

Recommended referral: Committee on Education.

**HB 853** by Representatives Brekke, Rust, Allen, Dellwo, Lux, Todd, Miller and Brough

AN ACT Relating to hazardous wastes; amending section 1, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.010; amending section 2, chapter 101, Laws of 1975-'76 2nd ex. sess. and RCW 70.105.020; and adding a new section to chapter 70.105 RCW.

Recommended referral: Committee on Environmental Affairs.

**HB 854** by Representatives Wang, Armstrong, Crane, Halsan, Locke and Appelwick

AN ACT Relating to lawyers' trust accounts; and adding new sections to chapter 2.48 RCW.

Recommended referral: Committee on Judiciary.

**HB 855** by Representatives Ballard, Kreidler, Ellis, Brough, Wang, Patrick, Lewis and Holland

AN ACT Relating to emergency medical services; amending section 2, chapter 305, Laws of 1971 ex. sess. as last amended by section 2, chapter 55, Laws of 1977 and RCW 18.71.200; amending section 3, chapter 55, Laws of 1977 and RCW 18.71.205; amending section 3, chapter 305, Laws of 1971 ex. sess. as amended by section 4, chapter 55, Laws of 1977 and RCW 18.71.210; amending section 3, chapter 208, Laws of 1973 1st ex. sess. as amended by section 1, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.030; amending section 8, chapter 208, Laws of 1973 1st ex. sess. as amended by section 6, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.080; amending section 8, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.085; amending section 7, chapter 208, Laws of 1973 1st ex. sess. as amended by section 5, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.070; adding a new section to chapter 18.71 RCW; and adding new sections to chapter 18.73 RCW.

Recommended referral: Committee on Social & Health Services.

**HB 856** by Representatives Addison, Ebersole, Patrick, Smitherman, Lewis and B. Williams

AN ACT Relating to higher education fees; and amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 82, Laws of 1979 and RCW 28B.15.380.

Recommended referral: Committee on Higher Education.

**HB 857** by Representatives D. Nelson, Isaacson, Gallagher, Todd and West

AN ACT Relating to underground utilities; and adding a new chapter to Title 19 RCW.

Recommended referral: Committee on Energy & Utilities.

**HB 858** by Representatives Crane, Todd, Jacobsen, Addison, Walk, Kaiser, Braddock, Gallagher, Lewis, Smitherman, Moon, Garrett, Barnes, R. King, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders and Johnson

AN ACT Relating to the veterans affairs advisory committee; and amending section 14, chapter 115, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 285, Laws of 1977 ex. sess. and RCW 43.60A.080.

Recommended referral: Committee on State Government.

HB 859 by Representatives Ballard, Kreidler, Ellis, Brough, Wang, Patrick and Lewis

AN ACT Relating to emergency medical services; and adding a new section to chapter 18.73 RCW.

Recommended referral: Committee on Social & Health Services.

HB 860 by Representatives Jacobsen, Fisher, McClure, Belcher, Niemi, Burns and Appelwick

AN ACT Relating to condominiums; and adding a new section to chapter 64.32 RCW.

Recommended referral: Committee on Judiciary.

HB 861 by Representatives Schmidt, Zellinsky, Powers, Smitherman, Fiske, G. Nelson, Wilson and Haugen

AN ACT Relating to state ferries; and adding a new section to chapter 47.56 RCW.

Recommended referral: Committee on Transportation.

HB 862 by Representatives J. King, B. Williams, Tanner, Barrett, Sanders, Monohon, Braddock, Kaiser, Smitherman, Chandler, Appelwick, Holland, Silver, Lux, Addison, Schoon, Walk, Patrick, Haugen, Ebersole, Niemi, Brough, Taylor and Dellwo

AN ACT Relating to contractors; amending section 4, chapter 77, Laws of 1963 as last amended by section 1, chapter 11, Laws of 1977 ex. sess. and RCW 18.27.040; amending section 6, chapter 77, Laws of 1963 as amended by section 1, chapter 61, Laws of 1977 ex. sess. and RCW 18.27.060; amending section 5, chapter 118, Laws of 1972 ex. sess. as amended by section 7, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.120; amending section 2, chapter 161, Laws of 1973 1st ex. sess. and RCW 18.27.140; adding new sections to chapter 18.27 RCW; repealing section 7, chapter 77, Laws of 1963, section 2, chapter 126, Laws of 1967, section 5, chapter 153, Laws of 1973 1st ex. sess., section 1, chapter 66, Laws of 1977 ex. sess. and RCW 18.27.070; repealing section 6, chapter 126, Laws of 1967 and RCW 18.27.085; repealing section 42, chapter 99, Laws of 1979 and RCW 43.131.231; repealing section 84, chapter 99, Laws of 1979 and RCW 43.131.232; prescribing penalties; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Commerce & Economic Development.

HB 863 by Representatives Lux, Rust, D. Nelson, Garrett, Armstrong, Brække, Burns, Dellwo, Belcher, Isaacson and Wang

AN ACT Relating to hazardous substances; adding a new chapter to Title 49 RCW; creating a new section; and prescribing penalties.

Recommended referral: Committee on Environmental Affairs.

HB 864 by Representatives Sayan, Fiske, Fisher, Grimm, Patrick, Ballard, J. King, Walk and Holland

AN ACT Relating to state government; adding new sections to chapter 44.28 RCW; and adding a new section to chapter 42.17 RCW.

Recommended referral: Committee on State Government.

HB 865 by Representatives Ebersole, Dellwo, Niemi, D. Nelson, Smitherman, Jacobsen, Zellinsky, Fisher and Broback

AN ACT Relating to public power; and amending section 43.52.410, chapter 8, Laws of 1965 as amended by section 9, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.410.

Recommended referral: Committee on Local Government.

HB 866 by Representatives Lux, Cantu, J. King, West, P. King, Dickie, Zellinsky, Isaacson and Tanner

AN ACT Relating to insurance holding companies; amending section 4, chapter 13, Laws of 1971 ex. sess. and RCW 48.31A.020; amending section 5, chapter 13, Laws of 1971

ex. sess. and RCW 48.31A.030; amending section 7, chapter 13, Laws of 1971 ex. sess. and RCW 48.31A.050; and adding a new section to chapter 48.31A RCW.

Recommended referral: Committee on Financial Institutions & Insurance.

**HB 867** by Representatives O'Brien, Niemi, Wilson, Miller, Brough, Allen, D. Nelson, Galloway, Isaacson, Charnley and Crane (by Washington State Arts Commission request)

AN ACT Relating to public art; amending section 1, chapter 176, Laws of 1974 ex. sess. and RCW 43.46.090; amending section 2, chapter 176, Laws of 1974 ex. sess. and RCW 43.17.200; amending section 3, chapter 176, Laws of 1974 ex. sess. and RCW 43.19.455; amending section 5, chapter 176, Laws of 1974 ex. sess. as amended by section 2, chapter 191, Laws of 1982 and RCW 28A.58.055; amending section 4, chapter 176, Laws of 1974 ex. sess. as amended by section 8, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.025; amending section 43.46.040, chapter 8, Laws of 1965 and RCW 43.46.040; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; adding new sections to chapter 43.17 RCW; and adding a new section to chapter 43.46 RCW.

Recommended referral: Committee on State Government.

**HB 868** by Representatives Crane, Smitherman, Barnes, Moon, R. King, Garrett, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders and Halsan

AN ACT Relating to veterans; amending section 1, chapter 269, Laws of 1969 ex. sess. as amended by section 20, chapter 37, Laws of 1982 1st ex. sess. and RCW 41.04.005; and amending section 1, chapter 178, Laws of 1949 as last amended by section 1, chapter 115, Laws of 1982 and RCW 73.04.110.

Recommended referral: Committee on Transportation.

**HB 869** by Representatives Isaacson, D. Nelson, Hankins, Grimm, Wilson, Pruitt, Bond, Ellis, Barnes and Sanders

AN ACT Relating to high-technology education and training; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW; creating new sections; repealing section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; repealing section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Commerce & Economic Development.

**HB 870** by Representatives Holland, Haugen, Allen, Patrick, Crane, Ballard, P. King, Long, Kaiser, Brough, Smitherman, Jacobsen, Tilly, Van Dyken, Braddock, Betzoff, Schoon, J. Williams, Pruitt, Powers, Appelwick, Brekke, McDonald, D. Nelson, Isaacson and Johnson

AN ACT Relating to alcoholic beverage control; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 156, Laws of 1980 and RCW 7.68.020; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; adding a new section to chapter 66.24 RCW; declaring an emergency; and providing an effective date.

Recommended referral: Committee on Judiciary.

**HB 871** by Representatives Holland, Schoon and Long

AN ACT Relating to business and occupation tax credits; adding a new section to chapter 82.04 RCW; and creating new sections.

Recommended referral: Committee on Ways & Means.

**HB 872** by Representatives J. King, G. Nelson, R. King and Tanner

AN ACT Relating to industrial insurance; and amending section 16, chapter 289, Laws of 1971 ex. sess. as last amended by section 4, chapter 129, Laws of 1980 and RCW 51.16.035.

Recommended referral: Committee on Labor.

HB 873 by Representatives D. Nelson and Charnley

AN ACT Relating to used oil recycling; and adding a new section to chapter 70.93 RCW.

Recommended referral: Committee on Environmental Affairs.

HB 874 by Representatives Fisch and Crane

AN ACT Relating to state agency documents; adding a new section to chapter 43.17 RCW; and creating a new section.

Recommended referral: Committee on State Government.

HB 875 by Representative Addison

AN ACT Relating to state government; creating a new chapter in Title 1 RCW; adding a new section to chapter 28B.19 RCW; adding a new section to chapter 34.04 RCW; adding a new section to chapter 44.04 RCW; creating new sections; and providing an effective date.

Recommended referral: Committee on State Government.

HB 876 by Representatives P. King and Long

AN ACT Relating to education; creating new sections; and declaring an emergency.

Recommended referral: Committee on Education.

HB 877 by Representatives Holland, Martinis, Patrick, Betrozoff, Wilson, Ballard, Schoon, Chandler, J. Williams, Johnson, Long, Clayton and Sanders

AN ACT Relating to courier services; and amending section 81.80.040, chapter 14, Laws of 1961 as last amended by section i, chapter 6, Laws of 1979 ex. sess. and RCW 81.80.040.

Recommended referral: Committee on Transportation.

HB 878 by Representatives Wilson, Martinis, Haugen, Tilly and Mitchell

AN ACT Relating to leasehold excise taxation; and amending section 2, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 196, Laws of 1979 ex. sess. and RCW 82.29A.020.

Recommended referral: Committee on Ways & Means.

HB 879 by Representatives Kaiser, Schoon, Grimm, Jacobsen and Brough

AN ACT Relating to community corporations; and adding a new chapter to Title 36 RCW.

Recommended referral: Committee on Local Government.

HB 880 by Representative Heck

AN ACT Relating to health care services; and amending section 1, chapter 168, Laws of 1982 and RCW 48.44.026.

Recommended referral: Committee on Social & Health Services.

HB 881 by Representative Ballard

AN ACT Relating to water supply facilities; and making an appropriation.

Recommended referral: Committee on Ways & Means.

HB 882 by Representative Tanner

AN ACT Relating to interest rates; and amending section 1, chapter 80, Laws of 1899 as amended by section 1, chapter 80, Laws of 1981 and RCW 19.52.010.

Recommended referral: Committee on Financial Institutions & Insurance.

HB 883 by Representatives B. Williams and Wang

AN ACT Relating to energy efficiency; creating new sections; and making an appropriation.

Recommended referral: Committee on Energy & Utilities.

HB 884 by Representatives Wang and Stratton

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending section 18, chapter 294, Laws of 1977 ex. sess. as amended by section 1, chapter 249, Laws of 1979 ex. sess. and RCW 41.26.005; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 8, chapter 294, Laws of 1977 ex. sess. as last amended by section 2, chapter 12, Laws of 1982 and RCW 41.26.470; amending section 10, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.490; amending section 12, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.510; creating new sections; repealing section 9, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.480; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 885 by Representatives Charnley and Rust

AN ACT Relating to pesticides; amending section 3, chapter 249, Laws of 1961 as amended by section 2, chapter 92, Laws of 1979 and RCW 17.21.030; and adding a new section to chapter 17.21 RCW.

Recommended referral: Committee on Environmental Affairs.

HB 886 by Representative Tilly

AN ACT Relating to a citizens advisory council on federal management areas; adding a new section to chapter 41.06 RCW; and adding a new chapter to Title 43 RCW.

Recommended referral: Committee on State Government.

HB 887 by Representatives Ellis, Dickie, Egger, Lewis and Tilly

AN ACT Relating to tree fruit; amending section 2, chapter 129, Laws of 1969 and RCW 15.26.020; amending section 3, chapter 129, Laws of 1969 and RCW 15.26.030; and adding a new section to chapter 15.26 RCW.

Recommended referral: Committee on Agriculture.

HB 888 by Representatives Ebersole, Jacobsen, Wang and Dellwo

AN ACT Relating to criminal sentencing; and amending section 2, chapter 228, Laws of 1982 and RCW 9.95.390.

Recommended referral: Committee on Judiciary.

HB 889 by Representative Van Dyken

AN ACT Relating to delinquent property taxes; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020; amending section 84.64.010, chapter 15, Laws of 1961 and RCW 84.64.010; amending section 84.64.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 322, Laws of 1981 and RCW 84.64.030; amending section 84.64.050, chapter 15, Laws of 1961 as last amended by section 4, chapter 322, Laws of 1981 and RCW 84.64.050; and creating a new section.

Recommended referral: Committee on Ways & Means.

HB 890 by Representative Van Dyken

AN ACT Relating to bankruptcy exemptions; adding a new section to chapter 6.16 RCW; and creating a new section.

Recommended referral: Committee on Judiciary.

HB 891 by Representatives Van Dyken and Isaacson

AN ACT Relating to driving while intoxicated; amending section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502; amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; adding new sections to chapter 46.61 RCW; and prescribing penalties.

Recommended referral: Committee on Judiciary.

HB 892 by Representative Isaacson

AN ACT Relating to prohibiting default on financial obligations of joint operating agencies; amending section 43.52.3411, chapter 8, Laws of 1965 as amended by section 2, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.3411; and defining crimes.

Recommended referral: Committee on Energy & Utilities.



HB 893 by Representative R. King

AN ACT Relating to the termination of workers' compensation payments; and amending section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 20, Laws of 1982 1st ex. sess. and RCW 51.32.190.

Recommended referral: Committee on Labor.

HB 894 by Representatives Schmidt, J.King, Zellinsky, B. Williams, Tanner, Betrozoff and Barrett

AN ACT Relating to state employees' travel; and adding new sections to chapter 43.19 RCW.

Recommended referral: Committee on Commerce & Economic Development.

HB 895 by Representatives D. Nelson and West

AN ACT Relating to electrical installations; amending section 3, chapter 169, Laws of 1935 as last amended by section 61, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.070; amending section 3, chapter 325, Laws of 1959 as last amended by section 1, chapter 97, Laws of 1967 ex. sess. and RCW 19.28.360; and adding new sections to chapter 19.28 RCW.

Recommended referral: Committee on State Government.

HB 896 by Representative Tanner

AN ACT Relating to counties; amending section 36.32.120, chapter 4, Laws of 1963 as last amended by section 3, chapter 226, Laws of 1982 and RCW 36.32.120; and prescribing penalties.

Recommended referral: Committee on Judiciary.

HB 897 by Representative Ellis

AN ACT Relating to public assistance; creating new sections; providing an expiration date; and declaring an emergency.

Recommended referral: Committee on Commerce & Economic Development.

HB 898 by Representative Isaacson

AN ACT Relating to immunity from personal liability for public utility district commissioners; and amending section 4, chapter 1, Laws of 1931 as last amended by section 37, chapter 126, Laws of 1979 ex. sess. and RCW 54.12.010.

Recommended referral: Committee on Judiciary.

HB 899 by Representatives Garrett, Barnes, Hine, Pruitt and Jacobsen

AN ACT Relating to public records; and amending section 31, chapter 1, Laws of 1973 as last amended by section 1, chapter 64, Laws of 1982 and RCW 42.17.310.

Recommended referral: Committee on Constitution, Elections & Ethics.

HB 900 by Representative Hine

AN ACT Relating to children; amending section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060; and adding a new section to chapter 74.20 RCW.

Recommended referral: Committee on Social & Health Services.

HB 901 by Representatives Belcher, Rust, Charnley and Jacobsen

AN ACT Relating to pesticides; amending section 3, chapter 190, Laws of 1971 ex. sess. as last amended by section 26, chapter 182, Laws of 1982 and RCW 15.58.030; and amending section 2, chapter 249, Laws of 1961 as last amended by section 1, chapter 92, Laws of 1979 and RCW 17.21.020.

Recommended referral: Committee on Environmental Affairs.

HB 902 by Representative Grimm

AN ACT Relating to timber taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; amending section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015; amending section 1, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.010; amending section 2, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.020; amending section 1, chapter 146, Laws of 1981 as amended by section 3, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.073;

amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; amending section 6, chapter 134, Laws of 1980 and RCW 84.33.075; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120; amending section 16, chapter 294, Laws of 1971 ex. sess. as amended by section 225, chapter 3, Laws of 1983 and RCW 84.33.160; amending section 17, chapter 294, Laws of 1971 ex. sess. as amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; adding a new chapter to Title 82 RCW to be designated chapter 82.33 RCW; adding a new section to chapter 84.36 RCW; recodifying RCW 84.33.073, 84.33.074, and 84.33.075 as new sections in chapter 82.33 RCW; repealing section 4, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.040; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 84.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 22 of this 1983 act and RCW 84.33.071; repealing section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072; repealing section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981 and RCW 84.33.080; repealing section 5, chapter 4, Laws of 1981 and RCW 84.33.085; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090; making appropriations; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 903 by Representative Locke

AN ACT Relating to municipal airports; and amending section 15, chapter 182, Laws of 1945 and RCW 14.08.330.

Recommended referral: Committee on Local Government.

HB 904 by Representatives Gallagher and Lux

AN ACT Relating to self-insurers; and adding a new section to chapter 51.14 RCW.

Recommended referral: Committee on Labor.

HB 905 by Representatives Dellwo and Stratton

AN ACT Relating to state residential schools; and amending section 4, chapter 251, Laws of 1961 as last amended by section 12, chapter 71, Laws of 1974 ex. sess. and RCW 72.33.815.

Recommended referral: Committee on Social & Health Services.

HB 906 by Representative Kreidler

AN ACT Relating to developmentally disabled juveniles; amending section 31, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 129, Laws of 1982 and RCW 13.34.030; amending section 6, chapter 160, Laws of 1913 as last amended by section 17, chapter 3, Laws of 1983 and RCW 13.34.070; amending section 5, chapter 302, Laws of 1961 as last amended by section 44, chapter 155, Laws of 1979 and RCW 13.34.110; amending section 41, chapter 291, Laws of 1977 ex. sess. as amended by section 46, chapter 155, Laws of 1979 and RCW 13.34.130; and creating a new section.

Recommended referral: Committee on Social & Health Services.

HB 907 by Representatives Jacobsen and Fisher

AN ACT Relating to property tax exemptions for homesteads; adding a new section to chapter 84.36 RCW; creating a new section; and providing a contingent effective date.

Recommended referral: Committee on Ways & Means.

HB 908 by Representatives Lewis and Walk

AN ACT Relating to the joint administrative rules review committee; and amending section 5, chapter 324, Laws of 1981 and RCW 34.04.210.

Recommended referral: Committee on State Government.

HB 909 by Representative Todd

AN ACT Relating to cultural arts, stadium and convention districts; amending section 3, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.030; amending section 6, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.060; amending section 7, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.070; and repealing section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285.

Recommended referral: Committee on Local Government.

HB 910 by Representatives D. Nelson and Jacobsen

AN ACT Relating to state government; and amending section 43.82.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 41, Laws of 1982 and RCW 43.82.010.

Recommended referral: Committee on State Government.

HB 911 by Representative Barrett

AN ACT Relating to county road improvement districts; and adding a new section to chapter 36.88 RCW.

Recommended referral: Committee on Local Government.

HB 912 by Representative Barrett

AN ACT Relating to cultural arts, stadium and convention districts; adding new sections to chapter 67.38 RCW; and repealing section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285.

Recommended referral: Committee on Ways & Means.

HB 913 by Representative Braddock

AN ACT Relating to municipal electric utilities; adding a new chapter to Title 35 RCW; repealing section 35.21.420, chapter 7, Laws of 1965 and RCW 35.21.420; repealing section 1, chapter 52, Laws of 1967 ex. sess. and RCW 35.21.422; repealing section 35.21.425, chapter 7, Laws of 1965 and RCW 35.21.425; repealing section 35.21.426, chapter 7, Laws of 1965 and RCW 35.21.426; repealing section 35.21.427, chapter 7, Laws of 1965 and RCW 35.21.427; repealing section 35.21.430, chapter 7, Laws of 1965, section 15, chapter 195, Laws of 1973 1st ex. sess. and RCW 35.21.430; repealing section 35.21.440, chapter 7, Laws of 1965 and RCW 35.21.440; and repealing section 35.21.450, chapter 7, Laws of 1965 and RCW 35.21.450.

Recommended referral: Committee on Ways & Means.

HB 914 by Representatives West and Dellwo

AN ACT Relating to mechanics' and materialmen's liens; amending section 1, chapter 47, Laws of 1973 1st ex. sess. and RCW 60.04.200; adding a new section to chapter 60.04 RCW; and prescribing penalties.

Recommended referral: Committee on Commerce & Economic Development.

HB 915 by Representative Burns

AN ACT Relating to review of higher education faculty members; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

Recommended referral: Committee on Higher Education.

HB 916 by Representatives P. King and Allen

AN ACT Relating to property tax limitations; and amending section 20, chapter 288, Laws of 1971 ex. sess. as last amended by section 2, chapter 218, Laws of 1979 ex. sess. and RCW 84.55.010.

Recommended referral: Committee on Ways & Means.

HB 917 by Representatives Van Dyken and Hine

AN ACT Relating to economic development areas; and creating a new chapter in Title 36 RCW.

Recommended referral: Committee on Local Government.

HB 918 by Representatives Kreidler and Armstrong

AN ACT Relating to juveniles' records; amending section 9, chapter 155, Laws of 1979 as amended by section 19, chapter 299, Laws of 1981 and RCW 13.50.050; and amending section 10, chapter 155, Laws of 1979 and RCW 13.50.100.

Recommended referral: Committee on Judiciary.

HB 919 by Representative R. King

AN ACT Relating to industrial insurance; and amending section 51.44.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 325, Laws of 1981 and RCW 51.44.070.

Recommended referral: Committee on Labor.

HB 920 by Representatives Hastings, Johnson, Struthers, Long, Sanders and Mitchell

AN ACT Relating to the fiscal impact of initiatives and referendums; amending section 29.79.030, chapter 9, Laws of 1965 as amended by section 3, chapter 116, Laws of 1982 and RCW 29.79.030; amending section 29.79.060, chapter 9, Laws of 1965 as amended by section 6, chapter 116, Laws of 1982 and RCW 29.79.060; amending section 29.79.080, chapter 9, Laws of 1965 as last amended by section 8, chapter 116, Laws of 1982 and RCW 29.79.080; and adding a new section to chapter 29.79 RCW.

Recommended referral: Committee on Constitution, Elections & Ethics.

HB 921 by Representatives Armstrong, D. Nelson, Addison, Pruitt, Patrick, Tanner and Sanders

AN ACT Relating to theft; and adding a new section to chapter 9A.56 RCW.

Recommended referral: Committee on Energy & Utilities.

HB 922 by Representatives Schoon and Sanders

AN ACT Relating to minimum base year levy percentages for school districts; and reenacting and amending section 4, chapter 325, Laws of 1977 ex. sess. as last amended by section 1, chapter 168, Laws of 1981 and by section 10, chapter 264, Laws of 1981 and RCW 84.52.0531.

Recommended referral: Committee on Education.

HB 923 by Representatives Addison, Braddock and Sanders

AN ACT Relating to game and game fish; adding a new section to chapter 77.16 RCW; and prescribing penalties.

Recommended referral: Committee on Natural Resources.

HB 924 by Representative R. King

AN ACT Relating to attorney ethics; and amending section 15, chapter 126, Laws of 1921 and RCW 2.48.230.

Recommended referral: Committee on Judiciary.

HB 925 by Representatives McMullen and Armstrong

AN ACT Relating to the Uniform Conflict of Laws—Limitations act; and adding a new chapter to Title 4 RCW.

Recommended referral: Committee on Judiciary.

HB 926 by Representatives McClure, Tanner and R. King

AN ACT Relating to the financial responsibility for prisoners; and adding a new section to chapter 72.01 RCW.

Recommended referral: Committee on Ways & Means.

HB 927 by Representative Armstrong

AN ACT Relating to timeshares; adding a new chapter to Title 64 RCW; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Judiciary.

HB 928 by Representatives Hastings and Johnson

AN ACT Relating to a state appropriations advisory council; creating new sections; and providing an expiration date.

Recommended referral: Committee on Ways & Means.

HB 929 by Representatives Rust, B. Williams, D. Nelson and Charnley

AN ACT Relating to litter control and recycling; amending section 3, chapter 307, Laws of 1971 ex. sess. as amended by section 3, chapter 94, Laws of 1979 and RCW 70.93-.030; amending section 13, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.130; amending section 14, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.140; amending section 9, chapter 94, Laws of 1979 and RCW 70.93.194; and adding new sections to chapter 70.93 RCW.

Recommended referral: Committee on Environmental Affairs.

HB 930 by Representative Isaacson

AN ACT Relating to electrical energy; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.24 RCW; and adding a new section to chapter 80.28 RCW.

Recommended referral: Committee on Energy & Utilities.

HB 931 by Representative Belcher (by Secretary of State request)

AN ACT Relating to public records; amending section 26, chapter 1, Laws of 1973 as amended by section 14, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.260; and adding a new section to chapter 42.17 RCW.

Recommended referral: Committee on State Government.

HB 932 by Representatives Bond, B. Williams, Padden and West

AN ACT Relating to oil and gas; amending section 3, chapter 146, Laws of 1951 and RCW 78.52.010; amending section 5, chapter 146, Laws of 1951 and RCW 78.52.025; amending section 7, chapter 146, Laws of 1951 and RCW 78.52.031; amending section 10, chapter 146, Laws of 1951 and RCW 78.52.040; amending section 11, chapter 146, Laws of 1951 and RCW 78.52.050; amending section 12, chapter 146, Laws of 1951 and RCW 78.52-.070; amending section 13, chapter 146, Laws of 1951 and RCW 78.52.100; amending section 14, chapter 146, Laws of 1951 and RCW 78.52.120; amending section 22, chapter 146, Laws of 1951 and RCW 78.52.200; amending section 23, chapter 146, Laws of 1951 and RCW 78.52.210; amending section 24, chapter 146, Laws of 1951 and RCW 78.52.220; amending section 25, chapter 146, Laws of 1951 and RCW 78.52.230; amending section 26, chapter 146, Laws of 1951 and RCW 78.52.240; amending section 27, chapter 146, Laws of 1951 and RCW 78.52.250; amending section 50, chapter 146, Laws of 1951 and RCW 78.52-.470; amending section 51, chapter 146, Laws of 1951 and RCW 78.52.480; adding new sections to chapter 78.52 RCW; and prescribing penalties.

Recommended referral: Committee on Natural Resources.

HB 933 by Representatives Smitherman and R. King

AN ACT Relating to crime victims compensation; and amending section 10, chapter 302, Laws of 1977 ex. sess. as amended by section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035.

Recommended referral: Committee on Judiciary.

HB 934 by Representative Jacobsen

AN ACT Relating to involuntary treatment; adding new sections to chapter 71.05 RCW; and creating a new section.

Recommended referral: Committee on Social & Health Services.

HB 935 by Representative Van Dyken

AN ACT Relating to revenue and taxation; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; amending section 42, chapter 26, Laws of 1967 ex. sess. as last amended by section 6, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. as amended by section 8, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. as amended by section 9, chapter 46, Laws of 1982 1st ex. sess. and RCW 82.03.180; adding a new title to the Revised Code of Washington, to be numbered Title 82A RCW; adding a new section to chapter 48.14 RCW; adding a new section to chapter 54.28 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new section to

chapter 84.09 RCW; repealing section 1, chapter 133, Laws of 1967 ex. sess., section 2, chapter 216, Laws of 1969 ex. sess., section 25, chapter 299, Laws of 1971 ex. sess., section 106, chapter 195, Laws of 1973 1st ex. sess., section 1, chapter 218, Laws of 1979 ex. sess. and RCW 84.52.065; prescribing penalties; and providing an effective date.

Recommended referral: Committee on Ways & Means.

**HB 936** by Representatives Hastings, Johnson, Isaacson and Sanders

AN ACT Relating to the budget and accounting act; amending section 43.88.120, chapter 8, Laws of 1965 as last amended by section 8, chapter 270, Laws of 1981 and RCW 43.88.120; adding a new section to chapter 43.88 RCW; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

**HB 937** by Representatives Pruitt, Bond, Holland, Haugen, Wilson, Van Dyken and Mitchell

AN ACT Relating to alcoholic beverage control; amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.08.180; amending section 6, chapter 175, Laws of 1957 and RCW 66.08.190; amending section 7, chapter 175, Laws of 1957 as last amended by section 167, chapter 151, Laws of 1979 and RCW 66.08.200; amending section 8, chapter 175, Laws of 1957 as last amended by section 168, chapter 151, Laws of 1979 and RCW 66.08.210; amending section 4, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 172, Laws of 1939 and RCW 66.16.010; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 8, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.16.040; amending section 1, chapter 67, Laws of 1949 as last amended by section 4, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.160; amending section 2, chapter 67, Laws of 1949 as last amended by section 5, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.170; amending section 3, chapter 67, Laws of 1949 as last amended by section 6, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.180; amending section 5, chapter 67, Laws of 1949 as last amended by section 8, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.200; amending section 6, chapter 67, Laws of 1949 as last amended by section 9, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.210; adding a new section to chapter 43.09 RCW; adding a new section to chapter 66.08 RCW; adding new sections to chapter 66.28 RCW; creating a new section; and providing an effective date.

Recommended referral: Committee on Commerce & Economic Development.

**HB 938** by Representatives Hastings and Johnson

AN ACT Relating to the school directors' association; and amending section 28A.61-.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 125, Laws of 1969 and RCW 28A.61.050.

Recommended referral: Committee on Education.

**HB 939** by Representatives Appelwick and Hine

AN ACT Relating to unfit buildings, dwellings, and structures; and amending section 35.80.030, chapter 7, Laws of 1965 as last amended by section 1, chapter 144, Laws of 1973 1st ex. sess. and RCW 35.80.030.

Recommended referral: Committee on Local Government.

**HB 940** by Representatives Addison, Lewis, Hankins, Patrick and Barrett

AN ACT Relating to public employment; and adding a new section to chapter 41.04 RCW.

Recommended referral: Committee on State Government.

**HB 941** by Representatives Addison, Lewis and Hankins

AN ACT Relating to food fish and shellfish; adding a new section to chapter 75.12 RCW; and prescribing penalties.

Recommended referral: Committee on Natural Resources.

**HB 942** by Representatives D. Nelson and Rust

AN ACT Relating to capital debt management; and adding a new chapter to Title 43 RCW.

Recommended referral: Committee on Ways & Means.

**HB 943** by Representatives McMullen and Sommers

AN ACT Relating to the taxation of conveyances; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as amended by section 1, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.02.030; repealing section 82.20.005, chapter 15, Laws of 1961 and RCW 82.20.005; repealing section 82.20.010, chapter 15, Laws of 1961, section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010; repealing section 82.20.020, chapter 15, Laws of 1961, section 57, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.020; repealing section 82.20.030, chapter 15, Laws of 1961, section 58, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.030; repealing section 82.20.040, chapter 15, Laws of 1961, section 59, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.040; repealing section 82.20.050, chapter 15, Laws of 1961 and RCW 82.20.050; repealing section 82.20.060, chapter 15, Laws of 1961, section 60, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.20.060; repealing section 2, chapter 90, Laws of 1980 and RCW 82.20.065; and repealing section 82.20.070, chapter 15, Laws of 1961 and RCW 82.20.070.

Recommended referral: Committee on Ways & Means.

HB 944 by Representatives Struthers, Dickie and Hastings

AN ACT Relating to cognitively impaired adults; amending section 1, chapter 13, Laws of 1965 as last amended by section 24, chapter 80, Laws of 1977 ex. sess. and RCW 26.44.010; and amending section 2, chapter 13, Laws of 1965 as last amended by section 6, chapter 129, Laws of 1982 and RCW 26.44.020.

Recommended referral: Committee on Social & Health Services.

HB 945 by Representatives Struthers, Patrick and Ballard

AN ACT Relating to exotic birds; and amending section 5, chapter 165, Laws of 1927 as last amended by section 11, chapter 154, Laws of 1979 and RCW 16.36.050.

Recommended referral: Committee on Natural Resources.

HB 946 by Representatives B. Williams, Long, Patrick, Schoon, Betrozoff and Sanders

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

Recommended referral: Committee on Education.

HB 947 by Representatives Long, Patrick, Schoon and B. Williams

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

Recommended referral: Committee on Education.

HB 948 by Representatives B. Williams, Patrick, Schoon, Betrozoff, Long and Mitchell

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

Recommended referral: Committee on Education.

HB 949 by Representatives Patrick, Schoon, J. Williams and B. Williams

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

Recommended referral: Committee on Education.

HB 950 by Representatives Patrick, Dickie, Vander Stoep, Brough, Schoon, Long, J. Williams, B. Williams, Addison and Sanders

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

Recommended referral: Committee on Education.

HB 951 by Representatives Patrick, Schoon, Vander Stoep, Dickie, Long, B. Williams, Betrozoff and Mitchell

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

Recommended referral: Committee on Education.

HB 952 by Representatives Patrick, Schoon, Dickie, Barnes, Brough, J. Williams, B. Williams and Betrozoff

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

Recommended referral: Committee on Education.

HB 953 by Representatives Patrick, Schoon, Barnes, Long, B. Williams and Betrozoff

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

Recommended referral: Committee on Education.

HB 954 by Representatives Dickie, Patrick, Long, J. Williams, Schoon, B. Williams, Chandler and Sanders

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

Recommended referral: Committee on Education.

HB 955 by Representatives Addison and Hankins

AN ACT Relating to state government; adding a new section to chapter 41.04 RCW; and creating a new section.

Recommended referral: Committee on State Government.

HB 956 by Representatives Patrick, Long, J. Williams, Schoon, B. Williams and Sanders

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

Recommended referral: Committee on Education.

HB 957 by Representatives Tilly, Sanders and Long

AN ACT Relating to the budget document; and amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030.

Recommended referral: Committee on Ways & Means.

HB 958 by Representative Van Dyken

AN ACT Relating to law enforcement; adding a new section to chapter 43.43 RCW; adding a new section to chapter 43.59 RCW; and creating a new section.

Recommended referral: Committee on Judiciary.

HB 959 by Representatives O'Brien and Betrozoff

AN ACT Relating to the state convention and trade center; amending section 1, chapter 34, Laws of 1982 and RCW 67.40.010; and amending section 2, chapter 34, Laws of 1982 and RCW 67.40.020.

Recommended referral: Committee on State Government.

HB 960 by Representatives Van Dyken and McDonald

AN ACT Relating to the victims of alcohol-related traffic offenders indemnification account; adding a new chapter to Title 46 RCW; and providing an effective date.

Recommended referral: Committee on Judiciary.

HB 961 by Representatives McClure, Zellinsky, Powers, Smitherman, Sommers, Egger, Allen, Fisch and P. King

AN ACT Relating to education; amending section 87, chapter 340, Laws of 1981 as last amended by section 72, chapter 50, Laws of 1982 1st ex. sess. (uncodified); and amending section 92, chapter 340, Laws of 1981 as last amended by section 74, chapter 50, Laws of 1982 1st ex. sess. (uncodified).

Recommended referral: Committee on Ways & Means.

HB 962 by Representatives Brough, Patrick, Schoon, B. Williams, Long and Sanders

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

Recommended referral: Committee on Education.

HB 963 by Representatives Schmidt, J. Williams, J. King, Zellinsky, Hankins and Sanders



AN ACT Relating to business and occupation taxation: amending section 4, chapter ... (ESB 3258), Laws of 1983 and RCW 82.04....; providing an effective date; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 964 by Representative Tilly

AN ACT Relating to barbering; amending section 10, chapter ... (SB 3036), Laws of 1983 and RCW 43.24.085; adding a new chapter to Title 18 RCW; repealing section 38, chapter 99, Laws of 1979 and RCW 43.131.223; repealing section 80, chapter 99, Laws of 1979 and RCW 43.131.224; repealing section 1, chapter 75, Laws of 1923, section 1, chapter 211, Laws of 1927, section 1, chapter 52, Laws of 1957, section 1, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.010; repealing section 2, chapter 75, Laws of 1923, section 1, chapter 209, Laws of 1929, section 1, chapter 199, Laws of 1937, section 1, chapter 51, Laws of 1949, section 1, chapter 16, Laws of 1951, section 2, chapter 223, Laws of 1967 and RCW 18.15.020; repealing section 3, chapter 75, Laws of 1923, section 2, chapter 199, Laws of 1937, section 2, chapter 51, Laws of 1949, section 2, chapter 16, Laws of 1951, section 1, chapter 101, Laws of 1957, section 3, chapter 223, Laws of 1967, section 4, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.040; repealing section 3, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.045; repealing section 6, chapter 75, Laws of 1923, section 5, chapter 211, Laws of 1927, section 3, chapter 209, Laws of 1929, section 4, chapter 51, Laws of 1949, section 3, chapter 16, Laws of 1951, section 4, chapter 84, Laws of 1959, section 4, chapter 223, Laws of 1967, section 2, chapter 148, Laws of 1973 1st ex. sess., section 5, chapter 30, Laws of 1975 1st ex. sess., section 11, chapter 158, Laws of 1979 and RCW 18.15.050; repealing section 7, chapter 101, Laws of 1957 and RCW 18.15.051; repealing section 8, chapter 101, Laws of 1957, section 5, chapter 223, Laws of 1967 and RCW 18.15.052; repealing section 9, chapter 101, Laws of 1957, section 6, chapter 223, Laws of 1967 and RCW 18.15.053; repealing section 10, chapter 101, Laws of 1957 and RCW 18.15.054; repealing section 11, chapter 101, Laws of 1957, section 1, chapter 188, Laws of 1967, section 28, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.15.055; repealing section 12, chapter 101, Laws of 1957, section 8, chapter 223, Laws of 1967 and RCW 18.15.056; repealing section 7, chapter 75, Laws of 1923, section 6, chapter 211, Laws of 1927, section 4, chapter 209, Laws of 1929, section 14, chapter 101, Laws of 1957, section 9, chapter 223, Laws of 1967, section 2, chapter 266, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1973 1st ex. sess., section 6, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.060; repealing section 3, chapter 84, Laws of 1959, section 10, chapter 223, Laws of 1967, section 5, chapter 148, Laws of 1973 1st ex. sess., section 7, chapter 30, Laws of 1975 1st ex. sess., section 12, chapter 158, Laws of 1979 and RCW 18.15.065; repealing section 12, chapter 75, Laws of 1923, section 9, chapter 211, Laws of 1927, section 11, chapter 223, Laws of 1967 and RCW 18.15.070; repealing section 13, chapter 75, Laws of 1923, section 10, chapter 211, Laws of 1927, section 4, chapter 199, Laws of 1937, section 5, chapter 51, Laws of 1949, section 4, chapter 16, Laws of 1951 and RCW 18.15.080; repealing section 14, chapter 75, Laws of 1923, section 11, chapter 211, Laws of 1927, section 6, chapter 209, Laws of 1929, section 1, chapter 102, Laws of 1947, section 12, chapter 223, Laws of 1967, section 6, chapter 148, Laws of 1973 1st ex. sess., section 13, chapter 158, Laws of 1979, section 4, chapter 283, Laws of 1981 and RCW 18.15.090; repealing section 2, chapter 84, Laws of 1959, section 14, chapter 223, Laws of 1967, section 8, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.095; repealing section 5, chapter 283, Laws of 1981 and RCW 18.15.096; repealing section 13, chapter 223, Laws of 1967, section 7, chapter 148, Laws of 1973 1st ex. sess., section 9, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.097; repealing section 8, chapter 172, Laws of 1901, section 5, chapter 75, Laws of 1923, section 3, chapter 199, Laws of 1937, section 3, chapter 51, Laws of 1949, section 2, chapter 101, Laws of 1957, section 5, chapter 84, Laws of 1959, section 15, chapter 223, Laws of 1967, section 8, chapter 148, Laws of 1973 1st ex. sess., section 10, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.100; repealing section 7, chapter 209, Laws of 1929, section 6, chapter 51, Laws of 1949, section 6, chapter 84, Laws of 1959, section 16, chapter 223, Laws of 1967, section 9, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.110; repealing section 15, chapter 75, Laws of 1923, section 17, chapter 223, Laws of 1967 and RCW 18.15.120; repealing section 13, chapter 101, Laws of 1957, section 7, chapter 84, Laws of 1959, section 18, chapter 223, Laws of 1967, section 11, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.125; repealing section 4, chapter 101, Laws of 1957, section 19, chapter 223, Laws of 1967 and RCW 18.15.130; repealing section 5, chapter 101, Laws of 1957, section 20, chapter 223, Laws of 1967, section 29, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 18.15.140; repealing section 6, chapter 101, Laws of 1957, section 21, chapter 223, Laws of 1967 and RCW 18.15.150; repealing section 17, chapter 75, Laws of 1923, section 12, chapter 211, Laws of 1927, section 8, chapter 209, Laws of 1929, section 22, chapter 223, Laws of 1967 and RCW 18.15.160; repealing section 10, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.200; repealing section 11, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.210; repealing section 12, chapter 148, Laws of 1973 1st ex. sess., section 12, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.15.220; repealing section 13, chapter

148, Laws of 1973 1st ex. sess. and RCW 18.15.230; repealing section 14, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.240; repealing section 15, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.250; repealing section 19, chapter 75, Laws of 1923 and RCW 18.15.900; prescribing penalties; providing effective dates; and declaring an emergency.

Recommended referral: Committee on Commerce & Economic Development.

HB 965 by Representatives Addison, Tanner, Lewis, Hankins, B. Williams, Ebersole and Sanders

AN ACT Relating to salmon, steelhead, and game fish enhancement projects; providing for the financing thereof by the issuance of bonds; creating new sections; and providing for a submission of this act to a vote of the people.

Recommended referral: Committee on Natural Resources.

HB 966 by Representatives Sommers, Moon, J. Williams, Schmidt, Zellinsky, Betrozoff, Sanders, McMullen, R. King and Miller

AN ACT Relating to the sale of boat trailers; and amending section 3, chapter 11, Laws of 1979 as last amended by section 2, chapter 305, Laws of 1981 and RCW 46.70.011.

Recommended referral: Committee on Transportation.

HB 967 by Representatives Miller, Barnes, Betrozoff and Long

AN ACT Relating to the registration and taxation of vessels; amending section 84.36-.080, chapter 15, Laws of 1961 and RCW 84.36.080; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; adding a new chapter to Title 82 RCW; adding a new chapter to Title 88 RCW; creating new sections; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency.

Recommended referral: Committee on Ways & Means.

HB 968 by Representative Kreidler

AN ACT Relating to medical assistance; and adding new sections to chapter 74.09 RCW.

Referred to Committee on Rules.

HB 969 by Representative Kreidler

AN ACT Relating to robbery of controlled substances; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Rules.

HB 970 by Representatives Kreidler and Lewis

AN ACT Relating to dental service eligibilities.

Referred to Committee on Rules.

HB 971 by Representative Kreidler

AN ACT Relating to habilitation plans for residents of state residential schools.

Referred to Committee on Rules.

HB 972 by Representative Martinis

AN ACT Relating to transportation appropriations.

Referred to Committee on Rules.

HB 973 by Representative Martinis

AN ACT Relating to transportation revenue and taxation.

Referred to Committee on Rules.

HB 974 by Representative Martinis

AN ACT Relating to transportation agencies.

Referred to Committee on Rules.

HB 975 by Representative Martinis

AN ACT Relating to the motor vehicle fund.

Referred to Committee on Rules.

- HB 976 by Representative Martinis  
AN ACT Relating to the state motor vehicle fund.  
Referred to Committee on Rules.
- HB 977 by Representative Armstrong  
AN ACT Relating to driving while intoxicated.  
Referred to Committee on Rules.
- HB 978 by Representative Armstrong  
AN ACT Relating to criminal law.  
Referred to Committee on Rules.
- HB 979 by Representatives Martinis, Wilson and Stratton  
AN ACT Relating to aquatic land leases.  
Referred to Committee on Rules.
- HB 980 by Representatives Martinis, Wilson and Stratton  
AN ACT Relating to aquatic lands.  
Referred to Committee on Rules.
- HB 981 by Representative Kreidler  
AN ACT Relating to pharmaceutical services; adding a new chapter to Title 79 RCW; and prescribing penalties.  
Referred to Committee on Rules.
- HB 982 by Representative Kreidler  
AN ACT Relating to social and health services.  
Referred to Committee on Rules.
- HB 983 by Representative Martinis  
AN ACT Relating to motor vehicle excise taxes.  
Referred to Committee on Rules.
- HB 984 by Representative Martinis  
AN ACT Relating to transportation right of way.  
Referred to Committee on Rules.
- HB 985 by Representative Martinis  
AN ACT Relating to transportation.  
Referred to Committee on Rules.
- HB 986 by Representative Martinis  
AN ACT Relating to transportation.  
Referred to Committee on Rules.
- HB 987 by Representative Martinis  
AN ACT Relating to motor vehicles.  
Referred to Committee on Rules.
- HB 988 by Representative Martinis  
AN ACT Relating to marine transportation.  
Referred to Committee on Rules.
- HB 989 by Representative Kreidler  
AN ACT Relating to health.  
Referred to Committee on Rules.
- HB 990 by Representative Kreidler

AN ACT Relating to the public health, welfare, and safety.

Referred to Committee on Rules.

HB 991 by Representative Pruitt

AN ACT Relating to public records.

Referred to Committee on Rules.

HB 992 by Representative Pruitt

AN ACT Relating to elections.

Referred to Committee on Rules.

HB 993 by Representative Pruitt

AN ACT Relating to the recall of elected officials.

Referred to Committee on Rules.

HB 994 by Representative Pruitt

AN ACT Relating to the public disclosure commission.

Referred to Committee on Rules.

HB 995 by Representative R. King

AN ACT Relating to industrial welfare.

Referred to Committee on Rules.

HB 996 by Representative Lux

AN ACT Relating to savings and loan associations.

Referred to Committee on Rules.

HB 997 by Representative Lux

AN ACT Relating to mutual savings banks.

Referred to Committee on Rules.

HB 998 by Representative D. Nelson

AN ACT Relating to telephone systems.

Referred to Committee on Rules.

HB 999 by Representative D. Nelson

AN ACT Relating to utilities.

Referred to Committee on Rules.

HB 1000 by Representative D. Nelson

AN ACT Relating to public utility districts.

Referred to Committee on Rules.

HB 1001 by Representative Pruitt

AN ACT Relating to redistricting and reapportionment.

Referred to Committee on Rules.

HB 1002 by Representative Pruitt

AN ACT Relating to campaign financing.

Referred to Committee on Rules.

HB 1003 by Representative Pruitt

AN ACT Relating to conflicts of interest.

Referred to Committee on Rules.

HB 1004 by Representative D. Nelson

AN ACT Relating to joint operating agencies.

Referred to Committee on Rules.

- HB 1005 by Representative Kaiser  
AN ACT Relating to plant pests and diseases.  
Referred to Committee on Rules.
- HB 1006 by Representative Kaiser  
AN ACT Relating to animal husbandry.  
Referred to Committee on Rules.
- HB 1007 by Representative D. Nelson  
AN ACT Relating to the construction of energy facilities.  
Referred to Committee on Rules.
- HB 1008 by Representative R. King  
AN ACT Relating to benefit levels for unemployment compensation.  
Referred to Committee on Rules.
- HB 1009 by Representative R. King  
AN ACT Relating to qualifications for unemployment compensation.  
Referred to Committee on Rules.
- HB 1010 by Representative D. Nelson  
AN ACT Relating to energy conservation.  
Referred to Committee on Rules.
- HB 1011 by Representative D. Nelson  
AN ACT Relating to building requirements.  
Referred to Committee on Rules.
- HB 1012 by Representative Kaiser  
AN ACT Relating to agricultural commodities.  
Referred to Committee on Rules.
- HB 1013 by Representative Kaiser  
AN ACT Relating to horticultural nurseries.  
Referred to Committee on Rules.
- HB 1014 by Representative Kaiser  
AN ACT Relating to agriculture.  
Referred to Committee on Rules.
- HB 1015 by Representative Kaiser  
AN ACT Relating to water rights.  
Referred to Committee on Rules.
- HB 1016 by Representative Galloway  
AN ACT Relating to education.  
Referred to Committee on Rules.
- HB 1017 by Representative Galloway  
AN ACT Relating to school transportation.  
Referred to Committee on Rules.
- HB 1018 by Representative Brekke  
AN ACT Relating to long-term care.  
Referred to Committee on Rules.
- HB 1019 by Representative Brekke

AN ACT Relating to the criminal justice training commission.

Referred to Committee on Rules.

HB 1020 by Representative Brekke

AN ACT Relating to social and health services.

Referred to Committee on Rules.

HB 1021 by Representative Brekke

AN ACT Relating to veterans.

Referred to Committee on Rules.

HB 1022 by Representative Brekke

AN ACT Relating to employment.

Referred to Committee on Rules.

HB 1023 by Representative Brekke

AN ACT Relating to social and health services.

Referred to Committee on Rules.

HB 1024 by Representative Brekke

AN ACT Relating to residential services.

Referred to Committee on Rules.

HB 1025 by Representative Brekke

AN ACT Relating to chore services.

Referred to Committee on Rules.

HB 1026 by Representative Armstrong

AN ACT Relating to firearms.

Referred to Committee on Rules.

HB 1027 by Representative Lux

AN ACT Relating to insurance.

Referred to Committee on Rules.

HB 1028 by Representative Van Dyken

AN ACT Relating to economic development areas.

Referred to Committee on Rules.

HB 1029 by Representative Kreidler

AN ACT Relating to the departments of social and health services and corrections.

Referred to Committee on Rules.

HB 1030 by Representative Kreidler

AN ACT Relating to detention intake standards.

Referred to Committee on Rules.

HB 1031 by Representative Van Dyken

AN ACT Relating to institutional industries.

Referred to Committee on Rules.

HB 1032 by Representative R. King

AN ACT Relating to the training of mixologists.

Referred to Committee on Rules.

HB 1033 by Representative R. King

AN ACT Relating to workers' compensation.

Referred to Committee on Rules.

- HB 1034 by Representative R. King  
AN ACT Relating to unemployment compensation.  
Referred to Committee on Rules.
- HB 1035 by Representative R. King  
AN ACT Relating to collective bargaining.  
Referred to Committee on Rules.
- HB 1036 by Representative R. King  
AN ACT Relating to the administration of the state's industrial insurance laws by the department of labor and industries.  
Referred to Committee on Rules.
- HB 1037 by Representative R. King  
AN ACT Relating to occupational diseases.  
Referred to Committee on Rules.
- HB 1038 by Representative Pruitt  
AN ACT Relating to congressional redistricting.  
Referred to Committee on Rules.
- HB 1039 by Representative Kreidler  
AN ACT Relating to public assistance.  
Referred to Committee on Rules.
- HB 1040 by Representative Kreidler  
AN ACT Relating to juveniles.  
Referred to Committee on Rules.
- HB 1041 by Representative Kreidler  
AN ACT Relating to corrections.  
Referred to Committee on Rules.
- HB 1042 by Representative J. King  
AN ACT Relating to architect registration.  
Referred to Committee on Rules.
- HB 1043 by Representatives J. King, Hine, Ristuben and Ebersole  
AN ACT Relating to international trade.  
Referred to Committee on Rules.
- HB 1044 by Representative J. King  
AN ACT Relating to professional licensing.  
Referred to Committee on Rules.
- HB 1045 by Representative J. King  
AN ACT Relating to deaf and blind schools.  
Referred to Committee on Rules.
- HB 1046 by Representative Armstrong  
AN ACT Relating to motor vehicles.  
Referred to Committee on Rules.
- HB 1047 by Representative Armstrong  
AN ACT Relating to courts.  
Referred to Committee on Rules.
- HB 1048 by Representative Armstrong

AN ACT Relating to juvenile justice.

Referred to Committee on Rules.

HB 1049 by Representative Armstrong

AN ACT Relating to domestic relations.

Referred to Committee on Rules.

HB 1050 by Representative J. King

AN ACT Relating to economic development.

Referred to Committee on Rules.

HB 1051 by Representative J. King

AN ACT Relating to economic development.

Referred to Committee on Rules.

HB 1052 by Representative Stratton

AN ACT Relating to public lands.

Referred to Committee on Rules.

HB 1053 by Representative Heck

AN ACT Relating to mathematics and science education in the common schools.

Referred to Committee on Rules.

HB 1054 by Representative Burns

AN ACT Relating to tuition and fees.

Referred to Committee on Rules.

HB 1055 by Representative Burns

AN ACT Relating to institutions of higher education.

Referred to Committee on Rules.

HB 1056 by Representative Struthers

AN ACT Relating to fire protection equipment.

Referred to Committee on Rules.

HB 1057 by Representative Kreidler

AN ACT Relating to child abuse and neglect.

Referred to Committee on Rules.

HB 1058 by Representative Kreidler

AN ACT Relating to port districts.

Referred to Committee on Rules.

HB 1059 by Representative Moon

AN ACT Relating to cities and towns.

Referred to Committee on Rules.

HB 1060 by Representative Powers

AN ACT Relating to ferry rate increases and routes.

Referred to Committee on Rules.

HB 1061 by Representative Walk

AN ACT Relating to civil service.

Referred to Committee on Rules.

HB 1062 by Representative Walk

AN ACT Relating to personnel systems.

Referred to Committee on Rules.



- HB 1063 by Representative Walk  
AN ACT Relating to state government.  
Referred to Committee on Rules.
- HB 1064 by Representative Walk  
AN ACT Relating to state government.  
Referred to Committee on Rules.
- HB 1065 by Representative Walk  
AN ACT Relating to the state building code.  
Referred to Committee on Rules.
- HB 1066 by Representatives Sayan and Vekich  
AN ACT Relating to state government.  
Referred to Committee on Rules.
- HB 1067 by Representative R. King  
AN ACT Relating to occupational diseases.  
Referred to Committee on Rules.
- HB 1068 by Representative Stratton  
AN ACT Relating to aquatic lands.  
Referred to Committee on Rules.
- HB 1069 by Representative Stratton  
AN ACT Relating to food fish and shellfish.  
Referred to Committee on Rules.
- HB 1070 by Representative Stratton  
AN ACT Relating to game and game fish.  
Referred to Committee on Rules.
- HB 1071 by Representative Martinis  
AN ACT Relating to transportation.  
Referred to Committee on Rules.
- HB 1072 by Representative Prince  
AN ACT Relating to higher education; and making an appropriation.  
Referred to Committee on Rules.
- HB 1073 by Representatives Wang and Stratton  
AN ACT Relating to the law enforcement officers and fire fighters retirement system.  
Referred to Committee on Rules.
- HB 1074 by Representative Stratton  
AN ACT Relating to child abuse and neglect.  
Referred to Committee on Rules.
- EHB 1075 by Representative Grimm  
AN ACT Relating to revenue and taxation; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 130, Laws of 1975-76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901; adding new sections to chapter 82.04 RCW; creating a new section; providing an effective date; and declaring an emergency.  
Referred to Committee on Rules.
- HB 1076 by Representative Grimm

AN ACT Relating to revenue and taxation.

Referred to Committee on Rules.

HB 1077 by Representative Grimm

AN ACT Relating to revenue and taxation.

Referred to Committee on Rules.

HB 1078 by Representative Grimm

AN ACT Relating to revenue and taxation.

Referred to Committee on Rules.

HB 1079 by Representative Grimm

AN ACT Relating to the budget.

Referred to Committee on Rules.

HB 1080 by Representative Grimm

AN ACT Relating to the budget.

Referred to Committee on Rules.

HB 1081 by Representative Grimm

AN ACT Relating to the budget.

Referred to Committee on Rules.

HB 1082 by Representative Grimm

AN ACT Relating to fiscal matters.

Referred to Committee on Rules.

HB 1083 by Representative Grimm

AN ACT Relating to fiscal matters.

Referred to Committee on Rules.

HB 1084 by Representative Lewis

AN ACT Relating to park district formation.

Referred to Committee on Rules.

HB 1085 by Representative Van Dyken

AN ACT Relating to hydraulics.

Referred to Committee on Rules.

HB 1086 by Representative Van Dyken

AN ACT Relating to private utilities.

Referred to Committee on Rules.

HB 1087 by Representative West

AN ACT Relating to PAC contribution donor specification.

Referred to Committee on Rules.

HB 1088 by Representative West

AN ACT Relating to state management efficiency.

Referred to Committee on Rules.

HB 1089 by Representative Niemi

AN ACT Relating to the holding of a China Exhibition in Washington state.

Referred to Committee on Rules.

HB 1090 by Representative Heck

AN ACT Relating to education.

Referred to Committee on Rules.

HB 1091 by Representative B. Williams  
 AN ACT Relating to treatment alternatives to street crime programs.  
 Referred to Committee on Rules.

HB 1092 by Representative P. King  
 AN ACT Relating to public lands.  
 Referred to Committee on Rules.

HB 1093 by Representative Moon  
 AN ACT Relating to local government.  
 Referred to Committee on Rules.

HB 1094 by Representative Moon  
 AN ACT Relating to local government.  
 Referred to Committee on Rules.

HB 1095 by Representative Moon  
 AN ACT Relating to counties.  
 Referred to Committee on Rules.

HB 1096 by Representative Moon  
 AN ACT Relating to special purpose districts.  
 Referred to Committee on Rules.

HB 1097 by Representative Stratton  
 AN ACT Relating to forest practices exemptions.  
 Referred to Committee on Rules.

HB 1098 by Representative Lux  
 AN ACT Relating to insurance damages.  
 Referred to Committee on Rules.

HB 1099 by Representatives Schoon, Silver, Betrozoff, Nealey, Addison and Dickie.  
 AN ACT Relating to committees for Oregon, Idaho, and Washington.  
 Referred to Committee on Rules.

HB 1100 by Representative Pruitt (by Secretary of State request)  
 AN ACT Relating to voters' pamphlets for local elections.  
 Referred to Committee on Rules.

HJM 24 by Representatives D. Nelson and Powers  
 Requesting Congress to provide adequate educational opportunities for military personnel and their dependents.  
 Recommended referral: Committee on Higher Education.

HJM 25 by Representative Tilly  
 Petitioning Congress and the President to institute procedures to amend the United States Constitution to eliminate the judiciary's jurisdiction over jail and prison construction and operation.  
 Recommended referral: Committee on Judiciary.

HJM 26 by Representatives Bond, Barnes, West, Padden, Nealey, Chandler, Ballard, Smith, Sanders and Isaacson  
 Petitioning Congress to adopt National Strategy of Peace Through Strength.  
 Recommended referral: Committee on State Government.

- HJM 27** by Representatives Sayan, Lux, Pruitt, Fisch, Belcher and Crane  
Requesting the passage of federal legislation to provide jobs for the unemployed.  
Recommended referral: Committee on Labor.
- HJM 28** by Representatives Belcher, Allen, Moon, Locke, Hankins, Galloway, Ellis, Fisher, Niemi, Monohon, Powers, Miller, Haugen, Kreidler, Rust, Wang, Brekke, Long, McClure, Walk, Sayan, Holland, Schoon, Brough, Betzoff, Jacobsen, Armstrong, Fisch, Kaiser, Vekich, Burns, Garrett, Martinis, D. Nelson, Sommers, Pruitt, McMullen, Zellinsky, Smitherman, Appelwick, Sutherland, Tanner, Charnley, Crane, Braddock, Heck, Dellwo, Gallagher, Lux and Grimm  
Petitioning Congress to make Susan B. Anthony's birthday a national holiday.  
Recommended referral: Committee on State Government.
- HJM 29** by Representatives McClure, Tanner and Crane  
Memorializing Congress to regulate reporting of election returns.  
Recommended referral: Committee on Constitution, Elections & Ethics.
- HJM 30** by Representatives D. Nelson and Isaacson  
Petitioning Congress to designate the Hanford Reservation as a National Energy Center.  
Recommended referral: Committee on Energy & Utilities.
- HJM 31** by Representatives Fuhrman, Sanders and Tanner  
Petitioning Congress and President Reagan to make efforts to have MIAs returned.  
Recommended referral: Committee on State Government.
- HJM 32** by Representatives Addison, Fiske, Miller, Hankins, Tanner, B. Williams, Ebersole, Bond, Wilson and Sanders  
Requesting steelhead be designated a national game fish.  
Recommended referral: Committee on Natural Resources.
- HJR 36** by Representatives Tanner and Halsan  
Extending the period during which initiatives may not be amended or repealed.  
Recommended referral: Committee on Constitution, Elections & Ethics.
- HJR 37** by Representative Van Dyken  
Authorizing an income tax in lieu of property and business and occupation taxes.  
Recommended referral: Committee on Ways & Means.
- HJR 38** by Representatives Jacobsen and Fisher  
Authorizing property tax exemptions for homesteads.  
Recommended referral: Committee on Ways & Means.
- HJR 39** by Representatives Hastings, Johnson and Isaacson  
Amending Article II, section 1, to permit the Initiative Reform Act of 1983.  
Recommended referral: Committee on Constitution, Elections & Ethics.
- HJR 40** by Representatives Fuhrman, Holland, Patrick and Sanders  
Establishing a limitation on state revenues.  
Recommended referral: Committee on Ways & Means.

HJR 41 by Representative J. King

Relating to a constitutional amendment.

Recommended referral: Committee on Rules.

HCR 13 by Representatives Sutherland, Tanner and Martinis

Requesting modification of salmon allocation plans.

Recommended referral: Committee on Natural Resources.

HCR 14 by Representatives Belcher, Wang, Kreidler, Charnley and Lux

Creating a study pertaining to the development of a management plan for the Nisqually River corridor.

Recommended referral: Committee on Environmental Affairs.

## MOTION

On motion of Mr. Wang, the bills, memorials and resolutions listed on the supplemental agendas were considered first reading under the fourth order of business, and were ordered retained on the first reading calendar with the exception of HOUSE BILL NO. 793, which was referred to Committee on Agriculture and House Joint Resolution No. 41, which was referred to Committee on Rules.

## MOTION

On motion of Mr. Wang, the House was adjourned until 11:00 a.m., Wednesday, February 23, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FORTY-FIFTH DAY

### MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, February 23, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Taylor, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Siegfried and Bruce Anderson. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

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

#### MESSAGE FROM THE SENATE

February 22, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3042,

SENATE BILL NO. 3198,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary

#### INTRODUCTIONS AND FIRST READING

ESSB 3042 by Committee on Education (originally sponsored by Senators Bottiger, McDermott, Goltz, Bauer, Vognild, Gaspard, Talmadge, Wojahn, Warnke, Lee and Rinehart)

Regulating labor relations in institutions of higher education.

Referred to Committee on Labor.

SB 3198 by Senators Peterson, Sellar, Hansen and Deccio (by Department of Transportation request)

Making appropriations to the department of transportation for the Hood Canal bridge and state highway projects.

Referred to Committee on Transportation.

#### MOTION

On motion of Mr. Heck, the bills, memorials and resolutions listed on the agenda of the previous day and today's agenda under the fourth order of business were considered first reading and were referred to the committees designated with the following exceptions:

HB 706 referred to Committee on Local Government;

HB 712 referred to Committee on Ways & Means;

HB 739 referred to Committee on Labor;

HB 744 referred to Committee on Education;

HB 824 referred to Committee on Ways & Means;

HB 837 referred to Committee on Transportation.

#### SECOND READING

Mr. Heck demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Taylor.

On motion of Mr. Heck, Representative Taylor was excused, and the House proceeded with business under the Call of the House.

#### MOTION

On motion of Mr. Heck, the Rules Committee was relieved of HOUSE BILL NO. 1075 and the bill was placed at the top of the second reading calendar for today.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

HOUSE BILL NO. 1075, by Representative Grimm

Relating to revenue and taxation.

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

Sec. 1. Section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((one))~~ two percent until and including June 30, 1983, and one percent thereafter.

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 2. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((one))~~ two percent until and including June 30, 1983, and one percent thereafter. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a 'sale at retail' or a 'sale at wholesale.' The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

NEW SECTION. Sec. 3. There is added to chapter 82.04 RCW a new section to read as follows:

(1) There is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive, an additional tax equal to thirty-two percent multiplied by the tax payable under RCW 82.04.220 through 82.04.240, inclusive, and RCW 82.04.260 through 82.04.280, inclusive.

(2) There is also levied and shall be collected from every person for the act or privilege of engaging in the business activity of making sales at retail which are exempt from the tax imposed under chapter 82.08 RCW by reason of RCW 82.08.0261 or 82.08.0262, as a part of the tax imposed under RCW 82.04.250, an additional tax equal to thirty-two percent multiplied by the tax payable on those activities under RCW 82.04.250.

(3) To facilitate collection of these additional taxes, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

(4) This section shall expire July 1, 1983.

Sec. 4. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected from every person, other than persons taxed under

section 3 of this 1983 act, for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW ((82.04.220 through 82.04.290, inclusive;)) 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW ((82.04.220 through 82.04.290, inclusive;)) 82.04.250: PROVIDED, That such tax shall be levied and collected from such persons making sales at retail in border counties in an amount equal to thirty-two percent multiplied by the tax payable under the provisions of RCW 82.04.250.

To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

NEW SECTION. Sec. 5. There is added to chapter 82.04 RCW a new section to read as follows:

For purposes of RCW 82.04.2901 and 82.08.020, where a retail sale occurs shall be determined under RCW 82.14.020.

NEW SECTION. Sec. 6. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended in this act, nor any rule, regulation, or order adopted nor any proceeding instituted under those sections.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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 March 1, 1983. The additional taxes and tax rate changes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

Representatives Grimm and Ehlers spoke in favor of the amendment, and it was adopted.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 1 of the title after "taxation;" strike the remainder of the title and insert "amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 212, chapter 3, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 2, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.04.2901; adding new sections to chapter 82.04 RCW; creating a new section; providing an effective date; and declaring an emergency."

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and G. Nelson spoke in favor of passage of the bill.

Representative Taylor appeared at the bar of the House.

Mr. Grimm spoke again in favor of the bill, and Representatives Lux and Heck also spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1075, and the bill passed the House by the following vote: Yeas, 82; nays, 16.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Bond, Cantu, Clayton, Dickie, Egger, Fiske, Fuhrman, Martinis, Padden, Sanders, Schmidt, Stratton, Tilly, West, Williams B, Wilson - 16.

Engrossed House Bill No. 1075, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## MOTIONS

On motion of Mr. Heck, Engrossed House Bill No. 1075 was ordered immediately transmitted to the Senate.

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

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

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

February 23, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1075,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1075.

## MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Thursday, February 24, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FORTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 24, 1983

The House was called to order at 11:00 a.m. by the Speaker (Mr. Sayan presiding). The Clerk called the roll and all members were present except Representatives Fiske, Hankins, P. King, Martinis, Miller and Stratton, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Colleen Maguire and Chris Mattern. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 23, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1075.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HCR 15 by Representatives Kreidler, Dellwo, Stratton and West:

Creating a legislative study committee for health care and preventive medicine.

Referred to Committee on Social & Health Services.

## REPORTS OF STANDING COMMITTEES

February 21, 1983

HB 216 Prime Sponsor, Representative Martinis: Updating the Model Traffic Ordinance. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Clayton, Fisch, Fisher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Barrett, Charnley, Gallagher, Garrett and Sanders.

Passed to Committee on Rules for second reading.

February 22, 1983

HB 274 Prime Sponsor, Representative Lux: Modifying provisions relating to names authorized for savings and loan associations. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "association;" strike all material to and including "association;" on line 18 and insert "or (c) 'Savings bank'"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, Monohon, Vekich and West.

Absent: Representatives P. King, Kreidler and Wang.

Passed to Committee on Rules for second reading.

February 22, 1983

HB 275 Prime Sponsor, Representative Lux: Modifying provisions relating to mutual savings banks. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 2 after "rules" strike "or practices"

On page 5, line 27 after "meeting," strike "it" and inset "if"

On page 6, line 3 after "directors" strike all material to and including "directors" on line 4.

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crame, Dickie, Galloway, Garrett, Hankins, Johnson, Monohon, Vekich and West.

Absent: Representatives P. King, Kreidler and Wang.

Passed to Committee on Rules for second reading.

February 21, 1983

HB 285 Prime Sponsor, Representative Egger: Modifying provisions on the purposes for which motor vehicle fund distributions to cities may be used. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Burns, Clayton, Fisch, Fisher, Hankins, McMullen, Mitchell, Patrick, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Barrett, Charnley, Gallagher, Garrett and Sanders.

Passed to Committee on Rules for second reading.

February 22, 1983

HB 312 Prime Sponsor, Representative Lux: Providing for the conversion from a mutual savings bank to a federal savings bank. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, Monohon, Vekich and West.

Absent: Representatives P. King, Kreidler and Wang.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 373 Prime Sponsor, Representative Braddock: Making the appointment of county drug abuse administrative boards nonmandatory. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 413 Prime Sponsor, Representative Monohon: Extending the allowed duration of leases of port district property. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11 after "extensions for" insert "up to"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard,

Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 419 Prime Sponsor, Representative Niemi: Amending procedures for the filing of reports regarding prearrangement contracts by cemeteries. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 23 after "standards," insert "Verification of these reports by a certified public accountant in accordance with generally accepted auditing standards shall be required on reports from cemetery authorities which manage prearrangement trust funds totaling in excess of five hundred thousand dollars."

Signed by Representatives Walk, Chair; Niemi, Vice Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, Nealey and Silver.

Voting nay: Representatives R. King, Lux, D. Nelson, O'Brien and Sayan.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

February 21, 1983

SB 3165 Prime Sponsor, Senator Barr: Extending state route 21 to Kahlotus. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Clayton, Fisch, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Voting nay: Representatives Charnley and Fisher.

Absent: Representatives Barrett, Gallagher, Garrett and Prince.

Passed to Committee on Rules for second reading.

February 21, 1983

SB 3167 Prime Sponsor, Senator Peterson: Extending state route number 530. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Burns, Clayton, Fisch, Fisher, Hankins, McMullen, Mitchell, Powers, Prince, Ristuben, Smith, Vekich, Walk and J. Williams.

Voting nay: Representatives Patrick and Sanders.

Absent: Representatives Barrett, Charnley, Gallagher, Garrett and Schmidt.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 149, by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, P. King, Kaiser, Ristuben, Powers, Sayan, Smitherman, Wang, Brough, McMullen, Mitchell, Belcher, Patrick, Johnson, Haugen, Rust, Moon, Halsan, Hine, Dellwo, Lux, Ebersole and Locke

Establishing reporting requirements for governmental officials receiving honoraria, entering into contracts, or entering into employment or personal service contracts.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 149 was substituted for House Bill No. 149, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 149 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 150, by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, Kaiser, Ristuben, Wang, Lewis, McMullen, Mitchell, Belcher, Patrick, Johnson, Isaacson, Silver, Rust, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux and Holland

Requiring special reports of campaign contributions over five hundred dollars.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day, February 7, 1983.)

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

Ms. Fisher moved adoption of the following amendment by Representatives Fisher and Pruitt:

On page 1, after line 28 insert the following:

"Sec. 2. Section 42, chapter 1, Laws of 1973 and RCW 42.17.420 are each amended to read as follows:

When any application, report, statement, notice, or payment required to be made under the provisions of this chapter has been deposited postpaid in the United States mail properly addressed, it shall be deemed to have been received on the date of mailing. It shall be presumed that the date shown by the post office cancellation mark on the envelope is the date of mailing. The provisions of this section do not apply to reports required to be delivered under section 1 of this 1983 act."

Ms. Fischer spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Fisher yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Fisher, I had understood that this amendment would make the provision for requirements of the date of reporting subject to the time that the contribution is received by the candidate's committee rather than by the date of the postmark. Am I wrong?"

Ms. Fisher: "This is to follow and after you called, then you mail your notice of your form to the PDC and use that date."

Mr. Barnes: "You are saying that you are required to mail the PDC report?"

Ms. Fisher: "Exactly."

Mr. Barnes: "As I understand the cost starting time of your required report, it starts after you receive the contribution, not after the date that the contribution was postmarked?"

Ms. Fisher: "That's correct, Representative Barnes."

The amendment was adopted.

On motion of Ms. Fisher, the following amendment to the title was adopted:

On page 1, line 2 of the title after "dollars," insert "amending section 42, chapter 1, Laws of 1973 and RCW 42.17.420;"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 152, by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, McMullen, Patrick, Johnson, Isaacson, Burns, Silver, Stratton, Haugen, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux, Holland, Schmidt, D. Nelson, Brekke and Locke

Regulating fund-raising activities during legislative sessions.

The bill was read the second time. Mr. Pruitt moved that Substitute House Bill No. 152 be substituted for House Bill No. 152, and the substitute bill be placed on the calendar for second reading.

Representatives Pruitt and Barnes spoke against the motion to substitute the bill, and the motion was lost.

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

On page 1, after line 4 strike all the material down to and including "demanded," on line 14 and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 42.17 RCW a new section to read as follows:

Neither a member of the legislature nor the lieutenant governor may knowingly make any solicitation or assist in any solicitation of campaign contributions or pledges for any campaign of any member of the legislature, or the lieutenant governor, for any state office if the solicitation occurs: (1) During any regular session, or (2) during any period in March through May in which the legislature is in special session or sessions. This section shall not apply to any solicitation or assisting in any solicitation: Made in respect to a fund-raising event sponsored by a caucus of the legislature, or made by a person whose recall has been demanded when the solicitation occurs prior to the date of the recall election.

NEW SECTION, Sec. 2. There is added to chapter 42.17 RCW a new section to read as follows:

Neither a member of the legislature nor the lieutenant governor may knowingly make any solicitation or assist in any solicitation of contributions or pledges to defray nonreimbursed public office-related expenses of any member of the legislature or the lieutenant governor if the solicitation occurs: (1) During any regular session, or (2) during any period in March through May in which the legislature is in special session or sessions."

Renumber the remaining section consecutively.

On page 1, line 2 of the title, strike "a new section" and insert "new sections"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 153, by Representatives Pruitt, Barnes, Miller, Fisch, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, Mitchell, Belcher, Patrick, Isaacson, Silver, Stratton, McDonald, Todd, Moon, Halsan, Hine, Dellwo, Lux, Holland, Ebersole and Johnson

Establishing additional requirements for reports of transfers of funds by political candidates or committees.

The bill was read the second time. Committee on Constitution, Elections and Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 32nd Day, February 10, 1983.)

On motion of Mr. Pruitt, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

#### POINT OF INFORMATION

Mr. Isaacson: "Regarding House Bill 153, on line 13, could that be construed as five business days or five calendar days?"

The Speaker (Mr. Sayan presiding): "Representative Isaacson, the Speaker is not in a position to interpret House Bill 153 at this time. It will have to be a later matter."

Mr. Isaacson: Could that question be directed to the chairman of the committee for this measure?"

The Speaker (Mr. Sayan presiding): "At this point, Representative Isaacson, House Bill 153 has been referred to Rules Committee. It will be perfectly appropriate for you to ask that question on third reading."

HOUSE BILL NO. 6, by Representatives D. Nelson, Brekke, Vekich, Rust, Patrick, Jacobsen and Lux

Modifying provisions relating to unemployment compensation where individuals have had substantial periods of part-time employment.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 6 was substituted for House Bill No. 6, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 6 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 24, by Representatives R. King, Clayton, McMullen, Gallagher and Belcher (by Department of Labor and Industries request)

Allowing the department to take disciplinary action against self-insured employers.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 24 was substituted for House Bill No. 24, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 24 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King and Clayton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 24, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Fiske, Hankins, King P, Martinis, Miller, Stratton - 6.

Substitute House Bill No. 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.

HOUSE BILL NO. 73, by Representatives Moon, Charnley and Wilson

Raising debt limits for cities, towns and hospital districts.

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

HOUSE BILL NO. 102, by Representatives R. King, Clayton, Lux, Addison, Monohon, Gallagher, Sayan, Vekich, Belcher, Fisch, Charnley, Ebersole, Ristuben, Isaacson, McMullen, Crane and Todd

Defining application of chapter on vocational rehabilitation for injured workers.

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

HOUSE BILL NO. 111, by Representatives R. King, Isaacson, Miller and Hine

Modifying provisions relating to water and sewer district treasurers.

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

HOUSE BILL NO. 136, by Representatives R. King and Clayton (by Public Employment Relations Commission request)

Imposing a time limit on filing certain unfair labor practice complaints.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King and Clayton spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 136, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Fiske, Hankins, King P, Martinis, Miller, Stratton - 6.

House Bill No. 136, having received the 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. 217, by Representatives Moon and Gallagher

Modifying provisions on liens on public works.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 217, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Fiske, Hankins, King P, Martinis, Miller, Stratton - 6.

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

HOUSE BILL NO. 318, by Representatives Hine, Brough, Charnley, Allen and Isaacson

Establishing procedures for moorage facilities to enforce moorage and storage regulations.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day, February 18, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine and Schmidt spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 318, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.



Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Fiske, Hankins, King P, Martinis, Miller, Stratton - 6.

Engrossed House Bill No. 318, having received the 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. Wang, the House adjourned until 11:00 a.m., Friday, February 25, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FORTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 25, 1983

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Hankins, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Debbie Niichel and Eric Thorpe. Prayer was offered by The Reverend Wallace Misterek, Minister of the Trinity Lutheran Church of Olympia.

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

## REPORTS OF STANDING COMMITTEES

February 22, 1983

HB 114 Prime Sponsor, Representative Sutherland: Regulating district heating system services. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Fiske, Gallagher, Hastings, Jacobsen, Locke, Miller, Nealey, Pruitt and Sutherland.

Voting nay: Representative Bond.

Absent: Representatives Martinis and Moon.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 164 Prime Sponsor, Representative Braddock: Creating a commission to study the feasibility and desirability of state participation in the British Columbia World Exposition of 1986. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 before "regular" strike "1985" and insert "1984"

On page 1, line 24 after "30," strike "1985" and insert "1984"

On page 2, beginning on line 2 strike all of subsection (2) and insert the following:

"(2) The department of commerce and economic development shall provide administrative and staff support to the commission."

On page 2, line 18 after "the" strike "1985" and insert "1984"

On page 2, line 24 after "by" strike "November" and insert "January"

On page 2, beginning on line 25 strike all of section 4 and insert the following new section:  
"NEW SECTION. Sec. 4. Reimbursement of commissioners for expenses for no more than five meetings as authorized in subsection (1) of section 2 of this act shall be paid by the director of commerce and economic development as a proper charge to the state trade fair fund."

On page 2, beginning on line 28 after "on" strike the remainder of section 5 and insert "June 30, 1984."

On page 2, beginning on line 30 strike all of section 6 and renumber the remaining sections consecutively.

On page 1, line 2 of the title after "1986;" strike all material through "RCW;"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan and Silver.

Absent: Representative Taylor and Vekich.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 208 Prime Sponsor, Representative Vekich: Increasing the maximum amount which state agencies, colleges, and universities may purchase without competition. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:  
 On page 2, line 16 after "dollars" strike "by unanimous vote by all" and insert "(~~by unanimous vote by all~~) with the approval of at least ten of the"  
 On page 2, line 17 strike "who are in attendance"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan and Silver.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 313 Prime Sponsor, Representative Belcher: Transferring responsibility for state fire protection contracts to the planning and community affairs agency. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey; D. Nelson, O'Brien, Sayan and Silver.

Voting nay: Representative Bond.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 393 Prime Sponsor, Representative Smitherman: Authorizing assistance to street abutters in improving streets. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole, Grimm and Hine.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 411 Prime Sponsor, Representative Monohon: Modifying water power license fees. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Jacobsen and Lux.

Voting nay: Representatives Pruitt, Van Dyken and J. Williams.

Absent: Representatives Patrick, Ranking Minority Chair; Clayton, Hankins and Lewis.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 412 Prime Sponsor, Representative Monohon: Modifying fees and expenses under the water rights codes. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Patrick, Ranking Minority Chair; Clayton, Hankins and Lewis.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 420 Prime Sponsor, Representative Niemi: Changing the calculation of fees for the issuance of certification of authority by the cemetery board. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, O'Brien, Sayan and Silver.

Absent: Representatives Taylor and Vekich.

Passed to Committee on Rules for second reading.

February 23, 1983

HB 440 Prime Sponsor, Representative Kaiser: Revising the regulation of agricultural commodity warehouses. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Moon and Pruitt.

Absent: Representatives Ebersole and Todd.

Rereferred to Committee on Ways & Means.

February 23, 1983

HCR 2 Prime Sponsor, Representative Moon: Calling for an interim study of the need for legislation regarding city-county consolidation. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Mitchell, Ristuben, Smitherman and Todd.

Voting nay: Representative Isaacson.

Absent: Representatives Ebersole, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 149, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, P. King, Kaiser, Ristuben, Powers, Sayan, Smitherman, Wang, Brough, McMullen, Mitchell, Belcher, Patrick, Johnson, Haugen, Rust, Moon, Halsan, Hine, Dellwo, Lux, Ebersole and Locke)

Establishing reporting requirements for governmental officials receiving honoraria, entering into contracts, or entering into employment or personal service contracts.

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

Representatives Pruitt, Barnes and Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 149, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Hankins - 1.

Substitute House Bill No. 149, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 150, by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, Kaiser, Ristuben, Wang, Lewis, McMullen, Mitchell, Belcher, Patrick, Johnson, Isaacson, Silver, Rust, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux and Holland

Requiring special reports of campaign contributions over five hundred dollars.

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

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

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Pruitt, on page 2, line 10, subsection (e) it says: 'The report shall include at least...' And then it goes on to say, '...any other information the commission by rule may require.' Can you give me an example of some of the rules they may require?"

Mr. Pruitt: "I'm not acquainted with the exact rules they may require. I know we gave them the possibility that when there are difficulties--it would seem to me that what we are talking about is: If in the intent of the bill, living with the intent of the bill, they were not able under the intent of the bill to receive the information; that they might find some glitch in this, they might be able to change the rule in order to more nearly fit those requirements. This would be the kind of rule that I would think they would be allowed to change. We did agree in committee that there are some difficulties in receiving those reports in a timely manner. There might have to be, I would think, some changes; but I know they would still be within the intent of this bill."

Mr. Hastings spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 150, and the bill passed the House by the following vote: Yeas, 89; nays, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Fuhrman, Hastings, Padden, Smith - 8.

Excused: Representative Hankins - 1.

Engrossed House Bill No. 150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 152, by Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, McMullen, Patrick, Johnson, Isaacson, Burns, Silver, Stratton, Haugen, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux, Holland, Schmidt, D. Nelson, Brekke and Locke

Regulating fund-raising activities during legislative sessions.

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

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

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Pruitt, in section 1 it points out that if you have a recall election in front of you that it would be permissible to raise funds. I'm reminded that we did have a special session during the November period when some of the members had to run because of an open seat. Would they be precluded from certain things during that period?"

Mr. Pruitt: "The legislation, I think, does apply to the open seat and it is not designated in there, so it would apply to the open seat."

Mr. Isaacson: "In other words, a person who was in a special session of the legislature would be precluded from soliciting funds if he was in special session and he had to run for that open seat?"

Mr. Pruitt: "That's correct. It's just like the rest of us during the legislative session or a special session up to the time designated in the bill, which is March through May. That's true, all of us, whether or not it's an open seat, are in the same category in the bill."

Representatives Isaacson and Moon spoke against passage of the bill, and Representatives Patrick and Barnes spoke in favor of it.

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Wang.

Mr. Wang: "Representative Pruitt, for purposes of straightening this out one more time here, can a person who is a candidate for an open seat in November for a central election hold a fund raiser during a regular legislative session?"

Mr. Pruitt: "No."

Mr. Wang: "Can that person hold an individual fund raiser during a special session in the period from March through May?"

Mr. Pruitt: "The answer is still 'no.'"

Mr. Wang: "Can that person hold an individual fund raiser at any other time period other than a regular session or a special session during the time frame of March through May?"

Mr. Pruitt: "Yes, and the rest of us can, too."

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

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Pruitt, this bill, the way I understand it, would preclude me from holding a fund raiser the day after it's passed for my own reelection campaign. Were someone to form a political action committee for the reelection of Roger Van Dyken to the state legislature, would that political action committee be precluded from holding that same fund raiser?"

Mr. Pruitt: "It's not at all certain that that could not be done. However, we do state that if you are involved in solicitation or in any way are a part of that, this would be illegal. It does leave that question in mind."

Mr. Van Dyken: "So, if you send the invitations to the Roger Van Dyken political action committee fund raiser, it's okay, as long as I don't sign the invitation?"

Mr. Pruitt: "I would say you would not be a part of that solicitation, but I would be very wary and very careful of that myself, according to this bill."

Mr. Van Dyken: "Could I attend the function?"

Mr. Pruitt: "I would say for me, as I read this bill, I would not attend the function. You, Roger Van Dyken, could choose to if you wish."

Mr. Van Dyken spoke against passage of the bill.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Pruitt, is a legislator who is running for governor barred from raising funds when the lieutenant governor may solicit funds during a session?"

Mr. Pruitt: "Yes, Representative Armstrong, that person would not be able to solicit funds because the law does cover all legislators, no matter what other office they might be running for."

Mr. Armstrong spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 152, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Armstrong, Clayton, Hastings, Isaacson, Jacobsen, Moon - 6.

Excused: Representative Hankins - 1.

Engrossed House Bill No. 152, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 153, by Representatives Pruitt, Barnes, Miller, Fisch, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, Mitchell, Belcher, Patrick, Isaacson, Silver, Stratton, McDonald, Todd, Moon, Halsan, Hine, Dellwo, Lux, Holland, Ebersole and Johnson

Establishing additional requirements for reports of transfers of funds by political candidates or committees.

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

Mr. Pruitt spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Pruitt, in as much as each campaign for each reelection to the House is a separate campaign, would transfer of funds from one campaign to the next campaign for the same legislator be construed as to be required to be reported separately under this bill?"

Mr. Pruitt: "It would be construed to be reported in the one given calendar year, from one campaign to another, yes. Any of those funds that were reported

within that campaign year, yes, they would need to be reported. They need to be reported now and then only emphasized from one campaign to another campaign."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 153, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Barnes, Bond, Broback, Brough, Chandler, Dickie, Fuhrman, Isaacson, Long, Padden, Smith, West - 12.

Excused: Representative Hankins - 1.

Engrossed House Bill No. 153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 79, by Committee on Local Government (originally sponsored by Representatives Moon and Van Dyken)

Allowing cities and towns to charge interest on sewer hook-ups.

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

Representatives Hine and Van Dyken 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. 79, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Hankins - 1.

Engrossed Substitute House Bill No. 79, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 36, by Representatives Hastings, Hine, Isaacson and Mitchell

Modifying provisions relating to the formation of sewer districts.

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

On motion of Mr. Wang, the rules were suspended, and the bill was returned to second reading for the purpose of amendment.

Mr. McMullen moved adoption of the following amendment by Representatives McMullen and Hastings:

On page 1, line 20 after "shall" strike "declare the district to be formed." and insert "forward the petition to the county legislative authority who shall hold a hearing pursuant to RCW 56.02.060. Approval or disapproval of the proposed district shall be as provided in RCW 56.02.070."



Representatives McMullen and Hastings spoke in favor of the amendment and it was adopted.

The bill was ordered reengrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hastings and Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 36, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Hankins - 1.

Reengrossed House Bill No. 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. Wang, the House was recessed until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Dickie, Garrett, Hankins, Haugen and Heck, who were excused.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 47, by Committee on Local Government (originally sponsored by Representatives Garrett, Walk, Hankins, Johnson, Stratton and Hine)

Extending and modifying the municipal research council.

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

Representatives Moon and Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 47, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 3; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Bond, Clayton, Vekich - 3.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

Substitute House Bill No. 47, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 77, by Representatives Martinis, Wilson, Moon, Johnson, Sanders, Zellinsky and Mitchell

Permitting a longer time period for the acquisition of property by port districts.

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

Representatives Martinis and Van Dyken spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 77, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 3; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Bond, Clayton, Vekich - 3.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

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

HOUSE BILL NO. 31, by Representatives Wang, Armstrong, Padden, Johnson, Brough, McMullen, Ristuben, Miller, Fuhrman, Holland, Broback, Isaacson, Silver, P. King, Hastings, Bond, Addison, Mitchell, R. King, B. Williams, Patrick, Lewis, Allen, Tanner, Long, Brekke, Barrett and West

Providing that using or threatening to use an apparent deadly weapon is forcible compulsion for the crime of rape in the first degree.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 31, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 3; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Bond, Clayton, Vekich - 3.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

House Bill No. 31, having received the 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. 99, by Committee on Judiciary (originally sponsored by Representatives Wang and Tanner)

Modifying the procedures governing defendants acquitted by reasons of insanity.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 99, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Bond - 1.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

Substitute House Bill No. 99, having received the 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. 174, by Representatives Armstrong, Padden, Charnley and Hastings

Requiring information about money judgments to be filed with the court clerk.

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

Representatives Armstrong and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 174, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

House Bill No. 174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 344, by Representatives Armstrong, Fiske and Tanner (by Secretary of State request)

Modifying the laws regulating professional corporations.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 344, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Rust - 1.

Absent: Representative Vekich - 1.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

House Bill No. 344, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 348, by Representatives Armstrong, Fiske, Tanner and Padden (by Secretary of State request)

Modifying the corporation laws.

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

Representatives Armstrong and Fiske spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 348, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

Engrossed House Bill No. 348, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 259, by Representatives Martinis, Prince and Charnley (by Department of Licensing request)

Revising laws regulating hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 259, and the bill passed the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

Engrossed House Bill No. 259, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives Charnley, Isaacson, Hine, Hankins, Hastings and Sanders

Continuing the Joint Ad Hoc Committee on Science and Technology.

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

Mr. Charnley spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 3, and the resolution was adopted by the House by the following vote: Yeas, 93; nays, 0; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Dickie, Garrett, Hankins, Haugen, Heck - 5.

Engrossed House Concurrent Resolution No. 3, having received the constitutional majority, was declared adopted.

Representative Dickie appeared at the bar of the House.

HOUSE BILL NO. 111, by Representatives R. King, Isaacson, Miller and Hine

Modifying provisions relating to water and sewer district treasurers.

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

Representatives R. King, Miller and Charnley spoke in favor of passage of the bill, and Mr. Fisch spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 111, and the bill passed the House by the following vote: Yeas, 87; nays, 7; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Ellis, Fisher, Fiske, Fuhrman, Galloway, Grimm, Halsan, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Crane, Egger, Fisch, Gallagher, Kreidler, Sommers, Vander Stoep - 7.

Excused: Representatives Garrett, Hankins, Haugen, Heck - 4.

House Bill No. 111, having received the 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. 6, by Committee on Labor (originally sponsored by Representatives D. Nelson, Brekke, Vekich, Rust, Patrick, Jacobsen and Lux)

Modifying the definition of suitable work for unemployment compensation purposes.

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

Mr. D. Nelson spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Nelson, in reading through the bill a number of questions come to my mind. What is the definition of 'part time'?"

Mr. D. Nelson: "Part time, according to the Department of Employment Security, is any work less than eight hours. It could be seven and one-half hours a day or thirty-eight hours a week or less than that."

Mr. McDonald: "You stated earlier that there was minimal fiscal impact. Is that correct?"

Mr. D. Nelson: "That is by the fiscal impact report done by the Department of Employment Security. If you'll look in your bill analysis, you'll find that's what the estimate is."

Mr. McDonald: "I see that it says they are unable to determine fiscal impact, but it seems to me that under the conditions today there would be substantial impact of some kind. I understand that they can't estimate it at this point."

Mr. D. Nelson: "They have assured me there is no problem. If you read it, they say that it would be difficult to assess and that's true, because we have no good statistics on part-time employees currently in the work force, especially permanent part-time employees. Their best estimate is that the number of people who would fit the conditions in this bill is very small and, hence, the fiscal impact is very slight."

Mr. McDonald: "The thing that strikes me is: What happens in the case of somebody who is working part-time presently, is laid off, a full time job is available, but refuses to take that job even though there is no good reason to do so?"

Mr. D. Nelson: "He would be denied. Under the second condition in the bill, there has to be available part-time work in their field. If there is no available part-time work, then he does not qualify."

Mr. McDonald: "It does say in section 3, 'There exist in the individual's labor market reasonable opportunities for finding part-time work in the individual's occupation.' That still doesn't address the problem, at least in my mind. Those opportunities may exist out there; they may all be filled at that particular time."

Mr. D. Nelson: "That's the same condition that applies to full-time workers. The same condition applies to that person. If they are filled, they can't get work. There's no difference; we're putting it on an equitable basis between full time and part time."

Mr. McDonald spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Dickie.

Mr. Dickie: "Representative Nelson, I would like to support this bill and when I heard you define it, I was very much impressed by it; however, I got to thinking, would a seven-hour day worker working for one hundred eighty-three days a year be classified as one of those people?"

Mr. D. Nelson: "Someone working less than eight hours a day is a part-time worker according to the department's definition. To qualify for unemployment compensation, one has to have worked six hundred eighty hours in that base year to qualify."

Mr. Dickie: "So what you are telling me is that an employee who works seven hours a day, one hundred eighty-three days a year would qualify for unemployment compensation?"

Mr. D. Nelson: "Not if he is a salaried employee. He would have to also meet the conditions in this bill."

Mr. Dickie: "Would we be talking about classified employees in the school districts?"

Mr. D. Nelson: "I do not believe that is the case."

Mr. Dickie: "This does not apply to classified employees in a school district?"

Mr. D. Nelson: "I would yield to Representative Dick King."

Mr. R. King: "When the department testified in front of the committee, it was said that there are different definitions of what full-time employment would be, depending on the type of job. Classifications vary from one area to another. For other reasons, the bill will not apply to classified employees, but if the person were working less than what was considered to be full time for a classified, which might

be less than eight hours a day, I'm not sure how the department would classify that. It's a job-by-job classification."

Representatives Clayton and Struthers spoke against the bill.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Sanders.

Mr. Sanders: "Representative King, this is another unemployment compensation bill where we add to the benefit side. Several weeks ago we had another bill on unemployment compensation which added to the benefit side of the equation and, at the time, I asked you what the majority party was doing about the revenue side of the equation since our unemployment compensation fund is rapidly being depleted. I think your answer was that the Senate was working on it. How's the Senate coming along about doing something about the revenue side?"

Mr. R. King: "I believe there have been several hearings on the subject. So far, they have not increased the rates for employers. It's obvious that, at some time, we are going to have to do that but, perhaps, they will be able to see a way of not doing it until the next session of the legislature."

Representatives R. King and Brekke spoke in favor of the bill, and Mr. Bond spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative King, during some of the previous discussions it was pointed out that it may not apply to salaried or professional employees. Would it apply to someone working for hourly wages who would work for less than seven hours on a regular basis? To be specific, would it apply to school bus drivers at the end of the school term? Could they, at the end of the school term, claim unemployment compensation to carry them through until the next school term?"

Mr. R. King: "They can do that now unless they have a contract for the following year. School employees immediately would be eligible for unemployment compensation if they didn't have a contract or a letter of agreement. In the condition that they do not have a letter of agreement, they would be eligible under existing law and what this bill might do for them is, if they had been working only part time and could demonstrate that they had a long history of part-time work, it might make them eligible for unemployment compensation while they are only seeking comparable part-time employment. I would think the number involved would be at a minimum."

Mr. D. Nelson spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 6, and the bill passed the House by the following vote: Yeas, 50; nays, 44; excused, 4.

Voting yea: Representatives Allen, Appelwick, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Grimm, Halsan, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Galloway, Hastings, Holland, Johnson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 44.

Excused: Representatives Garrett, Hankins, Haugen, Heck - 4.

Substitute House Bill No. 6, having received the 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. Isaacson, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 6 passed the House.

Representative Garrett appeared at the bar of the House.

HOUSE BILL NO. 73, by Representatives Moon, Charnley and Wilson

Raising debt limits for cities, towns and hospital districts.

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

Representatives Moon, Hine and Van Dyken spoke in favor of the bill, and Representatives Padden, Lux, Addison and West spoke against it.

Representatives Moon and Van Dyken spoke again in favor of the bill, and Representative Lux again opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 73, and the bill passed the House by the following vote: Yeas, 55; nays, 40; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hine, Jacobsen, King J, King P, King R, Kreidler, Long, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, Williams B, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Barrett, Bond, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Locke, Lux, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Walk, West, Williams J, Wilson - 40.

Excused: Representatives Hankins, Haugen, Heck - 3.

House Bill No. 73, having received the 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. Wang the House advanced to the eighth order of business.

On motion of Mr. Wang, HOUSE BILL NO. 671 was rereferred from Committee on Judiciary to Committee on State Government.

On motion of Mr. Wang, HOUSE BILL NO. 815 was rereferred from Committee on Ways & Means to Committee on Commerce & Economic Development.

## MOTION

On motion of Mr. Wang, the House was adjourned until 10:30 a.m., Monday, February 28, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



**FIFTIETH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Monday, February 28, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins and West, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jean Dahl and Craig Wendt. Prayer was offered by The Reverend Ray Hood, Minister of the Olympia-Lacey Church of God.

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

**MESSAGE FROM THE SENATE**

February 25, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3108,  
SUBSTITUTE SENATE BILL NO. 3166,  
SENATE BILL NO. 3211.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**POINT OF INFORMATION**

Mr. McDonald: "Mr. Speaker, look as I might, down through the flash calendar, I can't find any House Concurrent Resolution on the rules. I wonder if this is some kind of a mistake or if, indeed, we are going to have Joint Rules before us?"

The Speaker: "Representative McDonald, it certainly is not on the flash calendar."

**INTRODUCTIONS AND FIRST READING**

ESSB 3108 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Peterson, Bender, Wojahn, McDermott and Bauer)

Revising laws governing labor relations for ferry workers.

Referred to Committee on Labor.

SSB 3166 by Committee on Financial Institutions (originally sponsored by Senators Bauer, Sellar, Moore and Lee)

Modifying provisions relating to notary fees.

Referred to Committee on Financial Institutions & Insurance.

SB 3211 by Senators Peterson, Patterson and Hansen (by Department of Transportation request)

Modifying provisions on aircraft fuel taxes.

Referred to Committee on Transportation.

**REPORTS OF STANDING COMMITTEES**

February 25, 1983

HB 72 Prime Sponsor, Representative Grimm: Modifying miscellaneous tax provisions. Reported by Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Appelwick, Bond,

Braddock, Brekke, Ellis, Fiske, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Addison, Hastings, Heck, McDonald and Taylor.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 189 Prime Sponsor, Representative Wang: Modifying provisions for the issuance and sale of bonds by metropolitan park districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Hine and Todd.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 239 Prime Sponsor, Representative Pruitt: Regulating exit polling. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 19 after "exit poll" strike all material through "election." on line 21 and insert "or public opinion poll with voters."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Tanner, Vander Stoep and Zellinsky.

Absent: Representative Sommers.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 263 Prime Sponsor, Representative Moon: Modifying provisions relating to altering local tax rates. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 289 Prime Sponsor, Representative Haugen: Authorizing law enforcement officers to revoke the license of persons arrested for driving while intoxicated. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Passed to Committee on Rules for second reading.

February 24, 1983

HB 306 Prime Sponsor, Representative Prince: Providing reciprocity for waiver of nonresident tuition between this state and Idaho and British Columbia. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice

Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, Locke, McDonald, McMullen, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representatives R. King and Miller.

Passed to Committee on Rules for second reading.

February 24, 1983

HB 366 Prime Sponsor, Representative Pruitt: Permitting public entities involved in the generation, sale, or distribution of energy to provide energy conservation analyses and financing assistance for their customers. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Fiske, Gallagher, Hastings, Jacobsen, Locke, Moon, Nealey, Pruitt and Sutherland.

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

Absent: Representatives Martinis and Miller.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 374 Prime Sponsor, Representative Moon: Modifying certain budget and accounting procedures for school districts and other public districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representative Grimm.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 392 Prime Sponsor, Representative Ebersole: Modifying the hearing procedures for the formation of local improvement districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 9 after "city" and before "council" insert "or town"

On page 1, line 9 after "of the city" insert "or town"

On page 2, line 4 after "city" insert "or town"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Passed to Committee on Rules for second reading.

February 24, 1983

HB 409 Prime Sponsor, Representative Tanner: Providing for reciprocity between Washington and Oregon for nonresident tuition waivers. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, Locke, McDonald, McMullen, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representatives R. King and Miller.

Passed to Committee on Rules for second reading.

February 24, 1983

HB 488 Prime Sponsor, Representative Lux: Modifying provisions relating to health maintenance organizations. Reported by Committee on Financial Institutions & Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Johnson, Kreidler, Vekich, Wang and West.

Absent: Representatives Sanders, Ranking Minority Chair; Hankins, P. King and Monohon.

Passed to Committee on Rules for second reading.

February 25, 1983

HB 524 Prime Sponsor, Representative Brekke: Revising eligibility for medical care services. Reported by Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Addison, Hastings, Heck and Taylor.

Passed to Committee on Rules for second reading.

February 24, 1983

HJR 19 Prime Sponsor, Representative Pruitt: Authorizing loans for energy conservation. Reported by Committee on Energy & Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Jacobsen, Locke, Nealey, Pruitt and Sutherland.

Absent: Representatives Gallagher, Martinis, Miller and Moon.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 84, by Committee on Local Government (originally sponsored by Representatives Haugen, McMullen, Moon, Braddock, Sayan, Ellis, Wilson, Fiske, Van Dyken, Isaacson and Mitchell)

Modifying provisions relating to the land ownership prerequisite for special district elections.

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

Ms. Haugen 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. 84, and the bill passed the House by the following vote: Yeas, 87; nays, 5; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Burns, Ellis, Fisher, Niemi - 5.  
 Absent: Representatives Grimm, King P, Monohon, Van Dyken - 4.  
 Excused: Representatives Hankins, West - 2.

Engrossed Substitute House Bill No. 84, having received the 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. 102, by Representatives R. King, Clayton, Lux, Addison, Monohon, Gallagher, Sayan, Vekich, Belcher, Fisch, Charnley, Ebersole, Ristuben, Isaacson, McMullen, Crane and Todd

Defining application of chapter on vocational rehabilitation for injured workers.

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

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 102, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Grimm, King P, Van Dyken - 3.  
 Excused: Representatives Hankins, West - 2.

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

#### MOTION FOR RECONSIDERATION

Mr. Isaacson, having served prior notice, moved that the House now reconsider the vote by which Substitute House Bill No. 6 passed the House.

Mr. D. Nelson spoke against the motion.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, how would this measure affect the seasonal farm workers?"

Mr. D. Nelson: "Representative Isaacson, my understanding is that it would not affect seasonal farm workers. Seasonal farm workers are now covered under the law under very strict provisions that require that the employer must employ at least ten employees and that there must be, I believe, \$20,000 of salaries paid to those farm workers within a month's period. So there is coverage right now that restricts the ability of farm workers who are seasonal, who move from one employer to another or, putting it another way, the small farms that hire people on a seasonal harvest basis; it restricts the law and does not apply to those workers. This bill would not at all change those strict positions that really limit unemployment compensation to only the permanent workers who work in agriculture."

Mr. Isaacson: "Representative Nelson, how would the measure then affect the seasonal processing of those farm products, such as the food processors?"

Mr. D. Nelson: "I think you could simply say that this bill applies to permanent part-time employees. People now work in seasonal employment and are able to attain unemployment benefits -- and many do, many seasonal employees obtain benefits including loggers, fishermen and, I believe, some people who work in the

processing of agricultural products. This bill in no way affects those industries because those people now can obtain benefits under the current law."

Mr. Isaacson: "These are the questions, of course, that keep being raised that I think we need to address. The final question would be: Does this open up any form of employment to unemployment compensation that is not covered by present law? In other words, is the fact that they are part-time workers the only fact that we are looking at as to classification of employees, and not opening up new areas or new classifications of part-time employment?"

Mr. D. Nelson "I think the answer to that is 'no.' It would not open up new categories of employment. The current unemployment compensation law covers all workers except -- then there's a whole host of exceptions in the law of employment categories that are not covered--for example, salaried management employees, except if the employer wants them to be covered. There's a whole set of these in there. This bill does not expand or subtract from those exceptions in the coverage of the unemployment compensation law."

Mr. Isaacson spoke in favor of the motion for reconsideration.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Ms. Long.

Ms. Long: "Representative Nelson, one question that has been raised is whether or not employers who have a high number of claims -- if their rate would change? My understanding is that employers presently pay three percent of the wage base of \$11,400, and there is a concern that if a given employer has part-time employees as opposed to full-time then there would be more claims filed. Would that employer's rate be changed?"

Mr. D. Nelson: "Representative Long, my understanding is that the rate is now fixed in the law except if the fund reaches a certain level. Then there could be a change in the rate. It could go then to an experience-rating basis that would have variable rates, but I see no way that this bill would cause a change in the rate of payment."

Ms. Long: "Could you tell us how this bill might affect school employees?"

Mr. D. Nelson: "I think the question was raised last Friday with the situation of school bus drivers who work less than eight hours a day on a regular basis. My understanding is that those employees now are considered full-time employees even though they only work, perhaps, six hours a day. Within the school year, those employees would be already covered in the unemployment law. If they are not working in the summer period, and if there is no reasonable assurance that they will be rehired in the fall, then they are eligible for unemployment compensation as full-time employees are. If there is some reasonable assurance that they will be rehired, then they are not eligible, so I don't see that this bill changes that whole area of unemployment compensation as it applies to those full-time people."

Ms. Long: "Also there was a question on the fiscal note. Apparently some people did not have it in their books or didn't understand what was there. Would you address that? Would you address the fiscal impact? In my book it states that the impact would be minimal."

Mr. D. Nelson: "When the department turns down someone who applies for unemployment compensation because they have not shown enough work within the base year, namely six hundred eighty hours, it currently does not ask them why they didn't earn more than that, why they did not receive more hours' work. It also does not keep specific records of why they turn down some people who happen to earn more than those who are eligible but did not say that they were available for full-time work in their area. The department currently does not have specifics on permanent part-time employees unfortunately. What they have said in the fiscal note is that, in their best estimate, there are few people in the permanent part-time category that would become eligible, and so the fiscal impact would be low. They also say -- not in the fiscal note, but they have said to me privately -- that, currently, part-time employees who say that they are available for full-time work and

who then receive unemployment compensation often, in reality, are not eligible. You have the situation where those people who are not truthfully saying they are eligible are receiving it whereas those employees who say that is my work--part-time work--are then turned down. That's the situation with respect to the fiscal note. They have done their best to estimate, and they think it is a minimal impact on the system."

Ms. Long spoke against the motion.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Nelson, let me paint a picture for you. A bus driver drives until June and, normally, he would be off for the summer so he would not collect unemployment; he doesn't have a letter from the district saying he is rehired. At what point does his unemployment insurance start? Keep in mind that, normally, he is off for the summer anyway. Would it be September?"

Mr. D. Nelson: "I believe, and maybe others know more about this than I, but I believe there is a one-week waiting period under the existing law and the department, according to the rules, says that if there is not reasonable assurance that there will be a rehiring in the fall, then that person is eligible. I don't know the exact date the department uses, but my guess is that it's a week into the summer."

Mr. Taylor: "So, in your interpretation, even though he would not have been employed at all during the summer, this time he gets to collect unemployment insurance in the time frame when he normally would not have been eligible?"

Mr. D. Nelson: "This law in no way changes the current situation for those bus drivers. They are considered full-time employees even though they work less than eight hours."

Mr. Taylor: "I realize that, but without a letter then, they could collect unemployment one week after the school year is out even if they normally didn't work then?"

Mr. D. Nelson: "That's the way it is right now, Representative Taylor. This wouldn't change that situation."

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Nelson, I'm sort of concerned about those who have two part-time jobs. I know one example is the bus drivers and I happen to know that some of those bus drivers go back and work part time as mechanics or in grocery stores and so forth. Is there a great chance for abuse or, even if they are considered full time as a bus driver, they could somehow draw unemployment on that other part-time job that they are holding?"

Mr. D. Nelson: "Representative Nealey, I'm trying to remember how the current law affects people who hold two jobs and whether or not they can draw unemployment compensation while holding down another job whether or not it's full time or part time. I believe they cannot, but I could be mistaken on that. That's my interpretation or that's what I remember of the law, but I'm not the best expert in that area."

Representatives Nealey, Dickie and McDonald spoke in favor of the motion to reconsider the bill, and Mr. R. King spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Substitute House Bill No. 6 passed the House, and the motion was lost by the following vote: Yeas, 42; nays, 53; absent, 1; excused, 2.

Voting yea: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, McDonald, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince,

Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Allen, Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Absent: Representative King P - 1.

Excused: Representatives Hankins, West - 2.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 117, by Representatives R. King, Fisch, Charnley, Martinis, Garrett, Rust, Lux, Jacobsen, D. Nelson and Hankins

Modifying procedures for the reduction in force of community college faculty members due to a financial emergency.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 117 was substituted for House Bill No. 117, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 117 was read the second time.

Mr. Tilly moved adoption of the following amendments:

On page 1, line 13 strike "or" and insert "(or)"

On page 1, line 15 following "deflator" insert ", or (3) reduction of allotments to the individual district from the state community college board"

Representatives Tilly and McDonald spoke in favor of the amendments, and Mr. R. King spoke against them.

The amendments were not adopted.

Mr. Prince moved adoption of the following amendment:

On page 1, strike lines 23 and 24 and insert "exceed the district's reduction of allotment or appropriated funds, properly adjusted using the implicit price deflator. Said notice"

Mr. Prince spoke in favor of the amendment, and Mr. R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince to page 1, lines 23 and 24 of Substitute House Bill No. 117, and the amendment was not adopted by the following vote:

Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Beicher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Hankins, West - 2.

Mr. McDonald moved adoption of the following amendment by Representatives McDonald and Prince:

On page 2, strike lines 3 through 6 and insert "(~~subsections (1) and (2) of~~) this section.

The only issue to be determined shall be whether under the applicable policies, rules or collective bargaining agreement the particular faculty member or members advised of severance are the proper ones to be terminated."

Mr. McDonald spoke in favor of the amendment, and Mr. R. King spoke against it.



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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives McDonald and Prince to Substitute House Bill No. 117, and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; absent, 1; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickle, Egger, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representative Garrett - 1.

Excused: Representatives Hankins, West - 2.

Mr. Struthers moved adoption of the following amendments:

On page 2, strike lines 27 through 29 and insert "prepare findings, conclusions of law, and a recommended decision which shall be forwarded to the board of trustees for its final action thereon. Any such determination by the"

On page 3, strike lines 20 through 22 and insert "under the provisions of this section shall become effective upon final action by the board of trustees."

Representatives Struthers and Taylor spoke in favor of the amendments, and Mr. R. King spoke against them.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Struthers to Substitute House Bill No. 117, and the amendments were adopted by the following vote: Yeas, 52; nays, 43; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickle, Egger, Fiske, Fuhrman, Galloway, Hastings, Haugen, Holland, Isaacson, Johnson, King R, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Williams B, Williams J, Wilson, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Sommers, Sutherland, Todd, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 43.

Absent: Representative Lux - 1.

Excused: Representatives Hankins, West - 2.

#### MOTION FOR RECONSIDERATION

Mr. R. King, having voted on the prevailing side, moved that the House reconsider the vote by which the amendments by Representative Struthers were adopted.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I distinctly heard the Speaker direct the Clerk to read the next amendment. We're in the process of that and have gone beyond the point where a reconsideration can be asked."

#### SPEAKER'S RULING

The Speaker: "No, your point is not well taken. There is nothing in the next amendment that affects the action of the previous one."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "I think Representative Barrett brought up the question regarding procedure since we don't have procedures clearly spelled out in our rules and

we go back into Reed's Rules. If this motion for reconsideration is accepted, would we have it immediately? Is that the procedure we will be following? Or would we be going on to the next day?"

#### SPEAKER'S RULING

The Speaker: "The question of reconsideration has just been placed before us and it is now before us."

Mr. McDonald: "Then could you instruct me as to the correct time for my point of parliamentary inquiry? Before Representative Barrett has tried to tack this down as far as what the procedure for reconsideration of amendments is. Is it going to be on the next working day or is it to be immediately? At that time, you told Representative Barrett that was not before us. It is now before us, and I'm wondering what your ruling will be from here to eternity."

The Speaker: "The Speaker has recognized the motion for reconsideration and the matter is now before us."

Mr. McDonald: "That wasn't exactly the answer to my question. You recognized it, but what is your ruling going to be as far as reconsideration on amendments? Is it going to be in the next working day or is it going to be immediately?"

The Speaker: "Rule 21(D) deals with reconsideration on final passage. Right now the issue has been made on an amendment and, when the time comes, the Speaker will rule."

#### MOTION

Mr. Heck moved that further consideration of Substitute House Bill No. 117 be deferred and that the bill take its place on the second reading calendar following House Bill No. 334.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I note on my ranking of motions that the motion to reconsider is of higher rank than the motion to defer further consideration, so I think the majority leader's motion is out of order."

#### SPEAKER'S RULING

The Speaker: "You are right, we did in fact recognize his motion to serve notice for reconsideration, which does have a higher rank. We recognized that and that matter has been placed before us. Now, there is another motion by Representative Heck to hold it on the calendar. We've taken care of one matter."

Mr. G. Nelson: "Mr. Speaker, would you be kind enough to reread the motion by Representative King that was placed before this body?"

The Speaker: "The motion was to immediately reconsider. Now we have a motion to delay consideration and move it down on the calendar."

#### POINT OF PARLIAMENTARY PROCEDURE

Mr. G. Nelson: "Is it not true that the motion to reconsider by Representative King is of a higher rank than that of Representative Heck to now defer consideration?"

The Speaker: "Only the right to first place the motion, which we have accepted. It was in front of us and we recognized that, Representative Nelson, and then it is not a matter of any question about rank. We are now on the question of the motion by Representative Heck to move the issue down on the calendar."

Mr. G. Nelson: "I want to be clear on this. From now on, if a motion to place a reconsideration before this body is made, that matter can be deferred to some subsequent time lower on the calendar, whether or not it be an amendment or final passage?"

The Speaker: "Regarding amendments. Rule 21, I believe, already speaks to final passage. It's in regard to final passage, which is another matter. If you are asking about the matter before us, which is amendments, the answer to your question is 'yes.'"

The motion to defer consideration of the bill was carried.

ENGROSSED HOUSE BILL NO. 257, by Representatives Belcher, Lux, Locke, Kreidler, Vekich, Jacobsen, D. Nelson, Charnley, P. King, Fisher, Pruitt, Brække, Sommers, R. King, Patrick, Allen, Burns, Fisch and Garrett

Modifying exemption of certain agricultural employees from industrial insurance coverage.

The bill was read the second time.

Mr. Kaiser moved adoption of the following amendment:

On page 1, line 21 after "organization," insert the following new subsection:

"(5) Any person not earning more than \$150 per year and performing agricultural labor for an agricultural employer who paid less than \$500 in wages for all agricultural labor during the previous calendar year."

Renumber the remaining subsections consecutively.

Representatives Kaiser and Smith spoke in favor of the amendment, and Ms. Belcher spoke against it.

The amendment was adopted.

Ms. Belcher moved adoption of the following amendment:

On page 2, line 9 following "employer)" strike all material through page 2, line 13.

Representatives Belcher, Dickie, Clayton and Smith spoke in favor of the amendment, and Representatives Braddock, Fiske and Van Dyken spoke against it.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Locke.

Mr. Locke: "Representative Belcher, if this amendment were to pass, would an employee or a student earning less than \$150 from that employer be covered or be required to be covered under your amendment?"

Ms. Belcher: "Yes, if this amendment passes, any person who works in the agricultural industry, not counting those who were just covered by Representative Kaiser's amendment, would then be required to be covered under workers' compensation."

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Belcher to House Bill No. 257, and the amendment was adopted by the following vote: Yeas, 52; nays, 44; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Brække, Burns, Chandler, Clayton, Dellwo, Dickie, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Holland, Jacobsen, King J, King R, Lewis, Locke, Lux, Martinis, McClure, McDonald, Miller, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Rust, Sayan, Schoon, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Vekich, Zellinsky - 52.

Voting nay: Representatives Addison, Barnes, Bond, Braddock, Broback, Brough, Cantu, Charnley, Crane, Ebersole, Fisher, Fiske, Grimm, Hastings, Haugen, Heck, Hine, Isaacson, Johnson, Kaiser, King P, Kreidler, Long, McMullen, Mitchell, Moon, Nelson G, Padden, Pruitt, Ristuben, Sanders, Schmidt, Silver, Struthers, Taylor, Todd, Van Dyken, Vander Sloep, Walk, Wang, Williams B, Williams J, Wilson, and Mr. Speaker - 44.

Excused: Representatives Hankins, West - 2.

Mr. Kaiser moved adoption of the following amendment:

On page 2, line 14 after "under" strike "eighteen years of age" and insert "((eighteen)) twenty-two years of age who is a full time student and is"

Representatives Kaiser and Prince spoke in favor of the amendment, and it was adopted.

Mr. Prince moved adoption of the following amendment:

On page 2, following line 28 insert:

"Sec. 3. Section 21, chapter 63, Laws of 1982 and RCW 51.48.030 are each amended to read as follows:

Every employer who fails to keep the records required by this title or fails to make the reports provided in this title shall be subject to a penalty of not to exceed two hundred percent of the quarterly premium for each such offense; PROVIDED, That employers whose quarterly premium is less than \$500 who fails to keep the records required by this title or fails to make the reports provided in this title shall be subject to a penalty of not to exceed interest at the rate of twelve percent per annum plus five dollars per employee for such offense.

Mr. Prince spoke in favor of the amendment, and Mr. R. King spoke against it.

The amendment was not adopted.

House Bill No. 257 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 95, by Representatives Rust, Patrick, Lux, Allen, Powers, Brekke, Armstrong, McClure, Charnley, Burns, Pruitt, Hine, Zellinsky, Smitherman, Jacobsen, D. Nelson, McMullen and Crane

Requiring a permit to explore for oil in marine waters.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 95 was substituted for House Bill No. 95, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 95 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 95, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hankins, West - 2.

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

HOUSE BILL NO. 177, by Representatives Wang, Lewis, Kreidler, Ballard, Stratton, Broback, D. Nelson, Vander Stoep, Armstrong, Niemi, Pruitt, Mitchell, Dellwo, Braddock, Schoon, Chandler, P. King, Powers, Burns, Ristuben, Johnson, Garrett, Halsan, Tilly, Charnley, Locke, Sutherland, Tanner, Galloway, Holland, Lux, R. King, J. Williams, Long, Miller, Hine and Vekich

Establishing a maximum initial temperature setting for water heaters.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 177 was substituted for House Bill No. 177, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 177 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 177, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hankins, West - 2.

Substitute House Bill No. 177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 357, by Representatives Kaiser, Smith and Ellis

Modifying provisions relating to the veterinary board of governors and animal technicians.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments see Journal, 38th Day, February 16, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 357, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hankins, West - 2.

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

HOUSE BILL NO. 334, by Representatives Burns, Chamley, Miller, Jacobsen, McMullen, Prince, Silver, R. King, Brekke, Allen and D. Nelson

Providing resident student status for those students so classified on May 31, 1982.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 334 was substituted for House Bill No. 334, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 334 was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 117:

The House resumed consideration of the bill on second reading.

The Speaker declared the question before the House to be the motion by Representative R. King that the House reconsider the vote by which the amendments by Representative Struthers were adopted.

Representatives R. King and Sayan spoke in favor of the motion; and Representatives Struthers, McDonald, Prince and Taylor spoke against it.

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

#### POINT OF PARLIAMENTARY PROCEDURE

Mr. McDonald: "Mr. Speaker, the reconsideration is before us now. I would like a ruling on whether reconsideration of amendments is going to be on the day following or if it would be immediately."

#### SPEAKER'S RULING

The Speaker: "It is before us, and I would think it is reasonably immediately since it was about an hour and a half ago that we got it before us."

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendments by Representative Struthers to Substitute House Bill No. 117 were adopted, and the motion was carried by the following vote: Yeas, 53; nays, 43; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Excused: Representatives Hankins, West - 2.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Tuesday, March 1, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 1, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Hankins, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jodi Kehl and Kelly Pidone. Prayer was offered by Representative Paul Pruitt of Seattle.

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

## MESSAGE FROM THE SENATE

February 28, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3022,  
 SUBSTITUTE SENATE BILL NO. 3067,  
 ENGROSSED SENATE BILL NO. 3117,  
 SENATE BILL NO. 3121,  
 ENGROSSED SENATE BILL NO. 3390,  
 SENATE JOINT MEMORIAL NO. 104,  
 SENATE JOINT MEMORIAL NO. 106,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

ESSB 3022 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Hughes - by Department of Labor and Industries request)

Clarifying the Crime Victim Compensation Act.

Referred to Committee on Judiciary.

SSB 3067 by Committee on Transportation (originally sponsored by Senators Hansen, Peterson and Guess)

Modifying provisions and the taxation of motor vehicle and special fuels.

Referred to Committee on Ways & Means.

ESB 3117 by Senators Thompson, Zimmerman and Bauer

Regulating substances containing toxic vapors or fumes.

Referred to Committee on Judiciary.

SB 3121 by Senators Peterson, Hansen and Sellar (by Department of Licensing request)

Permitting certain notices to be sent to drivers by first class mail.

Referred to Committee on Transportation.

ESB 3390 by Senators Owen and Fuller (by Department of Game request)

Permitting up to seven letters or numbers on personalized license plates.

Referred to Committee on Natural Resources.

SJM 104 by Senators Rasmussen, Moore, Pullen, Hurley, Goltz, Metcalf, Woody, Zimmerman, Deccio, Hayner, Lee and McCaslin

Opposing withholding ten percent of interest earned on savings accounts for income tax purposes.

Referred to Committee on Financial Institutions & Insurance.

SJM 106 by Senators Rinehart, Metcalf, Bauer, Bluechel, Bender, Clarke, Fleming, Fuller, Goltz, Hemstad, Granlund, Lee, Hughes, Hurley, McDermott, McManus, Moore, Peterson, Shipoch, Talmadge, Thompson, Warnke, Williams, Wojahn, Woody and Conner

Calling for a mutual and verifiable freeze on nuclear weapons.

Referred to Committee on State Government.

#### REPORT OF STANDING COMMITTEE

February 23, 1983

HB 793 Prime Sponsor, Representative Kaiser: Relating to agricultural commodities. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Moon and Prince.

Absent: Representatives Ebersole and Todd.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Wednesday, March 2, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## FIFTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 2, 1983

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Cotton and Cory Johnston. Prayer was offered by The Reverend Kenneth Lawrence, Minister of the Tumwater Evangelical Free Church.

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

## MESSAGE FROM THE SENATE

March 2, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3015,  
 SENATE BILL NO. 3082,  
 SENATE BILL NO. 3089,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3107,  
 SUBSTITUTE SENATE BILL NO. 3110,  
 ENGROSSED SENATE BILL NO. 3132,  
 ENGROSSED SENATE BILL NO. 3185,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3015 by Senators Talmadge, Moore, Wojahn and Warnke

Removing the retail sales and use tax from food purchased for public school lunch programs.

Referred to Committee on Ways & Means.

SB 3082 by Senators Vognild and Moore

Revising the law relating to merchandise coupons.

Referred to Committee on Commerce & Economic Development.

SB 3089 by Senators Goltz, Kiskaddon and Bauer

Permitting private schools to obtain a surety bond when making joint purchases with public schools.

Referred to Committee on Education.

ESSB 3107 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Granlund, Shinpoch, Wojahn, Deccio, McCaslin and Barr)

Strengthening laws against drunk driving.

Referred to Committee on Judiciary.

SSB 3110 by Committee on Financial Institutions (originally sponsored by Senators Wojahn, Sellar and Moore)

Modifying provisions relating to the Washington credit union share guaranty association.

Referred to Committee on Financial Institutions & Insurance.

ESB 3132 by Senators Talmadge and Hemstad

Providing for damages and attorney fees when mortgagees fail to release mortgage upon satisfaction.

Referred to Committee on Judiciary.

ESB 3185 by Senators Talmadge and Hemstad

Extending the term of jurisdiction for courts of limited jurisdiction.

Referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES

February 28, 1983

HB 105 Prime Sponsor, Representative Martinis: Eliminating counties' option to collect in-lieu property taxes on game department lands. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich and Wilson.

Absent: Representatives Martinis and B. Williams.

Passed to Committee on Rules for second reading.

February 28, 1983

HB 399 Prime Sponsor, Representative Sayan: Modifying provisions relating to sales of timber from state-owned land. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 10 after "sold" insert "on a scale basis"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Haugen, Locke, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vekich and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Fiske, Isaacson and Wilson.

Voting nay: Representatives Johnson and Vander Stoep.

Absent: Representative Martinis

Passed to Committee on Rules for second reading.

February 28, 1983

HB 546 Prime Sponsor, Representative McMullen: Regulating wheelchair conveyances. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Fisch, Fisher, Garrett, McMullen, Mitchell, Patrick, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich and Walk.

Absent: Representatives Hankins and J. Williams.

Passed to Committee on Rules for second reading.

February 28, 1983

HB 769 Prime Sponsor, Representative Martinis: Bringing vehicle size and load restrictions into conformity with federal standards. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:  
On page 4, line 14 after "than" strike "sixty-six" and insert "sixty-eight"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich and Walk.

Absent: Representatives Hankins and J. Williams.

Passed to Committee on Rules for second reading.

February 28, 1983

SB 3198 Prime Sponsor, Senator Peterson: Making appropriations to the department of transportation for the Hood Canal bridge and state highway projects. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich and Walk.

Absent: Representatives Hankins and J. Williams.

Passed to Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 117, by Committee on Labor (originally sponsored by Representatives R. King, Fisch, Charnley, Martinis, Garrett, Rust, Lux, Jacobsen, D. Nelson and Hankins)

Modifying procedures for the reduction in force of community college faculty members due to a financial emergency.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 50th Day, February 28, 1983.)

The Speaker stated the question before the House to be reconsideration of the amendments by Representative Struthers.

Representatives Struthers, Taylor, Prince, Barnes and Smith spoke in favor of the amendments, and Representatives R. King, Zellinsky, Sayan and Fisch spoke against them.

Mr. Struthers spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendments by Representative Struthers to Substitute House Bill No. 117, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; absent, 1; excused, 0.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Nelson D - 1.

Mr. Prince moved adoption of the following amendment by Representatives Prince and McDonald:

On page 3, strike lines 10 through 18 and insert:

"When more than one faculty member is notified of termination because of a reduction in force as provided in this section, hearings for all such faculty members requesting formal hearings shall be consolidated and only one such hearing for the affected faculty members shall be held, and such consolidated hearing shall be concluded within the time frame set forth herein."

Representatives Prince and Miller spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Mr. Prince yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Prince, I'm seeking some information with regard to the source of your documentation for the \$5,000 hearing charge. I will share with you that for the past fifteen years this has been my responsibility as an agency manager in higher education. Our hearing costs, which I budgeted over those years, accounted for \$200 for each hearing and \$100 to write up the hearings, and such travel and per diem as was related to all other state employees. I'm amazed, since we have such a history of this against which we could actually calculate costs in the neighborhood of \$400, that we have a \$5,000 figure, and I respectfully ask your documentation."

Mr. Prince: "My source for this figure is the representative from the Council on Community Colleges. I have no reason not to take his figure and accept it."

Mr. Sayan: "A representative from the State Board of Community College Education told you that?"

Mr. Prince: "Yes, that's correct."

Representatives Vander Stoep, Betzoff, McDonald and Tilly spoke in favor of the amendment, and Representative Charnley spoke against it.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and McDonald to Substitute House Bill No. 117, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51; excused, 0.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kreidler, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 51.

Substitute House Bill No. 117 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 278, by Representatives Stratton, Martinis, B. Williams and Haugen

Reorganizing the fisheries code.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No: 278 was substituted for House Bill No. 278 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 278 was read the second time.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Vekich:

On page 33, beginning on line 23 after "misdemeanor" strike all material through "RCW" on line 28 and insert ", and upon a conviction thereof shall be punished by imprisonment in the county jail of the county in which the offense is committed for not less than thirty days or more than one year, or by a fine of not less than twenty-five dollars or more than one thousand dollars, or by both such fine and imprisonment"

Ms. Haugen spoke in favor of the amendment, and Mr. Halsan spoke against it.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Mitchell.

Mr. Mitchell: "I understand, Representative Martinis, that you have some experience in the fishing industry and that you have been involved with the recodification of the Fisheries Act for several years. I also understand that you have done research into how the courts have assessed the penalties on the fishing violations to date. I have two questions I would like to ask you: How have the courts applied the penalties to date and how would this amendment affect the way the courts will address the fisheries violations in the future?"

Mr. Martinis: "There are presently about three different penalties in the Code. Four years ago we enacted a penalty of up to \$5,000 for violations of time and area closures that was mainly to help the federal court decision, so fishermen who did not violate the law would not have to stand extra time tied up to the dock. The other area of penalty is what they called the super-fine. If there is a violation of the Fisheries Code that involves \$250 or more worth of fish, then you are also subject to up to \$5,000 and a year in jail. Section 42 that is affected by this amendment was bringing it up to being consistent with other criminal codes. In practical application of these penalties, I have had some court records checked by people who were not on either side of this issue. The application of the penalties as regards the Fisheries Code, even with the super-fine or with the time and area closures or with section 42, rarely ever go above the penalties that are called for in this amendment and that are presently in the Fisheries Code. In those instances where those penalties have gone above the \$500 fine, they have been suspended and there's only been one jail sentence imposed under the Fisheries Code in state court, and that jail term was also suspended. We could not find anywhere in court records--not that there aren't any--but we could not find, in the short time we had to research this amendment, a violation that was imposed by the courts that would call for stiffer penalties than are called for in this amendment. I had that research done in opposition to this amendment and I would hope my answer, Representative Mitchell, does not influence either side. Those arguments could be used by both sides."

Representatives Mitchell and Vekich spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Haugen yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Haugen, in your remarks you said that the penalties might be invoked upon the fishermen at no fault of their own. If a fisherman is causing an offense, why isn't it his fault?"

Ms. Haugen: "There are a lot of things to take into consideration regarding this. The gillnetter, for instance, if he gets a log in his net is apt to drift across the line. You know you just don't cut a \$5,000 net, and so that is one instance. Another instance, you might get a net in the wheel and wouldn't be able to get it pulled in time and drift across the line. Perhaps they have an illegal sized fish when the fishery patrol comes aboard the boat. You really can't sell that fish, but you might have it in your possession at that time and you just haven't gotten it thrown back. I think if you will check the violations, there have only been three percent of these violations in the last year, and I think the fishermen themselves feel that right now they are operating on such a thin line that a \$1,000 violation is severe, even a \$5,000 violation is just more than they feel they can afford at this time."

Mr. Sanders spoke against the amendment, and Ms. Haugen spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Haugen and Vekich to Substitute House Bill No. 278, and the amendment was adopted by the following vote: Yeas, 78; nays, 20; excused, 0.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, King J, King P, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Williams B, Williams J, Wilson, Zellinsky - 78.

Voting nay: Representatives Appelwick, Belcher, Charnley, Dellwo, Fisher, Garrett, Grimm, Halsan, Hine, Jacobsen, King R, Kreidler, Locke, McClure, Moon, Sanders, Walk, Wang, West, and Mr. Speaker - 20.

Substitute House Bill No. 278 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 359, by Representatives Kreidler, B. Williams, Sommers, Lewis, Walk, Dellwo and Niemi

Establishing guidelines for the regulation of health professions and occupations not now regulated.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 359 was substituted for House Bill No. 359 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 359 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler and Lewis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 359, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 359, having received the 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. 241, by Representatives Appelwick, P. King, Dickie, Galloway, Schoon, Ebersole, Miller, Belcher, Isaacson, Brekke, Johnson, Todd, Powers, Wang and Stratton (by Superintendent of Public Instruction request)

Providing education programs for juveniles and juvenile offenders.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 241, was substituted for House Bill No. 241 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 241 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 275, by Representatives Lux and Sanders

Modifying provisions relating to mutual savings banks.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day, February 24, 1983.)

On motion of Mr. Lux the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 275, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 275, having received the 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. 164, by Representatives Braddock, Van Dyken, McMullen, Garrett and Vekich (by Governor Spellman request)

Creating a commission to study the feasibility and desirability of state participation in the British Columbia World Exposition of 1986.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 25, 1983.)

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

Mr. Van Dyken moved adoption of the following amendment:

On page 2, line 15 following "1986." insert "The feasibility study shall include, but not be limited to, impacts upon Washington's border communities and transportation networks."

Mr. Van Dyken spoke in favor of the amendment and it was adopted.

On motion of Mr. Walk, the committee amendment to the title of the bill was adopted.

House Bill No. 164 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 420, by Representatives Niemi, J. Williams and Belcher (by Cemetery Board request)

Changing the calculation of fees for the issuance of certification of authority by the cemetery board.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 420, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Tilly - 1.

House Bill No. 420, having received the 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. 274, by Representatives Lux and Sanders

Modifying provisions relating to names authorized for savings and loan associations.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 24, 1983.)

On motion of Mr. Lux, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 274, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 274, having received the 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. 312, by Representatives Lux, Sanders and Garrett

Providing for the conversion from a mutual savings bank to a federal savings bank.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 312, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D,



Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

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. 304, by Representatives Walk, Vekich and Fisch (by State Patrol request)

Authorizing the appointment of state employees as special deputies in the state patrol.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day, February 21, 1983.)

On motion of Mr. Walk, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 304, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

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

#### MOTION

On motion of Mr. Heck, the House advanced to the eleventh order of business.

#### INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following interim committee appointments:

Committee on Organized Crime Advisory Board: Representatives Dellwo and Schmidt.

Joint Administrative Rules Committee: Representative Walk, Chair.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Thursday, March 3, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 3, 1983

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Deanne Bowman and Joel Enbom. Prayer was offered by The Reverend Sheryl Peterson, Associate Minister of the United Churches of Olympia.

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

## MESSAGE FROM THE SENATE

March 2, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3052,

SUBSTITUTE SENATE BILL NO. 3164,

SENATE BILL NO. 3188,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3414,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3052 by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor & Industries request)

Revising elevator laws.

Referred to Committee on Labor.

SSB 3164 by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar, Bottiger and Clarke)

Modifying provisions regulating acquisition of control of domestic insurers.

Referred to Committee on Financial Institutions & Insurance.

SB 3188 by Senators Talmadge and Hemstad

Regulating timeshare offerings in this state.

Referred to Committee on Judiciary.

ESSB 3414 by Committee on Judiciary (originally sponsored by Senators Hemstad, Talmadge, Clarke, Thompson and Granlund)

Approving the sentencing guidelines and prosecuting standards of the sentencing guidelines commission.

Referred to Committee on Judiciary.

## REPORTS OF STANDING COMMITTEES

March 1, 1983

HB 219 Prime Sponsor, Representative Tanner: Revising the law relating to merchandise coupons. Reported by Committee on Commerce & Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser,

Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Van Dyken.

Absent: Representatives Holland, Ranking Minority Vice Chair; Brough, Niemi, Schoon, Walk and Wilson.

Passed to Committee on Rules for second reading.

March 2, 1983

HB 266 Prime Sponsor, Representative Charnley: Restricting voting devices to single precinct use. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Tanner, Vander Stoep and Zellinsky.

Absent: Representative Sommers.

Passed to Committee on Rules for second reading.

March 2, 1983

HB 1089 Prime Sponsor, Representative Niemi: Relating to the holding of a China Exhibition in Washington State. Reported by Committee on Rules.

Rereferred to Committee on Commerce & Economic Development.

March 2, 1983

HJR 27 Prime Sponsor, Representative Locke: Ratifying the U.S. constitutional amendment giving voting rights to the District of Columbia. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Tanner, Vander Stoep and Zellinsky.

Voting nay: Representatives Barnes, Ranking Minority Chair and Schoon.

Absent: Representative Sommers.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 254, by Representatives Ebersole, Patrick, Walk, Broback, Todd, B. Williams, Vekich, Tanner, West, J. King, Johnson, Silver, Smitherman, Ballard, Wang, Niemi, Burns, Holland, Halsan, Jacobsen, McClure, Locke, Garrett, Crane, Hine, Stratton, Dellwo, O'Brien, Haugen, Ristuben, P. King and Powers (by Governor Spellman request)

Establishing a state housing finance commission.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 254 was substituted for House Bill No. 254, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 254 was read the second time.

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

On page 5, line 30 after "governor," insert "If this official occupies an office or position for which senate confirmation is not required, then his appointment to the commission shall be subject to the consent of the senate."

On page 7, line 36 strike "Prior to the expiration of the plan, but at" and insert "At"

On page 8, line 2 after "plan," strike all material down to and including "chapter," on line 6 and insert "Prior to December 31, 1983, the commission shall submit the plan to the chief clerk of the house and secretary of the senate for transmittal to and review by the appropriate standing committees. The commission may periodically update the plan. Proposed changes of the plan shall be submitted to the chief clerk of the house and secretary of the senate for transmittal to and review by the appropriate standing committees. This submittal of proposed changes shall occur at least fourteen days before final adoption of the changes by the commission."

The commission shall adopt rules designed to result in the use of bond proceeds in a manner consistent with the plan. These rules shall be adopted and in full force and effect by February 1, 1984. The commission may periodically update its rules.

The commission is not required to adopt a plan or rules for the use of the proceeds of bonds issued prior to February, 1984. This section is designed to deal only with the use of bond proceeds and nothing in this section shall be construed as a limitation on the commission's authority to issue bonds."

Mr. McDonald moved adoption of the following amendment:

On page 9, after line 26 insert the following new section to read as follows:

"**NEW SECTION, Sec. 9.** No part of the proceeds of bonds issued under this chapter may be used to finance the purchase of nonrental housing in which the purchase price exceeds ninety percent of the average purchase price of nonrental housing in the area. The commission shall adopt rules to ensure that this section is not violated. In adopting these rules, the commission shall consider the definition of 'average area purchase price' under 26 U.S.C. 103A and its implementing regulations."

Renumber the remaining sections consecutively and correct internal references in section 27 and other sections.

Representatives McDonald and Addison spoke in favor of the amendment, and Representatives Barrett, Ebersole and Walk spoke against it.

Mr. McDonald spoke again in favor of the amendment.

The amendment was not adopted.

The Speaker called on Mr. O'Brien to preside.

Mr. Addison moved adoption of the following amendment:

On page 9, after line 26 insert the following new section to read as follows:

"**NEW SECTION, Sec. 9.** The commission shall adopt rules to provide for preferential interest rates on mortgage loans for nonrental housing where the loans are made under this chapter to persons with a family income below the median income for the area in which the housing is located. Such rules shall provide for a schedule of interest rates which will result in the interest rates on these loans decreasing in accordance with family income. The commission shall adopt rules providing for a decrease in rates for a person whose family income over the previous twelve months would qualify that person for a lower rate under the interest rate schedule. If during any twelve month period the family income of a person granted a preferential interest rate should exceed the income limit prescribed in the schedule for that rate, then the rate shall be increased to reflect the increased income."

Renumber the remaining sections consecutively and correct internal references in section 27 and other sections.

Representative Addison spoke in favor of the amendment, and Representatives Barrett and Ebersole spoke against it.

The amendment was not adopted.

Mr. Lux moved adoption of the following amendment:

On page 9, line 13 after "chapter." insert a new section to read as follows:

"**NEW SECTION, Sec. 9.** In the employment of workers on construction projects financed under this act, preference shall first be given to citizens of the state of Washington who have been residents of the state for at least six months at the commencement of their employment, and if they cannot be obtained in sufficient numbers, then to citizens of the United States. The specifications for each project shall contain a provision to this effect."

Renumber the remaining sections consecutively and correct internal references accordingly.

Mr. Lux spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Ms. Niemi.

Ms. Niemi: "Representative Lux, I have some questions on the last sentence. 'The specifications for each project shall contain a provision to this effect.' Do you have any idea how this would be administered? Could a payment be withheld subject to a head count? Moreover, how is one going to prove that one has been in the state for a certain amount of time? As I read this, every single employee could be subject to some kind of proof of residency. My last question would be: Could the funds not be paid subject to presenting this kind of proof?"

Mr. Lux: "Representative Niemi, I think obviously there would have to be some checks and balances. You would have to have some sort of obvious control over this, and I think the department that would be in charge, whether it be the Department of Labor & Industries or whoever, would be monitoring this, would have to set some rules. It says here that the commission would set the rules and adopt the rules. I think we would leave that to the commission."

Representatives Lewis and Bond spoke in favor of the amendment, and Representatives Broback, Smitherman, Niemi and Barnes spoke against it.

Mr. Lux spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux to Substitute House Bill No. 254, and the amendment was not adopted by the following vote: Yeas, 28; nays, 69; absent, 1; excused, 0.

Voting yea: Representatives Addison, Barrett, Bond, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Fuhrman, Garrett, Isaacson, Lewis, Long, Lux, McDonald, Mitchell, Nelson D, Nelson G, Schmidt, Smith, Stratton, Taylor, Tilly, Vander Sloep, West, Williams J, Wilson - 28.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Burns, Charnley, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 69.

Absent: Representative Brekke - 1.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Lux:

On page 9, after line 26 insert the following new section to read as follows:

NEW SECTION. Sec. 9. (1) The commission shall adopt rules to provide for the selection of bond counsel. The rules shall provide for the creation of a roster of attorneys whom the commission believes possess the requisite special expertise and professional standing to provide bond counsel opinions which would be accepted by the underwriters, bondholders and other members of the financial community, and which would be in furtherance of the public interest in obtaining the lowest possible interest rate on the bonds issued by the commission. Any attorney may apply to have his name placed on the roster, but may not be placed on the roster unless he demonstrates to the commission's satisfaction that he would issue the kind of opinions required by this section.

(2) Whenever the commission decides to issue bonds in respect to which a bond counsel opinion will be needed, it shall provide all attorneys on the roster with a notice of its intentions and shall invite each of them to submit to the commission his fee schedule for providing bond counsel services on the issue. The commission shall have wide discretion in selecting the attorney it considers to be most appropriate to provide the bond counsel services, but in the exercise of this discretion the commission shall consider the attorney's fee schedule and the public interest in achieving savings in bond counsel fees."

Renumber the remaining sections consecutively and correct internal references in section 27 and other sections.

Mr. Padden spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Walk yielded to question by Mr. Locke.

Mr. Locke: "Representative Walk, do you feel that this proposed amendment by Representative Padden would destroy or weaken the concept and the ideas embodied within Substitute House Bill No. 254?"

Mr. Walk: "No, I do not think it will damage the bill. I am not going to support the amendment because it raises some issues that frankly, I'm not that familiar with, but in glancing over it, it does not appear to harm the intent or the ability of the commission to operate. My fear is that it deals with an issue that maybe the legislature should look at in all revenue bond issues, rather than attacking it on a piecemeal basis as this amendment would do on this one issue. I do not see it as a critical issue regarding this bill."

Mr. Locke spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Appelwick.

Mr. Appelwick: "Representative Padden, would the fees that are submitted by attorneys in the bid process be, in your mind, available to the public for inspection?"

Mr. Padden: "I would presume that other sections of the act would make that information available. The commission itself could decide to make that information available to the public. The idea is that it would be a factor, Representative Appelwick, that the commission could use in making a determination. It's not binding."

Mr. Appelwick: "Would you feel that the Washington Attorney General, if he found or suspected a sweetheart deal between bond counsel and the commissioners, could use the records of these fees to prevent again, for the litigate, a challenge that the bonds were not properly selected?"

Mr. Padden: "Representative Appelwick, I really don't feel that would apply because normally, of course, the bond counsel fees are simply on a percentage of the bonds that are issued. That is my understanding, anyway, and I think any sweetheart deal would have to have other evidence before the Attorney General could act--some sort of collusion or something like that."

Mr. Appelwick: "But this might be a piece of evidence?"

Mr. Padden: "Well, I don't think, in and of itself, it would be."

Representatives Appelwick and Ebersole spoke in favor of the amendment, and it was adopted.

Mr. Lux moved adoption of the following amendment:

On page 9, after line 26 insert the following new section to read as follows:

**"NEW SECTION.** Sec. 9. The commission shall adopt rules prescribing a fee schedule for the commissions, fees and charges of licensed real estate brokers and agents who assist in the selling of nonrental housing financed by the commission. The commission may not purchase or take any assignment of any mortgage loan if (1) the loan is for the financing of the purchase of nonrental housing; and (2) in respect to the purchase, the total of the commissions, fees and charges of any licensed real estate broker or agent is in excess of the fee schedule."

Renumber the remaining sections consecutively and correct internal references in section 27 and other sections.

Mr. Lux spoke in favor of the amendment, and Representatives Walk, J. Williams and Barrett spoke against it.

Mr. Lux spoke again in favor of the amendment. The amendment was not adopted.

Mr. Addison moved adoption of the following amendment:

On page 10, line 30 after "demand," strike the remainder of the section and insert "Therefore, unless the commission finds that a bond's proceeds earmarked for that kind of housing will probably be sufficient to meet the demands of those persons who would be qualified mortgagors, it shall institute a lottery as a means of selecting those persons who have applied for the mortgage loans."

Representatives Addison and Bond spoke in favor of the amendment, and Representatives Ebersole, Smitherman and Barrett spoke against it.

Mr. Addison spoke again in favor of the amendment, and Mr. Ebersole again opposed it.

The amendment was not adopted.

On motion of Mr. Addison, the following amendment by Representatives Addison and Lux was adopted:

On page 9, after line 26 insert the following new section to read as follows:

**"NEW SECTION.** Sec. 9. (1) The commission shall adopt rules to provide for the selection of underwriters. The rules shall provide for the creation of a roster of underwriters whom the commission believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by bondholders and other members

of the financial community, and which would be in furtherance of the public interest in marketing the commission's bonds at the lowest possible costs. Any underwriter may apply to have its name placed on the roster, but may not be placed on the roster unless it demonstrates to the commission's satisfaction that it meets the requirements of this section.

(2) Whenever the commission decides that it needs the services of an underwriter, it shall provide all underwriters on the roster with a notice of its intentions and shall invite each of them to submit to the commission an itemization of its fees and other charges for providing underwriting services on the issue. The itemization shall be by categories designed by the commission. The commission shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the commission shall consider the underwriter's fees and other charges and the public interest in achieving savings in the total costs of underwriting services."

Renumber the remaining sections consecutively and correct internal references in section 27 and other sections.

On motion of Mr. Isaacson, the following amendment was adopted:  
On page 14, line 28 strike "except" and insert "exempt"

On motion of Mr. Ebersole, the following amendment was adopted:  
On page 15, line 28 after "agency," insert the following new paragraph:

"(d) For calendar year 1983, the allocations to issuing authorities, other than the commission, shall include bonds issued by the authorities during the first six months of 1983. However, the planning and community affairs agency, or its successor, shall adopt rules to ensure that the total amount of bonds issued by the authorities during the six month period does not exceed their twenty percent share."

Ms. Niemi moved adoption of the following amendment:

On page 22, after line 25 insert the following new section:

"NEW SECTION. Sec. 26. INDUSTRIAL DEVELOPMENT PROJECTS. There is added to chapter 300, Laws of 1981 and to chapter 39.84 RCW a new section to read as follows:

The state housing finance commission is authorized to issue nonrecourse revenue bonds and other nonrecourse revenue obligations and to use the proceeds of such bonds and other obligations for industrial development projects in the exercise of its powers under this 1983 act; this authorization is supplemental to and shall not be construed as a limitation on the state housing finance commission's authority, exercisable under the Constitution and laws of this state other than this chapter, to issue nonrecourse revenue bonds and other nonrecourse revenue obligations. For purposes of this section and in order to meet the requirements of Article XXXII, section 1 of the Constitution, the term 'industrial development projects' includes 'housing' financed by the commission, as 'housing' is defined in this 1983 act."

Renumber the remaining sections consecutively and correct internal references in section 27 and other sections.

#### POINT OF ORDER

Mr. Addison: "Mr. Speaker, I'd like you to rule on whether or not this amendment is within the scope and object of this bill."

#### MOTION

On motion of Mr. Heck, further consideration of Substitute House Bill No. 254 was deferred.

HOUSE BILL NO. 233, by Representatives Haugen, Miller, Halsan and Braddock (by Department of Game request)

Establishing a commercial anadromous game fish buyer's license and extending the excise on food fish and shellfish to commercially harvested anadromous game fish.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 233 was substituted for House Bill No. 233, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 233 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

## POINT OF INQUIRY

Ms. Haugen yielded to question by Mr. R. King.

Mr. R. King: "Representative Haugen, would the passage of this bill in any way indicate the intent of the legislature or of the Department of Game or the Department of Fisheries that it is their intent to make game fish, such as a steelhead, a commercial fish?"

Ms. Haugen: "No, this will not. This will just simply give them a resource to get some money to help with monitoring and the managing of this. They still will retain their game fish classification."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 233, and the bill passed the House by the following vote: Yeas, 93; nays, 5.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Allen, Burns, Dellwo, Fisher, Niemi - 5.

Substitute House Bill No. 233, having received the 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. 313, by Representatives Belcher, Hankins and Walk (by Planning and Community Affairs Agency request; by Office of Financial Management request; by Department of General Administration request)

Transferring responsibility for state fire protection contracts to the planning and community affairs agency.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 313, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 313, having received the 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, HOUSE BILL NO. 396 was rereferred to Committee on Ways & Means.



## MOTION

Mr. McDonald moved that HOUSE BILL No. 21 be rereferred to Committee on Ways & Means.

Mr. McDonald spoke in favor of the motion, and Representatives Grimm, Heck and Moon spoke against it.

## ROLL CALL

The Clerk called the roll on the motion that House Bill No. 21 be rereferred to Committee on Ways & Means, and the motion was carried by the following vote: Yeas, 50; nays, 48; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 50.

Voting nay: Representatives Appelwick, Armstrong, Beicher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

## MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Friday, March 4, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 4, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Bond, Broback, Egger and Lewis. Representatives Barrett, Bond, Broback and Lewis were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elizabeth Rose and Bryan Wahl. Prayer was offered by The Reverend Sheryl Peterson, Associate Minister of the United Churches of Olympia.

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

## MESSAGES FROM THE SENATE

March 3, 1983

Mr. Speaker:

The Senate has granted the request of the House for a Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, and the President has appointed as Senate Conferees: Senators McDermott, Hayner, Gaspard, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3196,  
SENATE BILL NO. 3221,  
SENATE BILL NO. 3255,  
ENGROSSED SENATE BILL NO. 3364,  
SENATE BILL NO. 3386,  
ENGROSSED SENATE BILL NO. 3416,  
SENATE BILL NO. 3426,  
SENATE BILL NO. 3525,

and the same are herewith transmitted.

William Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3196 by Senators Talmadge, Hemstad and Hughes

Modifying provisions relating to age discrimination.

Referred to Committee on Judiciary.

SB 3221 by Senators Rasmussen, Warnke and Hughes

Adding members to the veterans affairs advisory committee.

Referred to Committee on State Government.

SB 3255 by Senators Granlund, Craswell and Owen (by Department of Transportation request):

Extending penalties for evading toll facility payment to pedestrians as well as vehicles.

Referred to Committee on Transportation.

ESB 3364 by Senators Gaspard, Talmadge, Williams, Moore, Fleming, Craswell and Lee

Permitting school employees to request a postponement of a hearing of lay-offs due to a reduction in force.

Referred to Committee on Education.

SB 3386 by Senators Clarke, Talmadge and Hemstad (by Secretary of State request)

Modifying the corporation laws.

Referred to Committee on Judiciary.

ESB 3416 by Senators Hemstad, Talmadge, Clarke, Thompson and Granlund

Revising certain sentencing laws to facilitate implementation of the recommendations of the sentencing guidelines commission.

Referred to Committee on Judiciary.

SB 3426 by Senators Talmadge and Bottiger

Modifying provisions relating to the homestead.

Referred to Committee on Judiciary.

SB 3525 by Senators Granlund, Owen, Pullen and Metcalf (by Department of Corrections request)

Defining correctional institutions which may house prisoners from other jurisdictions.

Referred to Committee on Social & Health Services.

#### REPORTS OF STANDING COMMITTEES

March 2, 1983

HB 16 Prime Sponsor, Representative Heck: Modifying the determination of school district employees' service periods under the public employees retirement system. Reported by Committee on Ways & Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sryan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

March 2, 1983

HB 180 Prime Sponsor, Representative Stratton: Removing the termination provision for the snowmobile advisory committee. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 23 strike all material down to and including "~~amended~~;" on line 27 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)) 1982, 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."

Signed by Representatives Rust, Chair; Powers, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Passed to Committee on Rules for second reading.

March 2, 1983

HB 181 Prime Sponsor, Representative Stratton: Modifying provisions regarding public lands. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair;

Belcher, Haugen, Johnson, Locke, Martinis, McClure, McMullen, Miller, Sayan, Sommers, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Referred to Committee on Ways & Means.

March 2, 1983

HB 570 Prime Sponsor, Representative Kaiser: Maintaining a vocational agricultural education program. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 28 after "system" strike all material through "meet" and insert ". The director or supervisor shall ensure that the elements of the state program satisfy"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Ballard, Dickie, Egger, Holland and Moon.

Absent: Representatives Nealey, Ranking Minority Vice Chair; Ebersole, Prince and Todd.

Passed to Committee on Rules for second reading.

March 2, 1983

HB 611 Prime Sponsor, Representative Fisher: Changing the definition of "fleet" for the purposes of motor vehicle emission control. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Powers, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Brekke and Hankins.

Passed to Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 254, by Committee on State Government (originally sponsored by Representatives Ebersole, Patrick, Walk, Broback, Todd, B. Williams, Vekich, Tanner, West, J. King, Johnson, Silver, Smitherman, Ballard, Wang, Niemi, Burns, Holland, Halsan, Jacobsen, McClure, Locke, Garrett, Crane, Hine, Stratton, Dellwo, O'Brien, Haugen, Ristuben, P. King and Powers; by Governor Spellman request)

Establishing a state housing finance commission.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker declared the question before the House to be the point of order raised by Representative Addison on the amendment by Representative Niemi to page 22, line 25.

#### SPEAKER'S RULING

The Speaker: "Representative Addison, your point is not well taken. The title of the bill is 'An Act relating to housing financing.' I have also examined the body of the bill. The amendment in question by Representative Niemi provides one of the methods for funding the housing bonds. Therefore, the amendment is within the scope and object of the bill."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, since this is the first ruling regarding a challenge of scope and object, would you be so kind as to advise the body of the specific criteria that is used by the Speaker in determining whether or not an amendment is within the scope and object?"

The Speaker: "In making a ruling, the Speaker looks to the title of the bill, looks to the subject matter of the bill and the intent of the various sections within the bill. All these things are taken into account in making a ruling as to whether or not an

amendment is within the scope and object of the bill. This is a quote from the Journal of the House, Regular Session, 1981, page 1281, Speaker Polk presiding."

The Speaker called on Mr. O'Brien to preside.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Niemi.

Ms. Niemi spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Niemi yielded to question by Ms. Silver.

Ms. Silver: "Representative Niemi, we worked long and hard on this with the Housing Finance Commission in trying to get a bill that all the committee members would agree to and yet I do not remember hearing industrial revenue bonds brought forward at all as one of the main vehicles of financing. What we discussed mostly was the main vehicle which was the tax exempt bonds, which would be the engine that would drive the train. I am surprised by this amendment inasmuch as it was not thoroughly discussed in committee at all or brought up. Could you explain to me, outside of illegal constitutionality, why you wished industrial revenue bonds brought in; and what other reason there might be?"

Ms. Niemi: "You mean the reason we didn't discuss it before? I think we worked long and hard in committee on every issue that we could think of and this issue came up afterward. Many of us were concerned about it in studying it, and our final conclusion was that it probably is necessary for the entire bill to be constitutional. This provides a separate and independent legal authority for the issuance of state housing finance commission bonds. It's a separate basis for the constitutionality. In the bill that we worked so hard on, we took every single page where the constitutionality of lending the state's credit had been discussed, and we worked into the wording of the bill in committee, and I know you were part of that, the wording of all these cases. This is like having an extra insurance policy."

Ms. Silver: "I was of the opinion that the intent of the industrial revenue bonds was for industrial development. I didn't realize it was for housing."

Ms. Niemi: "It isn't for housing. That's why the amendment is necessary. It is for a narrowly defined group of industrial definitions. We are asking that it be expanded to revenue bonds for the State Housing Commission only. No more than that. It's not for housing generally; it can't be used for housing generally."

Ms. Silver: "Are we not expanding the entire intent of the industrial revenue bonds by this one amendment?"

Ms. Niemi: "We are expanding it very narrowly to encompass what the State Housing Finance Commission would be doing, yes."

Ms. Silver: "So this amendment will expand the industrial revenue bonds to housing?"

Ms. Niemi: "It will expand it only to housing for industrial revenue bonds issued by the State Housing Finance Commission; not to housing in general."

Ms. Silver: "But we are changing the intent of the industrial revenue bonds?"

Ms. Niemi: "No, we are not changing the intent of it; we're changing the intent to encompass this one narrow part of industry."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Addison: "Mr. Speaker, Article XXXII of the Constitution provides that when we are expanding the definition of industrial development, that it be a sixty percent majority of both the House and the Senate. Will a sixty percent majority be required on this vote and on the vote for final passage?"

The Speaker (Mr. O'Brien presiding): "The vote on adoption of the amendment will require a majority vote. The passage of the act will require fifty-nine votes."

Mr. Addison spoke against the amendment, and Mr. Walk spoke in favor of it.

## POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Walk.

Mr. Walk: "Representative Niemi, once again, to clarify some things that have been said and make sure all the members understand what the intent of this amendment is, is this amendment necessary for the constitutionality of the bill?"

Ms. Niemi: "No. This amendment provides a separate and independent legal authority for the issuance of state housing finance commission bonds. The commission's primary authority to issue bonds, consistent with the lending of credit restrictions of the Constitution, is that the bond proceeds are not public funds. That's what we wrote in the language of the housing authority. In addition, because people have recently provided us with the 73rd Amendment for industrial development bonds with that amendment, we think it is appropriate to provide a separate basis for the constitutionality of these bonds based on Article XXXII. There are circumstances where industrial development, for the Constitution, would not apply to the bonds issued by the Housing Commission. For example, we anticipate taxable bonds will be issued by the commission and that's clearly not allowed under industrial development bonds under the Constitution. They would be issued by other independent authorities for issuing bonds. Furthermore, there may be certain points of housing that might be considered as industrial development projects, so we simply are asking that there be two independent legal bases for issuing these bonds and having these two approaches, we believe, strengthens the constitutionality of the bond issue."

## POINT OF INQUIRY

Mr. Addison yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Addison, you've done quite a bit of research into this and I wonder if you could reflect on the constitutionality and the effect of the Niemi amendment on the constitutionality of the revenue bonds?"

Mr. Addison: "Representative McDonald, that's a question I've been pondering for the past half day or so, and I think the action the body is going to take will, in my opinion, put the Housing Finance Commission clearly under the definition of industrial development. It does require a sixty-percent majority vote of this body, and it seems to me that is the hat the legislation is hanging on itself. There is no other reference to any other provision in the Constitution. For instance, the hospital case decided some years ago by the courts, hung its hat on the treatment of infirm people and that provision in the Constitution. There is no mention in the bill of any other article in the Constitution dealing with poor people, for instance. There is some discussion in the preamble of the bill that this is meant to help low income, but later when you get into the bill, there are no definitions of poor; there's no mention of that, and I don't think anybody here is suggesting that this is a bill to help poor people. Clearly, the hook that this legislation is attempting to hang its hat on—if the amendment passes—will be the industrial revenue statute in 39.84."

Mr. McDonald spoke against the amendment.

## POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Padden.

Mr. Padden: "Representative Addison, you were here when we discussed the constitutional amendment regarding industrial revenue bonds. What was the intent of the legislature regarding that?"

Mr. Addison: "To enter into the record of what I believe was the intent of the legislature at that time; I was here then, and I would like to refer back again to a question asked by Representative Flanagan who dealt with an amendment that specifically talked about industrial development. To the question regarding the definition of industrial development he said: 'Yes, we defined that. We went into detail in defining that in the implementing bill, House Bill No. 741. That bill goes into detail in defining industrial development.' So the purpose of answering the question and entering it into the Journal is what the tone and tenor of the legislature was at that time. What I will attempt to do is to differentiate between housing,

which does not produce any permanent jobs--it certainly provides a place for people to rest their heads, but the tenor of the legislature at the time when the industrial revenue bonds constitutional amendment was passed by this body was that permanent jobs were going to be provided. Again, I'll read from 3984 in industrial development's definition. It says, '...means manufacturing....' Again, we're talking about jobs. 'Processing...' talking about jobs--'production, assembly, warehousing, transportation, pollution control, solid waste disposal and energy disposal.' I think to stretch the definition that passed in the constitutional amendment, to mean housing, is that the court will have a very hard time, even though we pass technical language the court is going to have a very hard time when they understand that the tenor of the body in 1981 was in no way to go into a housing kind of situation. It's far different from a manufacturing process, and I would suggest that the court look hard and long before they would allow the legislature by a simple sixty-percent majority to expand the definition. If the expansion was simply going to talk about a redefinition of transportation or a redefinition of manufacturing, I think that would be clearly within the bounds, but to expand it this way, I don't think you can turn an apple into a pear."

Ms. Niemi spoke again in favor of the amendment, and Representatives Schoon and Isaacson spoke against it.

Representatives Hine and Ebersole spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Niemi to page 22, line 25 of Substitute House Bill No. 254, and the amendment was adopted by the following vote: Yeas, 51; nays, 42; absent, 1; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Galloway, Hankins, Hastings, Holland, Isaacson, Johnson, Long, Lux, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 42.

Absent: Representative Egger - 1.

Excused: Representatives Barrett, Bond, Broback, Lewis - 4.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Walk:

On page 6, line 12 following "chapter" insert ": PROVIDED, HOWEVER, That this power to issue bonds shall cease to exist on June 30, 1986, unless extended by law for an additional fixed period of time"

Representatives Tilly and Walk spoke in favor of the amendment, and it was adopted.

Ms. Niemi moved adoption of the following amendments:

On page 23, line 2 strike "This" and insert "(1) Except as provided in subsection (2) of this section, this"

On page 23, line 5 after "immediately," insert "(2) Section 26 of this act shall be subject to the referendum petition and shall not take effect until ninety days after adjournment of the session at which this act was enacted."

Mr. Hastings moved adoption of the following amendment to the Niemi amendment:

On line 4 of the amendment strike "ninety" and insert "180"

Mr. Hastings spoke in favor of the amendment to the amendment, and Representatives Walk and Niemi spoke against it.

Mr. Hastings spoke again in favor of the amendment to the amendment, and Ms. Niemi again opposed it.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representative Niemi.

Ms. Niemi spoke in favor of the amendments, and they were adopted.

Mr. Barnes moved adoption of the following amendment by Representative Bond:

On page 23, strikes lines 2 through 5 and insert:

"NEW SECTION, Sec. 29. 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 Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Mr. Barnes spoke in favor of the amendment, and Mr. Walk spoke against it.

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

Representatives Addison and G. Nelson spoke in favor of the amendment, and Representatives J. King and Ebersole spoke against it.

Mr. Barnes spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to Substitute House Bill No. 254, and the amendment was not adopted by the following vote: Yeas, 30; nays, 63; absent, 1; excused, 4.

Voting yea: Representatives Addison, Barnes, Betzoff, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Isaacson, Johnson, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams J, Wilson - 30.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 63.

Absent: Representative Egger - 1.

Excused: Representatives Barrett, Bond, Broback, Lewis - 4.

The Speaker declared the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Bond, Broback and Egger, who were excused.

#### STANDING COMMITTEE APPOINTMENT

The Speaker announced that at her request Representative Powers was removed as Vice Chair of Committee on Environmental Affairs and Representative Fisher was appointed to the position.

#### SUBSTITUTE HOUSE BILL NO. 254:

The House resumed consideration of the bill on second reading.

#### MOTION FOR RECONSIDERATION

Mr. Struthers, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Lux to page 9, line 26 failed to be adopted.

Mr. Lux spoke in favor of the motion.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I hadn't noticed until now, but is this not an amendment that was before this body yesterday? I'm wondering whether or not



the Chair's ruling is that we can have reconsideration on the amendment on the following day?"

#### SPEAKER'S RULING

The Speaker: "In accordance with Reed's Sections 204 and 211, and Speaker Polk's ruling in the House Journal for 1981-1982, on page 1173, and an earlier ruling by Speaker Pro Tem O'Brien, the motion to reconsider an amendment, as distinguished from reconsideration of final passage, which is covered by House Rule 21(D), is appropriate provided no '... action has been had by the assembly in consequence of the decision proposed to be reconsidered.' I would rule that no action of consequence has taken place which would prohibit reconsideration of this amendment."

Mr. Walk spoke against the motion to reconsider and the motion was lost.

On motion of Mr. Ebersole, the following amendment to the title was adopted: On page 1, line 6 of the title after "43.21C RCW;" insert "adding a new section to chapter 300, Laws of 1981, and to chapter 39.84 RCW:"

Substitute House Bill No. 254 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 289, by Representatives Haugen, Tilly, Brekke, Charnley, Jacobsen, Todd, Burns, Holland, Stratton, Ballard, Brough, Zellinsky, McMullen, Fisch, Smitherman, Tanner, Moon, Silver, Armstrong, Ristuben and Miller

Authorizing law enforcement officers to revoke the license of persons arrested for driving while intoxicated.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 289 was substituted for House Bill No. 289, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 289 was read the second time.

Mr. Tilly moved adoption of the following amendments:

On page 2, line 30 strike "0.10" and insert "0.08"

On page 3, line 18 strike "0.10" and insert "0.08"

On page 6, line 2 strike "0.10" and insert "0.08"

On page 6, line 28 strike "0.10" and insert "0.08"

On page 10, line 27 strike "0.10" and insert "0.08"

On page 32, line 12 after "less than" strike "0.10" and insert "((0+0)) 0.08"

On page 32, after line 2 insert the following additional sections:

"Sec. 32. Section 1, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502 are each amended to read as follows:

A person is guilty of driving while under the influence of intoxicating liquor or any drug if he drives a vehicle within this state while:

(1) He has ((0+0)) 0.08 percent or more by weight of alcohol in his blood as shown by chemical analysis of his breath, blood, or other bodily substance made under RCW 46.61.506 as now or hereafter amended; or

(2) He is under the influence of or affected by intoxicating liquor or any drug; or

(3) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use ((such)) the drug under the laws of this state ((shall)) does not constitute a defense against any charge of violating this section.

Sec. 33. Section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504 are each amended to read as follows:

A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if he has actual physical control of a vehicle within this state while:

(1) He has a ((0+0)) 0.08 percent or more by weight of alcohol in his blood as shown by chemical analysis of his breath, blood, or other bodily substance made under RCW 46.61.506, as now or hereafter amended; or

(2) He is under the influence of or affected by intoxicating liquor or any drug; or

(3) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use ((such)) the drug under the laws of this state ((shall)) does not constitute a defense against any charge of violating this section. No person may be convicted under this section if. ((prior

to)) before being pursued by a law enforcement officer, he has moved the vehicle safely off the roadway.

Renumber the sections following consecutively, and correct internal references accordingly.

Representatives Tilly, Patrick and Locke spoke in favor of the amendments, and Representatives Armstrong and Padden spoke against them.

Mr. Armstrong again opposed the amendments, and Mr. Tilly spoke again in favor of them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to Substitute House Bill No. 289, and the amendments were not adopted by the following vote: Yeas, 33; nays, 61; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Brough, Cantu, Chandler, Dickie, Ebersole, Fiske, Garrett, Holland, Johnson, King P. Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Patrick, Prince, Sanders, Schoon, Smith, Taylor, Tilly, Todd, Van Dyken, Williams B - 33.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Clayton, Crane, Dellwo, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King R, Kreidler, Lewis, Lux, Martinis, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 61.

Excused: Representatives Barrett, Bond, Broback, Egger - 4.

Mr. Appelwick moved adoption of the following amendments:

On page 19, line 32 after "license," insert:

"The court may not enter an order which allows the petitioner to operate a motor vehicle to go to and from employment, nor at times or for purposes outside the scope of employment."

On page 21, line 4 after "specific" strike everything through "work; the" on line 5

On page 21, after line 9 after "trips." and before "These" insert:

"The court may not enter an order which allows the petitioner to operate a motor vehicle to go to and from employment, nor at times or for purposes outside the scope of employment."

On page 21, strike lines 13 through 19.

Representatives Appelwick and Isaacson spoke in favor of the amendments, and Representatives Armstrong, Schmidt and Vekich spoke against them.

The amendments were not adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 26, line 35 after "liquids." strike everything through "device." on page 27, line 2.

Mr. Appelwick spoke in favor of the amendment, and Mr. Charnley spoke against it.

Mr. Appelwick spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Appelwick to page 26, line 35 of Substitute House Bill No. 289, and the amendment was not adopted by the following vote: Yeas, 23; nays, 71; excused, 4.

Voting yea: Representatives Appelwick, Brough, Cantu, Chandler, Clayton, Dellwo, Ellis, Fisher, Fiske, Garrett, Holland, Jacobsen, Locke, McClure, Nealey, Pruitt, Schoon, Smitherman, Stratton, Sutherland, Todd, Van Dyken, Zellinsky - 23.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dickie, Ebersole, Fisch, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Sommers, Struthers, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 71.

Excused: Representatives Barrett, Bond, Broback, Egger - 4.

On motion of Mr. Van Dyken, the following amendment was adopted:

On page 46, following line 22 insert:

"NEW SECTION. Sec. 52. There is added to chapter 43.43 RCW a new section to read as follows:

The Washington state patrol shall provide to the alcoholism and drug abuse institute of the University of Washington such statistical data pertaining to arrest, accidents, injuries, deaths, and recidivism as are necessary for a comparative evaluation of the previous drunk driving laws and the legislation passed in 1983 for a report to the 1985 legislature.

The Washington state patrol shall adopt such rules as are necessary to carry out this section."

Renumber the remaining section consecutively.

Mr. Van Dyken moved adoption of the following amendment:

On page 46, following line 22 insert the following new section:

NEW SECTION, Sec. 53. There is added to chapter 43.59 RCW a new section to read as follows:

The Washington state traffic safety commission shall produce educational radio and television spot announcements explaining the likelihood of apprehension and penalties for driving while intoxicated for dissemination by those media as public service announcements throughout the year. The DWI education account is created within the general fund to receive donations solely for producing these spot announcements."

Renumber the remaining section consecutively.

Mr. Van Dyken spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Van Dyken, the last sentence of this section says that there is an account within the general fund. Did I understand you to say this is strictly voluntary, and it is set up strictly within the general fund with voluntary donations from outside?"

Mr. Van Dyken: "That's correct; strictly voluntary contributions."

The amendment was adopted.

On motion of Mr. Van Dyken, the following amendment was adopted:

On page 46 following line 22 insert:

NEW SECTION, Sec. 54. There is added to chapter 43.43 RCW a new section to read as follows:

The Washington state patrol shall develop a cooperative plan with local law enforcement agencies to establish a joint strategy to more effectively apprehend violators of laws regarding driving while intoxicated."

Renumber the remaining section consecutively.

The Speaker called on Mr. O'Brien to preside.

Mr. Van Dyken moved adoption of the following amendment:

On page 46, following line 22 insert the following:

NEW SECTION, Sec. 52. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 52 through 55 of this act.

(1) 'Law enforcement agency' means the Washington state patrol or a local law enforcement agency.

(2) 'Local law enforcement agency' means the law enforcement agency of a county, city or town.

(3) 'Randomly stopping' means either stopping every motor vehicle which passes a roadblock, or stopping every nth motor vehicle which passes a roadblock where 'n' is a number no larger than the number determined by a law enforcement agency to be necessary to prevent undue traffic interference under conditions existing at the time and place of the roadblock.

(4) 'Roadblock' means a temporary checkpoint, barricade, or other device or procedure for randomly stopping motor vehicles on public highways to ascertain whether the drivers of those vehicles are properly licensed or are under the influence of an intoxicating liquor or drug.

NEW SECTION, Sec. 53. (1) The legislature recognizes the right of a motor vehicle driver to expect freedom from an unnecessary invasion of privacy. Nevertheless, the legislature also recognizes that driving is a legislatively granted privilege. Furthermore, the safety and welfare of the public at large must be protected from the irresponsible behavior of some drivers. Therefore, law enforcement agencies may periodically establish roadblocks to detect drivers who are not properly licensed or who are under the influence of an intoxicating liquor or drug. The roadblocks shall be conducted so as to protect a driver's right to be free from unreasonable search and seizure, and to have due process and equal protection under the law. The roadblock shall be conducted so as to maximize the detection of unlicensed or intoxicated drivers while minimizing inconvenience to other drivers to the extent practicable.

(2) A roadblock authorized by sections 52 through 55 of this act shall not be designed, scheduled, located, or conducted for a law enforcement purpose other than the detection, citation, or arrest of drivers who are not properly licensed or who are under the influence of an intoxicating liquor or drug. However, nothing in sections 52 through 55 of this act prevents the lawful arrest or citation, incident to a roadblock, of a person for any violation of law.

Before establishing a roadblock a law enforcement agency shall at a public hearing adopt procedures for scheduling, locating, and conducting roadblocks. Scheduling and locating procedures shall be based on traffic accident and arrest records or other information related to driving, or being in actual physical control of, a motor vehicle while under the influence of an intoxicating liquor or drug. The time and place of a roadblock shall not be made public prior to its establishment.

(4) A driver who is stopped at a roadblock may be required to show a valid driver's license as required under chapter 46.20 RCW.

(5) The law enforcement agency conducting a roadblock shall attempt lawfully to ascertain as to each driver stopped whether a violation of RCW 46.61.502 or 46.61.504 has occurred.

NEW SECTION. Sec. 54. A local law enforcement agency may establish roadblocks under sections 52 through 55 of this act.

NEW SECTION. Sec. 55. The state patrol, independently or in cooperation with one or more local law enforcement agencies, may establish roadblocks under sections 52 through 54 of this act. The state patrol shall, before January 1, 1985, report to the legislature on the conduct and results of those roadblocks.

NEW SECTION. Sec. 56. Sections 52 through 55 of this act shall constitute a new chapter in Title 46 RCW."

Renumber the remaining sections consecutively.

Representatives Van Dyken, Ballard, Tilly, Isaacson, Patrick and Schoon spoke in favor of the amendment, and Representatives Armstrong, Schmidt, Wang and West spoke against it.

Mr. Van Dyken spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Van Dyken, I'm wondering if a local government authority, a city council or a county council or commission, would, under your amendment, have the authority to conduct hearings and to make the final decision as to whether or not the local law enforcement agency would be allowed to conduct road blocks?"

Mr. Van Dyken: "Representative Nelson, the words of the amendment provide, '...law enforcement agencies may periodically establish road blocks.' Now that would apply to state law enforcement agencies directly. They would have the option to use that around the state; however, local law enforcement agencies, in my opinion, would operate under the direction of their local legislative authority in response to their direction. In specific answer, if a city council or a county legislative authority directed their law enforcement agencies not to conduct road blocks, they would not do so."

Mr. D. Nelson: "So, in other words, this could be a local decision?"

Mr. Van Dyken: "That's right; as far as the local law enforcement agency is concerned, yes."

Mr. Van Dyken spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to page 46 of Substitute House Bill No. 289, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; excused, 4.

Voting yea: Representatives Allen, Ballard, Barnes, Betrozoff, Braddock, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Kreidler, Lewis, Long, Lux, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Pruitt, Schoon, Silver, Smith, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Williams B - 41.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, King P, King R, Locke, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Ristuben, Rust, Sanders, Sayan,

Schmidt, Smitherman, Sommers, Stratton, Tanner, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Barrett, Bond, Broback, Egger - 4.

Mr. Van Dyken moved adoption of the following amendment:

On page 46, following line 22 insert:

"NEW SECTION. Sec. 55. There is added to chapter 43.43 RCW a new section to read as follows:

The Washington state patrol shall conduct emphasis patrols during such times of the day and days of the week where incidences of driving while intoxicated are most likely to occur. The patrol shall also monitor areas surrounding taverns and cocktail lounges at such times as experience indicates the probability that alcohol-impaired drivers will be present."

Remember the remaining sections consecutively.

Ms. Stratton moved adoption of the following amendment to the Van Dyken amendment:

On line 9 of the amendment following "present" insert "provided that such tavern and cocktail lounges post notices to that effect"

Representatives Stratton and Van Dyken spoke in favor of the amendment to the amendment.

#### MOTION

On motion of Mr. Heck, further consideration of the Van Dyken amendment and the amendment to the amendment was deferred.

Mr. Todd moved adoption of the following amendments:

On page 2, line 30 after "percent" insert ", or in the case of a person under age twenty-one, 0.08 percent."

On page 3, line 18 after "percent" insert ", or in the case of a person under age twenty-one, 0.08 percent."

On page 6, line 2 after "percent" insert ", or in the case of a person under age twenty-one, 0.08 percent."

On page 6, line 28 after "percent" insert ", or in the case of a person under age twenty-one, 0.08 percent."

On page 10, line 27 after "percent" insert ", or in the case of a person under age twenty-one, 0.08 percent."

On page 32, line 12 after "percent" insert ", or in the case of a person under age twenty-one, 0.08 percent."

On page 46, after line 7 insert the following new sections:

"Sec. 50. Section 8, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.502 are each amended to read as follows:

A person is guilty of driving while under the influence of intoxicating liquor or any drug if he drives a vehicle within this state while:

(1) He has 0.10 percent, or in the case of a person under age 21, 0.08 percent, or more by weight of alcohol in his blood as shown by chemical analysis of his breath, blood, or other bodily substance made under RCW 46.61.506 as now or hereafter amended; or

(2) He is under the influence of or affected by intoxicating liquor or any drug; or

(3) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section.

Sec. 51. Section 2, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.504 are each amended to read as follows:

A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if he has actual physical control of a vehicle within this state while:

(1) He has a 0.10 percent, or in the case of a person under age 21, 0.08 percent, or more by weight of alcohol in his blood as shown by chemical analysis of his breath, blood, or other bodily substance made under RCW 46.61.506, as now or hereafter amended; or

(2) He is under the influence of or affected by intoxicating liquor or any drug; or

(3) He is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. No person may be convicted under this section if, prior to being pursued by a law enforcement officer, he has moved the vehicle safely off the roadway."

Remember the remaining sections consecutively.

Representatives Todd, Lewis and Barnes spoke in favor of the amendments, and Mr. Armstrong spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Todd to Substitute House Bill No. 289, and the amendments were not adopted by the following vote: Yeas, 45; nays, 48; absent, 1; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Braddock, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, Lewis, Locke, Lux, McDonald, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Pruitt, Schoon, Silver, Smith, Smitherman, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, West, Wilson, Zellinsky - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, King P, King R, Kreidler, Long, Martinis, McClure, McMullen, Miller, Monohon, Moon, Niemi, O'Brien, Powers, Ristuben, Rust, Sanders, Sayan, Schmidt, Stratton, Tanner, Vekich, Walk, Wang, Williams B, Williams J, and Mr. Speaker - 48.

Absent: Representative Sommers - 1.

Excused: Representatives Barrett, Bond, Broback, Egger - 4.

On motion of Ms. Schmidt, the following amendments were adopted:

On page 2, line 23 following "state" insert "or where the public has a right to be"

On page 2, line 32 following "state" insert "or where the public has a right to be"

On page 3, line 9 following "state" insert "or where the public has a right to be"

On page 6, line 17 following "state" insert "or where the public has a right to be"

On page 10, line 7 following "state" insert "or where the public has a right to be"

On page 10, line 18 following "state" insert "or where the public has a right to be"

Ms. Niemi moved adoption of the following amendment:

On page 3, line 20 strike "civil" or

Representatives Niemi and Padden spoke in favor of the amendment, and Mr. Tilly spoke against it.

The amendment was adopted.

Mr. Dellwo moved adoption of the following amendments:

On page 18, line 9 strike "twenty-one" and insert "eighteen"

On page 18, line 22 strike "twenty-one" and insert "eighteen"

On page 18, line 33 strike "twenty-one" and insert "eighteen"

Representatives Dellwo, Long, Hine, Miller and Armstrong spoke in favor of the amendments, and Representatives Lewis, Taylor, Padden, West and McMullen spoke against them.

The amendments were not adopted.

On motion of Mr. Armstrong, the following amendment was adopted:

On page 20, line 17 after "section" strike "for a period of not more than one year (" and insert "~~for a period of not more than one year~~"

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Stratton to the Van Dyken amendment to page 46.

With the consent of the House, Ms. Stratton withdrew the amendment.

Ms. Stratton moved adoption of the following amendment to the Van Dyken amendment:

On line 9 of the amendment following "present" insert "tavern and cocktail lounges shall post notices provided by the Washington state liquor control board that surrounding areas may be monitored by the Washington state patrol."

Ms. Stratton spoke in favor of the amendment to the amendment, and Mr. McClure spoke against it.

The amendment to the amendment was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Van Dyken as amended.

Mr. Van Dyken spoke in favor of the amendment as amended.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken as amended, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; absent, 1; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, McMullen, Mitchell, Nealey, Nelson G, Patrick, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, Wang, Williams B, Williams J, Wilson, and Mr. Speaker - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Sayan, Smitherman, Sommers, Tanner, Todd, Vekich, Walk, West, Zellinsky - 51.

Absent: Representative Brough - 1.

Excused: Representatives Barrett, Bond, Broback, Egger - 4.

Substitute House Bill No. 289 was ordered engrossed and passed to Committee on Rules for third reading.

## MOTIONS

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

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 3166 was rereferred from Committee on Financial Institutions to Committee on Judiciary.

## MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Monday, March 7, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 7, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Crane, Egger, Fiske, Garrett, Johnson, P. King, Moon and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Waisath and Danny Hastings. Prayer was offered by The Reverend Frank Accardy, Minister of the Emmanuel Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 4, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3191,  
ENGROSSED SENATE BILL NO. 3475,  
SENATE BILL NO. 3529,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

ESB 3191 by Senator Goltz

Permitting local authorities to reduce speed limits below twenty miles per hour.

Referred to Committee on Transportation.

ESB 3475 by Senators Owen, Patterson and Rasmussen

Modifying requirements for licenses to take crab.

Referred to Committee on Natural Resources.

SB 3529 by Senators Granlund, Owen, Metcalf and Deccio (by Department of Corrections request)

Authorizing transfers of prisoners to foreign countries.

Referred to Committee on Social & Health Services.

## REPORTS OF STANDING COMMITTEES

March 3, 1983

HB 139 Prime Sponsor, Representative Lux: Modifying provisions on insurance.  
Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Vekich and Wang.

Absent: Representatives Monohon and West.

Passed to Committee on Rules for second reading.



March 3, 1983

HB 175 Prime Sponsor, Representative Sutherland: Modifying the definition of "worker" as it pertains to workers compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, Smith and Struthers

Passed to Committee on Rules for second reading.

March 4, 1983

HB 288 Prime Sponsor, Representative Wang: Modifying definition of corporation residence. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Lewis, McMullen, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 296 Prime Sponsor, Representative Galloway: Modifying provisions regulating school transportation. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Egger, Haugen, Heck, Holland, Johnson, Ristuben, Rust and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Long and Taylor.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 446 Prime Sponsor, Representative Sayan: Permitting access by employees to their personnel files. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 17 after "file" strike all material down through and including "file" on line 19 and insert ". The employer shall determine if there is any irrelevant or erroneous information in the file, and shall purge all such information from the file. If an employee does not agree with the employer's determination and there is no grievance procedure in effect under a collective bargaining agreement negotiated between the employer and the employees' bargaining representative through which the employee may challenge the determination, the employee may file a complaint with the department of labor and industries. The department shall investigate and may order the purging of material from the employee's personnel file"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair and Smith.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 451 Prime Sponsor, Representative Wang: Protecting the privacy of employees' telephone conversations. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 22 insert:

"NEW SECTION, Sec. 2. There is added to chapter 49.44 a new section to read as follows:

This 1983 act shall not be construed to permit any activity prohibited by the provisions of chapter 9.73 RCW."

On page 1, line 1 of the title strike "a new section" and insert "new sections"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Brekke, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 497 Prime Sponsor, Representative Jacobsen: Requiring review before a higher education degree program may be terminated. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Allen, Crane, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Sutherland and Tanner

MINORITY recommendation: Do not pass. Signed by Representatives Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Barnes, Brough and Struthers.

Voting nay: Representatives Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Barnes, Barrett, Brough and Struthers.

Absent: Representative McDonald.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 509 Prime Sponsor, Representative Kreidler: Modifying provisions relating to the board of health. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Broback, Ebersole, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Voting nay: Representatives Braddock and J. King.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 531 Prime Sponsor, Representative Hine: Authorizing certain studies by groups of local government entities formed for joint insurance purposes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Ebersole, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Broback, Chandler, Egger, Grimm and Todd.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 621 Prime Sponsor, Representative Locke: Providing procedures for review before termination of programs at the four-year universities. Reported by Committee on Higher Education

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Silver, Ranking Minority Vice Chair; Allen, Barrett, Brough, Locke, McMullen, Miller, D. Nelson, Powers, Sutherland and Tanner.

**MINORITY recommendation:** Do not pass. Signed by Representatives Prince, Ranking Minority Chair; Barnes and Struthers.

**Absent:** Representative McDonald.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 765 Prime Sponsor, Representative R. King: Adjusting amount of workers' compensation payable to certain injured workers. Reported by Committee on Labor

**MAJORITY recommendation:** Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

**Voting nay:** Representatives Chandler, Ranking Minority Vice Chair; Betzoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 4, 1983

ESB 3120 Prime Sponsor, Senator Peterson: Changing the manner in which port commissioner vacancies are filled. Reported by Committee on Local Government

**MAJORITY recommendation:** Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Ebersole, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

**Absent:** Representatives Broback, Chandler, Egger, Grimm and Todd.

Passed to Committee on Rules for second reading.

March 4, 1983

SJM 106 Prime Sponsor, Senator Rinehart: Calling for a mutual and verifiable freeze on nuclear weapons. Reported by Committee on State Government

**MAJORITY recommendation:** Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan, Silver and Vekich.

**Voting nay:** Representatives Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair and Nealey.

**Absent:** Representatives Bond, Johnson and Taylor.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 441, by Representatives J. King, Hankins, Stratton, Barrett, Hastings, Ellis and Miller (by Liquor Control Board request)

Modifying provisions relating to liquor service at international trade exhibitions and receptions.

The bill was read the second time.

On motion of Mr. Barrett, the following amendment was adopted:  
On page 3, strike lines 17 through 24.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. J. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 441, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent, 1; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Absent: Representative Vekich - 1.

Excused: Representatives Crane, Egger, Fiske, Garrett, Johnson, King P, Moon, Van Dyken - 8.

Engrossed House Bill No. 441, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Mr. McDonald: "Mr. Speaker, if you will look down the right-hand column of the flash calendar today, you will find that all the sponsors are Democrats. That's not too bad a trend realizing, of course, that you are the majority party, but if you've gone back two weeks, you would find that all the sponsors on all the flash calendars to date in the House were Democrats. It doesn't appear to be getting better because if you go to February-March 4, Second Reading of House Bills and Third Reading of House Bills in the Rules Committee, you'll find that the sponsorship was, again, all Democrats. I think we, on this side of the aisle, understand the cold realities of majority and minority and that, indeed, you are not going to have half the bills Democrat and half Republican, but I think we realize that when we were in the majority two years ago that there was wisdom; that we did not have a lock on all the good ideas, and that's why actually seventy-five passed through this House with Democratic sponsorship and thirty-six passed into law. That was the substance of a memo to you from Gary Nelson. I understand that it is early in the session, the trend doesn't look good and I wanted to bring it to the attention of this body, because at the beginning of the session, there was a lot of talk about bipartisan cooperation and I guess this is one test of that cooperation. We hope the trend gets better."

#### POINT OF PERSONAL PRIVILEGE

Mr. Heck: "Representative McDonald, I think your timing is perfect to raise this point of personal privilege. I'm expressing a little wonderment at the timing of Representative McDonald's point of personal privilege. He did so immediately following the passage of House Bill 441, that while having a Democratic prime sponsor, is especially for the benefit of an area of the state that has predominately Republican legislators. He does so three days after a bill that he has prime sponsored, and that I have joined him in supporting, House Bill 784--it has had a hearing, a very receptive hearing, I might add--a very important bill--in the Ways and Means Committee. I can understand his frustration; I didn't pass a single bill last year either, that I recall. In fact, I had to get Representative Garrett to give me one of these pens that say Governor Spellman on them. I haven't passed a bill since I was in the tie, and I understand your frustration at the vacuum of good ideas that seem to be coming forth, to some people's way of thinking in this legislature. As a matter of fact, fewer ideas have been introduced by this legislature than were introduced two years ago. We've cut down on the accepted number of bills introduced this session by a total of--well, there were 1,626 bills introduced at this point

in 1981, and this very efficient legislature has managed to cut that down to 1,188, so the universe that we are dealing with is much smaller. We seem to be focusing more of our time and attention on budget matters. The fact of the matter is that one of the reasons that accounts for this reduction in paperwork and the paper blizzard around here is that there are at least five members on that side of the aisle who simply haven't prime sponsored any bills whatsoever. Of course, that's counterbalanced by the seven over there who have prime sponsored more than ten bills notwithstanding their support of the amendment to the rule which, fortunately for them, failed at the beginning of the session that would have limited bill introductions to ten. I think the bottom line of this whole thing, however, is that we are a long way from the end of either this session or the next session. I'm very comfortable that when all is said and done, we'll all be pleased that this session was conducted in a spirit of bipartisan cooperation. There will be Republican prime-sponsored bills passed and I'm very confident of it, as a matter of fact."

Representative Crane appeared at the bar of the House.

HOUSE BILL NO. 189, by Representatives Wang and Smitherman

Modifying provisions for the issuance and sale of bonds by metropolitan park districts.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 189 was substituted for House Bill No. 189, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 189 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 239, by Representatives Pruitt, Barnes, Fisch, Miller, Long, Schoon, Patrick, Fisher, Jacobsen, Zellinsky, Silver, Belcher, Isaacson, Vekich, Dellwo, Tanner, Todd, Schmidt and Crane (by Secretary of State request)

Regulating exit polling.

The bill was read the second time.

Committee on Constitution, Elections & Ethics recommendation: majority, do pass as amended. (For amendment, see Journal, 50th Day, February 28, 1983.)

On motion of Mr. Pruitt, the committee amendment was adopted.

On motion of Mr. Barnes, the following amendment was adopted:

On page 1, line 7 strike "or election, general or special." and insert "general or special election."

#### MOTION FOR RECONSIDERATION

Mr. Isaacson, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the committee amendment was adopted.

Mr. Isaacson spoke in favor of the motion, and Mr. Pruitt spoke against it.

The motion was lost.

Mr. Patrick moved adoption of the following amendment:

On page 2, line 2 after "(a)" strike "Remove" and insert "Except as provided in RCW 29.34-.157, remove"

Representatives Patrick and Pruitt spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 413, by Representatives Monohon, Vekich, Sayan, Van Dyken, Fisch and McClure

Extending the allowed duration of leases of port district property.

The bill was read the second time. Committee on Local Government recommendation: Majority do pass with the following amendment:

On page 1, line 11 after "extensions for" insert "up to"

On motion of Ms. Monohon, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 72, by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying miscellaneous tax provisions

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

HOUSE BILL NO. 488, by Representatives Lux, Sanders, Zellinsky, P. King, Wang and Dickie

Modifying provisions relating to health maintenance organizations.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 488 was substituted for House Bill No. 488, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 488 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 96, by Representatives Martinis, Gallagher, Egger, Charnley, Powers, Walk, Heck, Garrett, Todd, Crane, Lux, Galloway and Patrick

Requiring reflectorized whistle posts at certain railroad crossings.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 39th Day, February 17, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 263, by Representatives Moon and Isaacson

Modifying provisions relating to altering local tax rates.

The bill was read the second time. On motion of Mr. Charnley, Substitute House Bill No. 263 was substituted for House Bill No. 263, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 263 was read the second time.

On motion of Mr. Charnley, the following amendment by Representative Moon was adopted:

On page 2, line 20 strike "after" and insert "before"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 392, by Representatives Ebersole, Smitherman and Fisher

Modifying the hearing procedures for the formation of local improvement districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, February 28, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 393, by Representatives Smitherman, Zellinsky, Moon and Fisher

Authorizing assistance to street abutters in improving streets.

The bill was read the second time. On motion of Mr. Smitherman, Substitute House Bill No. 393 was substituted for House Bill No. 393, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 393 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 393, and the bill passed the House by the following vote: Yeas, 91; nays, 0; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Excused: Representatives Egger, Fiske, Garrett, Johnson, King P, Moon, Van Dyken - 7.

Substitute House Bill No. 393, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Tuesday, March 8, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 8, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Garrett and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kellan Zane and Joel Goodwillie. Prayer was offered by The Reverend Frank Accardy, Minister of the Emmanuel Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 7, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3057,  
 ENGROSSED SENATE BILL NO. 3059,  
     SENATE BILL NO. 3096,  
 ENGROSSED SENATE BILL NO. 3130,  
     SENATE BILL NO. 3144,  
     SENATE BILL NO. 3169,  
 SUBSTITUTE SENATE BILL NO. 3174,  
 SUBSTITTUTE SENATE BILL NO. 3178,  
 ENGROSSED SENATE BILL NO. 3224,  
 ENGROSSED SENATE BILL NO. 3532,  
 SUBSTITUTE SENATE BILL NO. 3538,  
 ENGROSSED SENATE BILL NO. 3588,  
 SUBSTITUTE SENATE BILL NO. 3630,  
 SUBSTITTUTE SENATE BILL NO. 3657,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3057 by Committee on Judiciary (originally sponsored by Senators Moore, Jones, Hurley and Vognild)

Modifying the liability of building fire safety personnel.

Referred to Committee on Judiciary.

ESB 3059 by Senators Lee, Woody and McManus

Providing for pets in nursing homes and public housing for the elderly.

Referred to Committee on Social & Health Services.

SB 3096 by Senator McDermott (by Office of Financial Management request)

Modifying the payment schedules for school district apportionments.

Referred to Committee on Ways & Means.

ESB 3130 by Senators Talmadge, Hemstad and Woody

Awarding attorneys fees in frivolous actions or defenses and to prevailing parties acting as private attorneys general.

Referred to Committee on Judiciary.



- SB 3144** by Senators Peterson, Guess and Hansen (by Department of Licensing request)  
 Modifying provisions on special fuel trip permits.  
 Referred to Committee on Transportation.
- SB 3169** by Senators Goltz and Owen (by Department of Game request)  
 Making various housekeeping changes in the game laws.  
 Referred to Committee on Natural Resources.
- SSB 3174** by Committee on Ways & Means (originally sponsored by Senators McDermott, Peterson, Bottiger, Hemstad and Zimmerman)  
 Modifying provisions concerning the Washington state patrol retirement system.  
 Referred to Committee on Transportation.
- SSB 3178** by Committee on Local Government (originally sponsored by Senators Bauer, Zimmerman and Rinehart)  
 Authorizing the late payment of taxes.  
 Referred to Committee on Local Government.
- ESB 3224** by Senators Goltz, Quigg, Williams, Fuller, Hurley, McManus and Moore (by State Energy Office request)  
 Authorizing the provisions of heating services by governmental entities.  
 Referred to Committee on Energy & Utilities.
- ESB 3532** by Senators Gaspard, Benitz and Shinpoch  
 Providing procedures for the removal of members of community college boards of trustees.  
 Referred to Committee on Higher Education.
- SSB 3538** by Committee on Transportation (originally sponsored by Senators Peterson, Patterson and Haley)  
 Removing the traffic safety commission from the Sunset schedule and revising certain powers and duties.  
 Referred to Committee on Transportation.
- ESB 3588** by Senators Goltz and Lee (by Secretary of State request)  
 Authorizing the state archivist to adopt rules and set technical standards.  
 Referred to Committee on State Government.
- SSB 3630** by Committee on Agriculture (originally sponsored by Senators Sellar, Hansen, Newhouse and Barr)  
 Modifying provisions relating to irrigation district board meetings.  
 Referred to Committee on Agriculture.
- SSB 3657** by Committee on State Government (originally sponsored by Senators Wojahn, McDermott and Talmadge)  
 Modifying provisions relating to the use of state-owned armories.  
 Referred to Committee on State Government.

## REPORTS OF STANDING COMMITTEES

March 4, 1983

- HB 44** Prime Sponsor, Representative P. King: Modifying provisions relating to county-owned solid waste facilities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Ebersole, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Broback, Egger, Grimm and Todd.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 134 Prime Sponsor, Representative Walk: Modifying the civil service laws for public employees. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Vekich

MINORITY recommendation: Do not pass. Signed by Representatives Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Nealey, Silver and Taylor.

Absent: Representatives Bond and Johnson.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 162 Prime Sponsor, Representative D. Nelson: Providing for model energy conservation standards for new structures. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Barnes, Fiske, Gallagher, Jacobsen, Locke, Martinis, Miller, Moon, Pruitt and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Fuhrman, Hastings and Nealey.

Voting nay: Representatives Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Barnes, Bond, Fuhrman, Hastings and Nealey.

Referred to Committee on Ways & Means.

March 4, 1983

HB 179 Prime Sponsor, Representative Appelwick: Enacting the Uniform Unclaimed Property Act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Lewis, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 226 Prime Sponsor, Representative Ristuben: Providing for the establishment of export assistance centers. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Ellis, Heck, Hine, Kreidler, McClure, Monohon, Sayan, Smitherman, Taylor, Tilly and Vander Sloep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, McDonald and G. Nelson.

Absent: Representatives Bond, Fiske, Hastings and Struthers.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 245 Prime Sponsor, Representative J. King: Modifying provisions relating to economic development. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Taylor and Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; McDonald and Vander Stoep.

Absent: Representatives Bond, Fiske, Hastings and Struthers.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 251 Prime Sponsor, Representative Sayan: Establishing the state employment and conservation corps. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Commerce & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Fiske, Hastings and Struthers.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 323 Prime Sponsor, Representative Haugen: Amending the provision regarding consolidation and annexation of public utility districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Ebersole, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Broback, Chandler, Egger, Grimm and Todd.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 428 Prime Sponsor, Representative Armstrong: Modifying certain court procedures. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21 strike "~~notify the party to whom the same is payable, and~~)" and insert "notify the party to whom the same is payable, and"

Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Lewis, Mullen and Tilly.

Passed to Committee on Rules for second reading.

March 4, 1983

HB 487 Prime Sponsor, Representative P. King: Modifying provisions relating to chattel liens. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 1 insert the following new section:

"Sec. 2. Section 5, chapter 72, Laws of 1905 and RCW 60.08.060 are each amended to read as follows:

Upon presentation of such lien notice to the auditor of any county(~~and the payment to him of fifteen cents~~), he shall file the same, and endorse thereon the time of the reception, the number thereof, and shall enter the same in a suitable book or file (but need not record the same). Such book or file shall have herewith an alphabetic index, in which the county auditor shall index such notice by noting the name of the owner, name of lien claimant, description of property, date of lien (which shall be the date upon which such expenditure of labor, skill or material was completed), date of filing and when released, the date of release."

On page 1, line 1 of the title after "liens;" strike "and"

On page 1, line 3 of the title after "60.08.020" insert "; and amending section 5, chapter 72, Laws of 1905 and RCW 60.08.060"

Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Lewis, McMullen and Tilly.

Passed to Committee on Rules for second reading.

March 3, 1983

HB 606 Prime Sponsor, Representative R. King: Regulating employee-employer relationships. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 4 after "of" strike "this chapter" and insert "sections 1 through 4 of this act"

On page 2, line 5 after "of" strike "this chapter" and insert "those sections"

On page 2, line 8 after "with" strike "this chapter" and insert "sections 1 through 4 of this act"

On page 2, beginning on line 9 after "of" strike "this chapter" and insert "those sections"

On page 2, line 12 after "provisions of" strike "sections 1 through 4" and insert "section 1"

On page 2, line 16 after "policy of" strike "this chapter" and insert "section 1 of this act"

On page 2, line 20 after "violated" strike "sections 1 through 4" and insert "section 1"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 7, 1983

HB 1093 Prime Sponsor, Representative Moon: Relating to local government. Reported by Committee on Rules

Referred to Committee on Local Government.

#### SECOND READING

HOUSE BILL NO. 300, by Representatives P. King, Dickie, Galloway, Holland, G. Nelson, Egger, Stratton, Schoon, Armstrong, Taylor, Heck, Johnson, Betzoff, Haugen, Tanner, Sutherland, Zellinsky, Powers, Sayan, Smitherman, Ebersole, Fisher, Ellis, Hine, Crane, Jacobsen, Halsan, Todd, Ristuben, Lux, J. Williams and Moon

Modifying the laws regulating the school directors' association.

The bill was read the second time.

Mr. Lux moved adoption of the following amendments:

Beginning on page 2, after line 25 strike all the material down to and including "transfer)," on page 3, line 10

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, after line 6 insert the following:

"(1) Section 28A.61.050, chapter 223, laws of 1969 ex. sess., section 2, chapter 125, Laws of 1969 and RCW 28A.61.050;"

Renumber the remaining subsections consecutively.

On page 4, after line 10 insert the following:

"NEW SECTION. Sec. 8. There is hereby appropriated to the school director's association from the general fund, for the biennium ending June 30, 1985, the sum of one million twenty thousand dollars, or so much thereof as may be necessary to carry out the purposes under chapter 28A.61 RCW."

Renumber the remaining section consecutively.

Representatives Lux, P. King and Sayan spoke in favor of the amendments, and Representatives Galloway, Taylor and Dickie spoke against them.

Ms. Galloway again opposed the amendments, and Mr. Lux spoke again in favor of them.

The amendments were not adopted.

Mr. Lux moved adoption of the following amendments:

On page 3, line 26 after "schools." insert "Employees; salaries shall be equivalent with salaries for employees in similar classifications as established by the personnel board."

On page 3, after line 26 strike all the material down to and including "association." on line 31

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 2 after "chapter" strike "and section 5 of this act expire" and insert "expires"

Representatives Lux, Sayan and P. King spoke in favor of the amendments, and Representatives Galloway and Dickie spoke against them.

Mr. Lux spoke again in favor of the amendments.

The amendments were not adopted.

#### POINT OF INFORMATION

Mr. Lux: "Mr. Speaker, since we've had this discussion, I would like to know how we could hold this bill until we get a fiscal note, or would this be an appropriate time to refer it to Ways & Means? What is the process I would go through in order to make that kind of motion?"

The Speaker: "Representative Lux, it is appropriate to make such a motion any time that you might wish to do so, because the bill is before us."

Mr. Lux: "I think since I have requested a fiscal note, we'll just wait and, maybe at a later time, we'll have more information."

House Bill No. 300 was referred to Committee on Rules for third reading.

HOUSE BILL NO. 524, by Representative Brekke

Revising eligibility for medical care services.

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

HOUSE BILL NO. 16, by Representatives Heck, Hastings, Grimm, Patrick, Monohon, Vekich, Wang, Lewis, Wilson, G. Nelson, Rust, Garrett, Tanner, Martinis, Addison, Haugen, Ballard, Schoon, Miller, Moon, Mitchell, Nealey, Holland, Allen, Isaacson, Tilly, Todd, P. King, Ristuben, Smitherman, Zellinsky, Jacobsen, Hankins, Ellis, McMullen, Chandler, Burns and Ebersole

Modifying the determination of school district employees' service periods under the public employees retirement system.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 16 was substituted for House Bill No. 16, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 16 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 114, by Representatives Sutherland, Chandler, Heck and D. Nelson (by Washington State Energy Office Request)

Regulating district heating system services.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 114 was substituted for House Bill No. 114, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 114 was read the second time.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland and Isaacson:

On page 2, line 30 after "shall" insert "notify all providers of heating services within the designated service territory of pending application, and shall"

Representatives Sutherland and Isaacson spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sutherland and Isaacson 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. 114, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

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

HOUSE BILL NO. 141, by Representatives Lux, Zellinsky, Sanders, Broback and Garrett (by Insurance Commissioner request)

Modifying the rate and form filing fee.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal, 43rd Day, February 21, 1983.)

On motion of Mr. Lux, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 141, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

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

HOUSE BILL NO. 143, by Representatives Martinis, Gallagher and Wilson (by Department of Licensing request)

Revising payment of vehicle license fees.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 143 was substituted for House Bill No. 143, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 143 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 143, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

Substitute House Bill No. 143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 184, by Representatives McMullen, Clayton and Sutherland (by Department of Transportation request)

Authorizing the DOT to make contracts.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 39th Day, February 17, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 184, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

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

HOUSE BILL NO. 208, by Representatives Vekich, Hankins, O'Brien, Hastings, Haugen and Powers (by Department of General Administration request)

Increasing the maximum amount which state agencies, colleges, and universities may purchase without competition.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 27, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 208, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

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



HOUSE BILL NO. 306, by Representatives Prince, Burns, Silver, McMullen, Braddock and McDonald

Providing reciprocity for waiver of nonresident tuition between this state and Idaho and British Columbia.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 306 was substituted for House Bill No. 306, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 306 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 373, by Representatives Braddock, Kreidler, J. King, Stratton and Ballard

Making the appointment of county drug abuse administrative boards non-mandatory.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 373, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

House Bill No. 373, having received the 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 CONCURRENT RESOLUTION NO. 2, by Representatives Moon, Van Dyken, Dellwo, Lux and Tanner

Calling for an interim study of the need for legislation regarding city-county consolidation.

The resolution was read the second time. On motion of Mr. Moon, Substitute House Concurrent Resolution No. 2 was substituted for House Concurrent Resolution No. 2, and the substitute resolution was placed on the calendar for second reading.

Substitute House Concurrent Resolution No. 2 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Moon spoke in favor of the resolution, and Mr. Padden spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 2, and the resolution was adopted by the House by the following vote: Yeas, 85; nays, 11; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith,

Smitherman, Sommers, Stratton, Struthers, Tanner, Tilly, Todd, Vander Stoep, Vekich, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Clayton, Fuhrman, Grimm, Nealey, Padden, Sayan, Sutherland, Taylor, Walk, West - 11.

Excused: Representatives Garrett, Van Dyken - 2.

Substitute House Concurrent Resolution No. 2, having received the constitutional majority, was declared adopted.

ENGROSSED SENATE BILL NO. 3120, by Senators Peterson, Zimmerman, and Thompson

Changing the manner in which port commissioner vacancies are filled.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3120, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Prullt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Garrett, Van Dyken - 2.

Engrossed Senate Bill No. 3120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 117, by Committee on Labor (originally sponsored by Representatives R. King, Fisch, Charnley, Martinis, Garrett, Rust, Lux, Jacobsen, D. Nelson and Hankins)

Modifying procedures for the reduction in force of community college faculty members due to a financial emergency.

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

Representatives R. King, Sayan and Fisch spoke in favor of passage of the bill, and Representatives Struthers, Prince and Tilly spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Betzoff.

Mr. Betzoff: "Mr. King, one of the provisions of this bill is that the local people can elect individual hearings. Is it your understanding that if this were to be elected, would all these hearings need to be accomplished within sixty days?"

Mr. R. King: "I would think, under the law they would have to be. The election of an individual hearing would come about, I would think, only because an individual felt he had a different problem or was somehow in conflict with the other people who were involved in it. The cost of these hearings to the individual or to the labor group that might represent them is very high, so there is tremendous reason for all the individuals to group together. I would expect they would only separate when one individual felt that there was a need for reduction in force, but not as much as the total of what the college wanted to reduce, and he was the one who wanted to stay and felt he had some conflict with the other people. I don't expect it would happen very often and, when it did, it should occur simultaneously.

In that case, there might even be a separate or different hearing officer brought in."

Mr. Betzoff: "And still within the sixty-day period?"

Mr. R. King: "That's the intent."

Mr. Betzoff: "One other question. Another provision is that the hearings are open to all issues. Can you tell me what other issues might be involved other than the ruff procedures that would be open by an individual hearing?"

Mr. R. King: "I would expect that the most obvious one that wouldn't be covered under the existing law would be the question of whether or not the college had adequate finances to continue the programs that the special tenure faculty were involved in. That's not covered under current law, and it certainly would apply to fifty percent of the cases. I expect there might also be a possibility if there were a question of academic freedom involved. If faculty members had been saying things publicly that upset the board and that was the reason they were being ruffed, they would want to bring that in as an argument. When you talk about tenure, one of the reasons for having tenure is to protect the right of the college faculty to do research and to have freedom of speech in the classroom and things like that--on a rare occasion there have been examples, both in the state and nationwide, where a particular board would go ahead and try to use any way they could to get rid of a faculty member, not because a member wasn't a good teacher, but might be saying something the board didn't like to hear."

Representatives Barnes and Dickie spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 117, and the bill passed the House by the following vote: Yeas, 52; nays, 44; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representatives Garrett, Van Dyken - 2.

Substitute House Bill No. 117, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-12, by Representatives Heck and McDonald

WHEREAS, It has been the custom for many years that the House of Representatives arrange and pay for a group picture of all members thereof, to be properly mounted and framed, in order that said picture may be hung in the legislative halls; and

WHEREAS, A certain procedure is necessary in order to designate who the photographer shall be;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Speaker appoint a committee of three House members to consider and recommend to the House the official photographer for the Forty-eighth Session of the 1983 Legislature.

On motion of Mr. Heck, House Resolution No. 83-12 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-20, by Representatives G. Nelson and Monohon

WHEREAS, The State of Washington, its people, its natural beauty, and its gracious weather are celebrated in various ways throughout the year; and

WHEREAS, Such celebrations bring together tourists from other states and from all corners of this state; and

WHEREAS, The First Annual Kite Festival was organized by faculty, staff, and students of Edmonds Community College and the Mayor, town council, and citizens of the Town of Long Beach; was a highly successful event held at Long Beach in August, 1982; was attended by thousands of persons; and was the site where two world records in kite flying were set;

NOW, THEREFORE, BE IT RESOLVED, That the Second Annual Kite Flying Festival to be held at Long Beach in the week of August 21 to 27, 1983, be declared the Washington State Kite Festival and that an effort to set a new world record in kite flying be encouraged; and

BE IT FURTHER RESOLVED, That the people of the State of Washington encourage the sponsors of this festival by attending, supporting, and participating in the festival events; and

BE IT FURTHER RESOLVED, That the people of the State of Washington demonstrate their respect and support for the originality, cooperation, and hard work of the Mayor, town council, and citizens of the town of Long Beach and the faculty, staff, and students of Edmonds Community College, and especially Harry Osborne, the principal planner of the Washington State Kite Festival.

On motion of Mr. G. Nelson, House Resolution No. 83-20 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-22, by Representatives Heck, Galloway, Dickie, Taylor, Hine, Wang, Ebersole, Grimm, Walk, R. King, J. King, Crane, Todd and Halsan

WHEREAS, The education of the young people of this State is of paramount importance to the future of our state and nation; and

WHEREAS, An informed people is the foundation of a democratic form of government; and

WHEREAS, The public education system of this state is the bastion of our democracy; and

WHEREAS, The Superintendent of Public Instruction, the Washington State Board of Education, the Association of Educational Service Districts, the Association of Washington School Principals, the Washington Association of School Administrators, the Washington Congress of Parents, Teachers and Students, the Washington Education Association, and the Washington State School Directors' Association are committed to improve school programs and achieve excellence in public education;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the members of the House of Representatives with the citizens of the communities throughout this state join the organizations and agencies supporting the public school system in expressing support for the public schools; and

BE IT FURTHER RESOLVED, That the members of the House of Representatives encourage the continued awareness of the accomplishments, objectives, and needs of schools and declare March 9 through March 11, 1983, to be a period to focus on public education; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Superintendent of Public Instruction.

On motion of Mr. Heck, House Resolution No. 83-22 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-23, by Representatives Kaiser and Ehlers

WHEREAS, The Orting High School Cardinals are a championship quality basketball team; and

WHEREAS, Mike Porco, Tom White, Paul Hill, George Shrum, Don deVries, Dale deVries, Brian Carter, Jim Silvernail, Dave Vernon, Wade Lohman, Stu Louderback and Chuck Cope are members of the Orting Cardinals who played exciting basketball during the 1982-83 basketball season; and

WHEREAS, The Orting Cardinals are superbly coached by Head Coach Jerry Clyde and Assistant Coach Steve Weller, and assisted by team manager Kory Floyd; and

WHEREAS, These players and coaches worked together to compile an impressive 1982-1983 Orting High School basketball team season record of twenty-three wins and three losses; and

WHEREAS, The Orting Cardinals won the 1982-1983 Nisqually League Championship, recording fourteen wins and only one defeat; and

WHEREAS, The Orting Cardinals advanced to the 1983 Class A State Basketball Tournament; and

WHEREAS, The Orting Cardinals won all four rounds of the 1983 Class A Basketball Tournament; and

WHEREAS, The Orting Cardinals defeated the Lynden Lions, another quality basketball team, by a score of 47 to 45 to win the 1983 State Class A Basketball Championship on March 5, 1983;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for this accomplishment be extended to the members of the Orting Cardinals basketball team and their coaches; and

BE IT FURTHER RESOLVED, That the Orting Cardinals basketball team and its coaching staff be highly commended for this accomplishment which has made the students of Orting High School, the citizens of Orting and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to each member of the Orting Cardinals basketball team, its manager and its coaching staff.

On motion of Mr. Kaiser, House Resolution No. 83-23 was adopted.

#### MOTION

On motion of Mr. Heck, HOUSE BILL NO. 807 was rereferred from Committee on Ways & Means to Committee on Education.

#### MESSAGE FROM THE SENATE

March 8, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

March 8, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, adopting a supplemental budget, have had the same under consideration, and we are unable to agree and respectfully request the powers of Free Conference.

Signed by Senators McDermott, Hayner, Gaspard; Representatives Grimm, Sommers.

#### MOTION

Mr. Grimm moved that the House adopt the report of the Conference Committee and grant the committee powers of Free Conference.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, will the Free Conference have to report back with five signatures or four signatures to the House?"

The Speaker (Mr. O'Brien presiding): "Your point of parliamentary inquiry will be replied to after we receive the report from the Free Conference Committee."

Mr. Hastings: "Is it required then, that I stand and raise a new point of parliamentary inquiry, or will my present point be there when the report is back, so you will answer me?"

The Speaker (Mr. O'Brien presiding): "You'll have the opportunity to raise the question again at the appropriate time."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, under what joint rules are we operating for the establishment of the Conference Committee and the Free Conference Committee, and the dictates as to the number of signatures required on any report?"

The Speaker (Mr. O'Brien presiding): "We're operating on House Rules and Reed's Rules."

Mr. G. Nelson: "Mr. Speaker, is it your intention that we will have joint rules processed by this body in order to accomplish the thrust of this conference report?"

The Speaker (Mr. O'Brien presiding): "Only time will tell."

The motion by Representative Grimm was carried.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Wednesday, March 9, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 9, 1983

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 Brough, Garrett, Schmidt and Van Dyken. Representatives Garrett, Schmidt and Van Dyken were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Holly Anderson and Mike Hartzell. Prayer was offered by The Reverend Frank Accardy, Minister of the Emmanuel Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

March 8, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3098,  
 ENGROSSED SENATE BILL NO. 3162,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3163,  
 SENATE BILL NO. 3233,  
 SENATE BILL NO. 3250,  
 ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 112,  
 REENGROSSED SENATE CONCURRENT RESOLUTION NO. 107,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3120,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3098 by Committee on Local Government (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Providing for filling county freeholder vacancies.

Referred to Committee on Local Government.

ESB 3162 by Senators Talmadge, McDermott and Granlund

Modifying the property taxation on nonprofit organizations.

Referred to Committee on Ways & Means.

ESSB 3163 by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, Pullen, McDermott and Talmadge)

Granting reparation to certain state employees who suffered salary losses during World War II.

Referred to Committee on Ways & Means.

SB 3233 by Senators Fleming, Hemstad, Jones, McManus, Lee and Granlund (by Governor Spellman request)

Modifying provisions relating to the Asia-American Affairs Commission.

Referred to Committee on State Government.

SB 3250 by Senator Peterson, Patterson and Vognild (by Department of Transportation request):

Establishing prequalifying procedures for ferry contractors.

Referred to Committee on Transportation.

ESSJR 112 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Fuller, Talmadge, Bauer, McManus, Hansen, Moore, McDermott, Benitz and Woody)

Allowing the state to provide financing for energy conservation.

Referred to Committee on Energy & Utilities.

REESCR 107 by Senators Williams, Benitz, Goltz, Quigg, McManus, Hemstad, Moore, Hurley, Fleming, Hayner, Jones, Bottiger, Fuller and Deccio

Calling for resolution of the WPPSS financial situation.

Referred to Committee on Energy & Utilities.

#### REPORTS OF STANDING COMMITTEES

March 7, 1983

HB 595 Prime Sponsor, Representative Ellis: Establishing the East Selah reregulating reservoir project. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland, Prince and Todd.

Absent: Representative Moon.

Referred to Committee on Ways & Means.

March 8, 1983

HB 980 Prime Sponsor, Representative Martinis: Relating to aquatic lands. Reported by Committee on Rules

Referred to Committee on Natural Resources.

March 8, 1983

HB 985 Prime Sponsor, Representative Martinis: Relating to transportation. Reported by Committee on Rules

Referred to Committee on Labor.

March 8, 1983

HB 1035 Prime Sponsor, Representative R. King: Relating to collective bargaining. Reported by Committee on Rules

Referred to Committee on Labor.



## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 289, by Committee on Judiciary (originally sponsored by Representatives Haugen, Tilly, Brekke, Charnley, Jacobsen, Todd, Burns, Holland, Stratton, Ballard, Brough, Zellinsky, McMullen, Fisch, Smitherman, Tanner, Moon, Silver, Armstrong, Ristuben and Miller)

Authorizing law enforcement officers to revoke the license of persons arrested for driving while intoxicated.

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

Representatives Armstrong, Tilly, Padden and Wang 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. 289, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Belcher - 1.

Absent: Representative Brough - 1.

Excused: Representatives Garrett, Schmidt, Van Dyken - 3.

Engrossed Substitute House Bill No. 289, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 254, by Committee on State Government (originally sponsored by Representatives Ebersole, Patrick, Walk, Broback, Todd, B. Williams, Vekich, Tanner, West, J. King, Johnson, Silver, Smitherman, Ballard, Wang, Niemi, Burns, Holland, Halsan, Jacobsen, McClure, Locke, Garrett, Crane, Hine, Stratton, Dellwo, O'Brien, Haugen, Ristuben, P. King and Powers; by Governor Spellman request)

Establishing a state housing finance commission.

The bill was read the third time.

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

## MOTION

On motion of Mr. Heck, the House recessed until 1:00 p.m.

## AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brough, Garrett, Kreidler, McMullen, Schmidt and Van Dyken. Representatives Brough, Garrett, Schmidt and Van Dyken were excused.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
SENATE BILL NO. 3120.

## MOTIONS

On motion of Mr. Heck, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 254 was returned to second reading for the purpose of amendment.

On motion of Mr. Heck, the rules were suspended and the amendments by Representative Niemi to page 22, line 25 and page 23, lines 2 and 5, adopted on the previous day, were reconsidered.

Ms. Niemi spoke against the amendments and they were not adopted.

The bill was ordered reengrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole, Broback, Ristuben, Halsan, Todd, B. Williams and Barnes spoke in favor of the bill, and Representatives Addison, McDonald and Lux spoke against it.

Mr. Ebersole spoke again in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 254, and the bill passed the House by the following vote: Yeas, 76; nays, 16; absent, 2; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Addison, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Isaacson, McDonald, Moon, Padden, Pruitt, Smith, Vander Stoep, West - 16.

Absent: Representatives Kreidler, McMullen - 2.

Excused: Representatives Brough, Garrett, Schmidt, Van Dyken - 4.

Reengrossed Substitute House Bill No. 254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE HOUSE BILL NO. 241, by Committee on Education (originally sponsored by Representatives Appelwick, P. King, Dickie, Galloway, Schoon, Ebersole, Miller, Belcher, Isaacson, Brekke, Johnson, Todd, Powers, Wang and Stratton; by Superintendent of Public Instruction request)

Providing education programs for juveniles and juvenile offenders.

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

Representatives Appelwick and Galloway spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

Mr. Appelwick spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 241, and the bill passed the House by the following vote: Yeas, 87; nays, 5; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway,

Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Ballard, Bond, Clayton, Nealey, Tilly - 5.

Absent: Representatives Kreidler, McMullen - 2.

Excused: Representatives Brough, Garrett, Schmidt, Van Dyken - 4.

Substitute House Bill No. 241, having received the 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, the House adjourned until 10:30 a.m., Thursday, March 10, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SIXTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 10, 1983

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 Hankins, Heck and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Brian Serota and Kelly Corbett. Prayer was offered by The Reverend Frank Accardy, Minister of the Emmanuel Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

March 9, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3043,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3245,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3043 by Committee on Institutions (originally sponsored by Senator McCaslin)

Providing for notification to law enforcement agencies of institutional furloughs.

Referred to Committee on Social & Health Services.

E2SSB 3245 by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, Bottiger, Gaspard, Bluechel, Hurley, Barr, Warnke, Shimpoch, Peterson, Moore, Owen, Vognild, Williams, Talmadge, Wojahn, Bauer, Woody, Hemstad, Quigg, McManus, Hughes, Deccio, Fuller, von Reichbauer, Sellar, Bender, McCaslin, Kiskaddon and Hayner - by Governor Spellman request)

Establishing the housing finance commission.

Referred to Committee on State Government.

## REPORTS OF STANDING COMMITTEES

March 8, 1983

HB 433 Prime Sponsor, Representative Kreidler: Providing for children and family services. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, Niemi, Padden, Stratton, Wang and West.

Absent: Representatives J. King, G. Nelson and B. Williams.

Passed to Committee on Rules for second reading.

March 8, 1983

HB 547 Prime Sponsor, Representative Lux: Modifying provisions relating to public depositaries. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Hankins, Johnson, P. King, Kreidler, Monohon, Wang and West.

Absent: Representatives Garrett, Hankins, Johnson, Kreidler, Monohon, Vekich.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 574 Prime Sponsor, Representative Hine: Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11 after "consideration" insert "both: (a) differing costs, if any, necessary to transport the supplies, materials, or equipment to the unit of local government; and (b)"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben and Smitherman.

Absent: Representatives Van Dyken, Ranking Minority Chair; Ebersole, Grimm and Todd.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 708 Prime Sponsor, Representative Walk: Continuing the archaeological research center for an additional six years. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representatives J. Williams, Ranking Minority Vice Chair; Kaiser and O'Brien.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 257, by Representatives Belcher, Lux, Locke, Kreidler, Vekich, Jacobsen, D. Nelson, Charnley, P. King, Fisher, Pruitt, Brekke, Sommers, R. King, Patrick, Allen, Burns, Fisch and Garrett

Modifying exemption of certain agricultural employees from industrial insurance coverage.

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

Representatives Belcher and R. King spoke in favor of passage of the bill, and Representatives Ballard, Mitchell, Dickie and Smith spoke against it.

Ms. Belcher spoke again in favor of the bill, and Mr. Ballard again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 257, and the bill passed the House by the following vote: Yeas, 56; nays, 39; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett,

Grimm, Halsan, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Galloway, Hastings, Haugen, Holland, Isaacson, Johnson, King J, Long, Mitchell, Nealey, Nelson G, Padden, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, West, Williams B, Williams J, Wilson - 39.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Engrossed House Bill No. 257, having received the 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. 334, by Committee on Higher Education (originally sponsored by Representatives Burns, Charnley, Miller, Jacobsen, McMullen, Prince, Silver, R. King, Brekke, Allen and D. Nelson)

Providing resident student status for those students so classified on May 31, 1982.

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

Representatives Burns, McDonald and Jacobsen spoke in favor of passage of the bill, and Representative Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 334, and the bill passed the House by the following vote: Yeas, 92; nays, 2; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Barnes, Bond - 2.

Absent: Representative McClure - 1.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Substitute House Bill No. 334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 72, by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying miscellaneous tax provisions

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

Representatives Grimm and Tilly spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 72, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Schoon - 1.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

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

The Speaker assumed the Chair.

ENGROSSED HOUSE BILL NO. 96, by Representatives Martinis, Gallagher, Egger, Charnley, Powers, Walk, Heck, Garrett, Todd, Crane, Lux, Galloway and Patrick

Requiring reflectorized whistle posts at certain railroad crossings.

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

Mr. Martinis spoke in favor of passage of the bill, and Mr. Barrett spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 96, and the bill passed the House by the following vote: Yeas, 80; nays, 15; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Barnes, Barrett, Bond, Chandler, Dickie, Fuhrman, Hastings, Isaacson, McDonald, Nealey, Nelson G, Prince, Smith, Struthers, Williams J - 15.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Engrossed House Bill No. 96, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 164, by Representatives Braddock, Van Dyken, McMullen, Garrett and Vekich (by Governor Spellman request)

Creating a commission to study the feasibility and desirability of state participation in the British Columbia World Exposition of 1986.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 164, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

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

ENGROSSED HOUSE BILL NO. 239, by Representatives Pruitt, Barnes, Fisch, Miller, Long, Schoon, Patrick, Fisher, Jacobsen, Zellinsky, Silver, Belcher, Isaacson, Vekich, Dellwo, Tanner, Todd, Schmidt and Crane (by Secretary of State request)

Regulating exit polling.

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

Representatives Pruitt and Barnes spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 239, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Appelwick - 1.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Engrossed House Bill No. 239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 263, by Committee on Local Government (originally sponsored by Representatives Moon and Isaacson)

Modifying provisions relating to altering local tax rates.

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

Mr. Moon 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. 263, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Engrossed Substitute House Bill No. 263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 278, by Committee on Natural Resources (originally sponsored by Representatives Stratton, Martinis, B. Williams and Haugen)

Reorganizing the fisheries code.

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

Representatives Stratton and Mitchell 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. 278, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

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

SUBSTITUTE HOUSE BILL NO. 306, by Committee on Higher Education (originally sponsored by Representatives Prince, Burns, Silver, McMullen, Braddock and McDonald)

Providing reciprocity for waiver of nonresident tuition between this state and Idaho and British Columbia.

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

Representatives Prince, Burns and Struthers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 306, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Armstrong - 1.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Substitute House Bill No. 306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 392, by Representatives Ebersole, Smitherman and Fisher

Modifying the hearing procedures for the formation of local improvement districts.

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

Representative Ebersole spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 392, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis,

McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Engrossed House Bill No. 392, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 413, by Representatives Monohon, Vekich, Sayan, Van Dyken, Fisch and McClure

Extending the allowed duration of leases of port district property.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 413, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Armstrong, Nelson D, Walk - 3.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Engrossed House Bill No. 413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 488, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Sanders, Zellinsky, P. King, Wang and Dickie)

Modifying provisions relating to health maintenance organizations.

The bill was read the third time and 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 Substitute House Bill No. 488, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

Substitute House Bill No. 488, having received the 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. 524, by Representative Brekke

Revising eligibility for medical care services.

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

Ms. Brekke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 524, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Heck, Van Dyken - 3.

House Bill No. 524, having received the 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. Wang, the House reverted to the sixth order of business.

#### SECOND READING

On motion of Mr. Wang, HOUSE BILL NO. 113 was rereferred to Committee on Rules.

#### MOTION

On motion of Mr. Wang, the House adjourned until 1:00 p.m., Friday, March 11, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SIXTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 11, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Appelwick, Ballard, Bond, Garrett, McDonald, McMullen and Tanner, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Denise Cook and William Hersh. Prayer was offered by The Reverend Paul McCann, Minister of the United Churches of Olympia.

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

## MESSAGE FROM THE SENATE

March 10, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3018,  
SECOND SUBSTITUTE SENATE BILL NO. 3051,  
SUBSTITUTE SENATE BILL NO. 3103,  
SUBSTITUTE SENATE BILL NO. 3124,  
SUBSTITUTE SENATE BILL NO. 3133,  
SENATE BILL NO. 3145,  
SUBSTITUTE SENATE BILL NO. 3239,  
ENGROSSED SENATE BILL NO. 3252,  
ENGROSSED SENATE BILL NO. 3260,  
SENATE BILL NO. 3263,  
ENGROSSED SENATE BILL NO. 3306.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3018 by Senators Thompson, Zimmerman and Bauer

Modifying provisions relating to the subdivision of land.

Referred to Committee on Local Government.

2SSB 3051 by Committee on Agriculture (originally sponsored by Senators Hansen and Barr)

Modifying the laws governing transportation or confining animals.

Referred to Committee on Agriculture.

SSB 3103 by Committee on Local Government (originally sponsored by Senator Sellar)

Providing for surprise audits of county treasuries.

Referred to Committee on Local Government.

SSB 3124 by Committee on Social & Health Services (originally sponsored by Senators McManus and Deccio - by Office of Financial Management request)

Modifying provisions relating to the Washington health care facilities authority.

Referred to Committee on Social & Health Services.

SSB 3133 by Committee on Transportation (originally sponsored by Senators Peterson, Guess and Vognlld)

Modifying provisions relating to pilotage and pilot liability.

Referred to Committee on Transportation.

SB 3145 by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Modifying provisions on special fuel taxes.

Referred to Committee on Transportation.

SSB 3239 by Committee on Agriculture (originally sponsored by Senators Hansen, Newhouse, Deccio, Barr, Goltz, Bauer and Benitz)

Defining "cold storage warehouse" for excise tax purposes.

Referred to Committee on Agriculture.

ESB 3252 by Senators Hansen, Guess and Conner (by Department of Transportation request)

Strengthening the regulation of aircraft dealers.

Referred to Committee on Transportation.

ESB 3260 by Senator McDermott (by Department of Revenue request)

Modifying provisions on appeals.

Referred to Committee on Ways & Means.

SB 3263 by Senator Thompson

Authorizing county legislative authorities to set certain license fees.

Referred to Committee on Local Government.

ESB 3306 by Senators Goltz, Patterson, Rinehart and Hansen

Modifying the definition of resident student.

Referred to Committee on Higher Education.

#### REPORTS OF STANDING COMMITTEES

March 9, 1983

HB 163 Prime Sponsor, Representative Niemi: Establishing the office of minority and women's business enterprises. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Voting nay: Representatives Bond and Taylor.

Absent: Representative J. Williams.

Referred to Committee on Ways & Means.

March 10, 1983

HB 187 Prime Sponsor, Representative Kreidler: Modifying provisions concerning services for the handicapped. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang, West and B. Williams.

Absent: Representative G. Nelson.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 232 Prime Sponsor, Representative O'Brien: Adding a premium to bids from vendors whose states have an in-state preference. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, O'Brien, Sayan, Silver, Taylor and Vekich.

Voting nay: Representative D. Nelson.

Absent: Representative J. Williams, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 272 Prime Sponsor, Representative Galloway: Modifying provisions relating to conservation district law. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 20 after "cost-effective" insert ", on the ground"

On page 1, line 24 after "management." insert "The moneys shall not be expended for activities conducted within the boundaries of an irrigation district without the consent of the irrigation district."

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Prince and Todd.

Absent: Representatives Ebersole and Moon.

Referred to Committee on Ways & Means.

March 8, 1983

HB 336 Prime Sponsor, Representative Lux: Providing coverage for chiropractic services under health care services contracts. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Crane, Galloway, Hankins, Johnson, P. King, Kreidler, Monohon, Vekich and Wang.

Voting nay: Representatives Zellinsky, Vice Chair; Ballard, Cantu, Dickie and West.

Absent: Representative Garrett.

Passed to Committee on Rules for second reading.

March 8, 1983

HB 533 Prime Sponsor, Representative Lux: Defining "deadbeat list" for purposes of practices prohibited by collection agencies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Ballard, Dickie, Galloway, Hankins, Johnson, P. King, Kreidler, Wang and West.

Voting nay: Representatives Broback, Ranking Minority Vice Chair; and Vekich.

Absent: Representatives Cantu, Garrett and Monohon.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 563 Prime Sponsor, Representative Armstrong: Establishing the office of consumers' counsel. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Hastings and Lewis.

Voting nay: Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Hastings, Lewis, G. Nelson and Tilly.

Absent: Representative Schmidt.

Referred to Committee on Ways & Means.

March 9, 1983

HB 585 Prime Sponsor, Representative McClure: Revising provisions relating to salmon delivery permits. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, Martinis, McClure, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich and Wilson.

Absent: Representatives McMullen, Sommers, Vander Stoep, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 653 Prime Sponsor, Representative Braddock: Revising provisions relating to livestock markets. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, beginning on line 19 strike all of subsection (3)

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Galloway, Holland, Prince and Todd.

Absent: Representatives Ebersole, Moon and Todd.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 674 Prime Sponsor, Representative Sutherland: Prohibiting sturgeon fishing with a set line in the Columbia River or its tributaries. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, after line 7 insert a new section as follows:

"NEW SECTION. Sec. 2. It is the policy of this state to pursue the elimination of set line fishing for sturgeon through the Columbia River Compact, RCW 75.40.010. Section 1 of this act shall take effect only if the state of Oregon enacts a similar statutory prohibition against set line fishing for sturgeon in the Columbia River, and shall take effect when Oregon provides notice of the prohibition through the Columbia River compact, RCW 75.40.010."

On page 1, line 1 of the title after "fish;" strike "and" and on line 2 after "RCW" insert "; and prescribing an effective date"

Signed by Representatives Stratton, Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Fiske, Haugen, Isaacson, Johnson, Locke, Martinis, McClure, Miller, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives McMullen and Sommers.

Passed to Committee on Rules for second reading.

March 9, 1983

HJM 32 Prime Sponsor, Representative Addison: Requesting steelhead be designated a national game fish. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Fiske, Haugen, Isaacson, Johnson, Martinis, McClure, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and Locke.

Absent: Representatives McMullen, Sommers, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 16, by Committee on Ways & Means (originally sponsored by Representatives Heck, Hastings, Grimm, Patrick, Monohon, Vekich, Wang, Lewis, Wilson, G. Nelson, Rust, Garrett, Tanner, Martinis, Addison, Haugen, Ballard, Schoon, Miller, Moon, Mitchell, Nealey, Holland, Allen, Isaacson, Tilly, Todd, P. King, Ristuben, Smitherman, Zellinsky, Jacobsen, Hankins, Ellis, McMullen, Chandler, Burns and Ebersole)

Modifying the determination of school district employees' service periods under the public employees retirement system.

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

Representatives Heck and Cantu spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 16, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent, 7; excused, 7.

Voting yea: Representatives Allen, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, McClure, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Absent: Representatives Addison, Barrett, King R, Martinis, Mitchell, Schmidt, Sommers - 7.

Excused: Representatives Appelwick, Ballard, Bond, Garrett, McDonald, McMullen, Tanner - 7.

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



## MOTION

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

## SECOND READING

HOUSE BILL NO. 226, by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brekke, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough

Providing for the establishment of export assistance centers.

The bill was read the second time. On motion of Mr. Heck, Second Substitute House Bill No. 226 was substituted for House Bill No. 226, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 226 was read the second time.

Mr. B. Williams moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Sec. 1.** The legislature finds:

(1) The exporting of goods and services from Washington to international markets is an important stimulus to the growth and stability of many businesses, and the economic activities associated with exporting make an important contribution to the economic well-being of the state;

(2) Impediments to the entry of many small and medium-sized businesses into export markets have restricted growth in exports from the state;

(3) Particularly significant impediments are the lack of easily accessible information about export opportunities and export financing alternatives, and the limited availability of export financing at reasonable costs from conventional financing sources for many small and medium-sized businesses; and

(4) There is a need for an export assistance center which will specialize in providing assistance to small and medium-sized businesses, as defined by the federal small business administration, throughout the state in the financing of export transactions and in acquiring information about export opportunities.

**NEW SECTION, Sec. 2.** There is created an export assistance center to be administered by the department of commerce and economic development through its foreign trade division for the following purposes:

(1) To assist small and medium-sized businesses in the financing of export transactions;

(2) To provide singly or in conjunction with other organizations, information directly to those businesses which provide targeted products or services as well as providing other businesses information and assistance as to export opportunities and export financing alternatives;

(3) To provide information to and assist those businesses interested in exporting products in the opportunities available to them in organizing export trading companies under the United States export trading company act of 1982, for the purpose of increasing their comparative volume and ability to export their products to foreign markets.

**NEW SECTION, Sec. 3.** (1) The export assistance center shall be governed by a board of nine directors appointed by the governor. The department of commerce and economic development shall carry out the actions of the board. The directors shall serve terms of six years except that two of the original directors shall serve for two years and two of the original directors shall serve for four years. The board shall elect a chairman from among its members. The chairman shall arrange times and locations of the meetings of the board and chair the meetings of the board, to be held not less than every three months. The directors may provide for the payment of their expenses in accordance with RCW 43.03.050 and 43.03.060. The directors shall include:

(a) A representative of a not-for-profit corporation formed for the purpose of facilitating economic development;

(b) A representative of a financial institution engaged in the financing of export transactions;

(c) A representative of a port district;

(d) A representative of the governor;

(e) A representative of businesses from the area west of the Cascade mountain range on the Interstate 5 corridor;

(f) A representative of businesses from the area east of the Cascade mountain range and west of the Columbia river;

(g) A representative of businesses from the area east of the Columbia river;

(h) A representative of the public selected from the area west of the Cascade mountain range; and

(1) A representative of the public selected from the area east of the Cascade mountain range.

(2) The two public representatives shall be confirmed by the senate. The directors shall be broadly representative of geographic areas of the state, and the three representatives of businesses shall represent three different industries in different sized businesses as follows:

(a) One representative of a company employing fewer than one hundred persons;

(b) One representative of a company employing between one hundred and five hundred persons; and

(c) One representative of a company employing more than five hundred persons.

(3) Any vacancies on the board shall be filled by appointment by the governor for the unexpired term. Upon expiration of the terms of the original directors, the governor shall appoint directors for six-year terms.

NEW SECTION. Sec. 4. (1) The export assistance center shall:

(a) Identify moneys, grants, contributions, and any other financial assistance from the federal government, federal agencies, and any other sources to carry out its purposes;

(b) Assist entities in using funds identified in subsection (1)(a) of this section to provide loans to businesses with annual sales of twenty-five million dollars or less for the purpose of financing exports of goods or services by those businesses to buyers in foreign countries. Loans arranged by the export assistance center under this chapter shall not compete with nor be a substitute for available loans by a bank or other financial institution and shall only be considered upon a financial institution's assurance that competitive financing is not available;

(c) Provide loan guarantees on loans made by financial institutions to businesses with annual sales of fifty million dollars or less for the purpose of financing exports of goods or services by those businesses to buyers in foreign countries if it is shown that competitive financing is not available;

(d) Take whatever action may be necessary to accomplish the purposes set forth in this chapter.

(2) The export assistance center shall not use any state funds or funds which come from the public treasury of the state to assist in making loans or to make any payment under a loan guarantee agreement. Debts of the export assistance center shall be center debts only and may be satisfied only from the resources of the center. The state shall not in any way be liable for the debts.

NEW SECTION. Sec. 5. The export assistance center may contract with other entities to carry out this chapter. The contracts shall require the contractor to provide export assistance services and shall not have a duration of longer than two years.

NEW SECTION. Sec. 6. The board of directors of the export assistance center shall adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter.

NEW SECTION. Sec. 7. The chairman of the export assistance center shall report to the governor and the legislature before October 1, 1985, concerning the operation of the export assistance center during the 1983-85 biennium.

NEW SECTION. Sec. 8. There is appropriated from the general fund to the department of commerce and economic development for the biennium ending June 30, 1985, the sum of two hundred six thousand dollars, or so much thereof as may be necessary, for carrying out the purposes of this act.

NEW SECTION. Sec. 9. Sections 1 through 6 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 10. Sections 1 through 6 of this act shall expire on June 30, 1986.

Sec. 11. Section 4, chapter 221, Laws of 1967 and RCW 43.31.370 are each amended to read as follows:

The department of commerce and economic development through the office of foreign trade is hereby designated the agency of state government for the promotion and development of foreign trade and shall, in addition to the powers and duties otherwise imposed by law, have the following powers and duties:

(1) To study the potential marketability of various agricultural, natural resource, and manufacturing commodities of this state in foreign trade;

(2) To collect, prepare, and analyze foreign and domestic market data;

(3) To maintain close contact with foreign firms and governmental agencies and to act as an effective intermediary between foreign nations and Washington traders;

(4) To publish and disseminate to interested citizens and others information which will aid in carrying out the purposes of RCW 43.31.040 and 43.31.350 through 43.31.370;

(5) To encourage and promote the movement of foreign and domestic goods through the ports of Washington;

(6) To conduct an active program by sending representatives to, or engaging representatives in, foreign countries to promote the state as a foreign trade center;

(7) To assist and to make Washington agricultural, natural resource, and manufacturing concerns more aware of the potentials of foreign trade and to encourage production of those commodities which will have high export potentials and appeal;

(8) To administer state participation in state or international trade fairs;

(9) To coordinate the trade promotional activities of federal, state, and local public agencies, as well as civic organizations;

(10) To carry out the directions of the board of directors of the export assistance center."

Mr. B. Williams spoke in favor of the amendment, and Representatives J. King and Armstrong spoke against it.

Mr. B. Williams spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to Second Substitute House Bill No. 226, and the amendment was not adopted by the following vote: Yeas, 39; nays, 49; absent, 3; excused, 7.

Voting yea: Representatives Allen, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 39.

Voting nay: Representatives Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Stratton, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representatives Addison, King R, Sommers - 3.

Excused: Representatives Appelwick, Ballard, Bond, Garrett, McDonald, McMullen, Tanner - 7.

The bill was passed to Committee on Rules for third reading.

HOUSE BILL NO. 245, by Representatives J. King, Sanders, Tanner, Powers, Vekich and Heck

Modifying provisions relating to economic development.

The bill was read the second time. On motion of Mr. Heck, Second Substitute House Bill No. 245 was substituted for House Bill No. 245, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 245 was read the second time.

Mr. Vander Stoep moved adoption of the following amendment:

On page 3, following line 21 insert:

"Before any loan or grant application is approved, political subdivisions of the state must demonstrate to the community economic revitalization board that no other timely source of funding is available to them at costs reasonably similar to financing available from the community economic revitalization board."

Representatives Vander Stoep and J. King spoke in favor of the amendment, and it was adopted.

Mr. B. Williams moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION, Sec. 1.** It is the policy of the state of Washington to expand both short and long-term employment opportunities for the citizens of the state. State government has a vital and undeniable interest in the strengthening of the state's economic base through the encouragement of industry and commerce and the orderly growth and redevelopment of communities. In addition, it has been determined that public facilities available for needed industrial and commercial expansion in communities throughout the state are inadequate and that local governmental entities lack the resources to provide for such facilities. These conditions can most effectively be addressed by an accelerated public facilities construction program targeted to high priority economic and community development projects. State government can most efficiently assist the political subdivisions of the state to provide an immediate economic stimulus by: (1) Providing low-interest loan and/or grant funds for eligible public facilities projects required to improve opportunities for the successful maintenance, establishment, and expansion of industrial or commercial plants or which will otherwise assist in the creation or retention of long-term economic opportunities; and (2) providing grant funds for the completion of unfunded community development projects that are high priorities of local government and will address community needs.

**NEW SECTION, Sec. 2.** Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 9 of this act.

(1) 'Eligible public facilities projects' means those economic development related projects with long-term job creation or retention potential submitted to the community economic revitalization board.

(2) 'Unfunded community development projects' means projects submitted to the planning and community affairs agency by October 1, 1982, for funding under the community development block grant program.

**NEW SECTION, Sec. 3.** For the purpose of providing grants and loans under this chapter for needed eligible public facilities projects, including, but not limited to sewer or other waste disposal facilities, arterials, bridge access roads, port facilities, water distribution purification facilities, or unfunded community development projects, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of thirty million dollars to finance these projects and all costs incidental thereto. The bonds authorized in this section may be offered for sale without prior legislative appropriation.

**NEW SECTION, Sec. 4.** The proceeds from the sale of the bonds authorized in section 3 of this act shall be deposited in the public facilities construction loan revolving fund and shall be used exclusively for the purposes specified in section 3 of this act and for the payment of expenses incurred in the issuance and sale of the bonds.

**NEW SECTION, Sec. 5.** The proceeds from the sale of the bonds deposited under section 4 of this act in the public facilities construction loan revolving fund shall be administered by the community economic revitalization board. Ten percent of the proceeds of the bonds authorized in section 3 of this act shall be used exclusively for unfunded community development projects.

**NEW SECTION, Sec. 6.** The planning and community affairs agency shall identify, evaluate, and certify a list of unfunded community development projects for grant awards under sections 2 through 9 of this act. The criteria utilized shall include: (1) The rating of projects under the state community development block grant program; (2) unemployment in the project area; (3) short-term jobs created; and (4) project readiness. Projects certified by the planning and community affairs agency shall be reviewed for approval by the community economic revitalization board.

**NEW SECTION, Sec. 7.** The state general obligation bond retirement fund shall be used for the payment of the principal of and interest on the bonds authorized in section 3 of this act.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet the bond retirement and interest requirements. 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 general obligation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date.

Bonds issued under section 3 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

**NEW SECTION, Sec. 8.** The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 3 of this act, and section 7 of this act shall not be deemed to provide an exclusive method for the payment.

**NEW SECTION, Sec. 9.** The bonds authorized in section 3 of this act shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

Sec. 10. Section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080 are each amended to read as follows:

There shall be a fund known as the public facilities construction loan revolving fund, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law: PROVIDED, That seventy-five percent of all principal and interest payments on loans made with the proceeds deposited in the fund under section 4 of this 1983 act shall be deposited in the general fund. ((Funds remaining in any accounts created under RCW 43.31A.320 shall be automatically transferred to the public facilities construction loan revolving fund when the economic assistance authority is terminated.)) The state treasurer shall be custodian of the revolving fund. Disbursements from the revolving fund shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

Moneys in this fund not needed to meet the current expenses and obligations of the board shall be invested in the manner authorized for moneys in revolving funds. Any interest earned shall be deposited in this fund and shall be used for the purposes specified in this chapter. The state treasurer shall render reports to the board advising of the status of any funds invested, the market value of the assets as of the date the statement is rendered, and the income received from the investments during the period covered by the report.

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. Sections 2 through 9 of this act are each added to chapter 43.160 RCW."

#### POINT OF ORDER

Mr. Heck: "Mr. Speaker, I'd like the Speaker to please rule whether this proposed amendment is in violation of Rule 12(D) insofar as it appears to be identical to another measure pending before this House; I believe, House Bill No. 356."

#### SPEAKER'S RULING

The Speaker: "Representative Heck, your point is well taken. The Speaker has examined the amendment and House Bill No. 356 and finds that this will violate House Rule 12(D). The amendment is out of order."

#### MOTION

On motion of Mr. Heck, further consideration of Second Substitute House Bill No. 245 was deferred and the bill was made a Special Order of Business for 2:00 p.m.

HOUSE BILL NO. 251, by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher, Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett

Establishing the state employment and conservation corps.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 251, was substituted for House Bill No. 251, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 251 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 260, by Representatives Haugen and Clayton (by State Patrol request)

Authorizing the state patrol to charge fees for certain criminal records.

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

HOUSE BILL NO. 266, by Representatives Charnley, Pruitt, Barnes, Moon, Garrett, Fisch, Rust, Brekke, Sommers, Fisher, Jacobsen, Ristuben and D. Nelson

Restricting voting devices to single precinct use.

The bill was read the second time. On motion of Mr. Charnley, Substitute House Bill No. 266, was substituted for House Bill No. 266, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 266 was read the second time and passed to Committee on Rules for third reading.

#### MESSAGE FROM THE SENATE

March 10, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Heck moved that the rules be suspended and the House immediately consider the Report of the Free Conference Committee on Engrossed Second Substitute Senate Bill No. 3100.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, tradition of this House has been that Free Conference Reports be reported by five signatures. I see there are only four on this Free Conference Report, and I wonder, Mr. Speaker, does it require five signatures or four signatures?"

The Speaker: "It requires four, Representative Hastings."

## POINT OF PERSONAL PRIVILEGE

Mr. Hastings: "I just want to bring to the body's attention now, that this is the second time we have the Free Conference Report, and it's only going to be reported with four signatures. That is against tradition that has been held in the past, and I suppose once you do it the second time, you set a precedent in this body. I would just remind you that it's not a very good precedent. It may come back sometime to haunt us. I just want to let you know that what we're doing is precedent-setting and it's not a very good idea."

The Speaker stated the question before the House to be the motion by Representative Heck to immediately consider the Free Conference Report on Engrossed Second Substitute Senate Bill No. 3100.

The motion was carried.

## REPORT OF FREE CONFERENCE COMMITTEE

March 10, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3100, adopting a supplemental budget, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

**NEW SECTION, Sec. 1.** A supplemental budget as set forth in sections 2 through 31 of this 1983 act is hereby adopted and, subject to the provisions set forth in this 1983 act, the several amounts specified in sections 2 through 31 of this 1983 act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the designated agencies and offices of the state and for other specified purposes and projects for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983, except as otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

**NEW SECTION, Sec. 2. FOR THE HOUSE OF REPRESENTATIVES**

General Fund Appropriation ..... \$ 4,939,000

The appropriation in this section is subject to the following condition or limitation: \$61,000 of the appropriation is provided solely for the temporary congressional redistricting commission established pursuant to chapter 6, Laws of 1983.

**NEW SECTION, Sec. 3. FOR THE SENATE**

General Fund Appropriation ..... \$ 3,016,000

**NEW SECTION, Sec. 4. FOR THE SUPREME COURT**

General Fund—Judiciary Education Account Appropriation ..... \$ 479,000

**NEW SECTION, Sec. 5. FOR THE COURT OF APPEALS**

General Fund—Judiciary Education Account Appropriation ..... \$ 98,000

**NEW SECTION, Sec. 6. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund—Judiciary Education Account Appropriation ..... \$ 123,000

Sec. 7. Section 14, chapter 340, Laws of 1981 as last amended by section 11, chapter 11, Laws of 1982 2nd ex. sess. (unmodified) is amended to read as follows:

**FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State ..... \$ 112,515,000

General Fund Appropriation—Federal ..... \$ 20,446,000

Special Fund Salary and Insurance Contribution Increase Revolving

Fund Appropriation ..... \$ 40,972,000

Total Appropriation ..... \$ 173,933,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$2,126,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency; PROVIDED, That \$100,000 of this amount is provided solely for costs related to flood clean-up activities on or around Lake

Whatcom: PROVIDED FURTHER, That \$150,000 of this amount is transferred to the organized crime prosecution revolving fund.

(2) (a) A maximum of \$100,984,000 of general fund moneys (including \$15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on April 20, 1982.

(e) 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 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.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

NEW SECTION, Sec. 8. FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation . . . . . \$ 30,000

NEW SECTION, Sec. 9. FOR THE SECRETARY OF STATE

General Fund Appropriation . . . . . \$ 617,000

## NEW SECTION. Sec. 10. FOR THE STATE ACTUARY

General Fund Appropriation .....	\$ 30,000
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The appropriation in this section is subject to the following condition or limitation: The appropriation is provided solely to hire an executive search consultant for the purpose of employing a new state actuary.

## NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation .....	\$ 80,000
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## NEW SECTION. Sec. 12. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation .....	\$ 33,000
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## NEW SECTION. Sec. 13. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund—Forest Development Account Appropriation .....	\$ 53,000
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General Fund Appropriation .....	\$ 413,000
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Total Appropriation .....	\$ 466,000
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$313,000 of the general fund appropriation is provided solely for costs associated with department of corrections honor camp residents in work-related activities.

(2) \$100,000 of the general fund appropriation is provided solely for costs related to flood clean-up activities on or around Lake Whatcom.

Sec. 14. Section 84, chapter 340, Laws of 1981 as last amended by section 59, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

## FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State .....	\$ 8,015,000
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General Fund Appropriation—Federal .....	\$ 777,000
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General Fund—Feed and Fertilizer Account Appropriation .....	\$ 29,000
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Fertilizer, Agricultural, Mineral and Lime Fund Appropriation .....	\$ 358,000
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Commercial Feed Fund Appropriation—State .....	\$ 311,000
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Commercial Feed Fund Appropriation—Federal .....	\$ 22,000
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Seed Fund Appropriation .....	\$ 913,000
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Nursery Inspection Fund Appropriation .....	\$ 270,000
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Grain and Hay Inspection Fund Appropriation .....	\$ 17,278,000
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Total Appropriation .....	\$ 27,973,000
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The appropriations in this section are subject to the following conditions (or) and limitations:

(1) A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

(2) The department of agriculture shall not expend any state general fund moneys for the aerial spraying of hard chemicals over cities with a population over 140,000 persons located in a county with a population over 450,000 persons.

## NEW SECTION. Sec. 15. FOR THE DEPARTMENT OF LICENSING

General Fund—Architects' License Account Appropriation .....	\$ 110,000
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## NEW SECTION. Sec. 16. FOR THE HIGHER EDUCATION PERSONNEL BOARD

Higher Education Personnel Board Service Fund Appropriation .....	\$ 40,000
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## NEW SECTION. Sec. 17. FOR THE DEPARTMENT OF ECOLOGY

General Fund—Reclamation Revolving Account Appropriation .....	\$ 50,000
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The appropriation in this section is provided for a grant to the federal bureau of reclamation to promote the Columbia River Basin Project and to observe the fiftieth anniversary of the beginning of the construction of the Grand Coulee Dam.

Sec. 18. Section 4, chapter 33, Laws of 1982 1st ex. sess. as amended by section 67, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated for the biennium ending June 30, 1983, the sum of ((twenty-four)) one hundred twenty-two thousand dollars, or so much thereof as may be necessary, from the state general fund(—PROVIDED, That up to an additional ninety-eight thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources:)) to be used by the committee for the purpose of carrying out the provisions of sections 1 through 3 of this act. Upon completion of the study, any residual general fund state funds shall revert to the general fund.

## NEW SECTION. Sec. 19. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for distribution under federal Public Law 97-99. Fifty percent of these moneys shall be allocated to local school districts according to a formula developed by the superintendent of public instruction and fifty percent of the moneys shall be allocated to counties for the benefit of public roads according to a formula developed by the state department of transportation .....	\$ 197,000
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Sec. 20. Section 30, chapter 340, Laws of 1981 as amended by section 29, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

## FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION



General Fund Appropriation for fire insurance premiums tax distribution .....	\$	<del>(4,366,666)</del>
		<u>4,184,000</u>
General Fund Appropriation for refund of deferred property tax .....	\$	<del>(123,666)</del>
		<u>223,000</u>
General Fund Appropriation for public utility district excise tax distribution .....	\$	<del>(13,265,666)</del>
		<u>16,063,000</u>
General Fund Appropriation for prosecuting attorneys' salaries .....	\$	1,449,000
General Fund Appropriation for motor vehicle excise tax distribution .....	\$	<del>(55,332,666)</del>
		<u>46,209,000</u>
General Fund Appropriation for local mass transit assistance .....	\$	98,779,000
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$	<del>(1,946,666)</del>
		<u>1,482,000</u>
General Fund Appropriation for local fire protection costs .....	\$	720,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$	728,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$	<del>(26,357,666)</del>
		<u>20,505,000</u>
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$	<del>(172,466,666)</del>
		<u>160,314,000</u>
Liquor Revolving Fund Appropriation for liquor profits distribution .....	\$	<del>(53,666,666)</del>
		<u>56,000,000</u>
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties .....	\$	<del>(17,576,666)</del>
		<u>17,985,000</u>
State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties .....	\$	<del>(46,676,666)</del>
		<u>44,445,000</u>
<u>General Fund—Municipal Sales and Use Tax Account for equalization distribution</u> .....	\$	4,333,000
<u>General Fund—County Sales and Use Tax Account for equalization distribution</u> .....	\$	<u>2,621,000</u>
Total Appropriation .....	\$	<del>(487,513,666)</del>
		<u>476,040,000</u>
Sec. 21, Section 125, chapter 340, Laws of 1981 as last amended by section 101, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:		
FOR THE STATE TREASURER—TRANSFERS		
General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund .....	\$	8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000 .....	\$	1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969 .....	\$	40,000,000
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, 1981, through June 30, 1983 .....	\$	3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981-1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291 .....	\$	697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund .....	\$	40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to <del>\$(17,794,666)</del> <u>18,292,000</u> in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned .....	\$	<del>(17,794,666)</del>
		<u>18,292,000</u>
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund .....	\$	2,572,000

General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,028,000 in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management . . . . . \$ 1,028,000

General Fund Appropriation: For transfer to the law enforcement officers' and fire fighters' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the system if the amounts appropriated in section 34, chapter 340, Laws of 1981 had been transferred to the system quarterly . . . . . \$ ~~((22,000,000))~~  
17,181,000

General Fund Appropriation: For transfer to the teachers' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the system if the amounts appropriated in section 93, chapter 340, Laws of 1981 had been transferred to the system quarterly . . . . . \$ 4,819,000

Sec. 22. Section 47, chapter 340, Laws of 1981 as amended by section 41, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

The appropriations made by this act to the department of social and health services are subject to the following conditions and limitations:

(1) The department of social and health services shall not initiate any new services which will incur general fund state expenditures beyond those authorized by appropriation.

(2) Funds appropriated by this act to the department of social and health services shall be allotted and expended reflecting the legislative intent of this act. Within the specific limitations in this act, the department of social and health services may modify allotments after the initial three months of the biennium with the approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives(~~((: PROVIDED, That because substantial uncertainty continues to exist as to actual federal revenues available to the department of social and health services and because major changes in federal entitlement programs affecting income maintenance, community social services, and medical assistance programs may have significant effects on caseloads and expenditures in those programs, allotment modifications may include transfers between programs in sections 49, 50, 51, 53, 54, and 55 of chapter 340, Laws of 1981))~~). Transfers between or within programs may occur notwithstanding any limitation, condition, or proviso in sections 49 through 59, chapter 340, Laws of 1981 as amended by chapter 14, Laws of 1981 2nd ex. sess.; chapter 50, Laws of 1982 1st ex. sess.; and chapter 11, Laws of 1982 2nd ex. sess. Each transfer must maximize services provided under all programs, taking into account actual program workloads.

(3) The department of social and health services may seek and receive additional federal funds not included in this act, subject to approval of the office of financial management, provided that such funding does not require additional expenditure of state funds.

(4) In anticipation of significant reductions in federal support for social service, public health, and Title XIX programs, the legislature has reduced the state's dependency on federal entitlement programs within the income maintenance, medical assistance, and social service programs. However, additional federal reductions may require further reductions to all human service programs. To ensure that the loss of federal funds does not result in an accelerated expenditure of state funds, the following requirements are placed on the department of social and health services:

~~((a))~~ The department shall prepare a contingency expenditure plan to reflect anticipated loss of federal funds. This contingency plan shall include necessary program changes and a redefinition of services or eligibility criteria which will not require expenditures in excess of any appropriation provided in this act. The contingency plan shall be transmitted to the legislature upon completion and at least ten days before implementation.

Sec. 23. Section 48, chapter 340, Laws of 1981 as last amended by section 31, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation . . . . . \$ 42,299,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$13,918,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,419,000 is provided solely for intensive parole.

(c) \$21,519,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation ..... \$ ~~((149,390,000))~~  
149,339,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the intent of the legislature that custody staff at adult correctional institutions not be reduced below the levels existing on June 1, 1982.

(c) It is the assumption of the legislature that the appropriation in this subsection initially provides:

- (i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);
- (ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);
- (iii) \$1,010,000 for the Monroe mental health unit;
- (iv) \$24,990,000 for the Washington State Reformatory;
- (v) \$8,269,000 for the Purdy Treatment Center for Women;
- (vi) \$20,816,000 for the McNeil Island Penitentiary;
- (vii) \$9,090,000 for the Special Offenders Center;
- (viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center.

(3) PROGRAM SUPPORT

General Fund Appropriation ..... \$ ~~((13,646,000))~~  
13,156,000

General Fund—Institutional Impact Account Appropriation ..... \$ 525,000

Total Appropriation ..... \$ ~~((14,171,000))~~  
13,681,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) ~~S((1,079,000))~~ 589,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 24. Section 80, chapter 340, Laws of 1981 as last amended by section 56, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State ..... \$ ~~((7,093,000))~~  
7,408,000

General Fund Appropriation—Federal ..... \$ 391,000

Motor Vehicle Fund Appropriation ..... \$ 395,000

Total Appropriation ..... \$ ~~((8,679,000))~~  
8,194,000

The appropriations in this section are subject to the following condition or limitation: This 1983 act does not reduce state matching funds for the department's eight tourism regions.

Sec. 25. Section 87, chapter 340, Laws of 1981 as last amended by section 72, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation .....	\$	<del>(2,584,868,888)</del>
		<u>2,586,301,000</u>
General Fund—State Timber Tax Reserve Account .....	\$	4,000,000
Total Appropriation .....	\$	<del>(2,588,868,888)</del>
		<u>2,590,301,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 4: PROVIDED, That for the 1981-82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior to the effective date of this 1982 act, for the 1982-83 school year that conflicts with provisions of this 1982 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit 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) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) 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, certificated staff units shall be determined 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;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined 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.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts 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; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than ~~5((4,518,000))~~ 5,951,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 and 1982-83 school years to such districts on the basis of current school year enrollment plus one quarter of 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 twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 26. Section 92, chapter 340, Laws of 1981 as last amended by section 74, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

#### SALARY AND COMPENSATION INCREASES

General Fund Appropriation ..... \$ 112,299,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

(3) A maximum of \$ 54,666,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document 4.

(4) A maximum of \$ 12,113,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection (7)(b) of this section, shall not exceed the percentages specified in LEAP Document 4.

(5) A maximum of \$ 34,147,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$16 per month in 1982-83.

(6) A maximum of \$ 10,922,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and 7.35% in 1982-83, effective June 30, 1983, and insurance benefit increases at the same rate as provided in subsection (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

(7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document 4 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(1) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document 4: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document 4.

(1) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document 4: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document 4.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

(8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81, 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

(9) The 1982-83 salary increase shall be effective on June 30, 1983, and shall be allocated by the superintendent of public instruction as specified in LEAP Document 2.

(10) A maximum of \$451,000 shall be distributed to those school districts which after May 19, 1981, and prior to December 1, 1981, incurred a contractual obligation to pay any employee or employee group a salary increase (~~during the 1982-83 school year~~) after August 31, 1982, and prior to June 30, 1983, and such obligation cannot be revoked or otherwise avoided by unilateral action of such districts: PROVIDED, That the total salary increase obligation is within the limits prescribed by LEAP Document 2: PROVIDED FURTHER, That the portion of salary increase funds provided to each qualifying district shall be distributed in the same proportion to the total provided herein as its irrevocable salary increase obligation is in proportion to the total irrevocable salary increase obligation of all qualifying districts: PROVIDED FURTHER, That the determination of revocability or avoidability of the obligation for purposes of receipt of the funds provided under this subsection shall be the sole and final determination of the state attorney general after reviewing the contract regardless of what

may be determined by an arbitrator or court as to the school district's obligation to its employees.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 27, Section 16, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GAME

(1) Reappropriation of various 1979-81 projects which have not been completed.

	Reappropriation	Appropriation
GF, ORA—State	825,000	
GF, ORA—Federal	346,000	
Game Fund—State	837,000	
Game Fund—Federal	1,055,000	
Game Fund—Game Sp		
Wildlife Act	95,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		1,799,626

(2) Relocate shop facilities from the Auburn Game Farm to the Olympia area from proceeds of the sale of the Auburn Game Farm. This appropriation is contingent on the enactment of House Bill No. 66 during the 1981 regular session of the legislature.

	Reappropriation	Appropriation
Game Fund—State		819,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
200,000		1,019,700

(3) Replace raceways and roads, South Tacoma Hatchery.

	Reappropriation	Appropriation
Game Fund—State		133,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
67,000	200,000	400,000

(4) Emergency repair and replacement.

	Reappropriation	Appropriation
Game Fund—State		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	300,000	450,000

(5) Replace thirty-nine sets of outdoor toilets on department access areas state-wide.

	Reappropriation	Appropriation
Game Fund—State		195,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	400,000	595,000

(6) Repair three dikes, Skagit Wildlife Recreation Area.

	Reappropriation	Appropriation
Game Fund—State		88,000
Game Fund—Federal		264,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		352,000

(7) Construct dike and water control structures, McNary Wildlife Recreation Area.

	Reappropriation	Appropriation
Game Fund—State		17,000
Game Fund—Federal		250,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/81	7/1/83 and Thereafter	Costs
		267,000
(8) Replace hatchery building, South Tacoma Hatchery.		
	Reappropriation	Appropriation
Game Fund—State		227,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		227,000
(9) Construct new residence and upgrade domestic water supply, Ringold Rearing Pond.		
	Reappropriation	Appropriation
Game Fund—Federal		119,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		119,000
(10) Replace roofs on several buildings, state-wide.		
	Reappropriation	Appropriation
Game Fund—State		126,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		126,000
(11) <del>(Purchase land and construct new regional office and storage building using proceeds from sale of present regional office in downtown Seattle.)</del> <u>Sell existing Seattle office and purchase replacement facilities.</u>		
	Reappropriation	Appropriation
Game Fund—State		1,081,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		1,081,000
(12) Replace fishing sites condemned by the Corps of Engineers near Bonneville Dam, Columbia River.		
	Reappropriation	Appropriation
Game Fund—Federal		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		120,000
(13) Replace wildlife habitat lost to inundation of Snake River Canyon.		
	Reappropriation	Appropriation
Game Fund—Federal		2,480,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
	4,960,000	7,440,000
(14) Complete acquisition of thirty-five acres in three parcels of cooperative project with Whatcom county, Tennant Lake Wildlife Recreation Area.		
	Reappropriation	Appropriation
GF, ORA—State		76,500
GF, ORA—Federal		76,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		153,000
(15) Complete cooperative development project with Whatcom County, Tennant Lake Wildlife Recreation Area.		
	Reappropriation	Appropriation
GF, ORA—State		93,500



GF, ORA—Federal		93,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		187,000

(16) Construct fishing dock with parking and sanitary facilities, Mercer Island.

Reappropriation

Appropriation

GF, ORA—State		29,500
GF, ORA—Federal		29,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		59,000

(17) Redevelop fishing and boating access with parking and sanitary facilities, Heller Basin—Snake River.

Reappropriation

Appropriation

GF, ORA—State		63,500
GF, ORA—Federal		63,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
15,000		142,000

(18) Redevelop fishing and boating access with parking and sanitary facilities, Kenmore access—Lake Washington.

Reappropriation

Appropriation

GF, ORA—State		17,000
GF, ORA—Federal		17,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		34,000

(19) Develop fishing and boating access with parking and sanitary facilities, city of Snohomish—Snohomish River.

Reappropriation

Appropriation

GF, ORA—State		62,500
GF, ORA—Federal		62,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		125,000

(20) Provide fishing and launch float, Clear Lake.

Reappropriation

Appropriation

GF, ORA—State		11,000
GF, ORA—Federal		11,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
41,000		63,000

(21) Develop public fishing access with launch, parking, and sanitary facilities, Wenas Lake.

Reappropriation

Appropriation

GF, ORA—State		35,000
GF, ORA—Federal		35,000
Game Fund—Private/Local		27,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		97,000

(22) Redevelop fishing and boating access with launch, parking, and sanitary facilities, Deep Lake.

Reappropriation

Appropriation

GF. ORA—State		37,500
GF. ORA—Federal		37,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		75,000

(23) Redevelop fishing and boating access with launch, parking, and sanitary facilities, Jamison Lake.

	Reappropriation	Appropriation
GF. ORA—State		133,000
GF. ORA—Federal		133,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		266,000

(24) Develop fishing and boating access with launch, parking and sanitary facilities, Mitchell Access—Klickitat River.

	Reappropriation	Appropriation
GF. ORA—State		32,500
GF. ORA—Federal		32,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		65,000

(25) Acquire fishing area for public access, Cottage Lake.

	Reappropriation	Appropriation
GF. ORA—State		32,500
GF. ORA—Federal		32,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		65,000

(26) Acquire three public fishing easements and two parking areas between Auburn and Flaming Geyser, Green River.

	Reappropriation	Appropriation
GF. ORA—State		42,500
GF. ORA—Federal		42,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		85,000

(27) Acquire remainder parcels between Union Gap and Zillah on I-82 for wildlife habitat and public use.

	Reappropriation	Appropriation
GF. ORA—State		69,000
GF. ORA—Federal		69,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		138,000

Sec. 28. Section 42, chapter 137, Laws of 1981 as last amended by section 85, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of ~~((five))~~ four hundred ~~((eighty-six))~~ fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 29. Section 123, chapter 136, Laws of 1981 as last amended by section 84, chapter 11, Laws of 1982 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund ~~\$(356,000))~~ 286,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

**NEW SECTION.** Sec. 30. The governor shall direct each agency subject to the governor's power to revise allotments under RCW 43.88.110 to implement immediately a freeze on hiring and to further control expenditures from the state general fund by restricting out-of-state travel, restraining purchasing, and limiting the use of outside consulting services. Requests for exceptions to the hiring freeze are to be made in writing by agency directors to the director of financial management. The hiring freeze and expenditure controls shall remain in effect until July 1, 1983.

**NEW SECTION.** Sec. 31. Any state employee whose annual salary is \$60,000 or more shall have such salary reduced by 10 percent from the effective date of this act until June 30, 1983. Any state employee whose annual salary is at least \$55,000 but less than \$60,000 shall have such salary reduced by 8 percent from the effective date of this act until June 30, 1983. Any state employee whose annual salary is at least \$50,000 but less than \$55,000 shall have such salary reduced by 6 percent from the effective date of this act until June 30, 1983. Any state employee whose annual salary is at least \$45,000 but less than \$50,000 shall have such salary reduced by 4 percent from the effective date of this act until June 30, 1983. Any state employee whose annual salary is at least \$40,000 but less than \$45,000 shall have such salary reduced by 2 percent from the effective date of this act until June 30, 1983.

**NEW SECTION.** Sec. 32. (1) 'Provided solely,' as used in this act, means that the specified amount may be spent only for the specified purpose. Unless otherwise stated in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall lapse.

(2) 'Lapse,' as used in this act, means the termination of authority to spend an appropriation or portion of an appropriation. The appropriations in sections 2 and 3 of this act shall not lapse at the conclusion of the fiscal biennium ending June 30, 1983.

**NEW SECTION.** Sec. 33. 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. 34. 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 "agencies," strike the remainder of the title and insert "amending section 14, chapter 340, Laws of 1981 as last amended by section 11, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 84, chapter 340, Laws of 1981 as last amended by section 59, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 4, chapter 33, Laws of 1982 1st ex. sess. as amended by section 67, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 30, chapter 340, Laws of 1981 as amended by section 29, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 125, chapter 340, Laws of 1981 as last amended by section 101, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 47, chapter 340, Laws of 1981 as amended by section 41, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 48, chapter 340, Laws of 1981 as last amended by section 31, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 80, chapter 340, Laws of 1981 as last amended by section 56, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 87, chapter 340, Laws of 1981 as last amended by section 72, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 92, chapter 340, Laws of 1981 as last amended by section 74, chapter 50, Laws of 1982 1st ex. sess. (uncodified); amending section 16, chapter 143, Laws of 1981 (uncodified); amending section 123, chapter 136, Laws of 1981 as last amended by section 84, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); amending section 42, chapter 137, Laws of 1981 as last amended by section 85, chapter 11, Laws of 1982 2nd ex. sess. (uncodified); creating new sections; making appropriations; and declaring an emergency."

Signed by Senators McDermott, Gaspard; Representatives Grimm, Sommers.

#### MOTION

Mr. Grimm moved that the House adopt the report of the Free Conference Committee on Engrossed Second Substitute Senate Bill No. 3100.

Mr. Grimm spoke in favor of the motion.

#### POINT OF PERSONAL PRIVILEGE

Mr. Cantu: "I am a member of the Conference Committee on Engrossed Second Substitute Senate Bill No. 3100. On March 8th, you had a Conference Committee report placed on your desks with six names typed on there and there were five signatures on it. Mine was missing. I would like the record to show that the reason

my name was not on the report is that I had no opportunity to participate. The first time I saw the report was when it was placed on my desk as it was placed on your desks. I was not given any notice; I was not given any opportunity to participate. As far as the Free Conference report is concerned, I received no notice of any committee meetings; I was not given an opportunity to participate; there were no committee meetings held. Ladies and gentlemen of the House, I can accept the fact that I probably could not have changed the outcome of the report; I understand that, but I cannot accept the fact that we did not maintain the integrity of the process of the proceedings. No meetings were held; no notice was given and no opportunity was offered for me to participate."

Representatives G. Nelson and B. Williams spoke against the motion to adopt the report, and Mr. Grimm spoke again in favor of it.

The report was adopted.

Representative Barrett appeared at the bar of the House.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 3100 as amended by Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3100 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 53; nays, 39; excused, 6.

Voting yea: Representatives Allen, Armstrong, Belcher, Braddock, Brøkke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 39.

Excused: Representatives Appelwick, Ballard, Bond, McDonald, McMullen, Tanner - 6.

Engrossed Second Substitute Senate Bill No. 3100 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPECIAL ORDER OF BUSINESS

The hour of 2:00 p.m. having arrived, the Speaker declared the question before the House to be Second Substitute House Bill No. 245 on second reading.

#### SECOND SUBSTITUTE HOUSE BILL NO. 245:

Mr. B. Williams moved adoption of the following amendment:

On page 4, strike lines 26 through 34 and insert:

**NEW SECTION, Sec. 6.** For the purpose of providing grants and loans under this chapter for needed eligible public facilities projects, including, but not limited to sewer or other waste disposal facilities, arterials, bridge access roads, port facilities, water distribution purification facilities, or unfunded community development projects, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of thirty million dollars to finance these projects and all costs incidental thereto. The bonds authorized in this section may be offered for sale without prior legislative appropriation.

**NEW SECTION, Sec. 7.** The proceeds from the sale of the bonds authorized in section 6 of this act shall be deposited in the public facilities construction loan revolving fund and shall be used exclusively for the purposes specified in section 6 of this act and for the payment of expenses incurred in the issuance and sale of the bonds.

**NEW SECTION, Sec. 8.** The proceeds from the sale of the bonds deposited under section 7 of this act in the public facilities construction loan revolving fund shall be administered by the

community economic revitalization board. Ten percent of the proceeds of the bonds authorized in section 6 of this act shall be used exclusively for unfunded community development projects.

**NEW SECTION.** Sec. 9. The planning and community affairs agency shall identify, evaluate, and certify a list of unfunded community development projects for grant awards under sections 1 through 11 of this act. The criteria utilized shall include: (1) the rating of projects under the state community development block grant program; (2) unemployment in the project area; (3) short-term jobs created; and (4) project readiness. Projects certified by the planning and community affairs agency shall be reviewed for approval by the community economic revitalization board.

**NEW SECTION.** Sec. 10. The state general obligation bond retirement fund shall be used for the payment of the principal of and interest on the bonds authorized in section 6 of this act.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet the bond retirement and interest requirements. 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 general obligation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date.

Bonds issued under section 6 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

**NEW SECTION.** Sec. 11. The bonds authorized in section 6 of this act shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

**NEW SECTION.** Sec. 12. Sections 6 through 11 of this act are each added to chapter 43.160 RCW."

Mr. B. Williams spoke in favor of the amendment, and Mr. J. King spoke against it.

The amendment was not adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 285, by Representatives Egger, Martinis and Allen

Modifying provisions on the purposes for which motor vehicle fund distributions to cities may be used.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading was considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 285, and the bill passed the House by the following vote: Yeas, 88; nays, 4; excused, 6.

Voting yea: Representatives Addison, Allen, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Ellis, Fisch, Fisher, Sayan - 4.

Excused: Representatives Appelwick, Ballard, Bond, McDonald, McMullen, Tanner - 6.

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

HOUSE BILL NO. 531, by Representatives Hine and Charnley

Authorizing certain studies by groups of local government entities formed for joint insurance purposes.

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

HOUSE JOINT RESOLUTION NO. 27, by Representatives Locke, Allen, Pruitt, Miller, Long, Jacobsen, Tanner, Brough, Zellinsky, Haugen, Wang, Holland, Fisher, Lux and Belcher

Ratifying the U.S. constitutional amendment giving voting rights to the District of Columbia.

The resolution was read the second time.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Barnes:

On page 2, line 3 after "Washington" insert ", subject to the approval of the electorate as provided for in the following paragraph.

AND BE IT FURTHER RESOLVED, That 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 Article II, Section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

#### POINT OF ORDER

Mr. Wang: "Mr. Speaker, I would like you to rule as to whether or not this amendment is in order based on the U.S. Constitution not having a referendum clause and based on U.S. Supreme Court cases on this subject in dealing with previous cases with the House of Representatives."

#### SPEAKER'S RULING

The Speaker: "Representative Wang, your point is well taken. The Speaker would rule that it is outside the scope and object because it makes a referendum on an amendment which is amending the federal Constitution. There have been U.S. Supreme Court cases. Also precedent in this body can be found, on the 40th Day, February 16, 1973, on page 721, in a very similar case with Speaker John O'Brien presiding."

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, this body does not, as I understand it, have rules that refer to any case law or any previous decisions. Since the Speaker has been so diligent in following Reed's Rules all along with respect to many other things that we have been doing, and since we don't have Joint Rules, I would ask the Speaker to rule on Reed's Rule 161 that talks about incompatibility or inconsistency as they might be challenged by members of this body with respect to constitutionality which was the point of order raised by Representative Wang. I might point out that on page 102 of Rule 161, it says, "...the question of constitutionality is not for him to decide. Incompatibility, inconsistency, and unconstitutionality are matters of argument." They are left to argument by members on this floor to decide, not for the person who is now holding the gavel, so I would ask the Speaker to reconsider that point of order and let the body decide whether or not this particular amendment should be passed or defeated."

#### SPEAKER'S RULING

The Speaker: "Your point is not well taken. The Speaker made reference to a previous ruling."

House Joint Resolution No. 27 was passed to Committee on Rules for third reading.

## MOTION

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

## RESOLUTIONS

On motion of Mr. Heck, the rules were suspended to allow consideration of House Resolution No. 83-24, 83-26 and 83-27.

HOUSE FLOOR RESOLUTION NO. 83-24, by Representatives Tilly, Ballard, Smith and Chandler

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor, and

WHEREAS, The girls' basketball team from Cle Elum-Roslyn High School has recently taken the State Class A Championship after spirited tournament play; and

WHEREAS, Through dedication, determination, and plain hard work they remain number one; and

WHEREAS, This is the third consecutive year that the Cle Elum-Roslyn Warriors have this distinction; and

WHEREAS, This is the first time any girls' basketball team has won the championship for three consecutive years; and

WHEREAS, The Cle Elum-Roslyn community has shown outstanding support and spirit for their victorious team; and

WHEREAS, The Warrior team, without consulting the coach, took the initiative to have the junior high gym unlocked one Sunday afternoon so they could practice; and

WHEREAS, Sparked by the leadership of Coach Linda Ricker, The Warriors have demonstrated exemplary team work; and

WHEREAS, The members of the Warriors stand out not only for their athletic ability but also for their individual scholarship; and

WHEREAS, Their tournament victory crowns an outstanding season in which the Warriors achieved a record of 19-0 in league play with a 26-1 record overall;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Cle Elum-Roslyn High School Warriors and their coaching staff be commended on their superior accomplishment; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Miss Linda Ricker, Head Coach of the Warriors, and team members Kerri Browitt, Kristen Browitt, Carla Divelbiss, April Ficca, Tabettha Hanson, Kelly Kretschman, Diane Kretschman, Kaylene Krug, Theresa Montgomery, Teresa O'Donnell and Melissa Wood.

Mr. Tilly moved adoption of the resolution. Representatives Tilly and Hastings spoke in favor of the resolution.

House Resolution No. 83-24 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-26, by Representatives Halsan and Vander Stoep

WHEREAS, The Onalaska High School Loggers have won the State "B" Basketball Tournament; and

WHEREAS, The victory over the Naselle Comets on March 5, 1983, in the finals held in the Spokane Coliseum was the twenty-eighth win this season with no losses; and

WHEREAS, This feat of finishing the championship undefeated has only been done three times before in "B" tournament play; and

WHEREAS, The excellent coaching of Head Coach Gil Coleman and Assistant Coaches Greg Bluhm and Mel Jorgensen has made this possible; and

WHEREAS, Not only Onalaska, but also all of the Lewis County is justly proud of the Onalaska Loggers Team;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives in session assembled, and on behalf of the people of the State of Washington congratulate the Onalaska Loggers: Rick Kaut, Randy Kaut, Butch Weiher, John Sachs, Ron Van der Schaaf, Rich Reed, Mike Campfield, Skeeter Stanley, Tony Brown, Ron

Witzel, Scott Nissell; their manager Steve Edwards and Gil Coleman, Greg Bluhm, and Mel Jorgensen, their coaches, on their great action; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to each member of the team and its coaches and manager.

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

HOUSE FLOOR RESOLUTION NO. 83-27, by Representatives Smitherman, Powers, Wang, Fisher, Broback, Johnson, Ebersole and Gallagher

WHEREAS, The Tacoma Community College Titans are a championship-quality basketball team; and

WHEREAS, Don Rasmussen, Doug Vieselmeyer, Michael Green, Dale Flom, Rodney Abrams, Greg Glenn, Chris Bown, Sam Tuttle, David Cooper, Paul Koessler, Dave Danforth, and Jon Torgerson are members of the Tacoma Community College Titans who played exciting basketball during the 1982-1983 basketball season; and

WHEREAS, The Tacoma Community College Titans are superbly coached by Head Coach Ron Billings and Assistant Coaches Jerry Shain and Jimmy Smith, and assisted by Trainer Mike O'Leary; and

WHEREAS, These players and coaches worked together to achieve an impressive 1982-1983 Tacoma Community College basketball team season record of twenty-two wins and six losses; and

WHEREAS, The Tacoma Community College Titans posted a nine win and three loss record in Northwest Athletic Association for Community Colleges League play; and

WHEREAS, The Tacoma Community College Titans won all three rounds of the Northwest Athletic Association for Community Colleges State Tournament; and

WHEREAS, The Tacoma Community College Titans defeated the Centralia Community College Trailblazers, another quality basketball team, by a score of 78 to 66, to win the 1983 Northwest Athletic Association for Community Colleges State Basketball Championship on March 5, 1983, and to defend successfully their 1982 NAACC Basketball Championship;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for this accomplishment be extended to the members of the Tacoma Community College Titans basketball team and their coaches; and

BE IT FURTHER RESOLVED, That the Tacoma Community College Titans basketball team and its coaching staff be highly commended for this accomplishment which has made the students of Tacoma Community College, the citizens of Tacoma, and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the players, coaches, and trainer of the Tacoma Community College Titans basketball team.

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

#### MOTION

On motion of Mr. Heck, the House was adjourned until 10:30 a.m., Monday, March 14, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## SIXTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 14, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Hankins, Lewis, McMullen, Van Dyken and Vekich. Representatives Fiske, Hankins, McMullen, Van Dyken and Vekich were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Shannon Clark and Chris Nelson. Prayer was offered by The Reverend Paul Beeman, Minister of the First United Methodist Church of Olympia.

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

## MESSAGES FROM THE SENATE

March 14, 1983

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3100,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3266,

SUBSTITUTE SENATE BILL NO. 3276,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 3100.

## INTRODUCTIONS AND FIRST READING

SSB 3266 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, Talmadge, Bender, Thompson, Moore, Bauer, Woody and Hurley)

Modifying requirements for WPPSS executive board membership.

Referred to Committee on Energy & Utilities.

SSB 3276 by Committee on Local Government (originally sponsored by Senators Fleming, Bauer, McManus, Moore and Conner)

Declaring economic development programs with nonprofit corporations to be a public purpose for cities and counties.

Referred to Committee on Local Government.

## REPORTS OF STANDING COMMITTEES

March 10, 1983

HB 85 Prime Sponsor, Representative R. King: Revising definitions and procedures of public employees' collective bargaining. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

March 11, 1983

HB 116 Prime Sponsor, Representative P. King: Modifying provisions relating to offers of settlement in civil actions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt and Tilly.

Absent: Representatives McMullen, Vice Chair; Appelwick, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

March 11, 1983

HB 124 Prime Sponsor, Representative Armstrong: Modifying provisions relating to notary fees. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Voting nay: Representative Addison.

Absent: Representatives McMullen, Vice Chair; Appelwick, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 203 Prime Sponsor, Representative Lux: Modifying provisions on underinsured motor vehicle coverage. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, line 27 after "vehicles," strike "or" and insert "and"  
On page 2, line 11 after "be" strike "offered" and insert "issued"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Garrett, Johnson, P. King, Kreidler and Wang.

Absent: Representatives Hankins and Monohon.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 231 Prime Sponsor, Representative Hine: Creating the evergreen state skill corporation. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Bond and Hastings.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 269 Prime Sponsor, Representative Grimm: Modifying provisions on the collection of taxes on exempt property which loses its exemption. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 25 after "or" strike all material through "operated" on line 26 and insert "~~college has operated~~) property has been granted an exemption"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representative Rust.

Passed to Committee on Rules for second reading.

March 11, 1983

HB 328 Prime Sponsor, Representative Appelwick: Equalizing interest on judgments. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Dellwo, Ellis, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Voting nay: Representatives Crane and Halsan.

Absent: Representatives McMullen, Vice Chair; Appelwick and Hastings.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 434 Prime Sponsor, Representative R. King: Modifying provisions relating to collective bargaining. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; and Smith.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 449 Prime Sponsor, Representative Belcher: Regulating the use of lie detectors for employment purposes. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 6, delete all of section 1 and insert the following:

"Sec. 1. Section 1, chapter 152, Laws of 1965 as amended by section 1, chapter 145, Laws of 1973 and RCW 49.44.120 are each amended to read as follows:

It shall be unlawful for any person, firm, corporation or the state of Washington, its political subdivisions or municipal corporations to require, directly or indirectly, that any employee or prospective employee ((te)) take or be subjected to any lie detector or similar tests as a condition of employment or continued employment: PROVIDED, That this section shall not apply to persons making initial application for employment with any law enforcement agency: PROVIDED FURTHER, That this section shall not apply to either the initial application for employment or continued employment of persons who manufacture, distribute, or dispense controlled substances as defined in chapter 69.50 RCW, or to persons in sensitive positions directly involving national security, or to persons in the field of public law enforcement who are seeking promotion to a rank of captain or higher.

As used in this section, "lie detector" means any test or examination whose purpose is to detect deception, test honesty, or verify the truth of statements. Nothing in this section shall be construed to prohibit the use of psychological tests as defined in RCW 18.83.010."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

March 11, 1983

HB 458 Prime Sponsor, Representative Armstrong: Establishing the Antitrust/Consumer Protection Improvements Act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; Addison, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives McMullen, Vice Chair; Appelwick, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 520 Prime Sponsor, Representative Hine: Authorizing special districts to modify rates and charges for low-income utility users. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Gallagher, Hastings, Jacobsen, Locke, Miller, Moon, Nealey, Pruitt and Sutherland.

Absent: Representative Martinis.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 534 Prime Sponsor, Representative P. King: Modifying procedures for public transportation benefit areas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 5 after "percent" strike all the material down to and including "area" on line 7 and insert ", or areas with a combined population of greater than twenty-five percent of the population of the existing public transportation benefit area as constituted at the last review meeting, annex to the public transportation benefit area."

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith, Walk and J. Williams.

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

Absent: Representatives Clayton, Hankins, McMullen and Vekich.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 536 Prime Sponsor, Representative Powers: Removing certain restrictions on the use of motor vehicle excise tax revenues for public transportation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 19 strike all of section 2 and renumber the remaining sections consecutively.

On page 1, line 6 of the title after "RCW 35.58.279;" strike all material down to and including "35.58.279;" on line 7

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Mitchell, Patrick, Powers, Ristuben, Sanders, Smith and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Wilson, Ranking Minority Chair; Schmidt and J. Williams.

Voting nay: Representatives Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Schmidt and J. Williams.

Absent: Representatives Clayton, Hankins, McMullen, Prince and Vekich.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 538 Prime Sponsor, Representative Garrett: Regulating conduct on buses. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Mitchell, Patrick, Powers, Ristuben, Schmidt, Smith and J. Williams.

Absent: Representatives Hankins, McMullen, Prince, Sanders and Vekich.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 539 Prime Sponsor, Representative Egger: Exempting nonprofit corporations providing transit services to the elderly and handicapped from motor vehicle fuel tax on fuel used for these purposes. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Mitchell, Patrick, Powers, Ristuben, Sanders, Schmidt, Smith and J. Williams.

Voting nay: Representative Walk.

Absent: Representatives Wilson, Ranking Minority Chair; Hankins, McMullen, Prince and Vekich.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 540 Prime Sponsor, Representative Ebersole: Permitting public transportation benefit areas to designate a person other than a county treasurer as the PTBA treasurer. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Mitchell, Patrick, Powers, Ristuben, Sanders, Smith and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt and J. Williams.

Absent: Representatives Hankins, McMullen, Prince and Vekich.

Passed to Committee on Rules for second reading.

March 9, 1983

HB 784 Prime Sponsor, Representative McDonald: Establishing the economic and revenue forecasting council. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

March 10, 1983

HJM 15 Prime Sponsor, Representative Garrett: Urging the establishment of a permanent civilian conservation corps. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Wilson.

Absent: Representatives Ebersole, Ellis, Haugen, Padden, Smitherman, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

March 11, 1983

HJR 18 Prime Sponsor, Representative P. King: Requiring a simple majority vote to pass a school levy. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 9 after "That" strike all material through "That" on line 12

On page 2, line 16 after "period" insert ", and the only voting requirement that must be satisfied before the proposition becomes effective is that it must be approved by a majority of the electors voting on the proposition. The provisions of this section relating to the votes cast in the taxing district during the previous general election shall not apply to school district levy elections"

On page 2, line 34 after "election" insert "and the forty per centum requirement shall not apply"

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Schoon, Vander Stoep and Zellinsky.

Voting nay: Representatives Barnes, Ranking Minority Chair; and Patrick.

Absent: Representatives Sommers and Tanner.

Passed to Committee on Rules for second reading.

March 10, 1983

ESSB 3108 Prime Sponsor, Senator Vognild: Revising laws governing labor relations for ferry workers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

March 11, 1983

SB 3188 Prime Sponsor, Senator Talmadge: Regulating timeshare offerings in this state. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Voting nay: Representative Locke.

Absent: Representatives McMullen, Vice Chair; Appelwick, Hastings and G. Nelson.

Referred to Committee on Ways & Means.

March 10, 1983

ESSJR 103 Prime Sponsor, Committee on Judiciary: Amending the Constitution to establish a redistricting commission. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 8, strike the remainder of the joint resolution, and insert the following: "Article II, section \_\_\_\_\_. (1) In January of each year ending in one, a commission shall be established to provide for the redistricting of state legislative and congressional districts.

(2) The commission shall be composed of five members to be selected as follows: The legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one. By January 31st of each year ending in one, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member of the commission, who shall be nonvoting, shall act as its chairperson. If any appointing authority fails to make the required appointment by the date established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) No elected official may serve on the commission. A commission member shall not have been an elected official within six years of his or her appointment to the commission.

(4) The legislature shall enact laws providing for the implementation of this section, to include additional qualifications for commissioners and additional standards to govern the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(5) Each district shall contain a population, excluding nonresident military personnel, as nearly equal as practicable to the population of any other district. To the extent reasonable, each district shall contain contiguous territory, shall be compact and convenient, and shall be separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries. The commission's plan shall not provide for a number of legislative districts different than that established by the legislature. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

(6) The commission shall complete redistricting as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two. At least three of the voting members shall approve such a redistricting plan. If three of the voting members of the commission fail to approve a plan within the time limitations provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending in two in conformance with the standards set forth in subsection (5) of this section.

(7) The legislature may amend the redistricting plan but must do so by a two-thirds vote of the legislators elected or appointed to each house of the legislature. Any amendment must have passed both houses by the end of the thirtieth day of the first session convened after the commission has submitted its plan to the legislature. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(8) The legislature shall enact laws providing for the reconvening of a commission for the purpose of modifying a districting law adopted under this section. Such reconvening requires a two-thirds vote of the legislators elected or appointed to each house of the legislature. The commission shall conform to the standards prescribed under subsection (5) of this section and any other standards or procedures that the legislature may provide by law. Any modification adopted by the commission may be amended by a two-thirds vote of the legislators elected

and appointed to each house of the legislature. The state districting law shall include the modifications with amendments, if any.

(9) The legislature's amendment to a plan or modified plan shall not transfer from any legislative or congressional district contained in the commission's plan more than two percent of the population of the district.

(10) The legislature shall prescribe by law the terms of commission members and the method of filling vacancies on the commission.

(11) The supreme court has original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(12) Legislative and congressional districts may not be changed or established except pursuant to this section. A districting plan and any legislative amendments to the plan are not subject to Article III, section 12 of this Constitution.

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."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers and Zellinsky.

Absent: Representatives Tanner and Vander Stoep.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 139, by Representatives Lux, Zellinsky, Sanders, Broback, Garrett and Johnson (by Insurance Commissioner request)

Modifying provisions on insurance.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 139 was substituted for House Bill No. 139, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 139 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 Substitute House Bill No. 139, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

Substitute House Bill No. 139, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 179, by Representatives Appelwick and Armstrong  
Enacting the Uniform Unclaimed Property Act.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 179 was substituted for House Bill No. 179, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 179 was read the second time.



On motion of Mr. Heck, further consideration of the bill was deferred, and it was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 180, by Representatives Stratton and Tilly (by Parks and Recreation Commission request)

Removing the termination provision for the snowmobile advisory committee.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 4, 1983.)

On motion of Ms. Rust, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 180, and the bill passed the House by the following vote: Yeas, 80; nays, 12; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Wang, West, Williams B, Williams J, Zellinsky - 80.

Voting nay: Representatives Brough, Crane, Dickie, Moon, Niemi, Pruitt, Schmidt, Sommers, Todd, Walk, Wilson, and Mr. Speaker - 12.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

Engrossed House Bill No. 180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 216, by Representatives Martinis, Garrett and Gallagher

Updating the Model Traffic Ordinance.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 216, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

House Bill No. 216, having received the 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. 288, by Representatives Wang, Padden and Armstrong

Modifying definition of corporation residence.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 288, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

House Bill No. 288, having received the 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. 374, by Representatives Moon, G. Nelson and Haugen

Modifying certain budget and accounting procedures for school districts and other public districts.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 374, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

House Bill No. 374, having received the 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. 428, by Representatives Armstrong, West, Dellwo, Wang and Niemi

Modifying certain court procedures.

The bill was read the second time. Committee on Judiciary recommendation: Majority do pass with the following amendment:

On page 1, line 21 strike "~~notify the party to whom the same is payable, and~~)" and insert ") notify the party to whom the same is payable, and"

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 428, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Wilson - 1.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

Engrossed House Bill No. 428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 487, by Representative P. King

Modifying provisions relating to chattel liens.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 59th Day, March 9, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. P. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 487, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

Engrossed House Bill No. 487, having received the 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. 547, by Representatives Lux and Sanders

Modifying provisions relating to public depositaries.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 547 was substituted for House Bill No. 547, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 547 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 Substitute House Bill No. 547, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 1; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken, Vekich - 5.

Substitute House Bill No. 547, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Vekich appeared at the bar of the House.

HOUSE BILL NO. 611, by Representatives Fisher, Betzoff, Ellis, Zellinsky and Ebersole

Changing the definition of "fleet" for the purposes of motor vehicle emission control.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Rust, I find this to be a laudable measure, but I'm wondering about compliance with the rules. Who is going to ensure that these fleets are actually in compliance with the rules?"

Ms. Rust: "The Department of Ecology will."

Mr. Smitherman: "How will that be done?"

Ms. Rust: "I'm sorry, I can't answer your question. There were no arguments against the bill however."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 611, and the bill passed the House by the following vote: Yeas, 91; nays, 2; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Locke, Moon - 2.

Absent: Representative Lewis - 1.

Excused: Representatives Fiske, Hankins, McMullen, Van Dyken - 4.

House Bill No. 611, having received the 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. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, HOUSE BILL NO. 638 was rereferred from Committee on Ways & Means to Committee on Natural Resources.

On motion of Mr. Heck, HOUSE BILL NO. 1038 was rereferred from Committee on Rules to Committee on Constitution, Elections and Ethics.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Tuesday, March 15, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SIXTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 15, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Hankins, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Joan Elliott and Bruce Cady. Prayer was offered by The Reverend Paul Beeman, Minister 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 SENATE

March 14, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3074,  
 SUBSTITUTE SENATE BILL NO. 3205,  
 ENGROSSED SENATE BILL NO. 3222,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3251,  
 SUBSTITUTE SENATE BILL NO. 3372,  
 ENGROSSED SENATE BILL NO. 3383,  
 SENATE BILL NO. 3412,  
 SENATE BILL NO. 3413,  
 SENATE BILL NO. 3417,  
 SENATE BILL NO. 3422,  
 ENGROSSED SENATE BILL NO. 3442,  
 SENATE BILL NO. 3492,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3074 by Committee on Social & Health Services (originally sponsored by Senators Moore, Jones and McManus)

Requiring licensure of occupational therapists.

Referred to Committee on Social & Health Services.

SSB 3205 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Fuller and Zimmerman)

Establishing the noxious weed control fund.

Referred to Committee on Agriculture.

ESB 3222 by Senators Rasmussen and Hughes

Modifying the disabled parking laws.

Referred to Committee on Social & Health Services.

ESSB 3251 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Jones, Bottiger and Williams)

Regulating portable oil fueled heaters.

Referred to Committee on Commerce & Economic Development.

SSB 3372 by Committee on Natural Resources (originally sponsored by Senators Vognild, Owen and Metcalf - by Department of Game request)

Implementing civil penalty system for recovery of wildlife values.

Referred to Committee on Natural Resources.

ESB 3383 by Senators Clarke, Talmadge and Hemstad (by Secretary of State request)

Modifying the laws regulating professional corporations.

Referred to Committee on Judiciary.

SB 3412 by Senators Warnke, Newhouse and Owen (by Department of General Administration request)

Increasing the maximum amount which states agencies, colleges and universities may purchase without competition.

Referred to Committee on State Government.

SB 3413 by Senators Hughes and Lee (by Parks and Recreation Commission request)

Modifying provisions relating to nonresident camping fee surcharges at state parks.

Referred to Committee on Environmental Affairs.

SB 3417 by Senators Warnke, Newhouse and Owen (by Department of General Administration request)

Repealing the offshore items listing requirement.

Referred to Committee on Commerce & Economic Development.

SB 3422 by Senators Warnke, Newhouse and Owen (by Department of General Administration request)

Adding a premium to bids from vendors whose states have an in-state preference.

Referred to Committee on State Government.

ESB 3442 by Senators Talmadge and Clarke (by Judicial Council request)

Providing a procedure for agreed dissolution.

Referred to Committee on Judiciary.

SB 3492 by Senators Goltz, Patterson, Gaspard and Hughes

Providing reciprocity for waiver of nonresident tuition between this state and Idaho and British Columbia.

Referred to Committee on Higher Education.

#### REPORTS OF STANDING COMMITTEES

March 11, 1983

HB 377 Prime Sponsor, Representative J. King: Amending various provisions concerning state purchasing. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 7, line 9 after "authority" insert ", including procedures of identifying and preventing abuses in the contracting process"

On page 7, after line 13 insert the following new subsection:

"(w) Formulation of procedures for considering factors such as 'return on investment,' 'lease versus purchase,' and 'present value theories,' to be used when purchasing depreciable materials and equipment."

On page 7, beginning on line 36 after "recommendation." strike all material down to and including "avoidance." on line 5 of page 8 and insert "(In the interim between these annual

~~progress reports, the director shall furnish periodic reports to the office of financial management and the legislative budget committee for review of progress being accomplished in achieving increased efficiencies and dollar savings or cost avoidance.))"~~

On page 8, beginning on line 19 strike all of section 5

On page 1, line 7 of the title after "43.19.1905;" insert "and" and beginning on line 9 of the title, after "43.19.19052" strike all material down through and including "43.19.1911" on line 11 of the title.

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

March 11, 1983

HB 378 Prime Sponsor, Representative Fiske: Authorizing a study of the printing and binding needs of state agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19 after "agencies" insert "other than institutions of higher education"

On page 2, after line 7 insert the following:

"For the purposes of this section, 'state agencies' means any agency of the executive or judicial branches of state government, excluding institutions of higher education."

On page 4, on line 8 strike "establish by rule" and insert "adopt rules under chapter 34.04 RCW to establish"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

March 10, 1983

HB 435 Prime Sponsor, Representative R. King: Defining certain emergency medical technicians as uniformed personnel for collective bargaining purposes. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 11, 1983

HB 701 Prime Sponsor, Representative Schmidt: Defining capital expenditures and operations and maintenance expenses as applied to the state ferry system. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Clayton, Fisher, Gallagher, Garrett, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Vekich, Walk and J. Williams.

Absent: Representatives Wilson, Ranking Minority Chair; Charnley, Fisch, Hankins, McMullen, Sanders and Smith.

Passed to Committee on Rules for second reading.



March 11, 1983

HB 740 Prime Sponsor, Representative Braddock: Establishing a cost control task force. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

March 14, 1983

HB 968 Prime Sponsor, Representative Kreidler: Relating to medical assistance. Reported by Committee on Rules

Referred to Committee on Social & Health Services.

March 14, 1983

HB 969 Prime Sponsor, Representative Kreidler: Relating to robbery of controlled substances. Reported by Committee on Rules

Referred to Committee on Judiciary.

March 14, 1983

HB 981 Prime Sponsor, Representative Kreidler: Relating to pharmaceutical services. Reported by Committee on Rules

Referred to Committee on Social & Health Services.

March 14, 1983

HB 1011 Prime Sponsor, Representative D. Nelson: Relating to building requirements. Reported by Committee on Rules

Referred to Committee on Energy & Utilities.

March 14, 1983

HB 1044 Prime Sponsor, Representative J. King: Relating to professional licensing. Reported by Committee on Rules

Referred to Committee on Social & Health Services.

March 10, 1983

ESSB 3112 Prime Sponsor, Committee on Judiciary: Enacting the Washington State Redistricting Act. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. This act may be cited as the Washington State Redistricting Act.

NEW SECTION, Sec. 2. The definitions set forth in this section apply throughout this chapter, unless the context requires otherwise.

(1) 'Chief election officer' means the secretary of state.

(2) 'Federal census' means the decennial census required by federal law to be prepared by the United States bureau of the census in each year ending in zero.

(3) 'Lobbyist' means an individual required to register with the Washington public disclosure commission pursuant to RCW 42.17.150.

(4) 'Plan' means a plan for legislative and congressional redistricting mandated by Article II, section ... of the state Constitution.

NEW SECTION, Sec. 3. A redistricting commission shall be established in January of each year ending in one to accomplish state legislative and congressional redistricting. The five-member commission shall be appointed as follows:

(1) Each legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one.

(2) The four legislators appointing commission members pursuant to this section shall certify their appointments to the chief election officer. If an appointing legislator does not certify an appointment by January 15th of each year ending in one, within five days the supreme court shall certify an appointment to the chief election officer.

(3) No later than January 31st of the year of their selection, the four appointed members, by an affirmative vote of at least three, shall appoint and certify to the chief election officer the nonvoting fifth member who shall act as the commission's chairperson. A vacancy on the commission shall be filled by the person who made the initial appointment, or their successor, within fifteen days after the vacancy occurs.

**NEW SECTION, Sec. 4.** Before serving on the commission every person shall take and subscribe an oath to faithfully perform the duties of that office. The oath shall be filed in the office of the secretary of state.

**NEW SECTION, Sec. 5.** No person may serve on the commission who:

- (1) Is not a registered voter of the state at the time of selection; or
- (2) Is or has within one year prior to selection been a registered lobbyist; or
- (3) Is or has within six years prior to selection been an elected official.

**NEW SECTION, Sec. 6.** No member of the commission may:

- (1) Campaign for elective office while a member of the commission; or
- (2) Actively participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission.

**NEW SECTION, Sec. 7.** (1) The commission may employ the services of experts, consultants, and support staff, including attorneys not employed by the attorney general, as necessary to carry out its duties pursuant to this chapter.

(2) The chief election officer, the treasurer, and the attorney general shall make available to the commission such personnel, facilities, and other assistance as the commission may reasonably request. The chief election officer shall be the official recipient of all provisional and preliminary census data and maps, and shall forward such data and maps, upon request, to the commission.

(3) The commission, upon written request by a witness and subject to rules promulgated by the commission, may reimburse witnesses for their necessary expenses incurred in appearing before the commission.

(4) The legislature shall appropriate funds to enable the commission to carry out its duties. Members shall receive one hundred dollars of compensation for each day spent in the performance of their duties. Compensation of employees shall be determined by the commission. The provisions of RCW 43.03.050 and 43.03.060 shall apply to both the members and the employees of the commission.

**NEW SECTION, Sec. 8.** In addition to other duties prescribed by law, the commission shall:

(1) Adopt rules pursuant to the Administrative Procedure Act, chapter 34.04 RCW, to carry out the provisions of Article II, section \_\_\_ of the state Constitution and of this chapter, which rules shall provide that three voting members of the commission constitute a quorum to do business, and that the votes of three of the voting members are required for any official action of the commission;

(2) Act as the legislature's recipient of the final redistricting data and maps from the United States Bureau of the Census;

(3) Comply with requirements to disclose and preserve public records as specified in chapters 40.14 and 42.17 RCW;

(4) Hold open meetings pursuant to the open public meetings act, chapter 42.30 RCW;

(5) Prepare and disclose its minutes pursuant to RCW 42.32.030;

(6) Be subject to the provisions of RCW 42.17.240;

(7) Prepare and publish a report with the plan; the report will be made available to the public at the time the plan is published. The report will include but will not be limited to: (a) The population and percentage deviation from the average district population for every district; (b) an explanation of the criteria used in developing the plan with a justification of any deviation in a district from the average district population; (c) a map of all the districts; and (d) the estimated cost incurred by the counties for adjusting precinct boundaries.

**NEW SECTION, Sec. 9.** In the redistricting plan:

(1) Districts shall have a population as nearly equal as is practicable, excluding nonresident military personnel, based on the population reported in the federal decennial census.

(2) To the extent consistent with subsection (1) of this section the commission plan should, insofar as practical, accomplish the following:

(a) District lines should be drawn so as to coincide with the boundaries of local political subdivisions and areas recognized as communities of interest. The number of counties and municipalities divided among more than one district should be as small as possible;

(b) Districts should be composed of convenient, contiguous, and compact territory. Land areas may be deemed contiguous if they share a common land border or are connected by a

ferry, highway, bridge, or tunnel. Areas separated by geographical boundaries or artificial barriers that prevent transportation within a district should not be deemed contiguous; and

(c) Whenever practicable, a precinct shall be wholly within a single legislative district.

(3) In accordance with the provisions of Article II, section 6 of the state Constitution, representative districts shall be uniformly established so that if a senatorial district is divided in the formation of representative districts, all senatorial districts shall be so divided.

(4) The commission's plan shall not provide for a number of legislative districts different than that established by the legislature.

(5) The commission shall exercise its powers to provide fair and effective representation and to encourage electoral competition. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

**NEW SECTION, Sec. 10.** (1) Upon approval of a redistricting plan by three of the voting members of the commission, but not later than January 1st of the year ending in two, the commission shall submit the plan to the legislature.

(2) 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 two-thirds of the members elected or appointed thereto, and may not include more than two percent of the population of any legislative or congressional district.

(3) 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 (2) of this section whichever occurs first, and shall constitute the districting law applicable to this state for legislative and congressional elections, beginning with the next elections held in the year ending in two. This plan shall be in force until the effective date of the plan based upon the next succeeding federal decennial census or until a modified plan takes effect as provided in section 12(6) of this act.

(4) If three of the voting members of the commission fail to approve and submit a plan within the time limitations provided in subsection (1) of this section, the supreme court shall adopt a plan by March 1st of the year ending in two. Any such plan approved by the court is final and constitutes the districting law applicable to this state for legislative and congressional elections, beginning with the next election held in the year ending in two. This plan shall be in force until the effective date of the plan based on the next succeeding federal decennial census or until a modified plan takes effect as provided in section 12(6) of this act.

**NEW SECTION, Sec. 11.** (1) Following the period provided by section 10(1) of this act for the commission's adoption of a plan, the commission shall take all necessary steps to conclude its business and cease operations. The commission shall prepare a financial statement disclosing all expenditures made by the commission. The official record shall contain all relevant information developed by the commission pursuant to carrying out its duties under this chapter, maps, data collected, minutes of meetings, written communications, and other information of a similar nature. Once the commission ceases to exist, the chief election officer shall be the custodian of the official record for purposes of reprecincting and election administration. The chief election officer shall provide for the permanent preservation of this official record pursuant to chapter 42.17 RCW and Title 40 RCW. Once the commission ceases to exist any budget surplus shall revert to the state general fund.

(2) Except as provided in section 12 of this act for a reconvened commission, the commission shall cease to exist on July 1st of each year ending in two unless the supreme court extends the commission's term.

**NEW SECTION, Sec. 12.** (1) If a commission has ceased to exist, the legislature may, upon an affirmative vote in each house of two-thirds of the members elected or appointed thereto, adopt legislation reconvening the commission for the purpose of modifying the redistricting plan.

(2) Section 5 of this act governs the eligibility of persons to serve on the reconvened commission. A vacancy involving a voting member of the reconvened commission shall be filled by the person who made the initial appointment, or their successor, within fifteen days after the effective date of the legislation reconvening the commission. A vacancy involving the nonvoting member of the commission shall be filled by an affirmative vote of at least three of four voting members, within fifteen days after all other vacancies are filled or, if no other vacancies exist, within fifteen days after the effective date of the legislation reconvening the commission. A subsequent vacancy on a reconvened commission shall be filled by the person or persons who made the initial appointment, or their successor, within fifteen days after the vacancy occurs. If any appointing authority fails to make a required appointment within the time limitations established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) The provisions of sections 7 and 8 of this act are applicable if a commission is reconvened under this section.

(4) The commission shall complete the modification to the redistricting plan as soon as possible, but not later than sixty days after the effective date of the legislation reconvening the

commission. At least three of the voting members shall approve the modification to the redistricting plan.

(5) Following approval of a modification to the redistricting plan by the commission, the legislature has the next thirty days during any regular or special session to amend the commission's modification. Any amendment by the legislature must be approved by an affirmative vote in each house of two-thirds of the members elected or appointed thereto. No amendment by the legislature may include more than two percent of the population of any legislative or congressional district contained in the commission's modification.

(6) The commission's modification to the redistricting plan, with any amendments approved by the legislature, shall be final upon approval of the amendments or after expiration of the time provided for legislative amendment by subsection (5) of this section, whichever occurs first.

(7) Following the period provided by subsection (4) of this section for the commission's approval of a modification to the redistricting plan, the commission shall take all necessary steps to conclude its business and cease operations in accordance with section 11(1) of this act. A reconvened commission shall cease to exist ninety days after the effective date of the legislation reconvening the commission, unless the supreme court extends the commission's term.

**NEW SECTION.** Sec. 13. After the plan takes effect as provided in section 10 of this act, any registered voter may file a petition with the supreme court challenging the plan. After a modification to the redistricting plan takes effect as provided in section 12 of this act, any registered voter may file a petition with the supreme court challenging the amended plan. The court may consolidate any or all petitions and shall give all such petitions precedence over all other matters.

**NEW SECTION.** Sec. 14. Sections 1 through 13 of this act shall constitute a new chapter in Title 44 RCW.

Sec. 15. Section 27, chapter 2, Laws of 1982 and RCW 29.70.100 are each amended to read as follows:

(1) It is the responsibility of each ~~((local government and each))~~ county, municipal corporation, and special purpose district with a governing body comprised of internal director, council, or commissioner districts not based on statutorily required land ownership ~~((or residency))~~ criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(2) Within forty-five days after ~~((its))~~ receipt of federal decennial census information applicable to ~~((the))~~ a specific local area, the commission ~~((or the secretary of state))~~ established in section 3 of this act shall forward the census information to each ~~((local government and))~~ municipal corporation charged with redistricting under this ~~((chapter))~~ section.

(3) No later than eight months after its receipt of federal decennial census data, the governing body of the municipal corporation shall prepare a plan for redistricting its internal or director districts.

(4) The plan shall be consistent with the following criteria:

(a) Each internal director district shall be as nearly equal in population as possible to each and every other internal director district comprising the municipal corporation.

(b) Each district shall be as compact as possible.

(c) Each district shall ~~((be comprised))~~ consist of geographically contiguous area.

(d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party.

(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(5) During the adoption of its plan, the municipal corporation shall ensure that full and reasonable public notice of its actions is provided. The municipal corporation shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(6)(a) ~~((An elected official))~~ Any registered voter residing in an area affected by the municipal corporation's redistricting plan may request review of the adopted local plan by the ~~((voting boundary commission))~~ superior court of the county in which he or she resides, within forty-five days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation may be joined as respondent. The ~~((voting boundary commission))~~ superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in ~~((RCW 29.70.630 and))~~ subsection (4) of this section.

(b) ~~((Within thirty days of submission of a local government plan, the commission))~~ the superior court finds the plan to be consistent with the requirements of this ~~((chapter or the commission fails to find that the plan is not consistent with the requirements of this chapter, the secretary of state shall certify the plan. A certified))~~ section, the plan shall take effect ~~((ten days after certification))~~ immediately.

(c) If the ((commission)) superior court determines the plan does not meet the requirements of this ((chapter)) section, in whole or in part, it shall remand the plan for further or corrective action within a specified and reasonable time period.

(d) If the ((commission)) superior court finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation.

NEW SECTION, Sec. 16. The following acts or parts of acts are each repealed:

- (1) Section 18, chapter 2, Laws of 1982 and RCW 29.70.010;
- (2) Section 19, chapter 2, Laws of 1982 and RCW 29.70.020;
- (3) Section 20, chapter 2, Laws of 1982 and RCW 29.70.030;
- (4) Section 21, chapter 2, Laws of 1982 and RCW 29.70.040;
- (5) Section 22, chapter 2, Laws of 1982 and RCW 29.70.050;
- (6) Section 23, chapter 2, Laws of 1982 and RCW 29.70.060;
- (7) Section 24, chapter 2, Laws of 1982 and RCW 29.70.070;
- (8) Section 25, chapter 2, Laws of 1982 and RCW 29.70.080;
- (9) Section 26, chapter 2, Laws of 1982 and RCW 29.70.090;
- (10) Section 28, chapter 2, Laws of 1982 and RCW 29.70.110;
- (11) Section 29, chapter 2, Laws of 1982 and RCW 29.70.120;
- (12) Section 30, chapter 2, Laws of 1982 and RCW 29.70.130;
- (13) Section 31, chapter 2, Laws of 1982 and RCW 29.70.900; and
- (14) Section 33, chapter 2, Laws of 1982 and RCW 29.70.910.

NEW SECTION, Sec. 17. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 18. This act shall take effect if the proposed amendment to Article II of the state Constitution establishing a commission for state legislative and congressional redistricting is validly submitted to and is approved and ratified by the voters at a general election held in November, 1983. If the proposed amendment is not so approved and ratified, this act shall be null and void in its entirety.

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers and Zellinsky.

Absent: Representatives Tanner and Vander Stoep.

Passed to Committee on Rules for second reading.

The Speaker called on Mr. O'Brien to preside.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the House Chamber, the Apple Blossom Festival Royalty and appointed Representatives Ballard, Tilly, Egger, Smith, Ellis and Dickie to escort them to the rostrum.

The Speaker (Mr. O'Brien presiding) introduced Queen Trina Rank and members of the Court: Twins, Karyn and Kathy Birmingham, all of Eastmont High School, East Wenatchee. Queen Trina briefly addressed the House, inviting the members to attend the Apple Blossom Festival.

The Speaker (Mr. O'Brien presiding) instructed the committee to escort the girls from the House Chamber.

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 266, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Charnley, Pruitt, Barnes, Moon, Garrett, Fisch, Rust, Brekke, Sommers, Fisher, Jacobsen, Ristuben and D. Nelson)

Restricting voting devices to single precinct use.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 266, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Hankins - 1.

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

SUBSTITUTE HOUSE BILL NO. 189, by Committee on Local Government (originally sponsored by Representatives Wang and Smitherman)

Modifying provisions for the issuance and sale of bonds by metropolitan park districts.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 189, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Hankins - 1.

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

HOUSE BILL NO. 531, by Representatives Hine and Charnley

Authorizing certain studies by groups of local government entities formed for joint insurance purposes.

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

Ms. Hine spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 531, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Hankins - 1.

House Bill No. 531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 27, by Representatives Locke, Allen, Pruitt, Miller, Long, Jacobsen, Tanner, Brough, Zellinsky, Haugen, Wang, Holland, Fisher, Lux and Belcher

Ratifying the U.S. constitutional amendment giving voting rights to the District of Columbia.

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

Representatives Locke, Charnley, Pruitt and Brough spoke in favor of the resolution, and Representatives Tilly, Hastings, Taylor, B. Williams, Schoon and Barnes spoke against it.

Mr. Locke spoke again in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 27, and the bill passed the House by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Cantu, Chandler, Clayton, Dickle, Fiske, Fuhrman, Hastings, Isaacson, Johnson, Lewis, McDonald, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 35.

Excused: Representative Hankins - 1.

House Joint Resolution No. 27, having received the constitutional majority, was declared passed.

#### MOTION

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

#### SECOND READING

SENATE JOINT MEMORIAL NO. 106, by Senators Rinehart, Metcalf, Bauer, Bluechel, Bender, Clarke, Fleming, Fuller, Goltz, Hemstad, Granlund, Lee, Hughes, Hurley, McDermott, McManus, Moore, Peterson, Shinpoch, Taimadge, Thompson, Warnke, Williams, Wojahn, Woody and Conner

Calling for a mutual and verifiable freeze on nuclear weapons.

The memorial was read the second time.

Mr. Bond moved adoption of the following amendment:

On page 1, following line 23 insert:

"WHEREAS, It is understood by all supporters of this memorial that a limitation on nuclear arms will shift the emphasis of national defense to conventional arms and forces and that this shift will result in more mandatory jobs in the military services and create jobs in industries which manufacture conventional armaments; and"

Representatives Bond and Barnes spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to page 1, line 23 of Senate Joint Memorial 106, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickle, Fiske, Fuhrman, Hastings, Holland, Isaacson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson, Zellinsky - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Saryan, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 56.

Excused: Representative Hankins - 1.

Mr. Bond moved adoption of the following amendment:

On page 1, following line 23 insert:

"WHEREAS, it is understood by all supporters of this memorial that the party of Marx, Lenin and Stalin does not have an enviable record for living up to its agreements, including, for example, the Soviet Union's current use of chemical warfare notwithstanding its treaty agreement not to do so; and"

Representatives Bond, Barnes, Padden and McDonald spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Padden spoke again in favor of the amendment, and Mr. D. Nelson again opposed it.

The amendment was not adopted.

#### MOTION

On motion of Mr. Heck, the House was recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins and Johnson. Representative Hankins was excused.

#### SENATE JOINT MEMORIAL NO. 106:

The House resumed consideration of the memorial on second reading.

Mr. Bond moved adoption of the following amendment:

On page 1, line 30 after "economy;" insert "and

WHEREAS, The contents of this memorial will not have the effect of locking the United States into a position of inferiority to the Soviet Union;"

Representatives Bond and Hastings spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Bond spoke again in favor of the amendment.

Mr. Struthers demanded an electric roll call vote, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to page 1, line 30 of Senate Joint Memorial 106, and the amendment was not adopted by the following vote: Yeas, 44; nays, 46; absent, 7; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Ristuben, Rust, Saryan, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 46.

Absent: Representatives Dellwo, Garrett, Johnson, Mitchell, Nelson G, Niemi, Sommers - 7.

Excused: Representative Hankins - 1.

Mr. Bond moved adoption of the following amendments:

On page 2, line 3 following "verifiable" insert "through on site inspections"

On page 2, line 7 following "rigid" insert "on site"



Representatives Bond, McDonald and Barnes spoke in favor of the amendments, and Representatives Heck and D. Nelson spoke against them.

Mr. Bond again spoke in favor of the amendments.

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

Representatives Van Dyken and G. Nelson spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Bond to page 2, lines 3 and 7 of Senate Joint Memorial 106, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; absent, 1; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Hastings, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Deliwo, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Absent: Representative Johnson - 1.

Excused: Representative Hankins - 1.

Mr. Hastings moved adoption of the following amendment:

On page 1, after line 8, strike everything through "and" on page 2, line 8, and insert the following:

"WHEREAS, The unleashing of nuclear weapons would cause death, injury, and destruction on a scale unprecedented in human experience, and a major nuclear war could end civilized human existence throughout the world; and

WHEREAS, The Soviet Union has agreed in the past to discuss arms limitations agreements only when the United States has given it the incentive to do so by funding the defense capabilities necessary to maintain an effective deterrent; and

WHEREAS, It is in the economic and military interests of both the United States and the Soviet Union to reduce the number of nuclear weapons now possessed by both sides; and

WHEREAS, Any such agreement to reduce nuclear arms must acknowledge our commitment to safeguard our allies and citizens through maintaining a strong and effective deterrent;

NOW, THEREFORE, Your Memorialists respectfully pray that the President of the United States immediately propose to the Soviet Union a mutually fair and verifiable nuclear arms reductions program that addresses the following key issues:

(1) That any agreement to reduce nuclear weapons include mutual on-site inspections, if needed;

(2) That the Soviet Union remove all of more than three hundred forty SS-20 nuclear missiles in exchange for which the United States will cancel its deployment of cruise missiles and Pershing II nuclear missiles in Western Europe;

(3) That negotiations commence at the earliest moment to mutually reduce the number of MIRV missiles, which are the greatest cause of concern for both sides over the ability to survive a nuclear first strike and to return an effective strike in return, and that Congressman Albert Gore (D-Tennessee) and Congressman Joel Pritchard (R-Washington) be commended for their efforts to focus attention on this complex but essential area of arms control;

(4) That a joint communications center manned by Americans and Soviets be set up to avoid any accidental alarms that could touch off a nuclear conflict; and

(5) That President Reagan call for a summit conference with Soviet leader Yuri Andropov to seek additional methods of mutually reducing nuclear weapons and the tension that has accompanied their escalation between both countries."

Representatives Hastings, Fuhrman and Bond spoke in favor of the amendment, and Representatives D. Nelson and Lux spoke against it.

Mr. Hastings spoke again in favor of the amendment, and Mr. D. Nelson again opposed it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to page 1, line 8 of Senate Joint Memorial 106, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; absent, 1; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Absent: Representative Johnson - 1.

Excused: Representative Hankins - 1.

Mr. Bond moved adoption of the following amendment:

On page 2, line 9 following "RESOLVED," insert "That this memorial shall not be transmitted to any person until such time as this legislature has passed a resolution stating that it believes the Soviet Union has not used chemical warfare against the people of Laos and that the Soviet Union has upheld its duty to obey its treaty obligation with respect to the ban of chemical warfare; and

BE IT FURTHER,"

Representatives Bond and Hastings spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

The amendment was not adopted.

Senate Joint Memorial No. 106 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 179, by Committee on Judiciary (originally sponsored by Representatives Appelwick and Armstrong)

Enacting the Uniform Unclaimed Property Act.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Appelwick moved adoption of the following amendment:

On page 4, beginning on line 34 strike all of subsection (2) over to and including "payment," on page 5, line 2 and insert the following:

"(2) Winning parimutuel ticket proceeds which remain unclaimed by the owner for more than ninety days after it became payable is presumed abandoned. Winning parimutuel ticket proceeds which are abandoned under this subsection shall be reportable and deliverable under this chapter unless those proceeds are deposited within thirty days of the date of abandonment in a special account in the horse racing commission fund.

(3) Property, with the exception of unredeemed Washington state lottery tickets, is payable and distributable for the purpose of this chapter notwithstanding the owner's failure to make demand or to present any instrument or document required to receive payment."

Renumber the remaining subsection.

Mr. Appelwick spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Appelwick, you stated that this will have no fiscal impact. Does that mean that the state would not be receiving, under this, any of the unclaimed property that it presently is not receiving?"

Mr. Appelwick: "That is correct. Under the bill as it is presented in Substitute House Bill 179, none of the unclaimed winnings of parimutuel that are within the bill would go to the state, and with the amendment that is still true."

Mr. Van Dyken: "Would this amendment change any of the current functions of the Horse Racing Commission expenditures? You indicate that the tracks would set

this up in a separate account to be used for paying some kind of special benefits for employees. Does this change anything that's in current practice?"

Mr. Appelwick: "The amendment proposed here does not work any substantive change in the duties, responsibilities or actions of the Horse Racing Commission. What it does is create an option so that if the special fund is created with special constraints on it as I have outlined, the moneys would be deposited in that fund rather than reverting to the general fund under the unclaimed properties statute. What's complicated here is that another bill that is working its way through the Senate would define this special fund and what purposes it could or could not be used for, and this body would have an opportunity to vote on the details of that fund and the details of those expenditures. What this would create is an appropriated dedicated fund for unclaimed parimutuel ticket winnings."

Mr. Van Dyken: "However, none of it would accrue to the state?"

Mr. Appelwick: "None of it does under the bill and none of it would under the amendment."

Mr. Van Dyken spoke against the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Appelwick to Substitute House Bill No. 179, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Appelwick, Barrett, Belcher, Braddock, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Grimm, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, McClure, McMullen, Monohon, Nelson D, Patrick, Powers, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Walk, Wang, West, Zellinsky - 44.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Betrozoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hastings, Holland, Isaacson, Kaiser, Lewis, Long, Lux, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Niemi, O'Brien, Padden, Prince, Pruitt, Sanders, Schoon, Silver, Smith, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Williams B, Williams J, Wilson, and Mr. Speaker - 51.

Absent: Representatives Johnson, Nelson G - 2.

Excused: Representative Hankins - 1.

#### MOTION FOR RECONSIDERATION

Mr. Armstrong, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Appelwick to Substitute House Bill No. 179 was not adopted.

Representatives Armstrong and Van Dyken spoke in favor of the motion, and it was carried.

#### MOTION

On motion of Mr. Heck, further consideration of Substitute House Bill No. 179 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 231, by Representatives Hine, McDonald, Prince, J. King, Allen, Wang, Pruitt, Sayan, O'Brien, Appelwick, Sutherland, Todd, Burns, Ellis, Silver, Isaacson, Dellwo, Tanner, Brekke, Holland, Powers and Garrett

Creating the evergreen state skill corporation.

The bill was read the second time. On motion of Mr. Heck, Second Substitute House Bill No. 231 was substituted for House Bill No. 231, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 231 was read the second time.

Mr. B. Williams moved adoption of the following amendment:

On page 6, after line 33, insert the following:

**\*NEW SECTION.** Sec. 5. In developing programs under section 2 and sections 5 through 11 of this act, the commission shall:

(1) Work with business to analyze job training demands and identify specific training needed, and obtain reasonable assurances that successful trainees will be hired;

(2) Identify and coordinate potential providers of training services, including local school districts operating secondary vocational programs and skills centers, community colleges, vocational-technical institutes, other postsecondary institutions, community-based organizations, and proprietary schools;

(3) Determine the most appropriate source of funding, and establish and negotiate the percentage of match;

(4) Assure that each project is tailored to participating industry, is cost-effective, and meets established training standards and criteria as identified in training agreements;

(5) Establish selection criteria for trainers; and

(6) Prepare a program plan which includes:

(a) A detailed training plan and objectives;

(b) Identification of program activities;

(c) Identification of the roles and responsibilities of cooperating agencies; and

(d) A budget proposal identifying funds, matching requirements, and resources."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Mr. B. Williams spoke in favor of the amendment, and Mr. J. King spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Mr. B. Williams:

On page 8, after line 4, strike all the material down to and including "grant;" on page 8,  
line 6

Renumber the remaining subsections.

With the consent of the House, Mr. B. Williams withdrew the amendment.

Mr. B. Williams moved adoption of the following amendments:

On page 9, line 13, after "students;" strike "and"

On page 9, line 15, after "unemployment" and before the period insert the following:

;

(4) Identify and coordinate needed supportive services for trainees;

(5) Help assess the availability of alternative funding sources; and

(6) Assist in encouraging the development of job skills programs"

On page 9, line 23, after "program;" strike "and"

On page 9, line 25 after "education" and before the period insert the following:

;

and

(4) Assess economic viability of proposed projects, including numbers of jobs to be created, project completion dates, status of financing and permits, and local support"

Mr. B. Williams spoke in favor of the amendments, and Mr. J. King spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to Second Substitute House Bill No. 231, and the amendments were not adopted by the following vote: Yeas, 41; nays, 55; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Absent: Representative Johnson - 1.

Excused: Representative Hankins - 1.

Representative Johnson appeared at the bar of the House.

Mr. Taylor moved adoption of the following amendment:

On page 10, after line 22 strike lines 23, 24, 25 and 26 and insert "system. The amount spent for administrative expenses incurred by the commission on vocational education for the jobs skills program shall not exceed five percent of all funds expended for the jobs skills program."

Representatives Taylor and Hine spoke in favor of the amendment and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 15, by Representatives Garrett, Sayan, J. King, Charnley, Jacobsen, Miller and D. Nelson

Urging the establishment of a permanent civilian conservation corps.

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

#### MOTIONS

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

On motion of Mr. Heck, HOUSE BILL NO. 726 was rereferred from Committee on Commerce & Economic Development to Committee on State Government.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Wednesday, March 16, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SIXTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 16, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins, Patrick, Todd and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Betsy Schnauffer and Matt Graham. Prayer was offered by The Reverend Paul Beeman, Minister 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 SENATE

March 15, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3119,  
SENATE BILL NO. 3140,  
SUBSTITUTE SENATE BILL NO. 3433,  
SUBSTITUTE SENATE BILL NO. 3497,  
SENATE BILL NO. 3655,  
SENATE BILL NO. 3993,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

ESB 3119 by Senators Thompson, Zimmerman and Bauer

Including theft and fraud by a minor child within the parent's civil liability.

Referred to Committee on Judiciary.

SB 3140 by Senators Thompson, Zimmerman and Woody

Modifying the number of required council members in code cities arising from a population change.

Referred to Committee on Local Government.

SSB 3433 by Committee on Financial Institutions (originally sponsored by Senators Moore, Hayner, Bottiger, McManus, Deccio, McDermott, Hemstad and Hurley - by Lieutenant Governor request)

Creating the Washington higher education facilities authority to provide financing to private nonprofit higher education institutions.

Referred to Committee on Financial Institutions & Insurance.

SSB 3497 by Committee on Transportation (originally sponsored by Senators Vognild, Guess, Wojahn, Peterson and Bender)

Requiring certain propane fueled vehicles to bear a placard to that effect.

Referred to Committee on Transportation.

SB 3655 by Senators Shinpoch, Moore, Goltz, McManus, Deccio and Warnke

Modifying provisions relating to podiatry.

Referred to Committee on Social & Health Services.

SB 3993 by Senators Lee, Shinpoch, Gaspard and Deccio (by Joint Administrative Rules Review Committee request)

Revising terms of members of the joint administrative rules review committee and insuring the vacancies are filled within a reasonable time.

Referred to Committee on State Government.

REPORTS OF STANDING COMMITTEES

March 15, 1983

HB 430 Prime Sponsor, Representative Heck: Extending the duration of the temporary committee on educational policies, structure, and management. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 452 Prime Sponsor, Representative Kreidler: Creating provisions relating to blind persons. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

March 14, 1983

HB 1035 Prime Sponsor, Representative R. King: Relating to collective bargaining. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Absent: Representative Betzoff.

Passed to Committee on Rules for second reading.

March 14, 1983

HJM 30 Prime Sponsor, Representative D. Nelson: Petitioning Congress to designate the Hanford Reservation as a National Energy Center. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Martinis, Miller, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Jacobsen and Locke.

Passed to Committee on Rules for second reading.

March 14, 1983

SSB 3035 Prime Sponsor, Committee on Ways & Means: Directing preparation of a comprehensive plan for the maintenance and repair of the state's public works and appropriating funds for the plan. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4, after "agency" insert "or its successor agency"

On page 1, line 6, strike "state's" and insert "state and local"

On page 1, line 8, after "facilities," insert "state parks and recreational facilities."

On page 1, line 8, strike "public education plants and facilities."

On page 1, line 25, after "agency" insert "or its successor agency"

On page 1, line 26, after "agencies," strike "The" and insert "To the fullest extent possible, the"

On page 1, line 27, after "agency" insert "or its successor agency"

On page 1, line 27, after "shall" strike "also"

On page 1, line 28, after "ecology," insert "the state parks and recreation commission, the interagency committee for outdoor recreation."

On page 2, line 4, after "agency" insert "or its successor agency"

On page 2, line 5, strike "prepare any portion" and insert "supplement or update existing studies, or to conduct studies in areas where none exist, when necessary to the preparation"

On page 2, line 6, after "agency" insert "or its successor agency"

On page 2, line 7, strike "no later than July 1, 1983" and insert "in two parts. The first part of the plan shall include the items described in section 1 (1), (2), and (3) of this act, which can be assembled from existing studies. The items identified in this part of the plan shall be evaluated and the most critical priorities shall be identified. The planning and community affairs agency or its successor agency shall present the first part of its plan to the legislature no later than July 1, 1983."

The second part of the plan shall be the full plan described in section 1 of this act, including refinement of the first part of the plan. The planning and community affairs agency or its successor agency shall present the second part of its plan to the legislature no later than December 31, 1983"

On page 2, line 9, after "agency" insert "or its successor agency"

On page 2, line 10, after "sum of" strike "sixty" and insert "thirty-five"

Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Silver, Smitherman, Stratton, Van Dyken and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Padden and Schmidt.

Voting nay: Representatives Addison, Padden, Schmidt, Schoon and Tilly.

Absent: Representative Wilson.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 226, by Committee on Ways & Means (originally sponsored by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brekke, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough)

Providing for the establishment of export assistance centers.

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

Representatives Ristuben, Armstrong and Taylor spoke in favor of passage of the bill, and Mr. B. Williams spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 226, and the bill passed the House by the following vote: Yeas, 78; nays, 16; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D,



Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Addison, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, McDonald, Nelson G. Padden, Schmidt, Smith, Struthers, Williams B, Williams J - 16.

Excused: Representatives Hankins, Patrick, Todd, Van Dyken - 4.

Second Substitute House Bill No. 226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231, by Committee on Ways & Means (originally sponsored by Representatives Hine, McDonald, Prince, J. King, Allen, Wang, Pruitt, Sayan, O'Brien, Appelwick, Sutherland, Todd, Burns, Ellis, Silver, Isaacson, Dellwo, Tanner, Brekke, Holland, Powers and Garrett)

Establishing a job skill program.

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

Representatives Hine, B. Williams and J. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 231, and the bill passed the House by the following vote: Yeas, 87; nays, 7; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Betzoff, Bond, Cantu, Fuhrman, Padden, Schmidt, Williams J - 7.

Excused: Representatives Hankins, Patrick, Todd, Van Dyken - 4.

Engrossed Second Substitute House Bill No. 231, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Todd and Van Dyken appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 251, by Committee on Commerce & Economic Development (originally sponsored by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher, Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett)

Establishing the state employment and conservation corps.

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

Representatives Sayan, Brough, Smitherman and J. King spoke in favor of passage of the bill, and Mr. Fuhrman spoke against it.

Mr. Sayan spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 251, and the bill passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken,

Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Clayton, Fuhrman, Padden, Sanders - 5.

Excused: Representatives Hankins, Patrick - 2.

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

Representative Patrick appeared at the bar of the House.

HOUSE JOINT MEMORIAL NO. 15, by Representatives Garrett, Sayan, J. King, Charnley, Jacobsen, Miller and D. Nelson

Urging the establishment of a permanent civilian conservation corps.

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

Mr. Garrett spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 15, and the memorial passed the House by the following vote: Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Padden, Sanders, Smith, Williams J - 11.

Excused: Representative Hankins - 1.

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

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 245, by Committee on Ways & Means (originally sponsored by Representatives J. King, Sanders, Tanner, Powers, Vekich and Heck)

Modifying provisions relating to economic development.

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

Representatives J. King, Tanner and Lux spoke in favor of passage of the bill, and Representatives Schmidt, McDonald, Cantu and Lewis spoke against it.

Mr. J. King spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 245, and the bill passed the House by the following vote: Yeas, 67; nays, 30; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Barnes, Betzoff, Bond, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Isaacson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Vander Stoep, West, Williams B, Williams J, Wilson - 30.

Excused: Representative Hankins - 1.

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

SENATE JOINT MEMORIAL NO. 106, by Senators Rinehart, Metcalf, Bauer, Bluechel, Bender, Clarke, Fleming, Fuller, Goltz, Hemstad, Granlund, Lee, Hughes, Hurley, McDermott, McManus, Moore, Peterson, Shinpoch, Talmadge, Thompson, Warnke, Williams, Wojahn, Woody and Conner

Calling for a mutual and verifiable freeze on nuclear weapons.

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

Representatives D. Nelson and Pruitt spoke in favor of the memorial, and Mr. Bond spoke against it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, in the past it has been the privilege of any member to place before the Chief Clerk a note for the Journal as to why one would want to vote 'No' or 'Yes' on a particular measure. Is that still available to the members of this body?"

The Speaker: "Yes, Representative Nelson, the members can put a brief statement into the Journal."

Mr. Hastings spoke against passage of the bill.

#### MOTION

On motion of Mr. Heck, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Hankins, who was excused.

#### SENATE JOINT MEMORIAL NO. 106:

The House resumed consideration of the memorial on third reading. Representatives Broback, Barnes, Schmidt, Zellinsky, Taylor, Dickie, Schoon and Van Dyken spoke against the memorial, and Representatives Barrett, Fisch, Stratton, Holland and Heck spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 106, and the memorial passed the House by the following vote: Yeas, 66; nays, 28; absent, 3; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 66.

Voting nay: Representatives Ballard, Barnes, Betrozoff, Bond, Broback, Cantu, Chandler, Dickie, Fuhrman, Hastings, Isaacson, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Struthers, Taylor, Van Dyken, West, Williams B, Williams J, Wilson, Zellinsky - 28.

Absent: Representatives Addison, Clayton, Nelson G - 3.

Excused: Representative Hankins - 1.

Senate Joint Memorial No. 106, having received the constitutional majority, was declared passed.

## MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

## REPORT OF STANDING COMMITTEE

March 15, 1983

HB 1038 Prime Sponsor, Representative Pruitt: Relating to congressional redistricting. Reported by Committee on Constitution, Elections & Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner and Vander Stoep.

Absent: Representative Zellinsky.

## MOTION

On motion of Mr. Heck, the rules were suspended, and House Bill No. 1038 was advanced to second reading and placed at the bottom of today's second reading calendar.

## SECOND READING

HOUSE BILL NO. 411, by Representatives Monohon, Sommers and Fiske

Modifying water power license fees.

The bill was read the second time.

On motion of Ms. Monohon, the following amendments were adopted:

On page 4, after line 8 insert the following:

"NEW SECTION, Sec. 4. There is added to chapter 90.16 RCW a new section to read as follows:

The department of ecology shall, at least quarterly, compile a hydropower licensing status report. The report shall identify the status of all hydroelectric projects involved in the federal or state permitting or licensing processes for which fees have been paid."

On page 1, line 1 of the title after "fees;" insert "adding a new section to chapter 90.16 RCW:"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

## MOTION

Mr. Barrett moved that the rules be suspended and the Committee on Ways & Means be relieved of House Bill No. 314 and the bill be placed on the calendar for immediate consideration.

Mr. Barrett spoke in favor of the motion, and Mr. Grimm spoke against it.

Mr. G. Nelson rose to speak.

## SPEAKER'S RULING

The Speaker: "Rule 16(D), the last paragraph, prohibits you the opportunity to speak on this motion, Representative Nelson. It reads, 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.'"

## POINT OF PERSONAL PRIVILEGE

Mr. G. Nelson: "It was referenced by the previous speaker, the Ways & Means Committee Chairman, that I had made a particular motion on scope and object dealing with this bill. I want to let the body know the correct situation there, so that my motives aren't impugned--"

The Speaker: "Representative Nelson, you are now straying into debating the issue."

## POINT OF ORDER

Mr. Hastings: "Mr. Speaker, in reference to Rule 16(D), you say that you can only speak on one side of suspension of the rules. The motion was to simply relieve the Ways & Means Committee--"

The Speaker: "You are incorrect, Representative Hastings. The motion, which I repeated, was to suspend the rules."

## POINT OF ORDER

Mr. Hastings: "Mr. Speaker, there are time when you can repeat a rule one way or the other. It has been common practice that if you want to remove a bill from a committee, it simply takes a simple motion. I would ask your ruling, Mr. Speaker, that--"

## SPEAKER'S RULING

The Speaker: "The ruling is, Representative Hastings, members place the motion the way they intend it--if Representative Barrett, who is an expert on the rules, wishes to place the motion the way he wishes to place it--I accepted that motion in the way he placed it."

## POINT OF INFORMATION

Mr. Hastings: "Mr. Speaker, then from hereafter, since this precedent has been set, it is my assumption then, that whenever this body wants to relieve a bill from committee, it will take two-thirds under your ruling."

The Speaker: "I will accept the motion in the way it is placed. If one of our members on the Democratic side moves it the way Representative Barrett made his motion, that is the way I'll place the motion."

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and relieve the Committee on Ways & Means of House Bill No. 314 and place it on the second reading calendar, and the motion was lost by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Berozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Halsan, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Hankins - 1.

## POINT OF ORDER

Mr. Hastings: "Mr. Speaker, you just repeated the motion, and you said the motion was to relieve the Ways & Means Committee of the bill. There was no suspension of the rules, so I say, Mr. Speaker, that should be open for debate, just by the way you repeated the motion."

The Speaker: "Representative Hastings, if you listen, I said it failed to receive two-thirds vote. I am not planning on arguing this issue."

## MOTION

Mr. G. Nelson moved that the Committee on Ways & Means be relieved of House Bill No. 314, and the bill be placed on the second reading calendar for immediate consideration.

Representatives G. Nelson, Addison, Taylor, Struthers, Lewis and Patrick spoke in favor of the motion, and Representatives Grimm and Appelwick spoke against it.

Mr. Patrick spoke again in favor of the motion.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Ways & Means Committee of House Bill No. 314, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Baillard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Halsan, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Hankins - 1.

HOUSE BILL NO. 412, by Representatives Monohon, Sommers and Fiske

Modifying fees and expenses under the water rights codes.

The bill was read the second time.

On motion of Mr. Smith, the following amendment was adopted:

On page 3, after line 19 insert the following subsection:

"(13) The fees established in this section shall not apply to any water withdrawn under chapter 90.40 RCW."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 232, by Representatives O'Brien, Hankins, Belcher, Silver, Lux, Isaacson and Johnson (by Department of General Administration request)

Adding a premium to bids from vendors whose states have an in-state preference.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 232 was substituted for House Bill No. 232, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 232 was read the second time.

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

On page 2, line 17 strike "section 3" and insert "sections 3 and 5"

On page 3, after line 16 insert a new section to read as follows:

"NEW SECTION. Sec. 5. There is added to chapter 43.19 RCW a new section to read as follows:

The director of general administration shall adopt rules providing the limited preference described in this section to a bidder selling goods manufactured in Washington state where the income from the sale would be taxed under the state business and occupation tax. The preference shall only be granted in situations where if the preference were not granted and the lowest bid were accepted:

(1) the income from the sale of the goods would not be taxed under the state business and occupation tax; and

(2) the goods to be provided were manufactured outside the state of Washington.

The preference required to be granted under this section may not exceed the amount of money which the director estimates would be lost in business and occupation tax collections by accepting the bid of the business or firm which would not pay the tax in respect to the sale."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 399, by Representatives Sayan, Belcher and McClure

Modifying provisions relating to sales of timber from state-owned land.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 1, line 10 after "sold" insert "on a scale basis"

On motion of Ms. Stratton, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 606, by Representatives R. King, Patrick, Fisch, Lux, Ellis, Jacobsen and Belcher

Regulating employee-employer relationships.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 58th Day, March 8, 1983.)

On motion of Mr. R. King, the committee amendments were adopted.

Mr. Struthers moved adoption of the following amendment:

On page 1, line 8 following "business" insert "and who shall affirmatively agree to assume such contract"

Representatives Struthers and Ballard spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Fiske.

Mr. Fiske: "Representative King, did the committee explore or are you aware of the circumstance in how this bill would affect the situation where employees are buying the company? In that situation where they are becoming stockholders, would this still work?"

Mr. R. King: "We didn't discuss that, but I'm sure it would. The company has a contract with the employees for a certain amount of time and, if the employees want to and the manager wants to renegotiate that contract, as long as they are both interested in doing that, they could do it any time."

Mr. Fiske spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to House Bill No. 606, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Hankins - 1.

Mr. McDonald moved adoption of the following amendment:

On page 1, following line 27 insert:

**NEW SECTION.** Sec. 2. The Washington state legislature recognizes that in many instances there would be no successor employer if noncompetitive contracts had to be assumed and that rather than short term lay-offs or lower rates of compensation many Washington workers would face extended periods of unemployment if successor employer were not able to bargain wages. Nothing in this act shall be construed as prohibiting a prospective successor employer from bargaining wages and benefits with existing employees so as to secure a renegotiated contract as a condition of purchase."

Renumber the remaining sections consecutively.

Representatives McDonald, Patrick and Betrozoff spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. McDonald spoke again in favor of the amendment.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to House Bill No. 606, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sryan, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Excused: Representative Hankins - 1.

House Bill No. 606 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Thursday, March 17, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## SIXTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 17, 1983

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 Hankins, McMullen and Schoon, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Anne Nelson and Bruce Lewis. Prayer was offered by Deacon Larry Sullivan of St. Peter's Catholic Church of Tenino.

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

## MESSAGES FROM THE SENATE

March 17, 1983

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 106,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 16, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3094,  
 ENGROSSED SENATE BILL NO. 3097,  
 SENATE BILL NO. 3172,  
 ENGROSSED SENATE BILL NO. 3310,  
 ENGROSSED SENATE BILL NO. 3438,  
 ENGROSSED SENATE BILL NO. 3526,  
 ENGROSSED SENATE BILL NO. 3527,  
 SENATE BILL NO. 3531,  
 ENGROSSED SENATE BILL NO. 3674,  
 SENATE BILL NO. 4088,  
 SENATE BILL NO. 4156,  
 SENATE BILL NO. 4237,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## PROCLAMATION BY THE GOVERNOR

WHEREAS, The State of Washington is the second largest producer of potatoes in the United States, and our state produces the highest quality potato in the world; and

WHEREAS, Washington State's potato farmers produce more potato tonnage per acre than all other potato producers; and

WHEREAS, Agriculture is the backbone of our state's economy, and potatoes are a more than \$1 billion part of that industry; and

WHEREAS, Potatoes are the fifth largest agricultural commodity produced in the State of Washington;

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, do hereby extend my appreciation to the potato growers of our state for producing a commodity whose quality is known throughout the United States and Canada; I also want to extend my thanks to the Washington Potato Growers Association, the Washington State Potato Commission, and the Washington Potato and Onion Shippers for their donations of potatoes and for their efforts to make March 17, 1983,

## POTATO DAY

in Washington State a glorious success.

Signed this 15th Day of March 1983.

(State Seal)

John Spellman, Governor.

## INTRODUCTIONS AND FIRST READING

SSB 3094 by Committee on Local Government (originally sponsored by Senators Goltz, Zimmerman, Thompson and McCaslin)

Providing for latecomer fees for street improvements which were undertaken as a prerequisite to property development.

Referred to Committee on Local Government.

ESB 3097 by Senator Sellar

Increasing certain collection fees pertaining to motor vehicles.

Referred to Committee on Transportation.

SB 3172 by Senators Guess and Peterson

Providing for the license revocation of motorists convicted of eluding police.

Referred to Committee on Transportation.

ESB 3310 by Senators Talmadge, Hemstad and Williams

Providing for conservation easements.

Referred to Committee on Judiciary.

ESB 3438 by Senators McDermott, Bluechel and Rinehart

Exempting property used for homeless shelters from property taxation.

Referred to Committee on Ways & Means.

ESB 3526 by Senators Granlund, Owen and Metcalf (by Department of Corrections request)

Adopting the Interstate Corrections Compact.

Referred to Committee on Social & Health Services.

ESB 3527 by Senators Granlund, Owen, Pullen and Metcalf (by Department of Corrections request)

Modifying provisions on the sale of perishable goods by institutional industries.

Referred to Committee on Social & Health Services.

SB 3531 by Senators Rinehart, Benitz and Goltz

Modifying procedures for refunds of college and university fees.

Referred to Committee on Higher Education.

ESB 3674 by Senator Hughes

Relating to pollution control.

Referred to Committee on Environmental Affairs.

SB 4088 by Senator Williams

Continuing the archaeological research center for an additional six years.

Referred to Committee on State Government.

SB 4156 by Senators Bender, Warnke, McManus, Owen, Rinehart and Granlund

Granting free fishing licenses to wheelchair-confined persons.

Referred to Committee on Natural Resources.

SB 4237 by Senators Gaspard, Kiskaddon and Bauer (by Superintendent of Public Instruction request)

Providing for drug and alcohol abuse education.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

March 15, 1983

HB 30 Prime Sponsor, Representative Locke: Permitting a candidate for district court judge who receives a majority at the primary to appear unopposed on the general election ballot. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 20 add a new section as follows:

"NEW SECTION, Sec. 2. This 1983 act shall be null and void in its entirety if the proposed repeal of Article IV, section 29 of the state Constitution, provided in HJR 11, is validly submitted and is approved and ratified by the voters at a general election held in November, 1983."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Miller, Ranking Minority Vice Chair; Fisher, Schoon, Sommers and Vander Stoep.

Voting nay: Representatives Barnes, Ranking Minority Chair; Jacobsen, Long, Patrick and Tanner.

Absent: Representative Zellinsky.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 101 Prime Sponsor, Representative Tilly: Amending provisions concerning primaries for nonpartisan positions. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Patrick, Schoon, Sommers, Tanner and Vander Stoep.

Absent: Representative Zellinsky.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 197 Prime Sponsor, Representative Crane: Excusing prospective jurors who have already served twice in the last five years. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives McMullen, Vice Chair and G. Nelson.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 284 Prime Sponsor, Representative Tilly: Modifying provisions relating to solemnization of marriage. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 strike "~~((counties))~~ venues" and insert "counties"

Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Schmidt, Tilly and Wang.

Absent: Representatives McMullen, Vice Chair and G. Nelson.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 309 Prime Sponsor, Representative J. King: Providing for the licensing of physical therapists. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 431 Prime Sponsor, Representative Kreidler: Modifying the sentencing of juvenile offenders. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Braddock, Broback, J. King, McClure, G. Nelson, Niemi, Stratton, Wang and B. Williams.

Voting nay: Representatives Ballard, Ranking Minority Vice Chair; Ebersole, Padden and West.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 439 Prime Sponsor, Representative Haugen: Abolishing forty percent validation requirement for school districts in certain bond elections, but contingent upon passage of constitutional amendment. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betrozoff, Chandler, Egger, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Voting nay: Representative Fuhrman.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 479 Prime Sponsor, Representative Appelwick: Modifying provisions on safe deposit companies. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 25 after "~~(the~~ strike ") fees (" and insert "fees"

Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives McMullen, Vice Chair; Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 535 Prime Sponsor, Representative Garrett: Equalizing the authority of municipalities to impose local sales taxes. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Burns, Charnley, Fisch,

Fisher, Gallagher, Garrett, McMullen, Patrick, Powers, Ristuben, Sanders, Schmidt, Vekich and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Clayton, Mitchell, Prince, Smith and J. Williams.

Voting nay: Representatives Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Clayton, Mitchell, Prince, Smith and J. Williams.

Absent: Representative Hankins.

Refer to Committee on Ways & Means.

March 15, 1983

HB 537 Prime Sponsor, Representative Garrett: Increasing the authorized rate at which municipality may levy a motor vehicle excise tax. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Barrett, Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, McMullen, Patrick, Powers, Ristuben and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Clayton, Mitchell, Prince, Schmidt, Smith and J. Williams.

Voting nay: Representatives Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Clayton, Mitchell, Prince, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representative Hankins.

Refer to Committee on Ways & Means.

March 15, 1983

HB 541 Prime Sponsor, Representative Martinis: Modifying provisions on sales and use taxes for public transportation purposes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Powers, Ristuben, Vekich and Walk.

Voting nay: Representatives Betzoff, Ranking Minority Vice Chair; Barrett, Clayton, Patrick, Sanders, Schmidt, Smith and J. Williams.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 552 Prime Sponsor, Representative Halsan: Permitting off-duty patrol officers to wear their uniforms while participating in public service educational programs. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Kaiser, R. King, D. Nelson, Sayan, Silver and Vekich.

Absent: Representatives Hankins, Johnson, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 719 Prime Sponsor, Representative Galloway: Establishing procedures before closing a school for instructional purposes. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Haugen, Heck, Holland, Johnson, Long, Ristuben, Taylor and Zellinsky.

Voting nay: Representative Rust.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 796 Prime Sponsor, Representative Walk: Creating a department of community development. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Belcher, Bond, Kaiser, Lux, D. Nelson, Sayan and Vekich.

Voting nay: Representatives J. Williams, Ranking Minority Vice Chair; R. King, Nealey, Silver and Taylor.

Absent: Representatives Hankins, Ranking Minority Chair; Johnson and O'Brien.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 887 Prime Sponsor, Representative Ellis: Providing for sanitation programs and other programs concerning tree fruit. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 16 after "members of the" strike all material through "advertising" on line 17

On page 2, line 24 after "and" strike "to administer" and insert "regarding the administration of"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger and Holland.

MINORITY recommendation: Do not pass. Signed by Representatives Ebersole, Galloway and Moon.

Absent: Representatives Prince and Todd.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 1011 Prime Sponsor, Representative D. Nelson: Relating to building requirements. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Gallagher, Hastings, Jacobsen, Locke, Miller, Nealey and Sutherland.

Absent: Representatives Fuhrman, Martinis, Moon and Pruitt.

Passed to Committee on Rules for second reading.

March 15, 1983

HJM 5 Prime Sponsor, Representative D. Nelson: Opposing funding for civil defense programs designed to evacuate civilians in preparation for a nuclear attack. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson and Vekich.

Voting nay: Representatives Bond, Nealey, Sayan, Silver and Taylor.

Absent: Representatives Hankins, Ranking Minority Chair; Johnson and O'Brien.

Passed to Committee on Rules for second reading.

March 15, 1983

HJR 11 Prime Sponsor, Representative Tilly: Repealing Article IV, section 29, of the Constitution pertaining to the election of superior court judges. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Barnes, Ranking Minority Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers and Tanner.

Absent: Representative Zellinsky.

Passed to Committee on Rules for second reading.

March 15, 1983

HJR 29 Prime Sponsor, Representative Haugen: Removing forty percent validation requirement for excess levy elections. Reported by Committee on Education

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Egger, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representative Fuhrman.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 1038, by Representative Pruitt

Relating to congressional redistricting.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 1038 was substituted for House Bill No. 1038, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1038 was read the second time.

Mr. Padden moved adoption of the following amendments:

On page 5, strikes lines 13 and 14

On page 5, following line 18 insert

\*T 325

T 326

T 328\*

On page 18, following line 30 insert

\*T 241

T 242\*

On page 20, strike lines 31, 32 and 34

## POINT OF ORDER

Mr. McDonald: "If we do allow this amendment—in the text beside it, it says it's in excess of 2.8% of the population— isn't that in conflict with Substitute House Bill 20, which said that any amendment would not be more than one percent?"

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

The Speaker (Mr. O'Brien presiding): "Representative McDonald, your point is well taken with reference to Substitute House Bill 20. Also, the Speaker would like to point out that Rule 12(F) states: 'No amendment by reference. No act shall ever be revised or amended without being set forth at full length.' The Speaker finds this amendment faulty. It isn't set forth with the purpose of the amendment at full length; therefore, the Speaker will rule the amendment out of order."

## POINT OF ORDER

Mr. Hastings: "Mr. Speaker, there's nothing in the Constitution and there's nothing in our rules that prohibits introducing an amendment on authority. I guess Representative McDonald's point of order was whether or not this amendment is in violation of a previous bill. What I'm asking you is what is your ruling based on?"

The Speaker (Mr. O'Brien presiding): "House Rule 12(F)."

Mr. Hastings: "Mr. Speaker, I'm confused. I thought the process was to try to perfect bills as they come on floor of the House, and as I understand what Rule 12(F) talks about means that you—is this not just a bill that's going through the legislative process and therefore is amendable? If that's the case, then why does Rule 12(F) apply?"

The Speaker (Mr. O'Brien presiding): "Apparently the question is that the amendment should amend Substitute House Bill 20. He didn't offer the amendment to that act."

Mr. Hastings: "That's the point. He's amending Substitute House Bill 1038, not Substitute House Bill 20. So why is this amendment not in order?"

The Speaker (Mr. O'Brien presiding): "He's actually amending Substitute House Bill 20 and not Substitute House Bill No. 1038."

## POINT OF PERSONAL PRIVILEGE

Mr. Padden: "It's my understanding that you ruled my amendment out of order due to a violation of House Rule 12(F) because I should have amended Substitute House Bill 20. My decision, so that the members do know, is that Substitute House Bill 20, in and of itself, is unconstitutional because it is a delegation of authority of the legislature in a direct violation of the Constitution, which says the legislature shall redistrict. Until we have a constitutional amendment adopting an independent redistricting commission, actions such as my amendment to Substitute House Bill 1038 should be in order, and the one percent restriction on Substitute House Bill 20 is unconstitutional."

Substitute House Bill No. 1038 was passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE JOINT MEMORIAL NO. 106.

## INTERIM COMMITTEE ASSIGNMENTS

The Speaker announced the following committee assignments:  
 State Council on Aging: Representatives Crane, Vander Stoep.  
 Joint Legislative Art Committee: Representative O'Brien, Chair; Brough.  
 Business License Center, Board of Review: Representative Halsan.  
 Corrections Standards Board: Representatives McClure, Struthers.  
 Institutional Industries Board: Representatives Ballard, D. Nelson.



Salmon Advisory Council: Representative Braddock.  
 Sentencing Guidelines Commission: Representatives Armstrong, Padden.  
 Trade Fairs, Advisory Council: Representatives Barrett, Smitherman.  
 Joint Select Committee on Mt. St. Helens Recovery Operation: Representatives  
 Chandler, Halsan, Nealey, Ristuben, Sutherland.

In accordance with House Resolution No. 83-12, the Speaker appointed Representatives Garrett, Lewis and Fisher to serve on the photographer committee.

#### MOTION

On motion of Mr. Heck, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins, McMullen and Schoon, who were excused.

HOUSE BILL NO. 784, by Representatives McDonald, Grimm, Heck, Cantu, Hine, Tilly, Sommers, G. Nelson, Barrett, Taylor, Sanders and Wang

Establishing the economic and revenue forecasting council.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 784 was substituted for House Bill No. 784, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 784 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 434, by Representatives R. King, Patrick, Fisher and Lux

Modifying provisions relating to collective bargaining.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 434 was substituted for House Bill No. 434, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 434 was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 32, by Representatives Addison, Fiske, Miller, Hankins, Tanner, B. Williams, Ebersole, Bond, Wilson and Sanders

Requesting steelhead be designated a national game fish.

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

HOUSE BILL NO. 585, by Representatives McClure, Haugen, B. Williams, Monohon, Vekich, Martinis, Fisch and D. Nelson

Revising provisions relating to salmon delivery permits.

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

HOUSE JOINT RESOLUTION NO. 19, by Representatives Pruitt, Isaacson, D. Nelson, Miller, J. King, Charnley, Nealey, Smitherman, Zellinsky, Haugen, Braddock, Brekke, Garrett, B. Williams, Long, Todd and Wang

Authorizing loans for energy conservation.

The resolution was read the second time. On motion of Mr. D. Nelson, Substitute House Joint Resolution No. 19 was substituted for House Joint Resolution No. 19, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 19 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. D. Nelson spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 19, and the resolution passed the House by the following vote: Yeas, 88; nays, 1; absent, 6; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representative Moon - 1.

Absent: Representatives Burns, Clayton, King J, Martinis, Niemi, Todd - 6.

Excused: Representatives Hankins, McMullen, Schoon - 3.

Substitute House Joint Resolution No. 19, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 366, by Representatives Pruitt, Isaacson, D. Nelson, Miller, J. King, Charnley, Nealey, Smitherman, Zellinsky, Haugen, Braddock, Brekke, Garrett, B. Williams, Long, Todd, Wang, Van Dyken, Burns, R. King, Ebersole, Hine and Ristuben

Permitting public entities involved in the generation, sale, or distribution of energy to provide energy conservation analyses and financing assistance for their customers.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 366 was substituted for House Bill No. 366, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 366 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives D. Nelson and Pruitt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 366, and the bill passed the House by the following vote: Yeas, 91; nays, 2; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Fuhrman, Moon - 2.

Absent: Representatives Clayton, Martinis - 2.

Excused: Representatives Hankins, McMullen, Schoon - 3.

Substitute House Bill No. 366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 140, by Representatives Lux, Zellinsky, Broback, Garrett, Wang, Lewis, Johnson, Isaacson, R. King, McDonald, Dellwo and Holland (by Insurance Commissioner request)

Requiring certain information to be provided to 62 year old life insurance policyowners.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 21, 1983.)

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

Mr. Zellinsky moved adoption of the following amendment:

On page 1, line 6 after "(1)" strike "Each" and insert "At the request of the insured each"

Representatives Zellinsky and Barnes spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Ms. Belcher.

Ms. Belcher: "Representative Lux, could you tell me what the impact of this amendment would be on the bill?"

Mr. Lux: "Representative Belcher, the amendment would nullify the bill."

Mr. Sanders spoke in favor of the amendment, and Representatives Wang and Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zellinsky to House Bill No. 140, and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang - 49.

Excused: Representatives Hankins, McMullen, Schoon - 3.

House Bill No. 140 was ordered engrossed and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3112, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognild, Bender, Rinehart, Granlund and McManus)

Enacting the Washington State Redistricting Act.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 65th Day, March 15, 1983.)

Mr. Pruitt moved adoption of the committee amendment.

Mr. Pruitt moved adoption of the following amendment to the committee amendment:

On page 2 of the committee amendment, line 31 after "chairperson." insert "If by January 31st of the year of their selection three of the four voting members fail to elect a chairperson the supreme court shall within five days certify an appointment to the chief election officer."

Representatives Pruitt and Barnes spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tanner moved adoption of the following amendment to the committee amendment:

On page 3, line 15 of the committee amendment, after "within" strike "six" and insert "two"

Representatives Tanner, Miller, Pruitt and Charnley spoke in favor of the amendment, and Representatives Fisher, Barnes, Taylor and Sommers spoke against it.

Mr. Tanner spoke again in favor of the amendment, and Mr. Taylor again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tanner to page 3, line 15 of the committee amendment to Engrossed Substitute Senate Bill No. 3112, and the amendment was adopted by the following vote: Yeas, 65; nays, 30; excused, 3.

Voting yea: Representatives Addison, Armstrong, Ballard, Barrett, Bond, Braddock, Broback, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Fisch, Fiske, Fuhrman, Gallagher, Grimm, Halsan, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King R. Kreidler, Lewis, Lux, Martinis, McDonald, Miller, Monohon, Nealey, Nelson G. Niemi, O'Brien, Padden, Prince, Pruitt, Ristuben, Rust, Sanders, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 65.

Voting nay: Representatives Allen, Appelwick, Barnes, Belcher, Betzoff, Brekke, Brough, Burns, Ebersole, Ellis, Fisher, Galloway, Garrett, Haugen, King P. Locke, Long, McClure, Mitchell, Moon, Nelson D, Patrick, Powers, Sayan, Schmidt, Sommers, Taylor, Todd, Vander Stoep, Zellinsky - 30.

Excused: Representatives Hankins, McMullen, Schoon - 3.

Mr. Tanner moved adoption of the following amendment to the committee amendment:

On page 3, line 17 of the committee amendment, after "official" insert "or elected legislative district, county, or state political party officer. The provisions of this subsection do not apply to the office of precinct committeeperson."

Mr. Tanner spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Tanner yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Tanner, under the redistricting commission that was just passed, will precinct committee people be allowed to be members?"

Mr. Tanner: "Yes."

Mr. Barnes spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tanner moved adoption of the following amendments to the committee amendment:

On page 3, line 21 after "commission;" strike "or"

On page 3, line 26 after "commission" strike the period and insert "; or"

(3) Hold or campaign for a seat in the state house of representatives, the state senate, or congress for two years after the effective date of the plan."

Representatives Tanner and Barnes spoke in favor of the amendments, and they were adopted.

Mr. Pruitt moved adoption of the following amendments to the committee amendment:

On page 13, line 26 after "corporation" insert ", county, and district"

On page 13, line 32 after "corporation" insert ", county, or district"

On page 13, line 38 after "director" insert ", council, or commissioner"

On page 14, line 3 after "other" strike "internal director" and insert "~~((internal director))~~ such"

On page 14, line 5 after "corporation" insert ", county, or special purpose district"

On page 14, line 18 after "corporation" insert ", county, or district"

On page 14, line 26 after "corporation" insert ", county, or district"

On page 14, line 29 after "corporation" insert ", county, or district"

On page 14, beginning on line 36 after "the" strike "municipal corporation's" and insert "~~((municipal corporation's))~~"

On page 15, line 10 after "corporation" insert ", county, or district"

On page 16, line 8 after "corporation" insert ", county, or district"

Representatives Pruitt and Barnes spoke in favor of the amendments, and they were adopted.

The committee amendment as amended was adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognild, Bender, Rinehart, Granlund and McManus)

Amending the Constitution to establish a redistricting commission.

The resolution was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 64th Day, March 14, 1983.)

Mr. Pruitt moved adoption of the committee amendment.

Mr. Tanner moved adoption of the following amendments to the committee amendment:

On page 2, line 2 of the committee amendment, after "official" insert "and no person elected to legislative district, county, or state political party office"

On page 2, line 5 after "official" insert "and shall not have been an elected legislative district, county, or state political party officer"

On page 2, line 5 after "within" strike "six" and insert "two"

On page 2, line 6 after "commission." insert "The provisions of this subsection do not apply to the office of precinct committeeperson."

Representatives Tanner and Barnes spoke in favor of the amendments, and they were adopted.

On motion of Mr. Pruitt, the following amendment was adopted:

On page 3, line 37 of the committee amendment, after "law." insert "At least three of the voting members shall approve such a modification."

Ms. Fisch moved adoption of the following amendment to the committee amendment:

On page 4, beginning on line 8 strike all of subsection (9) and renumber the remaining subsections consecutively.

Representatives Fisch and Pruitt spoke in favor of the amendment to the amendment, and Representatives Barnes and Locke spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fisch to the committee amendment to Engrossed Substitute Senate Joint Resolution No. 103, and the amendment was adopted by the following vote: Yeas, 53; nays, 42; excused, 3.

Voting yea: Representatives Addison, Appelwick, Armstrong, Bond, Braddock, Broback, Charney, Crane, Dickie, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hastings, Heck, Hine, Isaacson, King J, King P, King R, Kreidler, Lewis, Lux, Martinis, McClure, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Smith, Sommers, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, and Mr. Speaker - 53.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Brekke, Brough, Burns, Cantu, Chandler, Clayton, Dellwo, Egger, Fiske, Galloway, Garrett, Halsan, Haugen, Holland, Jacobsen, Johnson, Kaiser, Locke, Long, McDonald, Miller, Mitchell, Nelson D, Patrick, Rust, Schmidt, Silver, Smitherman, Stratton, Taylor, Tilly, Van Dyken, Vander Stoep, Williams J, Wilson, Zellinsky - 42.

Excused: Representatives Hankins, McMullen, Schoon - 3.

The committee amendment as amended was adopted. Engrossed Substitute Senate Joint Resolution No. 103 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

Mr. Heck moved that the House advance to the seventh order of business.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to advance to the seventh order of business, and the motion was carried by the following vote: Yeas, 79; nays, 15; absent, 1; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Burns, Cantu, Chandler, Charney, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Barnes, Betrozoff, Bond, Broback, Brough, Clayton, Isaacson, Mitchell, Nealey, Padden, Schmidt, Taylor, West, Williams J, Wilson - 15.

Absent: Representative Addison - 1.

Excused: Representatives Hankins, McMullen, Schoon - 3.

## THIRD READING

ENGROSSED HOUSE BILL NO. 399, by Representatives Sayan, Belcher and McClure

Modifying provisions relating to sales of timber from state-owned land.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 399, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Fuhrman, Isaacson, Mitchell - 3.

Excused: Representatives Hankins, McMullen, Schoon - 3.

Engrossed House Bill No. 399, having received the 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, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 269, by Representatives Grimm, Heck, Fiske, Addison, Cantu, Smitherman, J. King and Hine

Modifying provisions on the collection of taxes on exempt property which loses its exemption.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 64th Day, March 14, 1983.)

On motion of Mr. Grimm, the committee amendment was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Rust:

On page 2, line 3 strike "the entire" and insert "fifty-one percent or more of the area of the"

Representatives Tilly and Rust spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 175, by Representatives Sutherland, Todd, B. Williams, R. King, Belcher, Sayan, Gallagher, Isaacson, Zellinsky, Fisch, Powers, Charnley and Lux

Modifying the definition of "worker" as it pertains to workers compensation.

The bill was read the second time.

On motion of Mr. Sutherland, the following amendment by Representatives Sutherland, Clayton and R. King was adopted:

Strike everything after the enacting clause and insert the following:

\* Sec. 1. Section 51.08.180, chapter 23, Laws of 1961 as last amended by section 1, chapter 80, Laws of 1982 and RCW 51.08.180 are each amended to read as follows:

(1) "Worker" means every person in this state who is engaged in the employment of an employer under this title, whether by way of manual labor or otherwise in the course of his or her employment; also every person in this state who is engaged in the employment of or who is working under an independent contract, the essence of which is his or her personal labor for an employer under this title, whether by way of manual labor or otherwise, in the course of his or her employment: PROVIDED, That a person is not a worker for the purpose of this title, with respect to his or her activities attendant to operating a truck which he or she owns, and which is leased to a common or contract carrier.

(2) For the purposes of this title, any person, firm, or corporation currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW is not a worker when:

((+)) (a) Contracting to perform work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

((2)) (b) The person, firm, or corporation has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

((3)) (c) The person, firm, or corporation maintains a separate set of books or records that reflect all items of income and expenses of the business; and

((4)) (d) The work which the person, firm, or corporation has contracted to perform is:

((a)) (i) The work of a contractor as defined in RCW 18.27.010; or

((b)) (ii) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW.

(3) Any person, firm or corporation registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW including those performing work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW is a worker when the contractor supervises or controls the means by which the result is accomplished or the manner in which the work is performed.

Mr. Sutherland requested the following remarks be inserted in the Journal:

Mr. Sutherland: "The purpose of this amendment is to clarify when a contractor contracts with other contractors to do construction work, whether the contractors contracted with are workers for the purpose of industrial insurance. It is the intent that if the contractor letting the contracts and the contractors being contracted with all meet the requirements of subsection 2 of this amendment, that the contractors contracted with would not be workers for the purposes of industrial insurance. However, subsection 3 of the amendment provides that if the contractor letting the contract is attempting to avoid employee taxes including industrial insurance by requiring his or her employees to be contractors, that in this case, the contractors contracted with would be workers for the purposes of industrial insurance."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 105, by Representatives Martinis, B. Williams and Stratton (by Department of Game request)

Eliminating counties' option to collect in-lieu property taxes on game department lands.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 105 was substituted for House Bill No. 105, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 105 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Smith.

Mr. Smith: "Representative Martinis, as you know I live in Grant County. How does this bill affect Grant County?"

Mr. Martinis: "There are a few of the smaller counties that will actually lose money on this. Most of those counties are the ones for which the Game Department kept the property on the tax rolls rather than accepting the fifty percent of the fines."

Mr. Smith spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 105, and the bill passed the House by the following vote: Yeas, 83; nays, 10; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Haisan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Ballard, Chandler, Clayton, Dickie, Egger, Ellis, Fuhrman, Garrett, Smith, Tilly - 10.

Absent: Representatives Pruitt, Smitherman - 2.

Excused: Representatives Hankins, McMullen, Schoon - 3.

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

#### MOTION

On motion of Mr. Wang, the House adjourned until 10:30 a.m., Friday, March 18, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## SIXTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 18, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins, McMullen and Todd, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Teresa Asplund and Mike Johnson. Prayer was offered by Pastor Harry McDonald, Minister of the John Knox Presbyterian Church of Seattle.

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

## MESSAGE FROM THE SENATE

March 17, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3009,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3081,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3088,  
 ENGROSSED SENATE BILL NO. 3099,  
 SENATE BILL NO. 3123,  
 SENATE BILL NO. 3135,  
 SUBSTITUTE SENATE BILL NO. 3158,  
 SENATE BILL NO. 3408,  
 ENGROSSED SENATE BILL NO. 3424,  
 SENATE BILL NO. 3448,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

SB 3009 by Senators Williams and Moore

Modifying provisions relating to the use of deadly weapons.

Referred to Committee on Judiciary.

ESSB 3081 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Moore, Wojahn, Deccio, Newhouse, Barr, Bauer, McCaslin and Williams)

Continuing state regulations of barbering.

Referred to Committee on Commerce & Economic Development.

ESSB 3088 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Moore, Wojahn, Deccio, Newhouse, Patterson, Barr, Bauer and Williams)

Continuing state regulations of cosmetology.

Referred to Committee on Commerce & Economic Development.

ESB 3099 by Senators Bauer, Bluechel, Hughes and Zimmerman

Modifying interest rate for back taxes on reclassified open space land.

Referred to Committee on Ways & Means.

SB 3123 by Senators Peterson, Hansen and Sellar (by Department of Licensing request)

Providing that only one transcript recording a conviction must be sent by department of licensing to hearings officers.

Referred to Committee on Transportation.

SB 3135 by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Revising proportional vehicle registration laws.

Referred to Committee on Transportation.

SSB 3158 by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Woody - by Department of Licensing request)

Modifying the trade name regulation laws.

Referred to Committee on Judiciary.

SB 3408 by Senators Wojahn and Talmadge

Modifying provisions relating to exempt property.

Referred to Committee on Judiciary.

ESB 3424 by Senators Newhouse, Thompson and Patterson

Modifying provisions relating to solemnization of marriage.

Referred to Committee on Judiciary.

SB 3448 by Senators Hughes and Patterson

Permitting waiver of fees for employees of the intercollegiate center for nursing education.

Referred to Committee on Higher Education.

#### REPORTS OF STANDING COMMITTEES

March 16, 1983

HB 9 Prime Sponsor, Representative Padden: Requiring notice to county law enforcement officers of the conditioned release of criminally insane persons. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Hastings, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Ellis, Halsan, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 22 Prime Sponsor, Representative Stratton: Modifying provisions relating to real estate licensure. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Powers, Schoon, Silver, Smitherman and Stratton.

Voting nay: Representatives Brough, Niemi, Padden, Tilly and Van Dyken.

Absent: Representatives B. Williams, Ranking Minority Chair; Schmidt, Walk and Wilson.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 59 Prime Sponsor, Representative R. King: Repealing the provision relating to registration of apprenticeship agreements and the payment of registration fees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair and Struthers.

Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 126 Prime Sponsor, Representative Monohon: Extending the time period for the restoration of withdrawn retirement contributions. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Hastings and McDonald.

Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 127 Prime Sponsor, Representative Kreidler: Modifying the manner by which travel reimbursement rates for state employees are set. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 132 Prime Sponsor, Representative Monohon: Modifying provisions relating to accrued vacation leave for public employees. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Bond, Fiske, Hastings, McDonald, G. Nelson, Struthers and Taylor.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 138 Prime Sponsor, Representative Armstrong: Awarding reasonable costs, including attorneys' fees, to prevailing parties in frivolous actions or defenses. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Hastings, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Ellis, Halsan, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 302 Prime Sponsor, Representative Stratton: Modifying provisions relating to local economic development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken and Wilson.

Voting nay: Representative Addison.

Absent: Representatives B. Williams, Ranking Minority Chair and Walk.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 305 Prime Sponsor, Representative Wang: Allowing certain licensed health care professionals to form one professional service corporation. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after the comma strike "employed by" and insert "providing services to enrolled participants either directly or through arrangements with"

On page 1, line 18 after "48.46 RCW" insert "or federally qualified health maintenance organization"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, Niemi, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Ebersole, J. King and G. Nelson.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 319 Prime Sponsor, Representative J. King: Modifying provisions relating to the state liquor control board. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton and Wilson.

Voting nay: Representatives Padden, Tilly and Van Dyken.

Absent: Representatives B. Williams, Ranking Minority Chair and Walk.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 377 Prime Sponsor, Representative J. King: Amending various provisions concerning state purchasing. Reported by Committee on Rules

Referred to Committee on Ways & Means.

March 16, 1983

HB 476 Prime Sponsor, Representative Kreidler: Modifying procedures governing parole revocation and offenders records. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, G. Nelson, Niemi, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Ebersole and J. King.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 482 Prime Sponsor, Representative Martinis: Establishing standards for manufacturing motor vehicle license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Clayton, Hankins, Patrick and Prince.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 493 Prime Sponsor, Representative Walk: Providing for the termination of various state agencies and programs. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; J. Williams, Ranking Minority Vice Chair; Bond, Kaiser, Lux, Nealey, D. Nelson, Sayan, Silver, Taylor and Vekich.

Absent: Representatives Hankins, Ranking Minority Chair and O'Brien.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 495 Prime Sponsor, Representative Grimm: Providing post-retirement adjustments for public retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brække, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representative Bond.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 500 Prime Sponsor, Representative Martinis: Modifying provisions regulating oil and gas. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Mitchell,

Ranking Minority Chair; Belcher, Fiske, Haugen, Johnson, Locke, Martinis, Miller, Sayan, Sommers, Sutherland, Vander Stoep and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Vice Chair; Isaacson and Sanders.

Absent: Representative B. Williams.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 506 Prime Sponsor, Representative Todd: Modifying provisions relating to real estate brokers and salesmen. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Braddock, Brough, Ebersole, Halsan, Haugen, Kaiser, Niemi, Powers, Smitherman and Van Dyken.

Voting nay: Representatives Tanner, Vice Chair; Barrett, Ellis, Padden, Schoon, Silver, Stratton, Tilly and Wilson.

Absent: Representatives B. Williams, Ranking Minority Chair; Schmidt and Walk.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 532 Prime Sponsor, Representative McMullen: Changing the tuition and fee determinations for students enrolled for less than two credit hours. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 24 insert the following new section:

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

On page 1, line 2 of the title after "education;" strike "and" and on line 4 after ".100" insert "; and declaring an emergency"

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Allen, Barnes, Brough, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Voting nay: Representatives Silver, Ranking Minority Vice Chair; Barrett, Crane and McDonald.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

March 15, 1983

HB 571 Prime Sponsor, Representative Hankins: Specifying procedure for removal of territory from public hospital districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 583 Prime Sponsor, Representative Kaiser: Modifying the duties of the department of ecology under the state reclamation act. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland and Moon.

Absent: Representatives Prince and Todd.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 643 Prime Sponsor, Representative Locke: Modifying the time limitation for filing insurance claims against a deceased person. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 10 after "claims" insert ", subject to applicable statutes of limitation."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Hastings, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Ellis, Halsan, Lewis, G. Nelson and Schmidt.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 681 Prime Sponsor, Representative Powers: Requiring education about drugs and alcohol. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Chandler, Egger, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Taylor and Zellinsky.

Voting nay: Representative Betzoff.

Absent: Representative Armstrong.

Referred to Committee on Ways & Means.

March 17, 1983

HB 710 Prime Sponsor, Representative D. Nelson: Authorizing municipal corporations to develop electrical generation facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Jacobsen, Locke, Miller, Nealey, Pruitt and Sutherland.

Voting nay: Representative Moon.

Absent: Representative Martinis.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 739 Prime Sponsor, Representative Clayton: Authorizing special operating permits to be granted for antique boilers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representative Chandler, Ranking Minority Vice Chair.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 817 Prime Sponsor, Representative R. King: Authorizing injured workers to claim compensation for personal property damaged as a result of industrial accidents. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "Workers" insert "otherwise"

On page 1, line 7 strike "property" and insert "clothing, footwear or protective equipment"

Signed by Representatives Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Voting nay: Representatives Betzoff, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 839 Prime Sponsor, Representative Fisch: Prohibiting fees for employment applications. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representatives Clayton, Ranking Minority Chair; Betzoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 861 Prime Sponsor, Representative Schmidt: Directing the department of transportation to establish duty-free shops on state ferries. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, McMullen, Mitchell, Powers, Prince, Ristuben, Sanders, Schmidt, Vekich, Walk and J. Williams.

Absent: Representatives Garrett, Hankins, Patrick, Prince and Smith.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 868 Prime Sponsor, Representative Crane: Authorizing permanently unemployed veterans to have special license plates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Sutherland, Vice Chair, Western Wa; Hankins and Patrick.



Passed to Committee on Rules for second reading.

March 17, 1983

HB 1016 Prime Sponsor, Representative Galloway: Relating to education. Reported by Committee on Rules

Referred to Committee on Education.

March 17, 1983

HB 1017 Prime Sponsor, Representative Galloway: Relating to school transportation. Reported by Committee on Rules

Referred to Committee on Education.

March 15, 1983

HJM 19 Prime Sponsor, Representative Tilly: Asking Congress to adequately fund the Export Import Bank. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute memorial be substituted therefor and the substitute memorial do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Wilson.

Absent: Representatives B. Williams, Ranking Minority Chair; Ellis, Van Dyken and Walk.

Passed to Committee on Rules for second reading.

March 16, 1983

SB 3090 Prime Sponsor, Senator Talmadge: Modifying the budget and accounting act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 29 after "immediately" insert ", except section 2 of this act which shall take effect July 1, 1983"

On page 1, line 4 of the title after "RCW 43.88.113;" insert "providing an effective date;"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 16, 1983

SB 3096 Prime Sponsor, Senator McDermott: Modifying the payment schedules for school district apportionments. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Brekke, Ellis, Hastings, J. King, McClure, McDonald, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Kreidler, Monohon and Taylor.

Passed to Committee on Rules for second reading.

March 16, 1983

ESB 3130 Prime Sponsor, Senator Talmadge: Awarding attorneys fees in frivolous actions or defenses and to prevailing parties acting as private attorneys general. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Hastings, P. King, Schmidt, Tilly and Wang.

Voting nay: Representative Locke.

Absent: Representatives McMullen, Vice Chair; Ellis, Halsan, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3108, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Peterson, Bender, Wojahn, McDermott and Bauer)

Revising laws governing labor relations for ferry workers.

The bill was read the second time.

Mr. Wilson moved adoption of the following amendments by Representatives Wilson and Schmidt:

On page 6, line 4 strike "for Thurston county"

On page 14, line 32 strike "in Thurston county, or any county in which any hearing is held."

Mr. Wilson spoke in favor of the amendments, and Mr. R. King spoke against them.

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

Ms. Schmidt spoke in favor of the amendments, and Mr. Sayan spoke against them.

Mr. Wilson spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Wilson and Schmidt to Engrossed Substitute Senate Bill No. 3108, and the amendments were not adopted by the following vote: Yeas, 43; nays, 52; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brøkke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Hankins, McMullen, Todd - 3.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and Schoon:

On page 6, line 18 strike "The punishment for a ferry employee found to be in contempt shall be as provided in chapter 7.20 RCW." and insert "The punishment for a ferry employee found to be in contempt shall be a fine fixed by the court in an amount up to but not exceeding three hundred dollars for each day during which the ferry employee participates or engages in a strike or work stoppage."

Representatives Schmidt and Schoon spoke in favor of the amendment, and Mr. Vekich spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Schmidt and Schoon to Engrossed Substitute Senate Bill No. 3108, and the amendment was not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Hankins, McMullen, Todd - 3.

Ms. Brough moved adoption of the following amendments:

On page 6, line 32, beginning with "(7)" strike all of subsection (7), and insert the following:  
 "(7) The department of transportation shall adopt rules that in an emergency allow vessels, as defined in RCW 88.04.300, as well as other watercraft, to engage in passenger service on the waters of Puget Sound. Such an emergency exists if ferry employees engage in a work slowdown or stoppage and public convenience and necessity require the additional passenger service. The rules shall allow emergency passenger service on the waters of Puget Sound within seventy-two hours after a work slowdown or stoppage. The rules shall give due consideration to the needs, the convenience, and the health, safety, and welfare of the people of the state of Washington."

On page 27, after line 18, insert the following:

"Sec. 28. Section 2, chapter 74, Laws of 1979 and RCW 88.04.310 are each amended to read as follows:

All vessels shall be inspected by the department in accordance with rules adopted under RCW 88.04.330. The owner or operator of every vessel shall pay the department a fee for each inspection as may be determined by the director under RCW 88.04.330. The fee shall cover the full cost of the inspection program including travel, per diem, and administrative and legal support costs for the program. This section shall not apply to vessels operating pursuant to rules issued under section 5(7) of this 1983 act.

Sec. 29. Section 3, chapter 74, Laws of 1979 and RCW 88.04.320 are each amended to read as follows:

(1) It is unlawful for any person to operate a vessel unless that person holds a valid license issued by the United States coast guard to operate a vessel of that class.

(2) It is unlawful for any person to operate a vessel unless the vessel is operated in compliance with the rules of the department of labor and industries and has a current certificate of inspection posted.

(3) This section shall not apply to persons operating vessels pursuant to rules issued under section 5(7) of this 1983 act.

Sec. 30. Section 293, chapter 249, Laws of 1909 and RCW 88.08.060 are each amended to read as follows:

Every person not duly licensed thereto, who shall pilot or offer to pilot any vessel into, within or out of the waters of Juan de Fuca Strait or Puget Sound, shall be guilty of a misdemeanor: PROVIDED, That nothing herein shall prohibit a master of a vessel acting as his own pilot, nor compel a master or owner of any vessel to take out a pilot license for that purpose. This section shall not apply to persons operating vessels operating pursuant to rules issued under section 5(7) of this 1983 act.

Sec. 31. Section 81.84.010, chapter 14, Laws of 1961 and RCW 81.84.010 are each amended to read as follows:

No steamboat company shall hereafter operate any vessel or ferry for the public use for hire between fixed termini or over a regular route upon the waters within this state, including the rivers and lakes and Puget Sound, without first applying for and obtaining from the commission a certificate declaring that public convenience and necessity require such operation: PROVIDED, That no certificate shall be required for a vessel primarily engaged in transporting freight other than vehicles, whose gross earnings from the transportation of passengers and/or vehicles, are not more than ten percent of the total gross earnings of such vessel: PROVIDED, That nothing herein shall be construed to affect the right of any county within this state to construct, condemn, purchase, operate or maintain, itself or by contract, agreement or lease, with any person, firm or corporation, ferries or boats across or wharfs at or upon the waters within this state, including rivers and lakes and Puget Sound, provided such operation is not over the same route or between the same districts, being served by a certificate carrier, nor shall this chapter be construed to affect, amend or invalidate any contract entered into prior to January 15, 1927, for the operation of ferries or boats upon the waters within this state, which was entered into in good faith by any county with any person, firm, or corporation, except that in case of the operation or maintenance by any county, city, town, port district, or other political subdivision by contract, agreement, or lease with any person, firm, or corporation, of ferries or boats across or wharfs at or upon the waters within this state, including rivers and lakes and

Puget Sound, the commission shall have power and authority to regulate rates and services of such operation or maintenance of ferries, boats, or wharfs, to make, fix, alter or amend said rates, and to regulate service and safety of operations thereof, in the manner and to the same extent as it is empowered to regulate a steamboat company, notwithstanding the provisions of any act or parts of acts inconsistent herewith. This section shall not apply to companies operating vessels pursuant to rules issued under section 5(7) of this 1983 act.

Remember the sections following consecutively, and correct internal references accordingly.

Representatives Brough and Van Dyken spoke in favor of the amendments, and Mr. R. King spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Brough to Engrossed Substitute Senate Bill No. 3108, and the amendments were not adopted by the following vote: Yeas, 45; nays, 50; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Hankins, McMullen, Todd - 3.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick and Smith:

On page 7, line 23 strike all of section 7.

Representatives Patrick and Smith spoke in favor of the amendment, and Representatives Fisch, Sayan and Lux spoke against it.

Mr. Patrick spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Patrick and Smith to Engrossed Substitute Senate Bill No. 3108, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Hankins, McMullen, Todd - 3.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and Schoon:

On page 10, line 6 strike "providing revenue to fund" and insert "funding the ferry maintenance and operating account, including but not limited to the funding of"

Ms. Schmidt spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Schmidt yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Schmidt, in the last eight or nine years the general fund subsidy to ferries has gone from zero to several millions of dollars. Could you give me the figure of the general fund subsidy at present?"

Ms. Schmidt: "I'm sorry, Representative Sommers, I believe there was a direct appropriation that was made out of the general fund some years before I came to the legislature to help fund a salary increase."

Representatives Sommers and Sayan spoke against the amendment, and Representatives Schoon and Betzoff spoke in favor of it.

Ms. Schmidt spoke again in favor of the amendment, and Ms. Sommers spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Schmidt and Schoon to page 10, line 6 of Engrossed Substitute Senate Bill No. 3108, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Hankins, McMullen, Todd - 3.

Ms. Schmidt moved adoption of the following amendments:

On page 11, line 18 strike "following enactment of the biennial budget," and insert "or 60 days after the effective date of the biennial budget, whichever comes later."

On page 11, line 25 following "year," insert "or 90 days after the effective date of the biennial budget, whichever comes later."

Representatives Schmidt and Wilson spoke in favor of the amendments, and Mr. R. King spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Schmidt to page 11 of Engrossed Substitute Senate Bill No. 3108, and the amendments were not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Hankins, McMullen, Todd - 3.

Mr. Wilson moved adoption of the following amendment by Representatives Wilson and Schmidt:

On page 16, line 9 strike "1984" and insert "1983"

Representatives Wilson and Schmidt spoke in favor of the amendment, and Representatives Vekich and Sayan spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Wilson and Schmidt to page 16, line 9 of Engrossed Substitute Senate Bill No. 3108, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick,

Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Hankins, McMullen, Todd - 3.

Mr. Prince moved adoption of the following amendment:  
On page 27, line 22 strike "June 30" and insert "July 1"

Mr. Prince spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative King, I'm not an expert on this legislation, but did I understand you to say that this amendment would help perfect the bill?"

Mr. R. King: "No, I didn't say that. I said if we keep polishing it, thinking we might eventually end up with something perfect, it would end up, in effect, killing the bill. I view this amendment as not a friendly amendment to perfect it, but one that would simply delay its passage. It is not needed for the functioning of the collective bargaining agreements that will be negotiated."

Mr. Vander Stoep: "So, it polishes rather than perfects?"

Mr. R. King: "It probably clouds."

Mr. Vander Stoep spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince to page 27 of Engrossed Substitute Senate Bill No. 3108, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Hankins, McMullen, Todd - 3.

Engrossed Substitute Senate Bill No. 3108 was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hankins, McMullen and Todd, who were excused.

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

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-18, by Representatives Grimm, Fisher, Wang, Kaiser, Walk and Kreidler

WHEREAS, The State of Washington is facing emergency-level overcrowding conditions in its state prisons; and

WHEREAS, Prison population projections demonstrate a need for additional correctional facilities in the years ahead; and

WHEREAS, The former federal penitentiary on McNeil Island would provide a suitable corrections facility to help alleviate the immediate prison overcrowding problem; and

WHEREAS, The federal government has indicated a willingness to sell McNeil Island to the state for use as a prison and wildlife sanctuary; and

WHEREAS, The State has agreed to maintain and protect the wildlife sanctuary in perpetuity; and

WHEREAS, The federal government has historically transferred federal lands to the states at no cost when such lands were to be used for specified purposes; and

WHEREAS, The State of Washington is facing a budget shortfall unprecedented in its history, making the purchase of facilities such as McNeil Island a difficult burden;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington hereby petitions the Congress of the United States to enact with all due speed such legislation as would enable the General Services Administration to transfer McNeil Island to the State of Washington at no cost to the state.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Honorable Ronald Reagan, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

Mr. Kaiser moved adoption of the resolution. Representatives Kaiser, Struthers and Grimm spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-21, by Representatives B. Williams, Monohon, Hastings, Tanner, J. King, Ristuben and Galloway

WHEREAS, International and domestic trade is important to the economic health of the Pacific Northwest; and

WHEREAS, The Columbia/Snake River system is the major transportation route for the volumes of Washington-produced products moving to international markets, including grain, forest products and manufactured goods; and

WHEREAS, The volume of cargo moving on the Columbia/Snake River amounted to more than thirty million tons in 1982 and has the potential to triple by the end of the century; and

WHEREAS, For the river system to meet its full potential by the year 2000, the bar crossing at the Mouth of the Columbia River must be deepened to fifty-five feet to make it compatible with the forty-foot channel that extends one hundred ten miles from Ilwaco to Vancouver; and

WHEREAS, The U.S. Army Corps of Engineers had determined an 11.1 to 1 benefits to cost ratio for the deepening of the Mouth of the Columbia River project; and

WHEREAS, Deepening of the Mouth of the Columbia River would enhance navigational safety and prevent ship time delays at the bar; and

WHEREAS, The completion of this project would make Washington's Columbia River ports more competitive in attracting waterborne commerce in the future;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Congress of the United States is memorialized to appropriate funds to complete the U.S. Army Corps of Engineers' recommended deepening of the Mouth of the Columbia River to fifty-five feet at the bar; and

BE IT FURTHER RESOLVED, That the Congress of the United States move ahead on authorization of this project.

On motion of Mr. B. Williams, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 83-25, by Representatives Monohon, Fisch, McClure, Stratton, Sayan and Vekich

WHEREAS, The Port of Grays Harbor is the only deep water port on the western coast of the State of Washington; and

WHEREAS, Tremendous renewable timber resources are transported to the Port of Grays Harbor from several counties; and

WHEREAS, Increased shipments of forest products are being made to Pacific Rim Nations, including Japan, Korea, and the Peoples Republic of China; and

WHEREAS, Continued shipments of these commodities will contribute significantly to this nation's balance of trade; and

WHEREAS, The United States Army Corps of Engineers has completed a feasibility study to improve navigation facilities at Grays Harbor; and

WHEREAS, These improvements include deepening the navigation channels from thirty feet to thirty-eight feet; and

WHEREAS, Larger and more cost-effective vessels now in the trade are precluded from departing fully laden from Grays Harbor; and

WHEREAS, The United States Army Corps of Engineers Board of Engineers for Rivers and Harbors on December 14, 1982, approved the feasibility report for channel improvements;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the President of the United States and the Congress of the United States be urged to approve the authorization for the Grays Harbor Deeper Draft Project and to provide in federal fiscal years 1984 and 1985 such funding as may be necessary to complete the Continuation of Planning and Engineering studies as soon as possible; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to President Ronald Reagan, the President of the United States Senate, the Speaker of the United States House of Representatives, and to the members of the congressional delegation from Washington State.

On motion of Ms. Monohon, the resolution was adopted.

#### MESSAGE FROM THE SENATE

March 18, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 441.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 441.

#### MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 784, by Committee on Ways & Means (originally sponsored by Representatives McDonald, Grimm, Heck, Cantu, Hine, Tilly, Sommers, G. Nelson, Barrett, Taylor, Sanders and Wang)

Establishing the economic and revenue forecasting council.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 784, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,



Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, McMullen, Todd - 3.

Substitute House Bill No. 784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 32, by Representatives Addison, Fiske, Miller, Hankins, Tanner, B. Williams, Ebersole, Bond, Wilson and Sanders

Requesting steelhead be designated a national game fish.

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

Representatives Addison, Miller, Mitchell and Struthers spoke in favor of the memorial, and Representatives Locke, Charnley and Belcher spoke against it.

Mr. Addison spoke again in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 32, and the memorial passed the House by the following vote: Yeas, 71; nays, 23; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Crane, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King R, Kreidler, Long, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Ellis, Fisher, Garrett, Jacobsen, King P, Lewis, Locke, Lux, Moon, Nelson D, Niemi, Prince, Rust, Stratton, Wang - 23.

Absent: Representative Clayton - 1.

Excused: Representatives Hankins, McMullen, Todd - 3.

House Joint Memorial No. 32, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 269, by Representatives Grimm, Heck, Fiske, Addison, Cantu, Smitherman, J. King and Hine

Modifying provisions on the collection of taxes on exempt property which loses its exemption.

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

Representatives Grimm and Tilly spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 269, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, McMullen, Todd - 3.

Engrossed House Bill No. 269, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 232, by Committee on State Government (originally sponsored by Representatives O'Brien, Hankins, Belcher, Silver, Lux, Isaacson and Johnson; by Department of General Administration request)

Adding a premium to bids from vendors whose states have an in-state preference.

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

Mr. O'Brien spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 232, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Nelson D, Pruitt - 2.

Excused: Representatives Hankins, McMullen, Todd - 3.

Engrossed Substitute House Bill No. 232, having received the 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. 585, by Representatives McClure, Haugen, B. Williams, Monohon, Vekich, Martinis, Fisch and D. Nelson

Revising provisions relating to salmon delivery permits.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 585, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, McMullen, Todd - 3.

House Bill No. 585, having received the 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. 1038, by Committee on Constitution, Elections & Ethics (originally sponsored by Representative Pruitt)

Relating to congressional redistricting.

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

Representatives Pruitt, Martinis, Taylor, Bond, R. King, Fisch, Schmidt, Barnes, Miller and Grimm spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1038, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, McMullen, Todd - 3.

Substitute House Bill No. 1038, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3112 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognil, Bender, Rinehart, Granlund and McManus)

Enacting the Washington State Redistricting Act.

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

Mr. Pruitt 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. 3112 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 9; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Bond, Cantu, Chandler, Dickie, Fuhrman, Hastings, Padden, Sanders, Smith - 9.

Excused: Representatives Hankins, McMullen, Todd - 3.

Engrossed Substitute Senate Bill No. 3112 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 JOINT RESOLUTION NO. 103 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognil, Bender, Rinehart, Granlund and McManus)

Amending the Constitution to establish a redistricting commission.

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

Representatives Pruitt, Taylor, Lewis, Barnes, Brough, Prince, Schoon and Isaacson spoke in favor of the resolution, and Representatives Hastings, Dickie, Bond and Cantu spoke against it.

Mr. Pruitt spoke again in favor of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 103 as amended by the House, and the resolution passed the House by the following vote: Yeas, 85; nays, 10; excused, 3.

Voting yeas: Representatives Addison, Allen, Appeliwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nays: Representatives Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Padden, Sanders, Smith - 10.

Excused: Representatives Hankins, McMullen, Todd - 3.

Engrossed Substitute Senate Joint Resolution No. 103 as amended by the House, having received the constitutional majority, was declared passed.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-28, by Representatives Barrett, West, Bond, Fuhrman, Dellwo, Egger, Padden, Taylor, Silver and Stratton

WHEREAS, The State of Washington is hosting the Pacific Northwest World Trade Exposition in Spokane on March 22, 23, and 24, 1983; and

WHEREAS, The goals of the conference are:

- (1) To enhance trade by increasing awareness of the need to conduct business on a global scale;
- (2) To identify current international economic activity between the Pacific Northwest and international markets and to provide for future expansion;
- (3) To identify the constraints, political, cultural, and economic, that effect the future of international trade;
- (4) To discuss the potential for cultural exchange activity, including tourism;
- (5) To provide current information regarding international trade through educational means, major speakers, panels, newsletters, and the International Trade Fair Exhibits; and
- (6) To establish an international trade informational distribution center in the Inland Empire; and

WHEREAS, The State of Washington, due to its advantageous location near other countries on the Pacific Rim, is prepared to enjoy growth in international trade, one of the Pacific Northwest's most exciting growth industries and already a supplier of twenty percent of the jobs in Washington; and

WHEREAS, Importers, agents, and distributors from around the world seeking expanded trade opportunities will attend, view exhibits of Northwest products, and meet with over six hundred Pacific Northwest commercial exporters and business investment specialists, individually and in workshops and seminars; and

WHEREAS, Governor John Spellman will proclaim the week of March 21 through 25, 1983, as "World Trade Week"; and

WHEREAS, The Pacific Northwest World Trade Council and World Trade Clubs throughout the Pacific Northwest are cooperatively planning for the Exposition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Pacific Northwest World Trade Council and other sponsoring organizations be commended for their efforts, and that the participants be wished success in their efforts to further our economic well-being.

Mr. Barrett moved adoption of the resolution. Representatives Barrett and Braddock spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-33, by Representatives Fiske, McMullen, Van Dyken and Braddock

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, Sehome High School in Bellingham is the home of three state-rated teams; and

WHEREAS, Sehome's most recent victory came when the girls' varsity basketball team, comprised primarily of sophomores and juniors, captured the Class AA Girls' State Basketball championship; and

WHEREAS, This victory marks the crowning achievement of Coach Galen Reimers' twenty-four-year coaching career; and

WHEREAS, The Sehome boys' basketball team is also to be commended for its fine accomplishment of placing sixth in state competition under the leadership of Coach Jim Cozad; and

WHEREAS, The girls' gymnastics team under the direction of Coach Nola Ayres, set a national record when it became the state champion for the eleventh straight year; and

WHEREAS, Each of these victories represents dedication, determination, and skill combined with outstanding teamwork;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Sehome Mariners and their coaching staff be congratulated on their noteworthy accomplishments; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Sehome High School Coaches Nola Ayres, Galen Reimers and Jim Cozad.

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

HOUSE FLOOR RESOLUTION NO. 83-34, by Representative Addison

WHEREAS, The Washington State Department of Game and Washington State Game Commission were created by the people through Initiative 62 in 1932; and

WHEREAS, The purpose of the department is to protect and manage our valuable sport fishery and wildlife; and

WHEREAS, Washington State is known for its environment with boundless recreational potential, including the opportunities for hunting, sport fishing and wildlife enjoyment; and

WHEREAS, Hunting, sport fishing and wildlife have great economic impact and create jobs in our state because of the dollars spent for sport equipment, travel, meals and lodging by sportsmen; and

WHEREAS, The importance of maintaining and protecting this valuable resource and segment of our state's economy is great; and

WHEREAS, Ken McLeod of Seattle was actively involved in the negotiation, drafting, and campaign for the passage of Initiative 62, has remained involved through the ensuing fifty years in fish and wildlife conservation issues; and was a co-founder of the King County Outdoor Sports Council;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Ken McLeod is commended for his active participation in and support for our valuable outdoor resources; and

BE IT FURTHER RESOLVED, That the Game Commission, the Department of Game and its employees are commended for a job well done in its first fifty years of existence for the people of the state and are wished continued success in the future.

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

HOUSE FLOOR RESOLUTION NO. 83-35, by Representative Addison

WHEREAS, The King County Outdoor Sports Council was founded fifty years ago; and

WHEREAS, The Sports Council has the salutary purposes:

(a) To protect, propagate and increase wildlife and game food fish;

(b) To aid in the enactment of laws for the protection and restoration of wildlife, forests, marshes, aquatic lands, streams and lakes and Puget Sound and adjacent waters, and the promotion and observance of such laws;

(c) to create and foster public sentiment in favor of conservation;

(d) to promote sportsmanlike methods and conduct of hunting and fishing and proper respect for the rights of landlords;

(e) to cooperate with all associations and agencies having the same objectives; and

(f) to participate in any undertaking of any description, whether national, state, civic or private that may be deemed necessary by the Council to fulfill the aforementioned objectives; and

WHEREAS, Hunting, sport fishing and wildlife enjoyment are important parts of our Washington heritage as well as growing in economic importance; and

WHEREAS, The Sports Council, composed of local clubs with over five thousand members, actively participates in activities protecting our environment and the fish and wildlife therein, and in voluntary efforts to further the Council's purposes; and

WHEREAS, Voluntary efforts by individuals' and citizens' associations for the public good are commendable;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the King County Outdoor Sports Council and its local clubs and members are to be congratulated for its 50th Anniversary, commended for their salutary purposes and efforts to fulfill those purposes, and wished success in following those purposes in the years to come.

Mr. Addison moved adoption of the resolution. Representatives Addison and Jacobsen spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-36, by Representatives Zellinsky and Schmidt

WHEREAS, The Olympic High School Trojans are a championship-quality basketball team; and

WHEREAS, Keith Solomon, Mike Kirk, Ken Hansel, Jarvis Jennings, John Hyland, Andy Floresca, Joe Asberry, Jeff Francis, Todd Corelli, Paul Patmon, Darrin Branch, and Chris Welp are members of the Olympic High School Trojans who played exciting basketball during the 1982-1983 basketball season; and

WHEREAS, The Trojans are superbly coached by Head Coach Howard Thoenke and Assistant Coach Al Gleich, and assisted by Managers Mike Dyer and Dale Asay; and

WHEREAS, These players and coaches worked together to achieve an impressive 1982-1983 Olympic High School Trojans basketball team season record of twenty-four wins and one loss; and

WHEREAS, The Olympic High School Trojans posted a fourteen win and one loss record in Olympic AA League play; and

WHEREAS, The Olympic High School Trojans won all five rounds of the Washington Interscholastic Athletic Association State Basketball Tournament; and

WHEREAS, The Olympic High School Trojans defeated the Centralia High School Tigers, another quality basketball team, by a score of 54 to 51, to win the 1983 Washington State Class AA Boys' Basketball Championship on March 12, 1983;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for this accomplishment be extended to the members of the Olympic High School Trojans basketball team and their coaches; and

BE IT FURTHER RESOLVED, That the Olympic High School Trojans basketball team and its coaching staff be highly commended for this accomplishment which has made the students of Olympic High School, the citizens of Silverdale, and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the players, coaches, and managers of the Olympic High School Trojans basketball team.

Mr. Zellinsky moved adoption of the resolution. Representatives Zellinsky and Halsan spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. O'Brien presiding) called on Mr. Heck to preside.

HOUSE FLOOR RESOLUTION NO. 83-32, by Representative Belcher

WHEREAS, Women of character, intelligence, courage, initiative and compassion have made significant contributions to the growth and development of the State of Washington; and

WHEREAS, Emma Smith De Voe, Nettie Asbury, Catherine May Bedell, Julia Butler Hansen and Pearl A. Wanamaker are representative of these qualities and contributions; and

WHEREAS, Emma Smith De Voe, of Seattle, was a State President of the National American Women Suffrage Association and led the successful 1910 suffrage campaign; and

WHEREAS, Nettie Asberry helped establish the National Association for the Advancement of Colored People and was a distinguished President of the State Federation of Colored Women of Washington; and

WHEREAS, Catherine May Bedell and Julia Butler Hansen served the State of Washington in an exemplary manner as members of the State House of Representatives and the United States Congress; and

WHEREAS, Pearl A. Wanamaker superbly served the citizens of the State of Washington as State Superintendent of Public Instruction and as a member of the State House of Representatives and the Senate; and

WHEREAS, The historical references of the State of Washington and the United States of America have not always reflected the achievements of women who have contributed to the growth and development of the state of Washington; and

WHEREAS, The Interagency Committee on the Status of Women is helping the citizens of Washington find and document the history of women in Washington State government; and

WHEREAS, Women's History Week in Washington is an appropriate time to recognize the contributions of all women in Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor women's contributions in government, in industry and in the home; and

BE IT FURTHER RESOLVED, That copies of this resolution be distributed to all state agencies for posting in public places, the Governor's Office, the Governor's Interagency Committee on the Status of Women, state employee union halls and to other interested persons.

Ms. Belcher moved adoption of the resolution. Representatives Belcher, Taylor, Galloway, Silver, Powers and O'Brien spoke in favor of the resolution, and it was adopted.

The Speaker resumed the Chair.

HOUSE FLOOR RESOLUTION NO. 83-37, by Representatives Burns, Niemi, O'Brien and Locke

WHEREAS, The Garfield High School Bulldogs are a championship-quality basketball team; and

WHEREAS, Glen Tinned, Frank Wilson, Eric Briggs, Van Beard, Roger Brunswick, Jeff Woods, Andre Lanear, Kevin Johnson, Henry Munroe, Davon Ball, Steve Johnson, and George Breland are members of the Garfield High School Bulldogs who played exciting basketball during the 1982-1983 basketball season; and

WHEREAS, The Bulldogs are superbly coached by Head Coach Al Hairston and Assistant Coaches Frank Ahern, and Jerry McCoy, and assisted by Trainers Tony Dixon and David Melton; and

WHEREAS, These players and coaches worked together to achieve an impressive 1982-1983 Garfield High School Bulldogs basketball team season record of twenty-one wins and seven losses; and

WHEREAS, The Garfield High School Bulldogs won all three rounds and posted seven wins in the Washington State Class AAA Boys' Basketball Tournament; and

WHEREAS, The Garfield High School Bulldogs defeated the Walla Walla Blue Devils, another quality basketball team, by a score of 44 to 42, to win the 1983 Washington State Class AAA Boys' Basketball Championship on March 12, 1983;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for this accomplishment be extended to the members of the Garfield High School Bulldogs basketball team and their coaches; and

BE IT FURTHER RESOLVED, That the Garfield High School Bulldogs basketball team and its coaching staff be highly commended for this accomplishment which has made the students of Garfield High School, the citizens of Seattle, and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the players, coaches, and trainers of the Garfield High School Bulldogs basketball team.

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

MOTION

On motion of Mr. Heck, the House adjourned until 9:00 a.m., Monday, March 21, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## SEVENTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 21, 1983

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Taylor, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carol Antone and Forrest Hoffman. Prayer was offered by The Reverend Bill Wilson, Associate Minister of the Evergreen Christian Center of Olympia.

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

## MESSAGE FROM THE SENATE

March 18, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3259,  
 ENGROSSED SENATE BILL NO. 3392,  
 SENATE BILL NO. 3447,  
 SUBSTITUTE SENATE BILL NO. 3516,  
 SUBSTITUTE SENATE BILL NO. 3520,  
 ENGROSSED SENATE BILL NO. 3521,  
 SUBSTITUTE SENATE BILL NO. 3522,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3524,  
 SENATE BILL NO. 3585,  
 SENATE BILL NO. 3784,  
 SENATE JOINT MEMORIAL NO. 116,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3259 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Shinpoch, Woody, Rinehart, Hurley and Moore)

Requiring executive boards of operating agencies to file reports with the public disclosure commission.

Referred to Committee on Constitution, Elections & Ethics.

ESB 3392 by Senators McManus, Quigg and Bottiger

Modifying provisions on electrical utility installation.

Referred to Committee on Energy & Utilities.

SB 3447 by Senators Rasmussen, Talmadge, Pullen and Woody

Increasing the value of homesteads to thirty thousand dollars.

Referred to Committee on Judiciary.

SSB 3516 by Committee on Judiciary (originally sponsored by Senators Talmadge and Bottiger)

Modifying provisions relating to the legislative branch.

Referred to Committee on State Government.

SSB 3520 by Committee on Local Government (originally sponsored by Senators Woody, Zimmerman and Thompson)

Revising procedures regarding contested elections and challenged voters.

Referred to Committee on Constitution, Elections & Ethics.

ESB 3521 by Senators Jones, Warnke, Owen, Bluechel and Zimmerman

Requiring liquor given to a minor by his parents to be consumed in the presence or on the premises of the parents.

Referred to Committee on Commerce & Economic Development.

SSB 3522 by Committee on Local Government (originally sponsored by Senator Peterson)

Requiring county assessors to review property tax levies for correctness, validity, and legality.

Referred to Committee on Local Government.

ESSB 3524 by Committee on Institutions (originally sponsored by Senators Granlund, Owen, Metcalf and McCaslin - by Department of Corrections request)

Providing additional conditions for prisoners' leaves of absence.

Referred to Committee on Social & Health Services.

SB 3585 by Senators Fleming, Hansen, Sellar, Thompson and Barr

Extending the permitted duration of harbor leases to fifty-five years.

Referred to Committee on Natural Resources.

SB 3784 by Senators Vognild, Quigg and Shinpoch (by Department of Employment Security request)

Modifying period during which moneys from the federal unemployment trust fund may be used by the state.

Referred to Committee on Labor.

SJM 116 by Senator Hansen

Petitioning Congress to declare July 16, 1983 as National Grand Coulee Dam day.

Referred to Committee on Agriculture.

#### REPORTS OF STANDING COMMITTEES

March 17, 1983

HB 71 Prime Sponsor, Representative D. Nelson: Making the geothermal account not subject to appropriation. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 82 Prime Sponsor, Representative Sutherland: Reducing the fee for nonresident sales tax exemption permits. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 4 after "permits," insert "including retailers."

Signed by Representatives Grimm, Chair; Addison, Appelwick, Bond, Braddock, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Fiske, Hastings, McDonald, G. Nelson, Rust, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Sommers, Vice Chair; Cantu, Ranking Minority Chair; Brække, Fiske, Hastings, McDonald, G. Nelson, Rust, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 89 Prime Sponsor, Representative D. Nelson: Relieving counties and cities from an obligation to include nuclear attack evacuation plans in their emergency services plans. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Voting nay: Representative Bond.

Absent: Representative Hankins, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 167 Prime Sponsor, Representative Appelwick: Modifying the laws regulating family court. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Voting nay: Representative Cantu.

Absent: Representative McMullen, Vice Chair.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 234 Prime Sponsor, Representative Martinis: Adopting the transportation budget. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Charnley, Clayton, Fisher, Gallagher, Garrett, Mitchell, Prince, Ristuben, Schmidt, Smith, Vekich and J. Williams.

Voting nay: Representatives Burns and Patrick.

Absent: Representatives Barrett, Gallagher, Hankins, McMullen and Sanders.

Passed to Committee on Rules for second reading.

March 14, 1983

HB 235 Prime Sponsor, Representative Martinis: Modifying gas tax provisions ('83-'85 Biennium). Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice

Chair, Eastern Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Clayton, Fisch, Gallagher, McMullen, Mitchell, Powers, Prince, Ristuben, Smith, Vekich, Walk and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Sutherland, Vice Chair, Western Wa; Patrick and Schmidt.

Voting nay: Representatives Sutherland, Vice Chair, Western Wa; Burns, Charnley, Garrett, Patrick and Schmidt.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 248 Prime Sponsor, Representative Sommers: Modifying types and uses of fees for Washington State University and the University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Referred to Committee on Ways & Means.

March 17, 1983

HB 325 Prime Sponsor, Representative Sayan: Abolishing certain obsolete funds and accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 390 Prime Sponsor, Representative Moon: Providing for the registration of bonds. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben and Smitherman.

Absent: Representatives Ebersole, Grimm, Smitherman and Todd.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 401 Prime Sponsor, Representative Pruitt: Equalizing the length of the ballot titles for all local ballot measures. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner, Vander Stoep and Zellinsky.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 478 Prime Sponsor, Representative Belcher: Providing methods to retrieve public records possessed without authorization. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Belcher, Johnson, Kaiser, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Voting nay: Representatives J. Williams, Ranking Minority Vice Chair; Bond and Taylor.

Absent: Representative Hankins, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 551 Prime Sponsor, Representative Nealey: Regulating the use of the state seal. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representatives Niemi, Vice Chair and Hankins, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 693 Prime Sponsor, Representative D. Nelson: Permitting excess moneys in the institutional long-term loan fund to be used for locally administered financial aid programs. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, Locke, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 725 Prime Sponsor, Representative Grimm: Appropriating funds for the publication of the session laws. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Addison, Fiske, Monohon and Taylor.

Passed to Committee on Rules for second reading.

March 18, 1983

HB 741 Prime Sponsor, Representative Isaacson: Changing age provisions relating to the reporting of deaths by local registrars of vital statistics. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking

Minority Vice Chair: Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben and Smitherman.

Voting nay: Representatives Ebersole, Hine, Smitherman and Todd.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 848 Prime Sponsor, Representative Braddock: Extending the tuition and fee limits for Vietnam veterans. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, Locke, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Voting nay: Representatives R. King, Locke and McDonald.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 853 Prime Sponsor, Representative Brekke: Revising provisions relating to hazardous wastes management. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representative Clayton.

Absent: Representative Hankins.

Referred to Committee on Ways & Means.

March 17, 1983

HB 862 Prime Sponsor, Representative J. King: Revising the laws regulating contractors. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schoon, Silver, Stratton, Tilly and Van Dyken.

Absent: Representatives Tanner, Vice CHair; Barrett, Schmidt, Smitherman, Walk and Wilson.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 863 Prime Sponsor, Representative Lux: Requiring employers to warn employees working with hazardous substances. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representative Clayton.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

March 17, 1983

HB 985 Prime Sponsor, Representative Martinis: Relating to transportation. Reported by Committee on Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brække, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Smith and Struthers.

Passed to Committee on Rules for second reading.

March 16, 1983

HB 1044 Prime Sponsor, Representative J. King: Relating to professional licensing. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang and B. Williams.

Voting nay: Representatives G. Nelson and West.

Referred to Committee on Ways & Means.

March 18, 1983

HB 1093 Prime Sponsor, Representative Moon: Relating to local government. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben and Smitherman.

Absent: Representatives Grimm, Smitherman and Todd.

Passed to Committee on Rules for second reading.

March 18, 1983

HJM 16 Prime Sponsor, Representative Belcher: Requesting the adoption of the Economic Equity Act II. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Sommers, Tanner, Vander Stoep and Zellinsky.

Voting nay: Representative Schoon.

Absent: Representatives Jacobsen and Tanner.

Passed to Committee on Rules for second reading.

March 18, 1983

HJM 17 Prime Sponsor, Representative Powers: Urging the passage of the Equal Rights Amendment to the U.S. Constitution. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority

Vice Chair: Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner, Vander Stoep and Zellinsky.

Absent: Representatives Jacobsen and Tanner.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 411, by Representatives Monohon, Sommers and Fiske

Modifying water power license fees.

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

Ms. Monohon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 411, and the bill passed the House by the following vote: Yeas, 86; nays, 0; absent, 11; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Absent: Representatives Betrozoff, Dickie, Hankins, Isaacson, King P, King R, Prince, Todd, Van Dyken, Vander Stoep, Vekich - 11.

Excused: Representative Taylor - 1.

Engrossed House Bill No. 411, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 175, by Representatives Sutherland, Todd, B. Williams, R. King, Belcher, Sayan, Gallagher, Isaacson, Zellinsky, Fisch, Powers, Charnley and Lux

Modifying the definition of "worker" as it pertains to workers compensation.

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

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

#### POINT OF INQUIRY

Mr. Sutherland yielded to question by Mr. Clayton.

Mr. Clayton: "Representative Sutherland, is it your intent with this bill, that if one contractor contracts with other contractors to do construction work and the first contractor directs the contracted contractors when to begin work, that the contracted contractors would be workers under this, if all the contractors involved comply with the provisions of subsection (2) of this bill?"

Mr. Sutherland: "No, the contractors contracted with would not be workers of the contractor letting the contracts in that case."

Mr. Clayton: "Representative Sutherland, how do you define the terms 'supervises or controls the means by which the result is accomplished and, the manner in which the work is performed?'"

Mr. Sutherland: "It is the intent that the common law definitions used in determining an employer-employee relationship would apply."

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



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 175, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Betzoff, Hankins, King P, King R, Todd, Van Dyken, Vander Stoep, Vekich - 8.

Excused: Representative Taylor - 1.

Engrossed House Bill No. 175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## SECOND READING

HOUSE BILL NO. 708, by Representatives Walk, Hankins, Isaacson, Johnson, Nealey, Prince, Charnley and Wilson

Continuing the archaeological research center for an additional six years.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 708 was substituted for House Bill No. 708, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 708 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 708, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Hankins, King P, King R, Van Dyken, Vekich - 5.

Excused: Representative Taylor - 1.

Substitute House Bill No. 708, having received the 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. 674, by Representatives Sutherland, Tanner, J. King, B. Williams, Ristuben and Heck

Prohibiting sturgeon fishing with a set line in the Columbia River or its tributaries.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day, March 11, 1983.)

On motion of Ms. Stratton, the committee amendments were adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 419, by Representatives Niemi, Johnson and Belcher (by Cemetery Board request)

Amending procedures for the filing of reports regarding prearrangement contracts by cemeteries.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 24, 1983.)

On motion of Ms. Niemi, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 419, and the bill passed the House by the following vote: Yeas, 92; nays, 1; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Nelson D - 1.

Absent: Representatives Hankins, King P, King R, Van Dyken - 4.

Excused: Representative Taylor - 1.

Engrossed House Bill No. 419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

March 21, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 441,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

HOUSE BILL NO. 765, by Representatives R. King and Clayton

Adjusting amount of workers' compensation payable to certain injured workers.

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

SUBSTITUTE HOUSE BILL NO. 179, by Committee on Judiciary (originally sponsored by Representatives Appelwick and Armstrong)

Enacting the Uniform Unclaimed Property Act.

The bill was read the second time. (For previous action, see yesterday's Journal.)

The Speaker stated the question before the House to be the amendment by Representative Appelwick.

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

Mr. Appelwick moved adoption of the following amendment:

On page 4, beginning on line 34 strike all of subsection (2) to and including "payment." on page 5, line 2 and insert the following:

"(2) Winning parimutuel ticket proceeds which remain unclaimed by the owner for more than ninety days after the close of any horse racing meet is presumed abandoned. Winning parimutuel ticket proceeds which are abandoned under this subsection shall be reportable and deliverable under this chapter unless those proceeds are deposited within thirty days of the date of abandonment in a special account in the horse racing commission fund.

(3) Property, with the exception of unredeemed Washington state lottery tickets, is payable and distributable for the purpose of this chapter notwithstanding the owner's failure to make demand or to present any instrument or document required to receive payment."

Renumber the remaining subsection.

Representatives Appelwick, Van Dyken and Patrick spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick 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. 179, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Taylor - 1.

Engrossed Substitute House Bill No. 179, having received the 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, the House advanced to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3108, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Peterson, Bender, Wojahn, McDermott and Bauer)

Revising laws governing labor relations for ferry workers.

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

Representatives R. King, Wilson, Zellinsky and Sayan spoke in favor of passage of the bill, and Representatives Schmidt, Broback and Schoon spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3108, and the bill passed the House by the following vote: Yeas, 63; nays, 34; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Ballard, Barnes, Barrett, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Long, McDonald, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tilly, Vander Stoep, West, Williams B, Williams J - 34.

Excused: Representative Taylor - 1.

Engrossed Substitute Senate Bill No. 3108, having received the 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, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 134, by Representatives Walk, Wang, Vekich, Kreidler, Belcher, Sayan, Patrick, O'Brien, P. King, Fisher, Ebersole, Johnson, Garrett, Lux and Ristuben

Modifying the civil service laws for public employees.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 134 was substituted for House Bill No. 134, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 134 was read the second time.

Mr. B. Williams moved adoption of the following amendments:

On page 2, line 12 strike section 1.

On page 8, line 30 strike section 1.

Mr. B. Williams spoke in favor of the amendments, and Mr. Sayan spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to Substitute House Bill No. 134, and the amendments were not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J. King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Taylor - 1.

Mr. B. Williams moved adoption of the following amendments:

On page 3, line 23 strike section 2.

On page 6, line 32 strike section 3.

On page 9, line 24 strike section 9.

On page 12, line 13 strike section 10.

On page 14, line 2 strike section 14.

On page 15, line 23 strike section 16.

Mr. B. Williams spoke in favor of the amendments, and Mr. Walk spoke against them.

#### POINT OF INQUIRY

Mr. B. Williams yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Williams, do your amendments, in fact, intend to delete all of sections 2, 3, 9, 10, 14 and 16?"

Mr. B. Williams: "Yes, the amendments do have the effect of deleting all of those sections, which would put back into existing state law the ability to judge state employees on pay increases, layoffs, and the ability to consider, when you bring an employee back, both his performance and his seniority--not just one but both."

Mr. Sayan: "My question then is directly related to section 3, which says, 'After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually.' Then it says further, 'A standardized performance evaluation procedure shall be instituted and shall apply...', and so on. How does the deletion of these things contribute to what you are attempting to accomplish?"

Mr. B. Williams: "The deletion of section 3 restores the law back to existing state law. House Bill No. 1226 which we passed two years ago, is the law currently in effect that requires the State Personnel Board to present to the legislature, by April 1st of this year, their evaluation system for management of employees. That requires a concurrent resolution by both houses of the legislature to approve before it can be implemented."

Mr. Sayan: "I guess my question is, is it in place in this law to provide standardized employee performance evaluation?"

Mr. B. Williams: "If you continue to read in section 3, the part which is deleted is the part that would take away that part of the law. For example, if you look on page 7 of the bill, you see on page 7, line 10, the deleted language says, 'This section shall expire June 30, 1985. This section shall not apply to management employees after June 30, 1984.' By deleting that language, you delete the ability for us to evaluate employees based upon merit."

Representatives Sayan and Kreidler spoke against the amendment, and Representatives Barrett and McDonald spoke in favor of it.

Mr. B. Williams spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to Substitute House Bill No. 134, and the amendments were not adopted by the following vote: Yeas, 39; nays, 58; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson,

Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 39.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Excused: Representative Taylor - 1.

#### MOTION

On motion of Mr. Heck, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives P. King and Taylor, who were excused.

HOUSE BILL NO. 433, by Representatives Kreidler, Charnley, Pruitt, Brekke, Haugen, Ebersole, Wang, Lux, Locke, D. Nelson, Lewis, Belcher, McClure, Todd, Hine, Dellwo, Fisher, Burns, Powers, Jacobsen and Stratton

Providing for children and family services.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 433 was substituted for House Bill No. 433, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 433 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 219, by Representatives Tanner, Holland, B. Williams, Ebersole, Ellis, J. Williams, Schoon, Silver, Powers, Miller, Long, Ristuben, Martinis, Galloway, Addison, Todd, Sayan, Schmidt and Hankins

Revising the law relating to merchandise coupons.

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

HOUSE BILL NO. 44, by Representatives P. King, Crane, Todd and Allen

Modifying provisions relating to county-owned solid waste facilities.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 44 was substituted for House Bill No. 44, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 44 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Crane spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 44, and the bill passed the House by the following vote: Yeas, 89; nays, 3; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Cantu, Fuhrman - 3.

Absent: Representatives Clayton, Egger, Sommers, West - 4.

Excused: Representatives King P. Taylor - 2.

Substitute House Bill No. 44, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 134:

The House resumed consideration of the bill on second reading.

Mr. R. King moved adoption of the following amendments by Representatives R. King, Sayan and Walk:

On page 6, line 31 after "agency" strike the period and insert ";" and after line 31 insert a new subsection to read as follows:

"(21) Assuring persons who are or have been employed in classified positions under chapter 28B.16 RCW will be eligible for employment, reemployment, transfer and promotion in respect to classified positions covered by this chapter and with the same preferences as are granted to employees who are or have been employed in classified positions covered by this chapter, except that persons whose employment is terminated by an agency pursuant to a reduction in force shall have preference in respect to appointment to openings in classified positions for which they are eligible in that agency."

On page 12, line 34 after "month" strike the period and insert ";" and after line 34 insert new subsections to read as follows:

"(20) Assuring that persons who are or have been employed in classified positions under chapter 41.06 RCW will be eligible for employment, reemployment, transfer and promotion in respect to classified positions covered by this chapter and with the same preferences as are granted to employees who are or have been employed in classified positions covered by this chapter, except that persons whose employment is terminated by an institution or board pursuant to a reduction in force shall have preference in respect to appointment to openings in classified positions for which they are eligible provided by such institution or board;

(21) Assuring that any person who is or has been employed in a classified position under this chapter will be eligible for employment, reemployment, transfer and promotion in respect to classified positions at any other institution of higher education or related board and with the same preferences as are granted to employees who are or have been employed in classified positions by such other institution or board, except that persons whose employment is terminated by an institution or board pursuant to a reduction in force shall have preference in respect to appointment to openings in classified positions for which they are eligible provided by such institution or board."

Mr. R. King spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. B. Williams yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Williams, looking at this amendment and then listening to some of the discussion on the previous amendment where reference was made that there was no problem with promotion, in reading this last three lines, it seems to me that there could be a problem with some promotions. If two people were hired within a day of each other, the most senior member and the most junior member were promoted and then there was a RIF; it seems to me that the more senior member could bump that senior member because he would be eligible. Is that how you read it?"

Mr. B. Williams: "As I read this, Substitute House Bill 134 does definitely affect promotions and this further discriminates, particularly against females in government service. By adding this language if you look at the position you will give preference to the person who has been on the RIF roster, as opposed to someone who has the qualifications for the job and may be promoted."

Mr. Hastings spoke against the amendments, and Mr. Sayan spoke in favor of them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative R. King and others to Substitute House Bill No. 134, and the amendments were adopted by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler,

Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Excused: Representatives King P, Taylor - 2.

Mr. Lewis moved adoption of the following amendments by Representatives Lewis and Walk:

On page 7, after line 32 insert the following new section:

"NEW SECTION, Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

(1) It is the employment policy of the state of Washington that state officials emphasize maintaining those direct service positions which permit the agency to carry out its legislatively mandated missions. As a general rule, employment practices shall not disproportionately favor management positions. When hirings or reductions in the work force, or other employment decisions occur, the ratio of management to nonmanagement full-time equivalent positions shall not increase. In furtherance of this policy, each agency shall submit to the office of financial management by January 15 and July 15 of each year a report indicating by title each position which became vacant and each position which was filled during the previous six months.

(2) The office of financial management shall study the implementation of the hiring policy provided in this section. This study shall be presented to the financial committees of the legislature by January 31 and July 31 of each year."

Renumber remaining sections consecutively.

On page 14, after line 1 insert the following new section:

"NEW SECTION, Sec. 15. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) It is the employment policy of the state of Washington that state officials emphasize maintaining those direct service positions which permit the agency to carry out its legislatively mandated missions. As a general rule, employment practices shall not disproportionately favor management positions. When hirings or reductions in the work force, or other employment decisions occur, the ratio of management to nonmanagement full-time equivalent positions shall not increase. In furtherance of this policy, each agency shall submit to the office of financial management by January 15 and July 15 of each year a report indicating by title each position which became vacant and each position which was filled during the previous six months.

(2) The office of financial management shall study the implementation of the hiring policy provided in this section. This study shall be presented to the financial committees of the legislature by January 31 and July 31 of each year."

Renumber remaining sections consecutively.

Representatives Lewis and Addison spoke in favor of the amendments, and they were adopted.

Mr. Struthers moved adoption of the following amendment:

On page 15, following line 22 add new sections to read as follows:

"NEW SECTION, Sec. 16. There is hereby added to chapter 41.06 RCW a new section to read as follows:

Any employee whose agency is regulated by this act shall be prohibited from engaging in any work stoppage or slow down. Violation of this section shall result in a fine equal to twenty-five percent of the employee's daily wage for each day the employee participates in a work stoppage or slow down.

NEW SECTION, Sec. 17. There is hereby added to chapter 28B.16 RCW a new section to read as follows:

Any employee whose institution of higher education is regulated by this act shall be prohibited from engaging in any work stoppage or slow down. Violation of this section shall result in a fine equal to twenty-five percent of the employee's daily wage for each day the employee participates in a work stoppage or slow down."

Renumber the remaining sections consecutively.

Representatives Struthers and Barrett spoke in favor of the amendment, and Representatives Walk and Kreidler spoke against it.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to Substitute House Bill No. 134, and the amendment was not adopted by the following vote: Yeas, 41; nays, 55; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives King P, Taylor - 2.

Substitute House Bill No. 134 was ordered engrossed and passed to Committee on Rules for third reading.

Representative Niemi was excused.

## MOTION

On motion of Mr. Heck, the rules were suspended, Committee on Rules was relieved of Substitute House Bill No. 433, and it was returned to second reading and placed on the second reading calendar for immediate consideration.

**SUBSTITUTE HOUSE BILL NO. 433**, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Charnley, Pruitt, Brekke, Haugen, Ebersole, Wang, Lux, Locke, D. Nelson, Lewis, Belcher, McClure, Todd, Hine, Dellwo, Fisher, Burns, Powers, Jacobsen and Stratton)

Providing for children and family services.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendment:

On page 4, following line 18 insert:

"Sec. 9. Section 8, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.053 are each amended to read as follows:

(1) In any judicial proceeding in which it is alleged that a child has been subjected to child abuse or neglect the court shall appoint a guardian ad litem for the child: PROVIDED, That the requirement of a guardian ad litem shall be deemed satisfied if the child is represented by counsel in the proceedings.

(2) At any time prior to or during a hearing in such a case, when the court finds upon clear, cogent and convincing evidence that an incident of child abuse or neglect has occurred, the court may, on its own motion, or the motion of the guardian ad litem, or other parties, order the examination by a physician, psychologist or psychiatrist, of any parent or child or other person having custody of the child at the time of the alleged child abuse or neglect, if the court finds such an examination is necessary to the proper determination of the case. The hearing may be continued pending the completion of such examination. The physician, psychologist or psychiatrist conducting such an examination may be required to testify in the dispositional hearing concerning the results of such examination and may be asked to give his opinion as to whether the protection of the child requires that he not be returned to the custody of his parents or other persons having custody of him at the time of the alleged child abuse or neglect. Persons so testifying shall be subject to cross-examination as are other witnesses. No testimony given at any such examination of the parent or any other person having custody of the child may be used against such person in any subsequent criminal proceedings against such person or custodian concerning the abuse or neglect of the child.

(3) A parent or other person having legal custody of a child alleged to be a child subjected to abuse or neglect shall be a party to any proceeding that may as a practical matter impair or impede such person's interest in custody or control of his or her child.

(4) A guardian ad litem may request the court to reassign the caseworker of a child who may have been subjected to child abuse and neglect upon the presentation of evidence to the court that the caseworker is unable or unwilling to represent the best interests of the child.

Representatives Van Dyken and Kreidler spoke in favor of the amendment, and it was adopted.

On motion of Mr. Van Dyken, the following amendment to the title was adopted:

On page 1, line 1 following "services;" insert "amending section 8, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.053;"

Substitute House Bill No. 433 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 336, by Representatives Lux, Hankins, Garrett, Crane, Broback, Galloway, J. King, Patrick, R. King, Johnson, J. Williams, P. King, Addison, Clayton, Sanders, Hine, Kreidler, Wang, Monohon, B. Williams, Padden, Holland, Dellwo, Smith, Betrozoff, Powers, Miller, Isaacson and McMullen

Providing coverage for chiropractic services under health care services contracts.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 336 was substituted for House Bill No. 336, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 336 was read the second time.

Mr. Dickie moved adoption of the following amendment by Representatives Dickie and Rust:

On page 1, line 28 after "shall" strike "provide benefits" and insert "offer coverage"

Representatives Dickie, Rust, Zellinsky and Barnes spoke in favor of the amendment, and Representatives Lux and Crane spoke against it.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Lux, there seems to be a great deal of conversation about mandating or not mandating. I have a question regarding health care coverage. You're on Financial Institutions, but I think you've probably seen enough of these kinds of contracts. Is it unusual for that to be written as it is in the context of Substitute House Bill 336 as 'shall'? Is that the common practice for other forms of insurance carriers?"

Mr. Lux: "If you're mandating it, 'shall' is the word to use. I imagine if you are just making it an offer, then you put 'may.' The difference between 'may' and 'shall' is mandatory."

Mr. Smitherman: "I guess my question is: If I looked at other medical care coverage, would they have 'shall'?"

Mr. Lux: "If it were hospital coverage, it would say 'shall cover hospital coverage.' If it covers prescriptions, it would say 'shall cover prescriptions.' If there are any exclusions, those would be spelled out, but whatever is covered, if it is mandatory, it would say 'shall.'"

Mr. Dickie spoke again in favor of the amendment, and Mr. Lux again opposed it.

Representatives Fuhrman and Wang spoke against the amendment, and Mr. West spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Dickie and Rust to Substitute House Bill No. 336, and the amendment was not adopted by the following vote: Yeas, 34; nays, 61; excused, 3.

Voting yea: Representatives Barnes, Bond, Braddock, Brekke, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Hastings, Johnson, Kreidler, Long, McDonald, Miller, Mitchell, Nelson G, O'Brien, Rust, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 34.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Broback, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King R, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders,

Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 61.

Excused: Representatives King P. Niemi, Taylor - 3.

Mr. Dickie moved adoption of the following amendment by Representatives Dickie and Rust:

On page 1, line 28 after "chiropractic care" strike the remainder of the sentence and insert "not to exceed three hundred fifty dollars per year per covered beneficiary"

Mr. Dickie spoke in favor of the amendment, and Representatives Lux, Hankins, Barnes and Crane spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 25, following "(1)" strike all material through line 1 on page 2 and insert "Each health care service contractor providing comprehensive health care services through a group contract shall offer to provide benefits for chiropractic care on the same basis as any other care."

Mr. Barnes spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Barnes spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to Substitute House Bill No. 336, and the amendment was not adopted by the following vote: Yeas, 21; nays, 74; excused, 3.

Voting yea: Representatives Barnes, Bond, Brough, Cantu, Dickie, Fiske, Long, McDonald, Miller, Nelson G. O'Brien, Rust, Schmidt, Schoon, Smith, Tilly, Van Dyken, Vander Stoep, West, Williams J, Zellinsky - 21.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Wilson, and Mr. Speaker - 74.

Excused: Representatives King P. Niemi, Taylor - 3.

Ms. Rust moved adoption of the following amendment by Representatives Rust and Dickie:

On page 2, line 7 after "directly" insert "or through contracts"

Ms. Rust spoke in favor of the amendment, and Representatives Padden and Lux spoke against it.

Ms. Rust spoke again in favor of the amendment.

The amendment was not adopted.

Substitute House Bill No. 336 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 371, by Representatives Lux and Sanders

Modifying provisions on examinations of health care service contractors and health maintenance organizations.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 21, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 284, by Representatives Tilly, Dickie, Tanner, Egger, Fisch, Nealey, Fuhrman, Braddock and Silver

Modifying provisions relating to solemnization of marriage.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 1, line 17 strike "~~((counties)) venues~~" and insert "counties"

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage:

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 284, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King P, Niemi, Taylor - 3.

Engrossed House Bill No. 284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 409, by Representatives Tanner, Prince, Galloway, Sutherland, Heck, Grimm, Belcher, Ristuben, Monohon, J. King, Chamley and Struthers

Providing for reciprocity between Washington and Oregon for nonresident tuition waivers.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 409 was substituted for House Bill No. 409, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 409 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 533, by Representatives Lux, Sanders, P. King, Broback, Tanner, Stratton and Ballard

Defining "deadbeat list" for purposes of practices prohibited by collection agencies.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 533 was substituted for House Bill No. 533, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 533 was read the second time.

Mr. Vekich moved adoption of the following amendment by Representatives Vekich and Broback:

On page 1, line 23 after "communicating" strike everything through and including "list" on line 24 and insert "to its customers or clients by means of a coded list, the existence of a check dishonored because of insufficient funds, not sufficient funds or closed account by the financial institution servicing the debtors's checking account"

Representatives Vekich, Lux and Sanders spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 Substitute House Bill No. 533, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives King P, Niemi, Taylor - 3.

Engrossed Substitute House Bill No. 533, having received the 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. 509, by Representatives Kreidler, Lewis, Dellwo, Ballard, Wang, B. Williams, Broback, Braddock, J. King, Stratton, Ebersole and Sommers (by Department of Social and Health Services request)

Modifying provisions relating to the board of health.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 509 was substituted for House Bill No. 509, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 509 was read the second time.

On motion of Mr. Kreidler, the following amendment by Representatives Kreidler and Lewis was adopted:

On page 32, line 1 after "health" insert ", mental health"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 29, by Representatives Haugen, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Brekke, Taylor, Rust, Powers and Johnson

Removing forty percent validation requirement for excess levy elections.

The resolution was read the second time. On motion of Ms. Galloway, Substitute House Joint Resolution No. 29 was substituted for House Joint Resolution No. 29, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 29 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 439, by Representatives Haugen, Johnson, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Taylor, Brekke, Rust, Powers and Egger

Abolishing forty percent validation requirement for school districts in certain bond elections, but contingent upon passage of constitutional amendment.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 439 was substituted for House Bill No. 439, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 439 was read the second time and passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Heck, the House was adjourned until 9:45 a.m., Tuesday, March 22, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 22, 1983

The House was called to order at 9:45 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives J. King, Niemi, Taylor and Vander Stoep, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julianne Bortner and Patrick Duffy. Prayer was offered by Pastor Wayne Erickson, Bethany Lutheran Church of Bainbridge Island.

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

## MESSAGES FROM THE SENATE

March 21, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3108,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 21, 1983

Mr. Speaker:

The Senate has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 3161,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3217,

SENATE BILL NO. 3528,

SENATE BILL NO. 3530,

SENATE BILL NO. 3535,

SENATE BILL NO. 3586,

SUBSTITUTE SENATE BILL NO. 3628,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3108.

## INTRODUCTIONS AND FIRST READING

ReESSB 3161 by Committee on Local Government (originally sponsored by Senators Granlund, Zimmerman and Thompson)

Authorizing service districts for authorized county and road district facilities and improvements.

Referred to Committee on Local Government.

ESSB 3217 by Committee on Natural Resources (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Prohibiting commercial salmon fishing in waters connected to the Columbia River below Bonneville dam.

Referred to Committee on Natural Resources.

SB 3528 by Senators Granlund, Owen, Pullen and Metcalf (by Department of Corrections request)

Modifying provisions of the sale of products of vocational education programs.

Referred to Committee on Social & Health Services.

SB 3530 by Senators Granlund, Owen, Pullen, Metcalf and Deccio (by Department of Corrections request)

Requiring that prisoners sentenced to death be confined in single cells of the segregation unit.

Referred to Committee on Social & Health Services.

SB 3535 by Senators Hughes, Haley and Hurley

Modifying provisions relating to containers for milk-based and soy-based beverages.

Referred to Committee on Environmental Affairs.

SB 3586 by Senators Newhouse and Thompson

Exempting port districts from the five-year prohibition against further subdivisions of short subdivisions.

Referred to Committee on Local Government.

SSB 3628 by Committee on Natural Resources (originally sponsored by Senator Owen)

Establishing Hood Canal shrimp fishing licenses.

Referred to Committee on Natural Resources.

#### REPORT OF STANDING COMMITTEE

March 17, 1983

HB 475 Prime Sponsor, Representative Rust: Modifying provisions on waste discharge permits. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representative Hankins.

Passed to Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. Heck, HOUSE BILL NO. 268 was rereferred from Committee on State Government to Committee on Ways & Means.

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-39, by Representatives Belcher and Kreidler

WHEREAS, Six Capital High School seniors in Olympia have been chosen to represent the State of Washington at the U.S. Academic Decathlon in Los Angeles at Loyola Marymount University on April 6, competing against thirty-four other states and four foreign countries; and

WHEREAS, Those selected are: Ken McNeil, son of Mr. and Mrs. Earle McNeil; Fritz Stewart, son of Mrs. Paula Stewart; Diane Collins, daughter of Mr. and Mrs. Sidney Collins; Tracy Stefan, daughter of Mrs. Fran Stefan; Liz Miller, daughter of Mr. and Mrs. John Miller; and John Beck, son of Mr. and Mrs. Gordon Beck; and team coach and sponsor Mr. Tom Kelleher; and

WHEREAS, The Academic Decathlon involves tests in the areas of mathematics, economics, grammar and literature, fine arts, social sciences, and physical and



biological sciences, followed by a written essay, a four minute impromptu speech and seven minute interview before a panel of judges; and

WHEREAS, These six students have proved themselves worthy of the national competition; and

WHEREAS, The purposes of the Academic Decathlon are to encourage students to develop a greater respect for knowledge, to promote wholesome interschool competition in academic areas of study and interest, to stimulate intellectual growth and achievement, and to encourage public interest and awareness of outstanding programs in our schools;

NOW, THEREFORE, BE IT RESOLVED, That the Legislature honor and encourage these, our representatives to The Academic Decathlon, and recognize their individual and collective contributions to academic excellence.

On motion of Ms. Belcher, the resolution was adopted.

#### MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

#### THIRD READING

HOUSE BILL NO. 219, by Representatives Tanner, Holland, B. Williams, Ebersole, Ellis, J. Williams, Schoon, Silver, Powers, Miller, Long, Ristuben, Martinis, Galloway, Addison, Todd, Sayan, Schmidt and Hankins

Revising the law relating to merchandise coupons.

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

Representatives Tanner and B. Williams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 219, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative Moon - 1.

Absent: Representatives Nelson D, Ristuben, Todd - 3.

Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

House Bill No. 219, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE HOUSE BILL NO. 336, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Hankins, Garrett, Crane, Broback, Galloway, J. King, Patrick, R. King, Johnson, J. Williams, P. King, Addison, Clayton, Sanders, Hine, Kreidler, Wang, Monohon, B. Williams, Padden, Holland, Dellwo, Smith, Betzoff, Powers, Miller, Isaacson and McMullen)

Providing coverage for chiropractic services under health care services contracts.

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

Representatives Lux, Crane and Patrick spoke in favor of passage of the bill, and Representatives Barnes and Rust spoke against it.

## POINT OF INQUIRY

Mr. Lux yielded to question by Ms. Long.

Ms. Long: "Representative Lux, I've had several calls on the hotline on this bill, and in returning them, I find they are all chiropractors. The question I would have is: They say to me that if this bill passes, it could not result in an increased cost to anyone who had coverage, that what should occur is the individual would have the choice of whether to go to a chiropractor or some other kind of physician. Is this correct or incorrect?"

Mr. Lux: "That is correct. We discussed that yesterday; that chiropractors practice in an outpatient setting, and it is far less costly to practice there than it is in an inpatient setting in the hospital, and that's where orthopedic physicians practice."

Ms. Long: "Then it is true also that there should not be an increased cost?"

Mr. Lux: "They've found in the testimony in the committee hearing from people who have had experience with these groups that there has not been an extensive cost and in some cases, it has been less."

Ms. Long: "I don't believe you've answered my question. Did you receive testimony to the effect that this would not result in an increased cost?"

Mr. Lux: "That's correct; we did receive that type of testimony."

Mr. Barnes again opposed passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 336, and the bill passed the House by the following vote: Yeas, 79; nays, 14; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Van Dyken, Vekich, Walk, Wang, Williams B, Wilson, and Mr. Speaker - 79.

Voting nay: Representatives Barnes, Bond, Cantu, Dickie, McDonald, Nelson G, Rust, Schmidt, Schoon, Silver, Tilly, West, Williams J, Zellinsky - 14.

Absent: Representative Todd - 1.

Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

Substitute House Bill No. 336, having received the 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. 409, by Committee on Higher Education (originally sponsored by Representatives Tanner, Prince, Galloway, Sutherland, Heck, Grimm, Belcher, Ristuben, Monohon, J. King, Charnley and Struthers)

Providing for reciprocity between Washington and Oregon for nonresident tuition waivers.

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

Representatives Tanner and Heck spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 409, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt,

Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Todd - 1.

Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

Substitute House Bill No. 409, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 412, by Representatives Monohon, Sommers and Fiske

Modifying fees and expenses under the water rights codes.

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

Ms. Monohon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 412, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Todd - 1.

Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

Engrossed House Bill No. 412, having received the 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. 434, by Committee on Labor (originally sponsored by Representatives R. King, Patrick, Fisher and Lux)

Modifying provisions relating to collective bargaining.

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

Representatives R. King and Patrick spoke in favor of the bill, and Mr. Struthers spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 434, and the bill passed the House by the following vote: Yeas, 69; nays, 25; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betozoff, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Ballard, Bond, Braddock, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Haugen, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Prince, Smith, Struthers, Van Dyken, West, Williams J, Wilson - 25.

Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

Substitute House Bill No. 434, having received the 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 JOINT RESOLUTION NO. 29, by Committee on Education (originally sponsored by Representatives Haugen, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Brekke, Taylor, Rust, Powers and Johnson)

Removing forty percent validation requirement for excess levy elections.

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

Representatives Haugen, Allen, Galloway, Long, Schoon, Charnley, Heck and Moon spoke in favor of the resolution, and Representatives Addison, Barnes, G. Nelson, Tilly and Cantu spoke against it.

Ms. Haugen spoke again in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 29, and the resolution passed the House by the following vote: Yeas, 77; nays, 17; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P. King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Addison, Barnes, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Nelson G. Padden, Schmidt, Smith, Tilly, Van Dyken, Williams J. Wilson - 17.  
Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

Substitute House Joint Resolution No. 29, having received the required two-thirds majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 439, by Committee on Education (originally sponsored by Representatives Haugen, Johnson, Allen, Galloway, Moon, Ellis, Brough, Armstrong, Charnley, Taylor, Brekke, Rust, Powers and Egger)

Abolishing forty percent validation requirement for school districts in certain bond elections, but contingent upon passage of constitutional amendment.

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

Representatives Haugen and Galloway spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 439, and the bill passed the House by the following vote: Yeas, 78; nays, 15; absent, 1; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P. King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Addison, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Nelson G. Padden, Schmidt, Smith, Van Dyken, Williams J. Wilson - 15.

Absent: Representative Sanders - 1.

Excused: Representatives King J, Niemi, Taylor, Vander Stoep - 4.

Substitute House Bill No. 439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 674, by Representatives Sutherland, Tanner, J. King, B. Williams, Ristuben and Heck

Prohibiting sturgeon fishing with a set line in the Columbia River or its tributaries.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 674, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives King J. Niemi, Taylor, Vander Stoep - 4.

Engrossed House Bill No. 674, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Vander Stoep appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 134, by Committee on State Government (originally sponsored by Representatives Walk, Wang, Vekich, Kreidler, Belcher, Sayan, Patrick, O'Brien, P. King, Fisher, Ebersole, Johnson, Garrett, Lux and Ristuben)

Modifying the civil service laws for public employees.

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

Representatives Walk, Halsan, Sayan and Stratton spoke in favor of passage of the bill, and Representatives B. Williams, Miller, Barrett, Long and Struthers spoke against it.

#### MOTION

On motion of Mr. Heck, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Niemi and Taylor, who were excused.

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

#### SECOND READING

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, last night in the Energy Committee, a bill was up for a vote and was defeated, and a motion was made to reconsider. According to our rules, that motion has to be made today. Is that correct?"

The Speaker: "The Speaker does not make rulings from here on what happens in committee. Representative Hastings. I would have loved to have been there and given my personal opinion, but that doesn't apply to what I'm doing up here or what this House is doing."

HOUSE BILL NO. 701, by Representatives Schmidt, Martinis, Wilson, Zellinsky, Brough, Smitherman, Fiske, McMullen, Schoon, Clayton, Powers and Sayan

Defining capital expenditures and operations and maintenance expenses as applied to the state ferry system.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 701 was substituted for House Bill No. 701, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 701 was read the second time and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 187, by Representatives Kreidler, Lewis, Heck, Broback, Dellwo, McClure, Ballard, Wang, Niemi, Sanders, Belcher, Braddock and Patrick

Modifying provisions concerning services for the handicapped.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 187 was substituted for House Bill No. 187, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 187 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler and Lewis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 187, and the bill passed the House by the following vote: Yeas, 87; nays, 0; absent, 8; excused, 3.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J., King P., King R., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D., Nelson G., O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Zellinsky, and Mr. Speaker - 87.

Absent: Representatives Addison, Appelwick, Bond, Dellwo, Mitchell, Rust, Sommers, Wilson - 8.

Excused: Representatives Barrett, Niemi, Taylor - 3.

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

HOUSE BILL NO. 861, by Representatives Schmidt, Zellinsky, Powers, Smitherman, Fiske, G. Nelson, Wilson and Haugen

Directing the department of transportation to establish duty-free shops on state ferries.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 861 was substituted for House Bill No. 861, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 861 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 574, by Representatives Hine, Van Dyken, Garrett, Isaacson, Kreidler, Haugen, Mitchell, Allen, Ballard and Broback

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 60th Day, March 10, 1983.)

On motion of Mr. Moon, the committee amendment was adopted.

On motion of Mr. Van Dyken, the following amendment by Representatives Van Dyken and Hine was adopted:

On page 1, line 14 beginning with "and business" strike all matter down to and including "boundaries" on line 16 and insert "that the unit of local government imposes upon the sale of such supplies, materials or equipment from the supplier to the unit of local government, and business and occupation taxes that the unit of local government imposes upon the supplier that are measured by the gross receipts of the supplier from such sale."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 446, by Representatives Sayan, Dellwo, Todd, Allen, Holland, Lux, Vekich, Patrick, Crane, Brough, Ebersole, Belcher, Fisch, Fisher, Niemi, Kreidler, Betzoff, Smitherman, Zellinsky, Ristuben, Powers and Miller

Permitting access by employees to their personnel files.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 57th Day, March 7, 1983.)

On motion of Mr. R. King, the committee amendment was adopted.

#### MOTION

On motion of Mr. Heck, further consideration of House Bill No. 446 was deferred and it was ordered placed on the second reading calendar following House Bill No. 451.

HOUSE BILL NO. 435, by Representatives R. King, Patrick, Fisher, Lux and O'Brien

Defining certain emergency medical technicians as uniformed personnel for collective bargaining purposes.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 435 was substituted for House Bill No. 435, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 435 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 296, by Representatives Galloway and Miller (by Superintendent of Public Instruction request)

Modifying provisions regulating school transportation.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 296 was substituted for House Bill No. 296, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 296 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 197, by Representatives Crane, Todd, Grimm, Tanner, Jacobsen, Armstrong, P. King, Silver, Isaacson, Halsan, Fisch, Holland, Long and Johnson

Excusing prospective jurors who have already served twice in the last five years.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 197 was substituted for House Bill No. 197, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 197 was read the second time.

On motion of Mr. Crane, the following amendment by Representative Halsan was adopted:

On page 1, line 17 strike "on a jury"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane and Padden 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. 197, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Niemi, Taylor - 3.

Engrossed Substitute House Bill No. 197, having received the 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. 323, by Representatives Haugen, Wilson, Ballard, Sayan, McClure, Fisch, Vekich and Tanner

Amending the provision regarding consolidation and annexation of public utility districts.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 323 was substituted for House Bill No. 323, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 323 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 323, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner,



Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Niemi, Taylor - 3.

Substitute House Bill No. 323, having received the 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. 452, by Representatives Kreidler, Lewis and Mitchell

Creating provisions relating to blind persons.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 452 was substituted for House Bill No. 452, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 452 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 452, and the bill passed the House by the following vote: Yeas, 92; nays, 2; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 92.

Voting nay: Representatives Galloway, Walk - 2.

Absent: Representative Zellinsky - 1.

Excused: Representatives Barrett, Niemi, Taylor - 3.

Substitute House Bill No. 452, having received the 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 the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 134:

The House resumed consideration of the bill on third reading.

Representatives G. Nelson, Hastings, McDonald, B. Williams and Barnes spoke against passage of the bill, and Representatives Kreidler and Moon spoke in favor of it.

Mr. G. Nelson demanded an oral roll call vote and the demand was sustained.

Mr. R. King spoke in favor of the bill, and Mr. Schoon spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 134, and the bill passed the House by the following vote: Yeas, 58; nays, 37; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 37.

Excused: Representatives Barrett, Niemi, Taylor - 3.

Engrossed Substitute House Bill No. 134, having received the 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, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 446:

The House resumed consideration of the bill on second reading.

Mr. Chandler moved adoption of the following amendment:

On page 1, line 4 after "employer" insert "who is a party to a collective bargaining agreement"

Representatives Chandler and Smith spoke in favor of the amendment, and Representatives R. King and Sayan spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Chandler to House Bill No. 446, and the amendment was not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Barrett, Niemi, Taylor - 3.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:45 a.m., Wednesday, March 23, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 23, 1983

The House was called to order at 9:45 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Taylor and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Horton and David Busey. Prayer was offered by The Reverend George Smith, Minister of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

March 22, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3112,  
SUBSTITUTE SENATE JOINT RESOLUTION NO. 103,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 21, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3019,  
SECOND SUBSTITUTE SENATE BILL NO. 3104,  
ENGROSSED SENATE BILL NO. 3243,  
SENATE BILL NO. 3264,  
SUBSTITUTE SENATE BILL NO. 3637,  
ENGROSSED SENATE BILL NO. 3647,  
ENGROSSED SENATE BILL NO. 3777,  
SUBSTITUTE SENATE BILL NO. 4022,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 22, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3741,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3112,  
SUBSTITUTE SENATE JOINT RESOLUTION NO. 103.

## INTRODUCTIONS AND FIRST READING

E2SSB 3019 by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Bauer)

Modifying provisions relating to hearings by local government planning agencies.

Referred to Committee on Local Government.

2SSB 3104 by Committee on Ways & Means (originally sponsored by Senators Vognild, Quigg, Woody, Moore, McManus and Guess)

Authorizing public assistance payments to landlords for purpose of rent.

Referred to Committee on Ways & Means.

ESB 3243 by Senators Granlund, Fuller, Owen, McCaslin, Woody and Craswell

Exempting state correctional facilities from the requirements that a percentage of funds be used for public art.

Referred to Committee on State Government.

SB 3264 by Senators Conner, Guess, Moore, Bauer, Pullen, Bender and McCaslin

Establishing Olympic county subject to voter approval.

Referred to Committee on Constitution, Elections & Ethics.

SSB 3637 by Committee on Local Government (originally sponsored by Senators Thompson, Hemstad, Talmadge and Newhouse)

Modifying provisions relating to declaratory judgments of bond issues.

Referred to Committee on Judiciary.

ESB 3647 by Senators Thompson, Fuller, Owen, Patterson, Bauer and Moore

Modifying provisions relating to the sale of surplus salmon.

Referred to Committee on Natural Resources.

SSB 3741 by Committee on Financial Institutions (originally sponsored by Senators Moore, Haley and McManus)

Modifying provisions relating to health insurance.

Referred to Committee on Financial Institutions & Insurance.

ESB 3777 by Senators Thompson, Zimmerman and Woody

Permitting occupancy of related persons in a single residence.

Referred to Committee on Local Government.

SSB 4022 by Committee on Financial Institutions (originally sponsored by Senator Moore - by Insurance Commissioner request)

Providing for the determination of jurisdiction of providers of health care benefits.

Referred to Committee on Financial Institutions & Insurance.

#### REPORTS OF STANDING COMMITTEES

March 21, 1983

HB 162 Prime Sponsor, Representative D. Nelson: Providing for model energy conservation standards for new structures. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Energy & Utilities be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Bond and Hastings.

Absent: Representatives Brekke and Taylor.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 270 Prime Sponsor, Representative Dellwo: Providing for treatment and services for developmentally disabled persons. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 20 strike "training, therapy, and employment" and insert "training for employment, and therapy"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Ebersole, J. King, G. Nelson and Niemi.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 484 Prime Sponsor, Representative Monohon: Establishing a long-term care ombudsman program. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, Padden, Stratton, Wang, B. Williams.

Voting nay: Representatives G. Nelson and West.

Absent: Representatives Ebersole, J. King and Niemi.

Passed to Committee on Rules for second reading.

March 21, 1983

HB 550 Prime Sponsor, Representative Schoon: Providing reduced utility rates to handicapped persons. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Fiske, Hastings, Jacobsen, Locke, Miller, Moon, Nealey, Pruitt and Sutherland.

Voting nay: Representatives Bond and Fuhrman.

Absent: Representatives Gallagher and Martinis.

Passed to Committee on Rules for second reading.

March 21, 1983

HB 667 Prime Sponsor, Representative Lux: Modifying provisions on health service contractors and health maintenance organizations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Cantu, Crane, Galloway, Hankins, Johnson, Kreidler, Monohon, Vekich, Wang and West.

Absent: Representatives Ballard, Dickie, Garrett and P. King.

Passed to Committee on Rules for second reading.

March 21, 1983

HB 834 Prime Sponsor, Representative Isaacson: Requiring WPPSS to offer plants 4 and 5 for sale to private entities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Hastings, Jacobsen, Miller, Nealey, Pruitt and Sutherland.

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

Voting nay: Representatives Locke and Moon.

Absent: Representatives Todd, Vice Chair; Gallagher and Martinis.

Passed to Committee on Rules for second reading.

March 21, 1983

HB 872 Prime Sponsor, Representative J. King; Limiting deductions from payments to employers under certain industrial insurance group plans. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 11 after "title" insert "who otherwise receive payments from the state of Washington or its political subdivisions for the provision of goods or services"

On page 2, line 14 after "employer" insert "pursuant to the terms under which that employer provides such goods or services: PROVIDED, That any dividend or premium discount may be applied as an offset against the employer's delinquent premium payments"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, Patrick, Sayan, Smith and Struthers.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 905 Prime Sponsor, Representative Dellwo; Revising the determination of eligibility for certain group training homes. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "the" strike "child" and insert "person"

On page 1, line 18 after "a" strike "child" and insert "person"

On page 1, line 20 after "the" strike "child" and insert "person"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Ebersole, J. King, G. Nelson and Niemi.

Passed to Committee on Rules for second reading.

March 21, 1983

HB 919 Prime Sponsor, Representative R. King; Authorizing self-insurers to provide assignments of account as security for industrial insurance payments. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 25 strike "commercial banking institution licensed" and insert "federally or state chartered commercial banking institution authorized to conduct business"

On page 1, line 28 after "law," insert "The department shall adopt rules governing assignments of account. Such rules shall ensure that the funds are available if needed, even in the case of failure of the banking institution or of the employer's business."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Dellwo, Fisch, Fisher, Patrick, Sayan, Smith and Struthers.

Absent: Representatives Brekke and O'Brien.

Passed to Committee on Rules for second reading.

## MOTION

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-30, by Representatives Powers, Smitherman, Zellinsky, Burns, Stratton, Hine, Heck, Sayan, Dellwo, Tanner, McClure, Prince, Wang, Silver, Allen, Barrett, R. King, Charnley, Ristuben, Vekich, Addison, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Pruitt, Rust, Sanders, Schmidt, Schoon, Smith, Sommers, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, B. Williams, J. Williams and Wilson

WHEREAS, The State of Washington seeks economic recovery and economic development through attracting new industry to the state and improving the productivity and competitiveness of existing industry; and

WHEREAS, Education and training are essential to the state's efforts to attract new employees and upgrade the efficiency and effectiveness of existing business and industry; and

WHEREAS, The Washington community college system provides the state's most extensive system of job training and retraining programs, serving more than seventy thousand vocational students, offering nine hundred entry-level vocational programs, and thousands of courses for retraining and the improvement of job skills; and

WHEREAS, The community college system is fully committed to assisting the economic recovery and development objectives of the State of Washington; and

WHEREAS, John Spellman, Governor of the State of Washington, has proclaimed March 23, 1983, as Community College Day;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington commend the Washington State community colleges for their fine efforts on behalf of economic development and job skills training objectives; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington invite the citizens of Washington to celebrate Community College Day and to support the activities commemorating the contributions of Washington community colleges; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the Presidents of Washington State's community colleges.

On motion of Ms. Powers, the resolution was adopted.

## MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

## THIRD READING

ENGROSSED HOUSE BILL NO. 140, by Representatives Lux, Zellinsky, Broback, Garrett, Wang, Lewis, Johnson, Isaacson, R. King, McDonald, Dellwo and Holland (by Insurance Commissioner request)

Requiring certain information to be provided to 62 year old life insurance policyowners.

The bill was read the third time and 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 House Bill No. 140, and the bill passed the House by the following vote: Yeas, 80; nays, 12; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, and Mr. Speaker - 80.

Voting nay: Representatives Barnes, Barrett, Clayton, Egger, Haugen, King J, Padden, Sanders, Silver, Tilly, West, Zellinsky - 12.

Absent: Representatives Bond, Kreidler, Nelson G, Smitherman - 4.

Excused: Representatives Taylor, Wilson - 2.

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

HOUSE BILL NO. 260, by Representatives Haugen and Clayton (by State Patrol request)

Authorizing the state patrol to charge fees for certain criminal records.

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

Ms. Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 260, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Tilly - 1.

Excused: Representatives Taylor, Wilson - 2.

House Bill No. 260, having received the 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. 296, by Committee on Education (originally sponsored by Representatives Galloway and Miller; by Superintendent of Public Instruction request)

Modifying provisions regulating school transportation.

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

Ms. Galloway spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Galloway yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Galloway, my question is the other body on the other side of the rotunda has not seen fit to fund K through 12 transportation, and my concern with this bill is what would happen to K-12 transportation? I have a document here that identifies that and I just wanted you to explain to the body, with the budget that is being proposed by the other side of the rotunda, what will happen to K-12 transportation?"

Ms. Galloway: "Well, Representative Struthers, I believe that we have not completed the budget process, and this bill leaves discretion of funding transportation to the legislature. That budget has to be approved by both bodies before it can go



to the governor for finalization. I'm hoping we will do better than the 55% to 58% that we have recently in effect."

Mr. Struthers: "Representative Galloway, then it is necessary to fund K-12 transportation in order to fund and implement this bill we are speaking of on third reading?"

Ms. Galloway: "Yes, this is a policy statement. This is a direction to the legislature for funding. This is a funding formula, and it leaves the discretion to the school districts as to which students will ride and the transportation route. However, it is up to the legislature to determine the funding for pupil transportation."

Representatives Struthers, Long and Addison spoke in opposition to the bill, and Representatives Charnley, Dickie and P. King spoke in favor of it.

#### POINT OF INQUIRY

Ms. Galloway yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Galloway, I have a question on page 4 of the bill which defines eligible students. The definition is for a student whose route stop (it used to say 'residence') is more than one radius mile from the student's school. I guess that brings to mind the question that if a student lives inside of the one-mile radius, but the school district were to choose to assign that student to a bus stop immediately outside the one-mile radius, where the school district could still make a claim that the student's route stop is outside the one-mile radius and, therefore, request state funding for this student even though it appeared that they were attempting to circumvent the law. I'd like to know the legislative intent of the definition under the example I gave you."

Ms. Galloway: "The intent is to transport those children who live outside one radius mile; however, the school district has complete authority in determining where the route stops will be and which children will be transported. The board has that authority."

Mr. Cantu: "I understand the authority the board has, but my question is: For the purpose of determining state-funding eligibility for the student, whether or not that district would be compensated by the state if that student lived within one mile, but was assigned a route stop outside the one mile by the district for the purpose of collecting state funding for the transportation purposes?"

Ms. Galloway: "There is no way to absolutely assure that will not happen; however, the districts do have to submit a map showing where the route stops are, and if they were all on the border of the radius mile, I would guess that would be questioned. The numbers of students that will be riding also will have to be submitted for the prior year as well as the current year."

Mr. Cantu spoke against the bill, and Ms. Galloway spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 296, and the bill passed the House by the following vote: Yeas, 87; nays, 8; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brække, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Addison, Bond, Cantu, Long, Struthers, Vander Stoep, West, Williams J - 8.

Absent: Representative Schoon - 1.

Excused: Representatives Taylor, Wilson - 2.

Substitute House Bill No. 296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 371, by Representatives Lux and Sanders

Modifying provisions on examinations of health care service contractors and health maintenance organizations.

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

Mr. Lux spoke in favor of passage of the bill, and Mr. Zellinsky spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 371, and the bill passed the House by the following vote: Yeas, 79; nays, 17; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Bond, Brekke, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 79.

Voting nay: Representatives Barnes, Betrozoff, Braddock, Broback, Brough, Egger, Fisch, Garrett, Haugen, King P, Schmidt, Schoon, Smitherman, Tanner, West, Williams J, Zellinsky - 17.  
Excused: Representatives Taylor, Wilson - 2.

Engrossed House Bill No. 371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 433, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Charnley, Pruitt, Brekke, Haugen, Ebersole, Wang, Lux, Locke, D. Nelson, Lewis, Belcher, McClure, Todd, Hine, Dellwo, Fisher, Burns, Powers, Jacobsen and Stratton)

Providing for children and family services.

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

Representatives Kreidler, Lewis and Stratton 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. 433, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Taylor, Wilson - 2.

Engrossed Substitute House Bill No. 433, having received the 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. Wang, the House advanced to the eighth order of business.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-41, by Representatives Todd, Crane, Brough and Schoon

WHEREAS, The Auburn High School Trojans captured the Class AAA girls' basketball championship by defeating the previously unbeaten Everett Seagulls by a score of 55 to 50; and

WHEREAS, The Auburn Trojans compiled a remarkable season record of twenty-seven victories and no losses; and

WHEREAS, The Auburn High School Trojans withstood the pressure of being rated number one in the state throughout the entire season and achieved that goal with dedication, determination, and competitive zeal; and

WHEREAS, The outstanding performance by the Auburn girls' basketball team demonstrates commendable dedication by the team coach, Dennis Olson, and by each member of the team, consisting of Lisa Raschkow, Denise Bruce, Tina Greenwood, Rachel Anderson, Chris Bursch, Jennifer Cortel, Julie Moberg, Michelle Tracy, Carla Curtman, Darlene Haven, April Lucht, and Jonni Mauch; and

WHEREAS, Senior team captain Lisa Raschkow led the team with seventeen points in the championship game and was voted the most valuable player in the tournament;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That our congratulations be conveyed to the team by the adoption of this resolution; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the coach and each member of the Auburn High School Trojans girls' basketball team.

Mr. Todd moved adoption of the resolution. Representatives Todd, Brough, Crane and Schoon spoke in favor of the resolution.

House Resolution No. 83-41 was adopted.

## MOTION

On motion of Mr. Wang, the House reverted to the seventh order of business.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 435, by Committee on Labor (originally sponsored by Representatives R. King, Patrick, Fisher, Lux and O'Brien)

Defining certain emergency medical technicians as uniformed personnel for collective bargaining purposes.

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

Representatives R. King and Patrick spoke in favor of the bill, and Mr. Struthers spoke against it.

## POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Ballard.

Mr. Ballard: "Representative King, in this bill is there anything that has to do with the decision that will be made medically? For instance, will there be any negotiations from the paramedic as to what medical procedures will or will not be performed and how they shall or shall not be performed?"

Mr. R. King: "There is nothing in this bill that would change the law relative to paramedics as it has been in the past. When this issue came up before the Labor Committee, there were no examples given of paramedics attempting to negotiate medical questions, and I certainly would not see the intent of this legislature to allow the para-professional to make professional decisions. That's not the intent of this at all. It's just the working conditions and things that are normally negotiated."

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 435, and the bill passed the House by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Ballard, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams J - 41.

Excused: Representatives Taylor, Wilson - 2.

Substitute House Bill No. 435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 509, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Lewis, Dellwo, Ballard, Wang, B. Williams, Broback, Braddock, J. King, Stratton, Ebersole and Sommers; by Department of Social and Health Services request)

Modifying provisions relating to the board of health.

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

Representatives Kreidler, B. Williams, Sommers and Lewis spoke in favor of passage of the bill, and Representatives Braddock and Fiske spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 509, and the bill passed the House by the following vote: Yeas, 82; nays, 14; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Wang, Williams B, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Bond, Braddock, Cantu, Egger, Fiske, Halsan, Haugen, Nealey, Ristuben, Schoon, Van Dyken, Walk, West, Williams J - 14.

Excused: Representatives Taylor, Wilson - 2.

Engrossed Substitute House Bill No. 509, having received the 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, the House recessed until 1:15 p.m.

## AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Niemi, Taylor and Wilson, who were excused.

ENGROSSED HOUSE BILL NO. 574, by Representatives Hine, Van Dyken, Garrett, Isaacson, Kreidler, Haugen, Mitchell, Allen, Ballard and Broback

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

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

Representatives Hine and Moon spoke in favor of passage of the bill, and Mr. McDonald spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 574, and the bill passed the House by the following vote: Yeas, 83; nays, 3; absent, 9; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Cantu, McDonald, Williams J - 3.

Absent: Representatives Clayton, Crane, Fiske, Haugen, Isaacson, Locke, McMullen, Vekich, West - 9.

Excused: Representatives Niemi, Taylor, Wilson - 3.

Engrossed House Bill No. 574, having received the 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. 701, by Committee on Transportation (originally sponsored by Representatives Schmidt, Martinis, Wilson, Zellinsky, Brough, Smitherman, Fiske, McMullen, Schoon, Clayton, Powers and Sayan)

Defining capital expenditures and operations and maintenance expenses as applied to the state ferry system.

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

Ms. Schmidt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 701, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent, 7; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representative Todd - 1.

Absent: Representatives Crane, Fiske, Haugen, Isaacson, McMullen, Vekich, West - 7.

Excused: Representatives Niemi, Taylor, Wilson - 3.

Substitute House Bill No. 701, having received the 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. 765, by Representatives R. King and Clayton

Adjusting amount of workers' compensation payable to certain injured workers.

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

Mr. R. King spoke in favor of passage of the bill.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "I notice that there was a fiscal note requested on February 25, 1983, and yet there is none in the book. I wonder, if there is one, where it is? I understand this does have a substantial fiscal impact, and I think before this body passes it, we should have it."

#### MOTIONS

On motion of Mr. Heck, further consideration of House Bill No. 765 was deferred, and the bill was ordered placed at the bottom of today's third reading calendar.

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

#### SECOND READING

HOUSE BILL NO. 446, by Representatives Sayan, Dellwo, Todd, Allen, Holland, Lux, Vekich, Patrick, Crane, Brough, Ebersole, Belcher, Fisch, Fisher, Niemi, Kreidler, Betrozoff, Smitherman, Zellinsky, Ristuben, Powers and Miller

Permitting access by employees to their personnel files.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

On motion of Mr. Ballard, the following amendments by Representatives Ballard and Sayan were adopted:

On page 1, line 19 following "file" insert "If the employer and the employee do not agree on whether a record or piece of information is irrelevant or erroneous, the employee may at his or her request have placed in the employee's personnel file a statement containing the employee's rebuttal or correction."

On page 1, line 26 following "employee," insert "Sections 1 and 2 of this act do not apply to information or records compiled in preparation for an impending lawsuit which would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Ballard spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Sayan, within the bill itself I find no provision that indicates how long the personnel records may be kept for the employee who has left the organization. Is it the intent of the bill that once the employee leaves, personnel files are destroyed?"

Mr. Sayan: "There is no intent to do anything in this bill, Representative Schoon, other than is spelled out here and that is that if the file is in existence, the conditions set forth here apply. We do not intend to create files nor to destroy files."

Representatives Schoon and Smith spoke against passage of the bill, and Representatives Sayan and Betrozoff spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 446, and the bill passed the House by the following vote: Yeas, 76; nays, 19; excused, 3.

Voting yea: Representatives Addison, Allen, Appewick, Armstrong, Ballard, Belcher, Betrozoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Barnes, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Isaacson, Nealey, Padden, Sanders, Schmidt, Schoon, Smith, West, Williams J - 19.

Excused: Representatives Niemi, Taylor, Wilson - 3.

Engrossed House Bill No. 446, having received the 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. 85, by Representatives R. King and Patrick

Revising definitions and procedures of public employees' collective bargaining.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 85 was substituted for House Bill No. 85, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 85 was read the second time.

Mr. Isaacson moved adoption of the following amendment:

On page 2, line 20 after "(1)" strike all material through "larger" on line 21 and insert "By a county of 150,000 or more persons"

Mr. Isaacson spoke in favor of the amendment, and Representatives R. King, Patrick and Sayan spoke against it.

Mr. Isaacson spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Padden.

Mr. Padden: "Representative King, could you tell me under the current law, and also with this amendment, exactly what counties we are talking about? Which ones are new and which ones would be eliminated by the amendments that are included in the bill?"

Mr. R. King: Under the bill, the counties that would be added include Pierce, Snohomish, Spokane, Clark, Kitsap, Yakima, Benton, Thurston, Whatcom and Cowlitz. The last four I mentioned would be taken out by the amendment because they have populations under 150,000. Those would be Benton, Thurston, Whatcom and Cowlitz."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Isaacson to Substitute House Bill No. 85, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fiske, Fuhrman, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Niemi, Taylor, Wilson - 3.

Substitute House Bill No. 85 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 541, by Representatives Martinis, Lewis, Braddock and Ellis

Modifying provisions on sales and use taxes for public transportation purposes.

The bill was read the second time.

On motion of Mr. McDonald, House Bill No. 541 was rereferred to Committee on Ways & Means.

HOUSE BILL NO. 59, by Representatives R. King, Clayton, Grimm, Sutherland, Todd, Isaacson, Addison, Hankins, Gallagher, Lux, Dellwo, Garrett and Lewis

Repealing the provision relating to registration of apprenticeship agreements and the payment of registration fees.

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

HOUSE BILL NO. 101, by Representatives Tilly, Locke, Barnes and Miller

Amending provisions concerning primaries for nonpartisan positions.

The bill was read the second time.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Tilly:

On page 1, after line 22 strike all of sections 2 and 3 and insert the following:

"Sec. 2. Section 2, chapter 10, Laws of 1970 ex. sess. as last amended by section 8, chapter 183, Laws of 1979 ex. sess. and RCW 29.21.180 are each amended to read as follows:

No primary shall be held (~~relating to the office of state superintendent of public instruction or, except for any school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, officers of other first class school districts~~) for any nonpartisan position except under RCW 28A.57.425 or except for county offices in counties where a charter adopted under Article XI, section 4 of the state Constitution provides otherwise if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event all candidates concerned shall be notified. Names of candidates that would have been printed upon the primary ballot, but for the provisions of this section, shall be printed upon the general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

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."

Representatives Locke and Tilly spoke in favor of the amendment, and it was adopted.

On motion of Mr. Locke, the following amendments to the title were adopted:

In line 3 of the title after "29.21.150;" insert "and" and on line 6 of the title after "29.21.180: strike "; and providing an effective date"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 126, by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Halsan, Sayan, Patrick, O'Brien, P. King, Zellinsky, Powers, Fisher, Ebersole, Appelwick, Johnson, Garrett, Charnley, Lewis, Addison, Miller and Ristuben

Extending the time period for the restoration of withdrawn retirement contributions.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 126 was substituted for House Bill No. 126, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 126 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 127, by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett

Modifying the manner by which travel reimbursement rates for state employees are set.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 127 was substituted for House Bill No. 127, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 127 was read the second time.



Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and Kreidler:

On page 4, following line 10 insert:

**NEW SECTION, Sec. 5.** (1) The division of purchasing of the department of general administration shall enter into written agreements with a private travel agency or agencies to provide travel services for state employees' business-related travel. All such agreements shall provide for all services, manpower, reference material, and automation equipment required to assist state employees in their business-related travel needs.

(2) Any agreement entered into under subsection (1) of this section may be terminated by either party to the agreement upon giving thirty days' written notice to the other party.

**NEW SECTION, Sec. 6.** A private travel agency holding an agreement with the department of general administration shall use discount fares: PROVIDED, That if a discount fare was unavailable, or was available but was not used, such agency shall include with its bill to the state for services rendered a statement explaining why no discount fare was used.

**NEW SECTION, Sec. 7.** The state shall pay its billings under any agreement established under section 5 of this act within fifteen days after the travel is completed.

**NEW SECTION, Sec. 8.** Sections 5 through 7 of this act are each added to chapter 43.19 RCW."

On motion of Mr. Heck, further consideration of Substitute House Bill No. 127 was deferred.

HOUSE BILL NO. 89, by Representatives D. Nelson, Niemi, Lux, Isaacson, Rust, Haugen, Hankins, Johnson, Tanner and Brekke

Relieving counties and cities from an obligation to include nuclear attack evacuation plans in their emergency services plans.

The bill was read the second time.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 16 strike "political subdivision" and insert "city with a population greater than 400,000"

Representatives Vander Stoep and Barnes spoke in favor of the amendment, and Representatives D. Nelson, Halsan and Addison spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to House Bill No. 89, and the amendment was not adopted by the following vote: Yeas, 32; nays, 63; excused, 3.

Voting yea: Representatives Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Hastings, Isaacson, Johnson, King J, Long, Miller, Nealey, Nelson G, Padden, Prince, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Van Dyken, Vander Stoep, West, Williams B, Williams J - 32.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 63.

Excused: Representatives Niemi, Taylor, Wilson - 3.

Ms. Niemi appeared at the bar of the House.

Mr. Bond moved adoption of the following amendment:

On page 1, line 18 strike "a nuclear attack" and insert ", or reaction to, any disaster"

Representatives Bond, Barrett, Isaacson, B. Williams and Barnes spoke in favor of the amendment, and Representatives D. Nelson, Galloway and Charnley spoke against it.

Mr. D. Nelson again opposed the amendment, and Mr. Bond spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to House Bill No. 89, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; absent, 1; excused, 2.

Voting yea: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 52.

Absent: Representative Kreidler - 1.

Excused: Representatives Taylor, Wilson - 2.

House Bill No. 89 was passed to Committee on Rules for third reading.

## MOTION

Mr. Patrick moved that the Committee on Constitution, Elections & Ethics be relieved of HOUSE BILL NO. 247, and the bill be placed at the top of today's second reading calendar.

Representatives Patrick, G. Nelson, Vander Stoep, Barnes, Van Dyken, Ballard, Miller and McDonald spoke in favor of the motion, and Representatives Heck, Pruitt, Niemi, R. King, Moon and Fisch spoke against it.

Representatives Barnes and Patrick spoke again in favor of the motion.

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

## ROLL CALL

The Clerk called the roll on the motion that the Committee on Constitution, Elections & Ethics be relieved of House Bill No. 247, and the motion was lost by the following vote: Yeas, 41; nays, 55; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Taylor, Wilson - 2.

## MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Thursday, March 24, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 24, 1983

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fisher and Taylor, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Trish Mikelsen and John Fiske. Prayer was offered by The Reverend George Smith, Minister of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

March 22, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3026,  
 SUBSTITUTE SENATE BILL NO. 3299,  
 SUBSTITUTE SENATE BILL NO. 3589,  
 SUBSTITUTE SENATE BILL NO. 3645,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3757,  
 ENGROSSED SENATE BILL NO. 3846,  
 SENATE BILL NO. 4018,  
 SENATE BILL NO. 4021,  
 ENGROSSED SENATE BILL NO. 4112,  
 SUBSTITUTE SENATE BILL NO. 4226,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 23, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1038,  
 SUBSTITUTE SENATE BILL NO. 3053,  
 SUBSTITUTE SENATE BILL NO. 3068,  
 SENATE BILL NO. 3128,  
 ENGROSSED SENATE BILL NO. 3297,  
 SUBSTITUTE SENATE BILL NO. 3622,

and the same are herewith transmitted.

Sidney R. Snyder Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1038.

## INTRODUCTIONS AND FIRST READING

SSB 3026 by Committee on Energy & Utilities (originally sponsored by Senators Hurley and Bauer)

Authorizing the state patrol to prohibit transportation of hazardous and radioactive wastes during adverse weather conditions.

Referred to Committee on Energy & Utilities

SSB 3053 by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse; by Department of Labor and Industries request)

Authorizing fees for and continuing the contractors registration program.

Referred to Committee on Commerce & Economic Development

SSB 3068 by Committee on Agriculture (originally sponsored by Senator Moore)

Modifying provisions relating to the distribution of donated food to needy persons.

Referred to Committee on Agriculture

SB 3128 by Senators Talmadge, Hemstad and Hughes

Modifying conditions under which attorneys fees and costs may be awarded in condemnation proceedings.

Referred to Committee on Judiciary

ESB 3297 by Senators Hansen, Barr, Goltz and Benitz (by Department of Agriculture request)

Modifying various provisions concerning the department of agriculture.

Referred to Committee on Agriculture

SSB 3299 by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn)

Modifying definition of personal leases.

Referred to Committee on Financial Institutions & Insurance

SSB 3589 by Committee on Education (originally sponsored by Senators Goltz, Metcalf, Rasmussen and Jones)

Extending the tuition and fee limits for Viet Nam Veterans.

Referred to Committee on Higher Education

SSB 3622 by Committee on State Government (originally sponsored by Senators Shinpoch, Jones, Fleming, Bottiger, Sellar, Hayner and Clarke)

Creating the legislative facilities committee to provide legislative control over legislative buildings.

Referred to Committee on State Government

SSB 3645 by Committee on Social & Health Services (originally sponsored by Senators McManus, Talmadge, Rinehart, Hemstad, Lee, Kiskaddon, Fleming and Moore)

Modifying provisions relating to mental health insurance.

Referred to Committee on Social & Health Services

ESSB 3757 by Committee on Social & Health Services (originally sponsored by Senators McManus, Deccio, Lee, Thompson, Conner, Hansen, Peterson, Kiskaddon, Zimmerman, Bauer, Sellar, Vognild, Guess, Pullen, Hurlley, Moore, Fleming, Haley, Hayner and Granlund)

Modifying provisions relating to nursing homes.

Referred to Committee on Social & Health Services

ESB 3846 by Senators Talmadge, Warnke and Vognild

Providing for the redemption of vehicles impounded by cities and towns.

Referred to Committee on Transportation

SB 4018 by Senator Moore

Altering provisions relating to credit life insurance.

Referred to Committee on Financial Institutions & Insurance

SB 4021 by Senator Moore (by Insurance Commissioner request)

Modifying provisions on annual statements required of insurance companies.

Referred to Committee on Financial Institutions & Insurance

ESB 4112 by Senators Peterson, Patterson and Hansen

Bringing vehicle size and load restrictions into conformity with federal standards.

Referred to Committee on Transportation

SSB 4226 by Committee on Agriculture (originally sponsored by Senators Hansen and Barr)

Providing for sanitation programs and other programs concerning tree fruit.

Referred to Committee on Agriculture

#### REPORTS OF STANDING COMMITTEES

March 22, 1983

HB 146 Prime Sponsor, Representative Locke: Modifying provisions relating to the Asian-American Affairs Commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Hankins, Ranking Minority Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Voting nay: Representatives J. Williams, Ranking Minority Vice Chair and Bond.

Absent: Representatives Niemi, Vice Chair and Taylor.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 282 Prime Sponsor, Representative Ebersole: Modifying procedures for truancy school children. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Egger, Haugen, Heck, Holland, Johnson, Ristuben, Rust and Zellinsky.

Voting nay: Representatives Betzoff, Chandler, Fuhrman and Wang.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 342 Prime Sponsor, Representative Kreidler: Authorizing limited access to state records for research purposes. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, G. Nelson and B. Williams.

Voting nay: Representatives Padden, Stratton, Wang and West.

Absent: Representatives Ebersole, J. King and Niemi.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 410 Prime Sponsor, Representative Monohon: Authorizing fees to be charged by the department of ecology. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Hankins, Jacobsen, Lewis, Lux, Van Dyken and J. Williams.

Absent: Representative Pruitt.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 432 Prime Sponsor, Representative Dellwo: Prohibiting law enforcement personnel from being required to submit to lie detector tests. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 436 Prime Sponsor, Representative Monohon: Exempting persons over sixty-five from fees for collecting wood from state beaches and parks. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Isaacson, Johnson, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep and Vekich.

Voting nay: Representatives Fiske, Haugen and Locke.

Absent: Representatives Fuhrman, Ranking Minority Vice Chair; Martinis, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 453 Prime Sponsor, Representative Heck: Providing funding for the Washington association of sheriffs and police chiefs to administer state-wide law enforcement programs. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Referred to Committee on Ways & Means.

March 23, 1983

HB 480 Prime Sponsor, Representative Belcher: Modifying the provisions regulating surface mines. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, McClure, McMullen, Sayan, Sommers, Sutherland and Vekich.

Voting nay: Representatives Sanders and Vander Stoep.

Absent: Representatives Fuhrman, Ranking Minority Vice Chair; Martinis, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 565 Prime Sponsor, Representative Smitherman: Researching the creation of high technology jobs in the south Puget Sound region. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schoon, Smitherman, Walk and Wilson.

Voting nay: Representatives B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Padden, Silver, Stratton and Tilly.

Absent: Representatives Addison, Barrett, Powers, Schmidt and Van Dyken.

Referred to Committee on Ways & Means.

March 22, 1983

HB 569 Prime Sponsor, Representative Fisher: Prescribing duties of county auditors or elections official handling public disclosure reports. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Tanner, Vander Stoep and Zellinsky.

Absent: Representative Sommers.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 596 Prime Sponsor, Representative Todd: Modifying provisions on the state building code. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 27 strike "chapter ((+))" and insert "chapters 11 and"

On page 1, line 27 after "code" strike "is" and insert "((ts)) are"

Signed by Representatives Walk, Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives Niemi, Vice Chair and Taylor.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 603 Prime Sponsor, Representative Belcher: Requiring real estate listing forms to explain that commissions are negotiable. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Appelwick, Braddock, Brough, Ellis, Halsan, Haugen, Niemi, Padden, Powers, Schoon, Silver, Smitherman, Stratton, Van Dyken, Walk and Wilson.

Voting nay: Representatives Tanner, Vice Chair; Ebersole and Kaiser.

Absent: Representatives Addison, Barrett, Powers, Schmidt and Van Dyken.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 618 Prime Sponsor, Representative Belcher: Permitting employees to participate in state deferred compensation plans. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives Niemi, Vice Chair; Lux and Taylor.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 661 Prime Sponsor, Representative Halsan: Modifying provisions on forest protection. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep and Vekich.

Absent: Representatives Fuhrman, Ranking Minority Vice Chair; Martinis, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 683 Prime Sponsor, Representative Vekich: Providing for interest on workers compensation awards, if appealed. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 6 strike all material down through "award." on line 13 and insert:

"When a worker or beneficiary prevails in an appeal by the employer to the board or in an appeal by the employer to the court from the decision and order of the board, the worker or beneficiary shall be entitled to interest at the rate of twelve percent per annum on the additional or unpaid amount of the award. The interest shall accrue from the date of the department's order granting the award or denying payment of the award. The interest shall be paid by the party having the obligation to pay the award. The amount of interest to be paid shall be fixed by the board or court, as the case may be."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan, Smith and Struthers.

Absent: Representatives Clayton, Ranking Minority Chair and O'Brien.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 687 Prime Sponsor, Representative Lux: Revising provisions relating to banks. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Galloway, Garrett, Hankins, P. King, Kreidler, Vekich, Wang and West.

Absent: Representatives Dickie, Hankins, Johnson and Monohon.

Passed to Committee on Rules for second reading.



March 22, 1983

HB 713 Prime Sponsor, Representative Charnley: Providing procedures for contributions by cities and towns to county or city-county health departments. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, G. Nelson, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Ebersole, J. King and Niemi.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 724 Prime Sponsor, Representative R. King: Restricting circumstances under which an employer may lay off injured workers. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 6 strike all material down through "perform." on line 10 and insert:

"A worker who has been suspended or terminated by an employer due to an injury which entitles a worker to benefits under this title shall have a right to reemployment if the employer has work available and the worker is capable of doing that work. The worker shall be given first preference for reemployment in any position which the worker is capable of performing, if the worker applies for such position within a reasonable period of time. Any employer who violates this section shall be subject to a fine not to exceed \$500, which shall be paid into the accident fund. In addition, the employer shall be liable to the employee for two months of wages which shall be collectible by the department on behalf of the employee."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan and Struthers.

Voting nay: Representatives Chandler, Ranking Minority Vice Chair and Smith.

Absent: Representative Clayton, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 756 Prime Sponsor, Representative Brekke: Permitting the appropriate directors to name designees to be members of the interagency committee for outdoor recreation. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "public lands" strike "or the commissioner's designee"

On page 1, line 13 after "director of fisheries," insert "or their designees."

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Van Dyken and J. Williams.

Absent: Representative Pruitt.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 787 Prime Sponsor, Representative Sayan: Excluding weekend duty military reserve pay from the definition of remuneration for purposes of unemployment compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Voting nay: Representatives Chandler, Ranking Minority Vice Chair; Betzoff, Patrick, Smith and Struthers.

Absent: Representative Clayton, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 790 Prime Sponsor, Representative Sommers: Establishing a higher education course designation and numbering system. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 804 Prime Sponsor, Representative Smitherman: Requiring agencies to prepare annual program goals and objectives. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives Niemi, Vice Chair and Taylor.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 840 Prime Sponsor, Representative Ebersole: Modifying provisions relating to consumer warranties. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, G. Nelson, Schmidt and Wang.

Voting nay: Representatives Cantu, Hastings and Tilly.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 856 Prime Sponsor, Representative Addison: Lowering the age of law enforcement and fire fighter's children exempt from college and university tuition fees. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Brough, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representative Barrett.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 860 Prime Sponsor, Representative Jacobsen: Requiring notification of condominium associations before condominium sales are closed. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 6 strike "Thirty" and insert "Not less than ten"

Signed by Representatives McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt and Wang.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 906 Prime Sponsor, Representative Kreidler: Modifying provisions regarding developmentally disabled juveniles living in out-of-home placements. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, G. Nelson, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Ebersole, J. King and Niemi.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 921 Prime Sponsor, Representative Armstrong: Including meter tampering within the definition of theft. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Barnes, Bond, Gallagher, Jacobsen, Locke, Miller, Nealey and Pruitt.

Voting nay: Representatives Hastings, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Fuhrman, Isaacson, Moon and Sutherland.

Absent: Representatives Fiske and Martinis.

Passed to Committee on Rules for second reading.

March 23, 1983

HCR 14 Prime Sponsor, Representative Belcher: Creating a study pertaining to the development of a management plan for the Nisqually River corridor. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux and Van Dyken.

Voting nay: Representatives Clayton, Hankins and J. Williams.

Absent: Representative Pruitt.

Passed to Committee on Rules for second reading.

March 22, 1983

ESB 3134 Prime Sponsor, Senator Peterson: Extending the license fee on the use of certain special fuels in motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 17 insert a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 44.40 RCW a new section to read as follows:

Prior to the start of each regular legislative session in an odd-numbered year, the legislative transportation committee shall review the policy of the state concerning fees imposed on nonpolluting fuels under RCW 82.38.075, and shall report its findings and recommendations for change, if any, to the legislature."

Renumber the remaining sections consecutively.

On page 1, line 3 of the title after "RCW 82.38.075;" insert "adding a new section to chapter 44.40 RCW;"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Clayton, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Barrett, Charnley, Hankins, McMullen and Sanders.

Passed to Committee on Rules for second reading.

March 22, 1983

ESB 3191 Prime Sponsor, Senator Goltz: Permitting local authorities to reduce speed limits below twenty miles per hour. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Clayton, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith and Walk.

Voting nay: Representatives Fisch, Vekich and J. Williams.

Absent: Representatives Barrett, Charnley, Hankins and Sanders.

Passed to Committee on Rules for second reading.

March 22, 1983

SB 3211 Prime Sponsor, Senator Peterson: Modifying provisions on aircraft fuel taxes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 32 after "period" strike "March" and insert "May"

On page 3, line 2 after "effect" strike "March" and insert "May"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Barrett, Charnley and McMullen.

Passed to Committee on Rules for second reading.

March 22, 1983

SSB 3538 Prime Sponsor, Committee on Transportation: Removing the traffic safety commission from the Sunset schedule and revising certain powers and duties. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Smith and J. Williams.

Voting nay: Representative Walk.

Absent: Representatives Barrett, Charnley, Sanders, Schmidt and Vekich.

Passed to Committee on Rules for second reading.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 127, by Committee on Ways & Means (originally sponsored by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett)

Modifying the manner by which travel reimbursement rates for state employees are set.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker stated the question before the House to be the amendment by Representatives Schmidt and Kreidler, adding new sections on page 4, after line 10.

Mr. Wang moved adoption of the following amendment by Representatives Wang and Schmidt to the Schmidt amendment:

On line 3 of the amendment after "agreements" insert "acknowledging the provisions of chapter 43.19 RCW"

Representatives Wang and Schmidt spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Lux, the following amendment to the amendment was adopted:

On line 9 of section 5 after "to the" insert "written"

Mr. Lux moved adoption of the following amendment to the amendment:

Strike all of section 7 and insert the following:

"NEW SECTION, Sec. 7. The state shall receive a two percent discount on all billings under any agreement established under section 5 of this act if billings are paid within fifteen days after the travel is completed."

Mr. Lux spoke in favor of the amendment to the amendment, and Ms. Schmidt spoke against it.

Mr. Lux spoke again in favor of the amendment.

The amendment to the amendment was not adopted.

Ms. Schmidt spoke in favor of the amendment as amended, and it was adopted.

On motion of Ms. Schmidt, the following amendment to the title was adopted:

On page 1, line 7 following "RCW 43.03.010;" insert "adding new sections to chapter 43.19 RCW;"

Substitute House Bill No. 127 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 378, by Representatives Fiske, J. King, Cantu, Garrett, Hastings, B. Williams, Sommers, Stratton, Sanders, G. Nelson, Long, Holland, Bond, Lewis, Taylor, Struthers, Isaacson, Barrett, Haugen, J. Williams, Hankins, McDonald, Smith and Clayton

Authorizing a study of the printing and binding needs of state agencies.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 65th Day, March 15, 1983.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 478, by Representatives Belcher, Fisch, O'Brien, Braddock, Jacobsen and Galloway (by Secretary of State request)

Providing methods to retrieve public records possessed without authorization.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 478 was substituted for House Bill No. 478, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 478 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 536, by Representatives Powers, Allen, Charnley, Armstrong, Garrett, Patrick, Ebersole, Fisher, Lux, G. Nelson, Martinis and Braddock

Removing certain restrictions on the use of motor vehicle excise tax revenues for public transportation.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 65th Day, March 15, 1983.)

On motion of Ms. Powers, the committee amendments were adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 538, by Representatives Garrett, Charnley, Allen, Lux, Broback, Crane, Patrick, Hine, G. Nelson, Brekke, Todd, Fisher, Ebersole, Clayton, Gallagher and Powers

Regulating conduct on buses.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 538 was substituted for House Bill No. 538, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 538 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Garrett yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Garrett, you mentioned only the metro system in King County; would you tell the body if this would apply to other transit authority throughout the state of Washington?"

Mr. Garrett: "It certainly would. I didn't say it would just apply to King County; it was requested by Metro Transit in King County, but it is a state law and would apply statewide."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 538, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Ellis - 1.

Excused: Representatives Fisher, Taylor - 2.

Substitute House Bill No. 538, having received the 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. 539, by Representatives Egger, Crane, Todd, Charnley, Lux, Allen, Broback, Patrick, Mitchell, G. Nelson, Fisher, Clayton, Gallagher, Martinis, Brekke, Wilson, Jacobsen, Braddock, Johnson and Powers

Exempting nonprofit corporations providing transit services to the elderly and handicapped from motor vehicle fuel tax on fuel used for these purposes.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 539 was substituted for House Bill No. 539, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 539 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

#### POINT OF INFORMATION

Mr. Barrett: "This bill obviously has the support of all of us who are here in the House, and I'm sure it will pass without opposition, but the point I raise has to do with a rule of this House--25B(6). As I read the fiscal impact statement for this bill, I notice it has a very definite major negative impact on the revenue for the agencies for the state of Washington. I ask, Mr. Speaker, is this bill subject to scrutiny by the Ways & Means Committee, according to Rule 25B(6)?"

The Speaker: "Representative Barrett, it has been the custom of the House that bills that come out of the Transportation Committee, including those of the transportation budget itself, are reviewed by that committee, and have not officially gone to Ways & Means. That would be the case here."

Mr. Barrett: "Since the subject has been opened in this manner, does this type of interpretation apply to any dedicated fund that may be involved with a bill that might be before us?"

The Speaker: "We'll be dealing with that on a case-by-case basis, Representative Barrett."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 539, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Prullitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Taylor - 2.

Substitute House Bill No. 539, having received the 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. 546, by Representatives McMullen, Schmidt, Vekich, Walk and Isaacson

Regulating wheelchair conveyances.

The bill was read the second time. On motion of Mr. McMullen, Substitute House Bill No. 546 was substituted for House Bill No. 546, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 546 was read the second time.

On motion of Ms. Schmidt, the following amendments by Representatives Schmidt, Wilson, McMullen and Martinis were adopted:

On page 2, after line 25 insert the following:

"NEW SECTION. Sec. 6. There is added to chapter 82.44 RCW a new section to read as follows:

For purposes of this chapter, fair market value shall exclude value attributable to modifications of a motor vehicle and equipment, other than standard or optional equipment provided by the manufacturer of the motor vehicle, that are designed to facilitate the use or operation of the motor vehicle by a handicapped person."

Remember the remaining sections consecutively.

On page 1, line 4 of the title after "46.61 RCW;" insert "adding a new section to chapter 82.44 RCW;"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Schmidt 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. 546, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Fisher, Taylor - 2.

Engrossed Substitute House Bill No. 546, having received the 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, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Fisher, Hankins, Hastings, Isaacson and Taylor, who were excused.

#### MOTION

On motion of Mr. Wang, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 22, 1983

HB 178 Prime Sponsor, Representative Stratton: Prohibiting wrongful birth and wrongful life actions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; and Ellis.

Passed to Committee on Rules for second reading.



March 23, 1983

HB 387 Prime Sponsor, Representative Rust: Creating a medical disciplinary account. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Ellis.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 469 Prime Sponsor, Representative Kreidler: Revising the controlled substances included in schedules I, II, and IV. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Broback, J. King, Padden, Stratton, West and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Braddock and McClure.

Voting nay: Representatives Braddock, Ebersole, McClure, Niemi and Wang.

Absent: Representative G. Nelson.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 580 Prime Sponsor, Representative Tanner: Establishing a local economic development assistance program. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk and Wilson.

Voting nay: Representative Padden.

Absent: Representatives Addison, Barrett, Powers and Schmidt.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 646 Prime Sponsor, Representative Heck: Creating the public accountability act of 1983. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk and Wilson.

Absent: Representatives Addison, Barrett, Ellis, Powers, Schmidt, Van Dyken and Wilson.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 689 Prime Sponsor, Representative Silver: Establishing the small business assistance coordinating council. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk and Wilson.

Absent: Representatives Addison, Barrett, Powers, Schmidt and Van Dyken.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 747 Prime Sponsor, Representative Armstrong: Revising provisions of the uniform limited partnership act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Ellis, P. King and G. Nelson.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 880 Prime Sponsor, Representative Heck: Regulating payment procedures for certain health care providers not participants in a health services contract. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure and Wang.

Voting nay: Representatives Niemi, Padden, Stratton, West and B. Williams.

Absent: Representative G. Nelson.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 861, by Committee on Transportation (originally sponsored by Representatives Schmidt, Zellinsky, Powers, Smitherman, Fiske, G. Nelson, Wilson and Haugen)

Directing the department of transportation to establish duty-free shops on state ferries.

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

Ms. Schmidt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 861, and the bill passed the House by the following vote: Yeas, 85; nays, 6; absent, 2; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J. King P. Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers,

Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 85.

Voting nay: Representatives Haugen, Moon, Ristuben, Sutherland, Todd, and Mr. Speaker - 6.

Absent: Representatives King R, Martinis - 2.

Excused: Representatives Fisher, Hankins, Hastings, Isaacson, Taylor - 5.

Substitute House Bill No. 861, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 551, by Representatives Nealey, Kaiser and Hastings

Regulating the use of the state seal.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 551 was substituted for House Bill No. 551, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 551 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 552, by Representatives Halsan, Martinis, Vander Stoep, Padden, Heck, Fiske, Grimm, Miller, Charnley, Silver, Zellinsky, Broback, Jacobsen, Brough, McMullen, Holland, Ristuben, Chandler, Egger, Ballard, Fisher, Schmidt, Ebersole, J. Williams, Powers, Allen, Smitherman, Rust, Belcher, Locke, Galloway, Appelwick, Braddock, Crane, Todd, Walk, Armstrong, P. King, Sutherland, Brekke, Kaiser, Dellwo, McClure, Vekich, O'Brien, Hine, Moon, Niemi, Johnson and Isaacson

Permitting off-duty patrol officers to wear their uniforms while participating in public service educational programs.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 552 was substituted for House Bill No. 552, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 552 was read the second time.

Mr. Struthers moved adoption of the following amendment:

On page 1, line 7 following "officer" insert "chosen by the chief"

Mr. Struthers spoke in favor of the amendment, and Representatives Halsan and Vander Stoep spoke against it.

Mr. Struthers spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to Substitute House Bill No. 552, and the amendment was not adopted by the following vote: Yeas, 20; nays, 72; absent, 1; excused, 5.

Voting yea: Representatives Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Dickie, Fiske, Fuhrman, Garrett, McDonald, Nelson G, Prince, Rust, Sanders, Smith, Struthers, West, Williams J - 20.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 72.

Absent: Representative Clayton - 1.

Excused: Representatives Fisher, Hankins, Hastings, Isaacson, Taylor - 5.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 552 was placed on final passage.

Representatives Halsan and Patrick spoke in favor of passage of the bill, and Mr. Struthers spoke against it.

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Padden.

Mr. Padden: "Representative Halsan, is it your intent by this legislation to be in a position to ask for funding for that program during this session of the legislature?"

Mr. Halsan: "That's not the purpose of this legislation. What I wanted this legislation in place for—I will be asking that that be included, but if I fail in that request—we at least need this in order to have any semblance of a program in place. I'd gladly have this bill be effective only in times in which there was no funding. We need this at least if we can't get that, but I don't see this as any kind of leverage for that. Obviously, it's the exact opposite. This might take the pressure off the necessity for that funding."

Representatives Padden and Van Dyken spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. West.

Mr. West: "Representative Halsan, I'm curious, when you received this letter and heard what was going on, did you meet with the Chief of the State Patrol at all?"

Mr. Halsan: "No, I haven't."

Mr. West: "Have you spoken with him or anybody else under his immediate supervision?"

Mr. Halsan: "Yes, the legislative liaison, Major Tellevik."

Mr. West spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 552, and the bill passed the House by the following vote: Yeas, 88; nays, 3; absent, 2; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bond, Struthers, West - 3.

Absent: Representatives Monohon, Tanner - 2.

Excused: Representatives Fisher, Hankins, Hastings, Isaacson, Taylor - 5.

Substitute House Bill No. 552, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 570, by Representatives Kaiser, Smith, Egger, Nealey, Todd, Fiske, McMullen, Tilly, Belcher, Tanner, Braddock, Ellis, Smitherman, Halsan, Ballard, Miller and Isaacson

Maintaining a vocational agricultural education program.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 4, 1983.)

On motion of Mr. Kaiser, the committee amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 534, by Representatives P. King, Allen, Broback, Fisher and Gallagher

Modifying procedures for public transportation benefit areas.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 64th Day, March 14, 1983.)

On motion of Mr. Martinis, the committee amendment was adopted.

Mr. Sanders moved adoption of the following amendment:

On page 4, line 16 following "43.03.060" strike all material through "authority" on line 26.

Representatives Sanders and Addison spoke in favor of the amendment, and Representatives Martinis and Wilson spoke against it.

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

Mr. Sanders spoke again in favor of the amendment, and Mr. Martinis again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to House Bill No. 534, and the amendment was not adopted by the following vote: Yeas, 12; nays, 81; excused, 5.

Voting yea: Representatives Bond, Broback, Dickie, Fuhrman, McDonald, Nelson G, Padden, Sanders, Smith, Struthers, Tilly, West - 12.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 81.

Excused: Representatives Fisher, Hankins, Hastings, Isaacson, Taylor - 5.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 793, by Representative Kaiser

Relating to agricultural commodities.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 793 was substituted for House Bill No. 793, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 793 was read the second time.

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

On page 2, beginning on line 2, after "provisions of" strike all material through "straw," on line 4 and insert "section 9 of this act, 'agricultural product' means horticultural, viticultural, and berry products, hay and straw, and turf and forage seed and applies only when such products are delivered to a processor or conditioner in an unprocessed form."

On page 9, line 13, after "straw" insert ";

On page 12, line 9, after "delivery," strike all material through "commodities." on line 12

On page 13, after line 34, insert the following:

"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."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 796, by Representatives Walk, J. King, Hankins, B. Williams and Hine

Creating a department of community development.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 796 was substituted for House Bill No. 796, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 796 was read the second time.

On motion of Mr. Kaiser, the following amendment was adopted:

On page 7, after line 21 insert "(g) One representative of agriculture, appointed by the governor."

On motion of Mr. Walk, the following amendment was adopted:

On page 35, line 7 after "Sec. 49." strike the remainder of the section and insert "This act is necessary for the immediate preservation of the public peace, health, and safety, the support of state government and its existing public institutions, and shall take effect as follows: (1) All provisions of this act, except as provided otherwise in this section, shall take effect on July 1, 1983; and (2) The governor, the director of the department of commerce and economic development and the director of the planning and community affairs agency shall immediately take such steps as are necessary to ensure an orderly and efficient transition to the new agency created under this act."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1035, by Representative R. King

Relating to collective bargaining.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 1035 was substituted for House Bill No. 1035, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1035 was read the second time.

Mr. Ballard moved adoption of the following amendment:

On page 1, line 16 following "RCW 43.43.020." insert:

"The chief of the state patrol shall meet and confer with the representatives of the Washington state patrol officers to receive and discuss in good faith the professional judgment of the patrol employees concerning the conditions of employment. The chief of the state patrol shall not be required to submit to further collective bargaining under chapter 41.56 RCW."

Representatives Ballard, G. Nelson, McDonald and Van Dyken spoke in favor of the amendment, and Representatives R. King and Sayan spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ballard to Substitute House Bill No. 1035, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Holland, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 36.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 57.

Excused: Representatives Fisher, Hankins, Hastings, Isaacson, Taylor - 5.

Mr. G. Nelson moved adoption of the following amendments:

On page 1, line 12 following "Washington" strike "except or otherwise provided by RCW 47.64.031, 47.64.040, 54.04.170, 54.04.180 and chapter 41.59 and 53.18 RCW." and insert "(~~except or otherwise provided by RCW 47.64.031, 47.64.040, 54.04.170, 54.04.180, and chapter 41.59 and 53.18 RCW~~)"

On page 1, line 24 following "patrol" insert "and all other classes of employees listed in RCW 41.56.030(6)"

Mr. G. Nelson spoke in favor of the amendments, and Mr. R. King spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to Substitute House Bill No. 1035, and the amendments were not adopted by the following vote: Yeas, 38; nays, 55; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Holland, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Fisher, Hankins, Hastings, Isaacson, Taylor - 5.

Mr. Smith moved adoption of the following amendment by Representatives Smith and Clayton:

On page 1, strike lines 19 through 23.

Mr. Smith spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Smith spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Struthers moved adoption of the following amendment by Representatives Struthers and Betrozoff:

On page 1, line 27 following "legislative" insert "or matters relating to hiring, rehiring, promotion, demotion, transfer or termination of a state patrol employee or procedures for disciplinary actions involving a state patrol employee which may be initiated or investigated by the chief of the state patrol"

Representatives Struthers, Clayton and Betrozoff spoke in favor of the amendment, and Representatives R. King, Sayan and Patrick spoke against it.

Mr. Struthers spoke again in favor of the amendment.

The amendment was not adopted.

The Clerk read the following amendment by Representative Ballard:

On page 1, line 17 strike all of section 2 and renumber the remaining sections consecutively.

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

#### MOTION

On motion of Mr. Heck, Senate Bill No. 3096 was moved to the top of the second reading calendar for immediate consideration.

SENATE BILL NO. 3096, by Senator McDermott (by Office of Financial Management request)

Modifying the payment schedules for school district apportionments.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Barrett was excused.

Representatives Monohon and Cantu spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3096, and the bill passed the House by the following vote: Yeas, 92; nays, 0; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Barrett, Fisher, Hankins, Hastings, Isaacson, Taylor - 6.

Senate Bill No. 3096, having received the 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, House Bill No. 532 and House Bill No. 693 were rereferred from the second reading calendar to Committee on Ways & Means.

#### THIRD READING

HOUSE BILL NO. 765, by Representatives R. King and Clayton

Adjusting amount of workers' compensation payable to certain injured workers.

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

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 765, and the bill passed the House by the following vote: Yeas, 85; nays, 6; absent, 1; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Cantu, Fuhrman, Padden, Sanders, West - 6.

Absent: Representative Lewis - 1.

Excused: Representatives Barrett, Fisher, Hankins, Hastings, Isaacson, Taylor - 6.

House Bill No. 765, having received the 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. Heck, HOUSE BILL NO. 870 was rereferred from Committee on Judiciary to Committee on Ways & Means.

On motion of Mr. Heck, SECOND SUBSTITUTE SENATE BILL NO. 3104 was rereferred from Committee on Ways & Means to Committee on Social & Health Services.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:45 a.m., Friday, March 25, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



**SEVENTY-FIFTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Friday, March 25, 1983

The House was called to order at 9:45 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Suzanne Antone and Joe Peterson. Prayer was offered by The Reverend Harvey Petersen, Minister of the University Presbyterian Church of Seattle.

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

**MESSAGES FROM THE SENATE**

March 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1038,  
SENATE BILL NO. 3096,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 24, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3311,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3387,  
ENGROSSED SENATE BILL NO. 3437,  
ENGROSSED SENATE BILL NO. 3449,  
SUBSTITUTE SENATE BILL NO. 3490,  
ENGROSSED SENATE BILL NO. 3501,  
ENGROSSED SENATE BILL NO. 3523,  
SUBSTITUTE SENATE BILL NO. 3640,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**SIGNED BY THE SPEAKER**

The Speaker announced he was signing:

SENATE BILL NO. 3096.

**INTRODUCTIONS AND FIRST READING**

HCR 16 by Representatives Schoon, Monohon, B. Williams, J. King, Tilly, Smitherman, Betrozoff, Powers, Ristuben, Vander Stoep, Galloway, Belcher, Heck, Tanner, Nealey, Allen, Schmidt, G. Nelson, Barrett and Walk

Providing for a joint Washington, Idaho, and Oregon committee.

Referred to Committee on Rules

SSB 3311 by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Quigg and Wojahn; by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

Referred to Committee on Labor

ESSB 3387 by Committee on Judiciary (originally sponsored by Senators Moore, Jones, Goltz, Shinpoch and Talmadge)

Penalizing interference with the lawful custody of a child.

Referred to Committee on Judiciary

ESB 3437 by Senators Talmadge and Patterson

Modifying provisions relating to malicious prosecution.

Referred to Committee on Judiciary

ESB 3449 by Senators Woody, Hayner, Bottiger, Gaspard and Hemstad

Restricting statements in the candidate's pamphlet to those about the candidate.

Referred to Committee on Constitution, Elections & Ethics

SSB 3490 by Committee on Local Government (originally sponsored by Senators Goltz, Deccio and Granlund)

Changing the procedures for appointing the local health officer in counties with home rule charters.

Referred to Committee on Local Government

ESB 3501 by Senators Talmadge and Hemstad

Providing interpreters in legal proceedings for non-English-speaking persons.

Referred to Committee on Judiciary

ESB 3523 by Senators Granlund, Owen and Metcalf (by Department of Corrections request)

Modifying time limits for furloughs for residents of state correctional institutions.

Referred to Committee on Social & Health Services

SSB 3640 by Committee on Judiciary (originally sponsored by Senators Moore and Talmadge)

Modifying the residential landlord-tenant act.

Referred to Committee on Judiciary

#### REPORTS OF STANDING COMMITTEES

March 23, 1983

HB 307 Prime Sponsor, Representative Moon: Requiring the department of corrections to give notice to certain people of the disposition of inmates convicted of violent offenses. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Ellis and G. Nelson.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 311 Prime Sponsor, Representative Vekich: Establishing consumer credit reporting protections. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Crane, Galloway, Garrett, P. King, Kreidler, Monohon, Vekich and Wang.

Voting nay: Representatives Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Dickie, Hankins, Johnson and West.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 315 Prime Sponsor, Representative McMullen: Modifying provisions relating to privacy. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Hastings, P. King, G. Nelson, Schmidt, Tilly and Wang.

Voting nay: Representatives Halsan, P. King, Lewis and Locke.

Absent: Representative Ellis.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 346 Prime Sponsor, Representative Kreidler: Modifying laws governing the department of social and health services and its powers and duties. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi and B. Williams.

Voting nay: Representatives G. Nelson, Padden, Stratton and West.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 417 Prime Sponsor, Representative G. Nelson: Providing for adult offender community service insurance funds and modifying provisions concerning juvenile offender community service funds. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 448 Prime Sponsor, Representative Todd: Modifying the disabled parking laws. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair;

Braddock, Broback, Ebersole, J. King, McClure, Niemi, Stratton, Wang, West and B. Williams.

Absent: Representatives G. Nelson and Padden.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 463 Prime Sponsor, Representative Dellwo: Modifying definition of full-time judges of courts of limited jurisdiction. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives Ellis and G. Nelson.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 498 Prime Sponsor, Representative Crane: Modifying provisions relating to driving while intoxicated. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Voting nay: Representatives Hastings and Lewis.

Absent: Representatives Padden, Ranking Minority Chair; Ellis and Schmidt.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 517 Prime Sponsor, Representative Grimm: Requiring operators of carnival rides to possess liability insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 10 after "persons." strike all material down to and including "48 RCW." on line 12.

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Ballard, Crane, Galloway, Garrett, P. King, Kreidler, Monohon, Vekich and Wang.

Voting nay: Representatives Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Cantu, Dickie, Hankins, Johnson and West.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 522 Prime Sponsor, Representative Locke: Requiring an advisement on deportation consequences prior to acceptance of a guilty plea. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Ellis and G. Nelson.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 579 Prime Sponsor, Representative Tanner: Studying the feasibility of establishing prison work programs to operate record storage and retrieval systems for departments of state government. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, J. King, McClure, G. Nelson, Niemi, West and B. Williams.

Voting nay: Representatives Padden, Stratton and Wang.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 581 Prime Sponsor, Representative Egger: Modifying the procedure for annexing certain property for municipal purposes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 608 Prime Sponsor, Representative Kaiser: Prohibiting the intentional undisclosed substitution of food products in food service establishments. Reported by Committee on Agriculture

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Holland, Prince and Todd.

Voting nay: Representative Galloway.

Absent: Representatives Ebersole and Todd.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 620 Prime Sponsor, Representative Lux: Permitting the state employees' insurance fund to self-fund its insurance programs. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Crane, Galloway, Garrett, Johnson, P. King, Kreidler, Monohon, Vekich, Wang and West.

Voting nay: Representatives Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Dickie, Hankins and Johnson.

Passed to Committee on Rules for second reading.

March 22, 1983

HB 631 Prime Sponsor, Representative Jacobsen: Revising the powers of joint operating agencies. Reported by Committee on Energy & Utilities

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Gallagher, Hastings, Jacobsen, Locke, Miller, Moon, Pruitt and Sutherland.

**MINORITY recommendation:** Do not pass. Signed by Representatives Fuhrman and Nealey.

**Voting nay:** Representatives Isaacson, Ranking Minority Chair; Fuhrman and Nealey.

**Absent:** Representatives Fiske and Martinis.

Passed to Committee on Rules for second reading.

March 23, 1983

**HB 640** Prime Sponsor, Representative Charnley: Modifying the amount of tuition and fees at institutions of higher education. Reported by Committee on Higher Education

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Allen, Brough, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers and Tanner.

**MINORITY recommendation:** Do not pass. Signed by Representatives Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Barnes, Crane and Struthers.

**Voting nay:** Representatives Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Barnes, Crane, Jacobsen, Struthers and Sutherland.

**Absent:** Representative Barrett.

Referred to Committee on Ways & Means.

March 23, 1983

**HB 659** Prime Sponsor, Representative P. King: Modifying provisions relating to local improvement assessments. Reported by Committee on Local Government

**MAJORITY recommendation:** Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

**Absent:** Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

**HB 700** Prime Sponsor, Representative Locke: Modifying provisions relating to rape. Reported by Committee on Judiciary

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

**Absent:** Representative Ellis.

Passed to Committee on Rules for second reading.

March 23, 1983

**HB 855** Prime Sponsor, Representative Ballard: Changing provisions on emergency medical services. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, West and B. Williams.

Absent: Representative G. Nelson.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 882 Prime Sponsor, Representative Tanner: Changing provisions relating to interest rates in the absence of an express agreement. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Monohon, Vekich, Wang and West.

Voting nay: Representatives Lux, Chair.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 888 Prime Sponsor, Representative Ebersole: Revising provisions relating to criminal sentencing. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Halsan, Hastings, P. King, Lewis and Schmidt.

Voting nay: Representatives West, Ranking Minority Vice Chair; Locke, G. Nelson and Tilly.

Absent: Representative Ellis.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 903 Prime Sponsor, Representative Locke: Providing that a city may be responsible for the administration and enforcement of the uniform fire code in air navigation facilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 911 Prime Sponsor, Representative Barrett: Authorizing an additional method of county road improvement district formation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 915 Prime Sponsor, Representative Burns: Establishing procedures and providing certain immunities to faculty peer review committees. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Brough, Crane, R. King, Locke, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representative Barrett.

Passed to Committee on Rules for second reading.

March 23, 1983

ESB 3076 Prime Sponsor, Senator Peterson: Modifying requirements for weight distribution for garbage trucks. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Barrett, Burns, Clayton, Fisch, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith, Walk and J. Williams.

Voting nay: Representative Charnley.

Absent: Representatives Barrett and Prince.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 796, by Committee on State Government (originally sponsored by Representatives Walk, J. King, Hankins, B. Williams and Hine)

Creating a department of community development.

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

Mr. Walk 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. 796, and the bill passed the House by the following vote: Yeas, 78; nays, 17; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Berozoff, Bond, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Ballard, Barrett, Broback, Cantu, Fisch, Fuhrman, Hastings, Johnson, Miller, Moon, Nealey, Nelson G, Padden, Sanders, Struthers, Taylor, Williams J - 17.

Absent: Representatives Clayton, Grimm, Smitherman - 3.

Engrossed Substitute House Bill No. 796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Fiske was excused.



SUBSTITUTE HOUSE BILL NO. 1035, by Committee on Labor (originally sponsored by Representative R. King)

Authorizing collective bargaining for state patrol officers on nonwage issues.

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

Representatives R. King, Zellinsky, Sayan, Fisch, Patrick and Barrett spoke in favor of passage of the bill, and Representatives Struthers, Dickie, Ballard, Bond, Betrozoff, McDonald and Schoon spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1035, and the bill passed the House by the following vote: Yeas, 61; nays, 34; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J. King P. King R. Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D. Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B. Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fuhrman, Galloway, Hastings, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams J. Wilson - 34.

Absent: Representatives Clayton, Sommers - 2.

Excused: Representative Fiske - 1.

Substitute House Bill No. 1035, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 59, by Representatives R. King, Clayton, Grimm, Sutherland, Todd, Isaacson, Addison, Hankins, Gallagher, Lux, Dellwo, Garrett and Lewis

Repealing the provision relating to registration of apprenticeship agreements and the payment of registration fees.

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

Representatives R. King, Betrozoff, Sayan and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 59, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Clayton, Sanders - 2.

Excused: Representative Fiske - 1.

House Bill No. 59, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 101, by Representatives Tilly, Locke, Barnes and Miller

Amending provisions concerning primaries for nonpartisan positions.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 101, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 91.

Voting nay: Representatives Armstrong, Fisher, Moon, Padden, West, and Mr. Speaker - 6.  
Excused: Representative Fiske - 1.

Engrossed House Bill No. 101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 126, by Committee on Ways & Means (originally sponsored by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Halsan, Sayan, Patrick, O'Brien, P. King, Zellinsky, Powers, Fisher, Ebersole, Appelwick, Johnson, Garrett, Charnley, Lewis, Addison, Miller and Ristuben)

Extending the time period for the restoration of withdrawn retirement contributions.

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

Representative Monohon spoke in favor of passage of the bill, and Representatives Cantu and B. Williams spoke against it.

Ms. Monohon spoke again in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 126, and the bill passed the House by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fisch, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Locke, McDonald, Nealey, Padden, Sanders, Schoon, Silver, Smith, Stratton, Struthers, Tilly, West, Williams B, Williams J - 35.

Excused: Representative Fiske - 1.

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 127, by Committee on Ways & Means (originally sponsored by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett)

Modifying the manner by which travel reimbursement rates for state employees are set.

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 Engrossed Substitute House Bill No. 127, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Fiske - 1.

Engrossed Substitute House Bill No. 127, having received the 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. 478, by Committee on State Government (originally sponsored by Representatives Belcher, Fisch, O'Brien, Braddock, Jacobsen and Galloway; by Secretary of State request)

Providing methods to retrieve public records possessed without authorization.

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

Ms. Belcher spoke in favor of passage of the bill, and Mr. Taylor spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 478, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Padden, Taylor, Williams J - 3.

Excused: Representative Fiske - 1.

Substitute House Bill No. 478, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 534, by Representatives P. King, Allen, Broback, Fisher and Gallagher

Modifying procedures for public transportation benefit areas.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 534, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Bond, Sanders, West - 3.

Excused: Representative Fiske - 1.

Engrossed House Bill No. 534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 536, by Representatives Powers, Allen, Charnley, Armstrong, Garrett, Patrick, Ebersole, Fisher, Lux, G. Nelson, Martinis and Braddock

Removing certain restrictions on the use of motor vehicle excise tax revenues for public transportation.

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

Representatives Powers and Betzoff 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 Engrossed House Bill No. 536, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Ballard, Bond, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Nealey, Padden, Prince, Smith, Struthers, West - 15.

Excused: Representative Fiske - 1.

Engrossed House Bill No. 536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fiske, who was excused.

SUBSTITUTE HOUSE BILL NO. 551, by Committee on State Government (originally sponsored by Representatives Nealey, Kaiser and Hastings)

Regulating the use of the state seal.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 551, and the bill passed the House by the following vote: Yeas, 83; nays, 0; absent, 14; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Absent: Representatives Armstrong, Belcher, Brekke, King J, King R, Kreidler, Locke, Lux, McClure, Monohon, Powers, Sommers, Tanner, West - 14.

Excused: Representative Fiske - 1.

Substitute House Bill No. 551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 570, by Representatives Kaiser, Smith, Egger, Nealey, Todd, Fiske, McMullen, Tilly, Belcher, Tanner, Braddock, Ellis, Smitherman, Halsan, Ballard, Miller and Isaacson

Maintaining a vocational agricultural education program.

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

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

#### POINT OF INQUIRY

Mr. Kaiser yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Kaiser, are you suggesting additional staff at the state or regional level?"

Mr. Kaiser: "The bill specifically says to maintain. There's no increase and there's no fiscal note."

Representatives Galloway and Taylor spoke against passage of the bill, and Mr. Tilly spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 570, and the bill passed the House by the following vote: Yeas, 78; nays, 16; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tilly, Todd, Van Dyken, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Appelwick, Barnes, Bond, Broback, Charnley, Ebersole, Galloway, Heck, Jacobsen, Locke, Lux, McClure, Sanders, Taylor, Vander Stoep, Wang - 16.

Absent: Representatives King J, Monohon, Tanner - 3.

Excused: Representative Fiske - 1.

Engrossed House Bill No. 570, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 793, by Committee on Agriculture (originally sponsored by Representative Kaiser)

Relating to agricultural commodities.

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

Representatives Kaiser, Smith and Chandler 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. 793, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Tanner - 1.

Excused: Representative Fiske - 1.

Engrossed Substitute House Bill No. 793, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED HOUSE BILL NO. 378, by Representatives Fiske, J. King, Cantu, Garrett, Hastings, B. Williams, Sommers, Stratton, Sanders, G. Nelson, Long, Holland, Bond, Lewis, Taylor, Struthers, Isaacson, Barrett, Haugen, J. Williams, Hankins, McDonald, Smith and Clayton

Authorizing a study of the printing and binding needs of state agencies.

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

Representatives Walk and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 378, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Tanner - 1.

Excused: Representative Fiske - 1.

Engrossed House Bill No. 378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 23, 1983

HB 548 Prime Sponsor, Representative Ballard: Modifying provisions relating to water supply operations. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 597 Prime Sponsor, Representative Moon: Modifying provisions relating to park and recreation service area levies. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 706 Prime Sponsor, Representative Todd: Requiring notice of taxes due on real property before assessing penalties for delinquent taxes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 after "estate" insert "and which are collected in the following year"

On page 1, line 17 after "due," insert "Each county treasurer shall, subject to guidelines prepared by the department of revenue, establish administrative procedures to determine if grantees are eligible for this waiver."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 749 Prime Sponsor, Representative Charnley: Providing procedures for municipalities to prequalify contractors. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 767 Prime Sponsor, Representative Locke: Changing various provisions concerning forest pest control. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Haugen, Locke, Martinis, McClure, McMullen, Miller, Sayan and Vekich.

Voting nay: Representative Fuhrman, Ranking Minority Vice Chair.

Absent: Representatives Fiske, Isaacson, Johnson, Sanders, Sommers, Sutherland, Vander Stoep, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 777 Prime Sponsor, Representative Hine: Adding provisions concerning annexation of unincorporated areas. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Charnley, Ebersole, Egger, Grimm, Hine, Mitchell, Ristuben, Smitherman and Todd.

Voting nay: Representatives Van Dyken, Ranking Minority Chair; Broback and Isaacson.

Absent: Representative Chandler.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 816 Prime Sponsor, Representative Charnley: Revising the powers of housing authorities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 865 Prime Sponsor, Representative Ebersole: Requiring approval for contractual expenditures by cities or districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Mitchell, Ristuben, Smitherman and Todd.

Voting nay: Representative Isaacson.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 1016 Prime Sponsor, Representative Galloway: Relating to education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Egger, Haugen, Heck, Johnson, Long, Ristuben, Rust and Zellinsky.

Voting nay: Representatives Chandler and Fuhrman.

Absent: Representatives Betzoff, Holland and Taylor.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 1017 Prime Sponsor, Representative Galloway: Relating to school transportation. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Heck, Johnson, Long, Ristuben, Rust and Zellinsky.

Absent: Representatives Haugen, Holland and Taylor.

Passed to Committee on Rules for second reading.



March 24, 1983

HB 1089 Prime Sponsor, Representative Niemi: Relating to the holding of a China Exhibition in Washington State. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken, Walk and Wilson.

Absent: Representatives Addison and Appelwick.

Passed to Committee on Rules for second reading.

March 24, 1983

SB 3144 Prime Sponsor, Senator Peterson: Modifying provisions on special fuel trip permits. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Egger, Vice Chair, Eastern Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Clayton, Fisch, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Martinis, Chair; Sutherland, Vice Chair, Western Wa; Charnley, Fisher, Gallagher, Garrett, Hankins, Sanders and Vekich.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 11, by Representatives Tilly, Locke and Barnes

Repealing Article IV, section 29, of the Constitution pertaining to the election of superior court judges.

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

HOUSE JOINT RESOLUTION NO. 18, by Representatives P. King, Galloway, Brekke, Charnley, Garrett, Powers, Schoon and Brough

Requiring a simple majority vote to pass a school levy.

The resolution was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 64th Day, March 14, 1983.)

On motion of Mr. Pruitt, the committee amendment to page 2, line 9 was adopted.

Mr. Pruitt moved adoption of the committee amendment to page 2, line 16.

Mr. West moved adoption of the following amendment to the committee amendment:

On line 4 strike "a majority" and insert "sixty percent"

Representatives West, Addison, Nealey and Isaacson spoke in favor of the amendment to the amendment, and Representatives Pruitt, Taylor, Barnes, Schoon, Brough, Taylor, Dickie, P. King and Galloway spoke against it.

Mr. West spoke again in favor of the amendment.

The amendment to the amendment was not adopted.

On motion of Mr. Pruitt, the following amendment by Representatives Pruitt and Barnes to the committee amendment was adopted:

strike the amendment on page 2, line 16 and insert the following:

On page 2, line 13 after "Constitution," insert "(1)"

On page 2, line 16 after "period" insert ", (2) the only voting requirement that must be satisfied under this subsection before a school district proposition becomes effective is that it must

be approved by a majority of the electors voting on the proposition, and (3) the provisions of this subsection relating to the votes cast in the taxing district during the preceding general election shall not apply to school district levy elections"

The committee amendment as amended was adopted.

On motion of Mr. Pruitt, the committee amendment to page 2, line 34 was adopted.

Representative Fiske appeared at the bar of the House.

Mr. Cantu moved adoption of the following amendment by Representative Addison:

On page 1, after line 7, strike the remainder of the resolution and insert the following:

\*Article VII, section 2. Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one per centum of the true and fair value of such property in money: PROVIDED, HOWEVER, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term 'taxing district' for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election: PROVIDED, That a proposition to levy an additional tax for the support of the common schools shall be submitted for approval of a majority of the electors at any general election: PROVIDED FURTHER, That if the initial proposition to levy an additional tax for the support of the common schools fails to receive the requisite vote for approval at the general election, the proposition may be resubmitted for approval of sixty percent of the electors voting on the proposition once within the twelve months following that general election: PROVIDED FURTHER, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: PROVIDED, That a proposition to issue bonds and to pay the principal and interest thereon by an additional annual tax levy for the support of the common schools shall be submitted for approval of a majority of the electors at any general election: PROVIDED FURTHER, That if the initial proposition to levy an additional tax for the support of the common schools fails to receive the requisite vote for approval at the general election, the proposition may be resubmitted for approval of sixty percent of the electors voting on the proposition once within the twelve months following that general election: PROVIDED FURTHER, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, AND PROVIDED FURTHER, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

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."

Representatives Cantu and Addison spoke in favor of the amendment, and Representatives Heck and Schoon spoke against it.

#### POINT OF INQUIRY

Mr. Cantu yielded to question by Ms. Haugen.

Ms. Haugen: "Representative Cantu, I serve on a local school board. Will this amendment be asking me to set a levy limit on the people in my district before I know how much money I made?"

Mr. Cantu: "Representative Haugen, I served also on a school board for eight years. During those years, we ran levies when the levies were of a much larger amount than the percentage of the school funding. We were in the forty to fifty percent instead of the ten percent, and we were able to manage. We had enough information that we could do that. Yes, there will be enough information available for the district to identify the students that will be counted in September and they will be counted in October, so there will be enough information for the school districts to set their levy."

Representatives Haugen and Brough spoke against the amendment, and Mr. Cantu spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to House Joint Resolution No. 18, and the amendment was not adopted by the following vote: Yeas, 32; nays, 63; absent, 3; excused, 0.

Voting yea: Representatives Addison, Ballard, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Johnson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Silver, Smith, Struthers, Tilly, Van Dyken, West, Williams J - 32.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 63.

Absent: Representatives Hankins, Haugen, Padden - 3.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

Representatives G. Nelson, Padden and Patrick were excused.

HOUSE BILL NO. 458, by Representatives Armstrong, Padden, Todd, R. King, Johnson, Appelwick, Isaacson, Lewis, Ristuben, Wang, Ebersole, Braddock, Powers, Jacobsen and Haugen (by Attorney General request)

Establishing the Antitrust/Consumer Protection Improvements Act.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 458 was substituted for House Bill No. 458, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 458 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 458, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman,

Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Nelson G, Padden, Patrick - 3.

Substitute House Bill No. 458, having received the 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, the House was at ease until the Call of the Speaker. The Speaker called the House to order.

#### MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 24, 1983

HB 213 Prime Sponsor, Representative Halsan: Establishing the community development finance corporation. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Appelwick, Barrett, Braddock, Brough, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken and Walk.

Voting nay: Representatives Holland, Ranking Minority Vice Chair; Addison and Padden.

Absent: Representatives Ebersole, Schmidt and Wilson.

Referred to Committee on Ways & Means.

March 25, 1983

HB 240 Prime Sponsor, Representative Heck: Revising procedures for mail voting. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner and Zellinsky.

Absent: Representative Vander Stoep.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 252 Prime Sponsor, Representative Rust: Requiring motor oil to be recycled. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Environmental Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, McClure, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Voting nay: Representative Cantu, Ranking Minority Chair.

Absent: Representatives Bond, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McDonald, Monohon, G. Nelson and Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 316 Prime Sponsor, Representative Fisch: Modifying the laws regulating political advertising. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner and Zellinsky.

Absent: Representative Vander Stoep.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 345 Prime Sponsor, Representative Kreidler: Modifying provisions relating to the support of children. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 383 Prime Sponsor, Representative Rust: Modifying the standard of care of health care providers in negligence actions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 403 Prime Sponsor, Representative Wang: Providing for joint child custody. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Appelwick, Crane, Dellwo, Halsan, P. King, Lewis, Locke and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Chair; Cantu, Hastings, G. Nelson and Schmidt.

Voting nay: Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Ellis, Hastings, G. Nelson and Schmidt.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 426 Prime Sponsor, Representative Pruitt: Revising the regulation of political activity by public employees. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner and Zellinsky.

Voting nay: Representative Barnes, Ranking Minority Chair.

Absent: Representative Vander Stoep.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 486 Prime Sponsor, Representative Van Dyken: Providing for review of local government master program adjustments. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Voting nay: Representative Charnley.

Absent: Representatives Ballard, Grimm, Ristuben and Smitherman.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 511 Prime Sponsor, Representative Garrett: Adding certain aquatic programs to the local improvement powers of cities and towns. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 32 beginning with "As" strike all the material down to and including "persons," on line 34

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 521 Prime Sponsor, Representative Crane: Increasing the value of homesteads to forty thousand dollars. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke and Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Cantu, Hastings, G. Nelson and Schmidt.

Absent: Representatives Addison and Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 554 Prime Sponsor, Representative Locke: Adding procedures for the collection of monetary judgments issued by small claims courts. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen,

Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 555 Prime Sponsor, Representative Locke: Revising provisions relating to discrimination. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives West, Ranking Minority Vice Chair and Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 576 Prime Sponsor, Representative Kaiser: Revising the laws regulating the veterans' relief fund. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 665 Prime Sponsor, Representative Belcher: Providing for payroll deduction for public employee organizations. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Vekich.

Voting nay: Representatives Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Bond, Johnson, Nealey and Silver.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 685 Prime Sponsor, Representative Van Dyken: Revising local government procedures concerning shoreline management. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representative Hankins.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 686 Prime Sponsor, Representative Charnley: Directing the department of ecology to retain the Nisqually Delta and Sequim Bay on a list of sites

being considered as national maritime sanctuaries. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4 after "shall" insert "request that the National Oceanic and Atmospheric Administration"

On page 1, line 5 after "Delta" strike "and Sequim Bay"

On page 1, line 5 after "Delta" insert "and Skagit Bay"

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lewis, Lux and Pruitt.

Absent: Representatives Clayton, Hankins, Van Dyken and J. Williams.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 711 Prime Sponsor, Representative Locke: Modifying provisions concerning rights of crime victims, their survivors, and witnesses of crime. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt and Tilly.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 726 Prime Sponsor, Representative West: Defining electrical terms and amending the provision relating to the appointment of state electrical inspectors. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, Nealey, D. Nelson, O'Brien, Sayan and Silver.

Voting nay: Representatives R. King, Lux and Vekich.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 751 Prime Sponsor, Representative Charnley: Prohibiting the use of pesticides containing endrin. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "state" insert "after July 1, 1985, and to reduce the use of endrin by fifty percent during the period between the effective date of this 1983 act and July 1, 1984"

On page 3, line 17 after "state" insert "after July 1, 1985. The director shall also adopt rules to reduce the use of endrin by fifty percent during the period between the effective date of this 1983 act and July 1, 1984"

On page 6, line 7 after "pesticide;" insert "Rules prohibiting the distribution, use, and possession for use of endrin in this state after July 1, 1985 shall be adopted by the director. The director shall also adopt rules to reduce the use of endrin by fifty percent during the period between the effective date of this 1983 act and July 1, 1984."

On page 6, after line 20 insert the following new sections:

"NEW SECTION. Sec. 7. The Washington State University Department of Agriculture is directed to analyze alternative biological, chemical, and mechanical methods of rodent control which are currently being used in the state.

The State Department of Agriculture is directed to provide a report to the legislature by January 1, 1984 on: (1) the research and funding needed to aggressively implement those



alternatives and establish a clear economic threshold for rodent damage in orchards; (2) the regulations which have been adopted to achieve a fifty percent reduction in endrin use during the previous year; and (3) the actual amount of endrin use and patterns of endrin use in the preceding year.

NEW SECTION, Sec. 8. The Washington State University Department of Agriculture is directed to develop alternative biological, chemical, and/or mechanical methods of rodent control that do not require the use of endrin."

On page 1, line 8 of the title strike "a" and on line 9 strike "section" and insert "sections"

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representatives Clayton, Hankins and Lewis.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 753 Prime Sponsor, Representative Moon: Modifying provisions concerning local improvements. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 3, beginning on line 20, after "to" strike all material through "present," on line 31 and insert "~~((any local improvement by sanitary sewers or watermains and fire hydrants where the health officer of any city or town shall file with the legislative authority thereof a report showing the necessity for such improvement accompanied by a report of the chief of the fire department in the event such improvement includes fire hydrants, and such))~~ any of the following local improvements, if the legislative body finds and recites in the ordinance or resolution authorizing the improvement that such improvement is necessary for the protection of the public health and safety and such ordinance or resolution is passed by unanimous vote of all members present: (1) Sanitary sewers or watermains where the health officer of the city or town, or department of ecology, files with the legislative authority a report showing the necessity for such improvement; and (2) fire hydrants where the chief of the fire department files a report showing the necessity for such improvement."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Absent: Representatives Ballard, Grimm, Ristuben and Smitherman.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 761 Prime Sponsor, Representative Pruitt: Extending voter registration to ten days before the election. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Sommers, Tanner and Zellinsky.

Absent: Representatives Long, Patrick, Schoon and Vander Stoep.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 786 Prime Sponsor, Representative R. King: Modifying rules regulating cemeteries. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 19 strike "~~((Fifty))~~ Sixty-five" and insert "Fifty"

On page 2, line 33 strike "~~((fifty))~~ sixty-five" and insert "fifty"

On page 2, line 35 strike "~~((fifty))~~ sixty-five" and insert "fifty"

On page 3, line 29 strike "sixty-five" and insert "fifty"

On page 4, line 7 strike "~~((fifty))~~ sixty-five" and insert "fifty"

On page 4, line 20 strike "~~((fifty))~~ sixty-five" and insert "fifty"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 791 Prime Sponsor, Representative Charnley: Modifying provisions concerning county hospitals. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Absent: Representatives Ballard, Grimm, Ristuben and Smitherman.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 803 Prime Sponsor, Representative Charnley: Clarifying the proper use of revenues from personalized license plates. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "invertebrates" strike all material down to and including "Washington" on line 18

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representatives Clayton and Lewis.

Absent: Representatives Allen, Ranking Minority Vice Chair; Brekke, Hankins and Pruitt.

Passed to Committee on Rules for second reading.

March 23, 1983

HB 806 Prime Sponsor, Representative McClure: Relating to cities and towns. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Chandler and Grimm.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 807 Prime Sponsor, Representative D. Nelson: Authorizing a B&O tax credit for the employment of certain school teachers. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Armstrong, Egger, Fuhrman, Haugen, Heck, Johnson, Long and Ristuben.

Voting nay: Representatives Appelwick, Chandler, Rust and Zellinsky.

Absent: Representatives Betrozoff, Holland and Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 864 Prime Sponsor, Representative Sayan: Providing for management reviews of state agencies. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 867 Prime Sponsor, Representative O'Brien: Revising the public arts program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Nealey and Silver.

Voting nay: Representatives J. Williams, Ranking Minority Vice Chair; Bond, Johnson, Nealey and Silver.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 876 Prime Sponsor, Representative P. King: Establishing an advisory council on public education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Chandler, Egger, Fuhrman, Haugen, Johnson, Long, Ristuben, Rust and Zellinsky.

Voting nay: Representative Heck.

Absent: Representatives Betrozoff, Holland and Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 925 Prime Sponsor, Representative McMullen: Enacting the Uniform Conflict of Laws--Limitations Act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

March 25, 1983

HB 939 Prime Sponsor, Representative Appelwick: Modifying modification and enforcement procedures used by municipalities regarding uninhabitable dwellings. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Ristuben and Todd.

Voting nay: Representative Mitchell.

Absent: Representatives Ballard, Ebersole, Grimm, Ristuben and Smitherman.

Passed to Committee on Rules for second reading.

March 24, 1983

HB 954 Prime Sponsor, Representative Dickie: Providing for a math and science recommended state course of study in the common schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Armstrong, Chandler, Egger, Fuhrman, Haugen, Heck, Johnson, Long, Ristuben, Rust and Zellinsky.

Absent: Representatives Betzoff, Holland and Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HJM 31 Prime Sponsor, Representative Fuhrman: Petitioning Congress and President Reagan to make efforts to have MIAs returned. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, Sayan, Silver and Vekich.

Absent: Representatives Bond, O'Brien and Taylor.

Passed to Committee on Rules for second reading.

March 25, 1983

HJR 35 Prime Sponsor, Representative Isaacson: Removing an obsolete provision on presidential voters from the State Constitution. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner and Zellinsky.

Absent: Representative Vander Stoep.

Passed to Committee on Rules for second reading.

March 25, 1983

HCR 12 Prime Sponsor, Representative R. King: Requesting the establishment of the National Academy of Peace and Conflict Resolution. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Belcher, Johnson, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan and Vekich

MINORITY recommendation: Do not pass. Signed by Representatives Bond and Nealey.

Voting nay: Representatives Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Bond, Nealey and Silver.

Absent: Representative Taylor.

Passed to Committee on Rules for second reading.

March 24, 1983

SB 3145 Prime Sponsor, Senator Peterson: Modifying provisions on special fuel taxes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 6, insert the following:

\*Sec. 3. Section 16, chapter 175, Laws of 1971 ex. sess. as last amended by section 11, chapter 40, Laws of 1979 and RCW 82.38.150 are each amended to read as follows:

For the purpose of determining the amount of his liability for the tax herein imposed each special fuel dealer and each special fuel user shall file tax reports with the department, on forms prescribed by the department, at periodic intervals as shown in the following schedule:

Estimated Yearly Tax Liability	Reporting Frequency
\$ 0 - \$100	Yearly
\$101 - 250	Semi-yearly
\$251 - 499	Quarterly
\$500 and over	Monthly

The department shall establish the reporting frequency for each applicant at the time the special fuel license is issued. If it becomes apparent that any special fuel licensee is not reporting in accordance with the above schedule, the department shall change the licensee's reporting frequency by giving thirty days' notice to the licensee by mail to his address of record. A report shall be filed with the department even though no special fuel was used, or tax is due, for the reporting period. Each tax report shall contain a declaration by the person making the same, to the effect that the statements contained therein are true and are made under penalties of perjury, which declaration shall have the same force and effect as a verification of the report and shall be in lieu of such verification. The report shall show such information as the department may reasonably require for the proper administration and enforcement of this chapter: PROVIDED, That if a special fuel dealer or special fuel user is also a special fuel supplier at a location where special fuel is delivered into the supply tank of a motor vehicle, and if separate storage is provided thereat from which special fuel is delivered or placed into fuel supply tanks of motor vehicles, the tax report to the department need not include inventory control data covering bulk storage from which wholesale distribution of special fuel is made. The special fuel dealer or special fuel user shall file the report on or before the twenty-fifth day of the next succeeding calendar month following the period to which it relates.

Subject to the written approval of the department, tax reports may cover a period ending on a day other than the last day of the calendar month. Taxpayers granted approval to file reports in this manner will file such reports on or before the twenty-fifth day following the end of the reporting period. No change to this reporting period will be made without the written authorization of the department.

If the final filing date falls on a Saturday, Sunday or legal holiday the next secular or business day shall be the final filing date. Such reports shall be considered filed or received on the date shown by the post office cancellation mark stamped upon an envelope containing such report properly addressed to the department, or on the date it was mailed if proof satisfactory to the department is available to establish the date it was mailed.

The department, if it deems it necessary in order to insure payment of the tax imposed by this chapter, or to facilitate the administration of this chapter, shall have the authority to require the filing of reports and tax remittances at shorter intervals than one month if, in its opinion, an existing bond has become insufficient.

The department may permit any special fuel user whose sole use of special fuel is in motor vehicles or equipment exempt from tax as provided in RCW 82.38.075 and RCW 82.38.080(1), (2), (3), and ~~((6))~~ (8), in lieu of the reports required in this section, to submit reports annually or as requested by the department, in such form as the department may require.

A special fuel user whose sole use of special fuel is for purposes other than the propulsion of motor vehicles upon the public highways of this state shall not be required to submit the reports required in this section.

Renumber the sections following consecutively, and correct internal references accordingly.

In line 4 of the title, after "82.38.110;" insert "amending section 16, chapter 175, Laws of 1971 ex. sess. as last amended by section 11, chapter 40, Laws of 1979 and RCW 82.38.150;"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff,

Ranking Minority Vice Chair; Burns, Clayton, Fisch, Gallagher, Garrett, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Schmidt, Smith, Vekich and Walk.

Absent: Representatives Martinis, Chair; Sutherland, Vice Chair, Western Wa; Charnley, Fisher, Gallagher, Hankins, Sanders and Vekich.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Wang, the House adjourned until 9:30 a.m., Saturday, March 26, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 26, 1983

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Bond and Padden, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Terri Kozar and J. D. Gaffney. Prayer was offered by The Reverend George C. Smith, Minister of the Evergreen Christian Center of Olympia.

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

## MESSAGE FROM THE SENATE

March 24, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3006,  
 SUBSTITUTE SENATE BILL NO. 3054,  
 ENGROSSED SENATE BILL NO. 3060,  
 SUBSTITUTE SENATE BILL NO. 3151,  
 SUBSTITUTE SENATE BILL NO. 3453,  
 SUBSTITUTE SENATE BILL NO. 3758,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3856,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

ESSB 3006 by Committee on Parks & Ecology (originally sponsored by Senators Bluechel, Williams, Fuller and Hurley)

Revising the state environmental policy act.

Referred to Committee on Environmental Affairs

SSB 3054 by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse; by Department of Labor and Industries request)

Revising certification of plumbers.

Referred to Committee on Commerce & Economic Development

ESB 3060 by Senators Lee, Talmadge, Kiskaddon, Moore and Deccio

Protecting vulnerable or dependent adults.

Referred to Committee on Social & Health Services

SSB 3151 by Committee on Local Government (originally sponsored by Senators Thompson, Hayner, Bauer and Barr)

Modifying the provisions which limits the hiring of attorneys by counties.

Referred to Committee on Local Government

SSB 3453 by Committee on Education (originally sponsored by Senators Goltz, Patterson and Hansen)

Modifying disposition of traffic offenses on college and university campuses.

Referred to Committee on Higher Education

SSB 3758 by Committee on Transportation (originally sponsored by Senators Lee, Owen, Granlund and Patterson)

Regulating excursion service companies.

Referred to Committee on Transportation

ESSB 3856 by Committee on Judiciary (originally sponsored by Senator Talmadge)

Changing provisions relating to criminal law.

Referred to Committee on Judiciary

#### MOTION

On motion of Mr. Heck, the House advanced to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 451, by Representatives Wang, Patrick, Monohon, Halsan, Hine, Jacobsen, Lux, Todd, Holland, Vekich, Allen, Crane, Brough, Ebersole, Fisch, Fisher, Niemi, Kreidler, Ristuben, Garrett, Miller and Dellwo

Protecting the privacy of employees' telephone conversations.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day, March 7, 1983.)

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

Mr. Chandler moved adoption of the following amendment:

On page 1, line 6 following "employer" insert "other than an employer in the business of making sales presentations or soliciting sales interviews by telephone"

Representatives Chandler and Tilly spoke in favor of the amendment, and Representatives R. King, D. Nelson and Wang spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Chandler to House Bill No. 451, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; absent, 2; excused, 3.

Voting yea: Representatives Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Johnson, King J, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representatives Addison, Isaacson - 2.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. Clayton moved adoption of the following amendment:

On page 1, line 11 following "than" strike "one workshift" and insert "two workshifts"

Representatives Clayton and Fiske spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Clayton spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clayton to House Bill No. 451, and the amendment was adopted by the following vote: Yeas, 52; nays, 41; absent, 2; excused, 3.

Voting yea: Representatives Armstrong, Ballard, Barnes, Betzoff, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Holland, Johnson, King J, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith,



Smitherman, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Voting nay: Representatives Allen, Appelwick, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Halsan, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Rust, Sayan, Sommers, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 41.

Absent: Representatives Addison, Isaacson - 2.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. Betrozoff moved adoption of the following amendment:

On page 1, line 6 after "(1)" strike everything through "workshifts" on line 11 and insert "An employer shall not intentionally monitor, record, or otherwise listen in on any private telephone conversation of any employee for any purpose"

Mr. Betrozoff spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Mr. Betrozoff yielded to question by Mr. Prince.

Mr. Prince: "Representative Betrozoff, I would like for you to clarify your intent because I'm a little bit concerned about this amendment. I'm concerned in the area of long distance calls that a lot of employees make and the ability of the employer to monitor that type of situation. What is your intention?"

Mr. Betrozoff: "My intention is to allow the employer's policies that deal with private phone calls to prevail in this situation. It would be a company policy that the employees would follow. It wouldn't be a state law. The state law would cover that if they did have a policy and if it did cover long distance or local calls and if they were personal calls, that the employer would not be able to monitor those calls."

Mr. Fuhrman spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betrozoff to House Bill No. 451, and the amendment was adopted by the following vote: Yeas, 57; nays, 37; absent, 1; excused, 3.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Haugen, Heck, Holland, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, and Mr. Speaker - 57.

Voting nay: Representatives Allen, Belcher, Braddock, Brekke, Burns, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Hine, Jacobsen, King R, Lux, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky - 37.

Absent: Representative Isaacson - 1.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. Struthers moved adoption of the following amendment by Representative Barrett:

On page 1, following line 22 insert a new section as follows:

"NEW SECTION, Sec. 2. There is added to chapter 49.44 RCW a new section to read as follows:

(1) Notwithstanding any other provision of this act it shall be lawful for an employer to work with his or her phone service to determine the telephone numbers being called on the employer's phones.

(2) An employee found to be using an employers phone for personal phone calls without permission shall be guilty of a misdemeanor.

(3) Nothing in this section may be construed to bar any civil action against an employee based upon violation of subsection (2) of this section."

Renumber the remaining sections consecutively.

Mr. Struthers spoke in favor of the amendment, and Representatives Wang and Patrick spoke against it.

The amendment was not adopted.

Mr. Wang moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 5, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.070 are each amended to read as follows:

With the exception of section 2 of this 1983 act, the provisions of this chapter shall not apply to any activity of a common carrier in connection with services provided by (~~(a common)~~) the carrier pursuant to its tariffs on file with the Washington utilities and transportation commission or the Federal Communication Commission and any activity of any officer, agent or employee of a common carrier who performs any act otherwise prohibited by this law in the construction, maintenance, repair and operations of the common carrier's communications services, facilities, or equipment or incident to the use of such services, facilities or equipment. Common carrier as used in this section means any person engaged as a common carrier or public service company for hire in intrastate, interstate or foreign communication by wire or radio or in intrastate, interstate or foreign radio transmission of energy.

NEW SECTION. Sec. 2. There is added to chapter 9.73 RCW a new section to read as follows:

No employer, including a common carrier as defined in RCW 9.73.070, may intentionally monitor or record any telephone conversation of any employee for any purpose unless:

(1) All parties to the conversation are aware that a specific conversation is being monitored or recorded; or

(2) The monitoring or recording takes place during an initial training period, and the employee has been notified of the starting and ending dates of the training period. An initial training period for a given employee shall be no longer than one month; or

(3) The monitoring or recording takes place during a specified evaluation period, and the employee has been notified of the starting and ending dates of the evaluation period. An evaluation period for a given employee shall not exceed one week per year; or

(4) The monitoring or recording is in response to specific complaints concerning a given employee.

For the purposes of this section, monitoring means the use of any device, including an extension telephone, to listen to an employee's telephone conversation.

A party will be deemed to be aware that a telephone call is being monitored or recorded if throughout the period of such call there is a distinct warning signal or beep tone, which signal or tone is clearly audible to each party to the communication.

This section shall not apply to those situations described in RCW 9.73.030(2), nor to those police and fire activities described in RCW 9.73.090. This section shall not be construed to permit activities prohibited by other sections of this chapter."

Mr. Chandler moved adoption of the following amendment to the Wang amendment:

On page 2, line 4 (Section 2) of the amendment, following "employer" insert "other than an employer in the business of making sales presentations or soliciting sales interviews by telephone"

Representatives Armstrong and Ballard spoke in favor of the amendment to the amendment, and Mr. Wang spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Chandler to the Wang amendment to House Bill No. 451 and the amendment was adopted by the following vote: Yeas, 65; nays, 30; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, O'Brien, Patrick, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, and Mr. Speaker - 65.

Voting nay: Representatives Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Hine, Jacobsen, King R, Lux, Monohon, Moon, Nelson D, Niemi, Powers, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky - 30.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. Hastings moved adoption of the following amendments to the Wang amendment:

On page 2, line 18 strike everything beginning with "An" through "month" on line 20.

On page 2, line 26 strike everything beginning with "An" through "year" on line 28.

Representatives Hastings and Wang spoke in favor of the amendments to the amendment, and they were adopted.

#### MOTION

On motion of Mr. Heck, further consideration of House Bill No. 451 was deferred, and the bill was ordered placed on the calendar following House Bill No. 540.

HOUSE BILL NO. 309, by Representatives J. King, Lewis, Kreidler, Fiske, Vekich, Tilly, Tanner, Wang, Miller and Isaacson

Providing for the licensing of physical therapists.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 309 was substituted for House Bill No. 309 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 309 was read the second time.

Mr. Zellinsky moved adoption of the following amendment:

On page 2, line 22 after "by" strike "an authorized health care practitioner" and insert "a person licensed to practice medicine or surgery"

Representatives Zellinsky, McDonald, Moon and Ballard spoke in favor of the amendment, and Representatives J. King, Lewis and Kreidler spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zellinsky to Substitute House Bill No. 309, and the amendment was not adopted by the following vote: Yeas, 31; nays, 64; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Crane, Egger, Fisch, Fisher, Fiske, Hastings, Johnson, Long, McDonald, Miller, Moon, Nelson G, Rust, Schmidt, Schoon, Silver, Smitherman, Taylor, Tilly, Vander Stoep, West, Williams J, Wilson, Zellinsky - 31.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Ellis, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 64.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. G. Nelson moved adoption of the following amendment:

On page 2, line 34 after "chapter" insert "but does not include massage operators as defined in RCW 18.108.010"

Mr. G. Nelson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. G. Nelson yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Nelson, would this amendment prevent a physical therapist who is duly licensed as a physical therapist from using massage techniques in his or her practice?"

Mr. G. Nelson: "No, it would not."

The amendment was adopted.

On motion of Mr. Armstrong the following amendment was adopted:

On page 3, line 5 after "dentists" insert "; PROVIDED, HOWEVER, That nothing herein shall be construed as altering the scope of practice of such practitioners as defined in their respective licensure laws"

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Zellinsky:

On page 3, line 5 strike "naturopaths"

Mr. Barnes spoke in favor of the amendment, and Representatives Lewis and Armstrong spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Zellinsky:

On page 3, line 4 following "osteopathic physicians," strike "chiropractors."

Mr. Barnes spoke in favor of the amendment, and Representatives J. King and Stratton spoke against it.

Mr. Barnes spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Zellinsky:

On page 2, line 22 following "practitioner," insert "performance of treatments without consultation with an authorized health care practitioner."

Mr. Barnes spoke in favor of the amendment, and Representatives J. King and Kreidler spoke against it.

The amendment was not adopted.

Mr. Zellinsky moved adoption of the following amendment:

On page 3, beginning on line 3 strike all language through "dentists." on line 5.

Representatives Zellinsky and McDonald spoke in favor of the amendment, and Mr. J. King spoke against it.

The amendment was not adopted.

Substitute House Bill No. 309 was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives J. King and Barnes spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Betrozoff.

Mr. Betrozoff: "Mr. King, in the provisions for licensing and examining of physical therapists is it the intent that the board and the administration of the board be self-sufficient under the fees that are collected?"

Mr. J. King: "That is the intent, Representative Betrozoff."

Mr. Fiske 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. 309, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J., King P., King R., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Moon - 1.

Excused: Representatives Barrett, Bond, Padden - 3.

Engrossed Substitute House Bill No. 309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 325, by Representatives Sayan, Silver and R. King (by Office of Financial Management request)

Abolishing certain obsolete funds and accounts.

The bill was read the second time. On motion of Mr. Sayan, Substitute House Bill No. 325 was substituted for House Bill No. 325 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 325 was read the second time.

Ms. Long moved adoption of the following amendment by Representatives Long and Tilly:

On page 9, line 2 following "general fund" insert "and is appropriated for the department of retirement systems for the purpose of decreasing the unfunded liability of the law enforcement officers and firefighters retirement system"

Ms. Long spoke in favor of the amendment.

#### MOTION

On motion of Mr. Heck, further consideration of Substitute House Bill No. 325 was deferred and it was placed on the second reading calendar following House Bill No. 451.

HOUSE BILL NO. 482, by Representatives Martinis, Wilson, Walk, Sutherland, Patrick, Burns, McMullen, Ristuben, Prince, Barrett, Hankins, Fisch, Schmidt, Smith and Betzoff

Establishing standards for manufacturing motor vehicle license plates.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 482 was substituted for House Bill No. 482 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 482 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 540, by Representatives Ebersole, Allen, Fisher, G. Nelson and Gallagher

Permitting public transportation benefit areas to designate a person other than a county treasurer as the PTBA treasurer.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 540 was substituted for House Bill No. 540 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 540 was read the second time and passed to Committee on Rules for third reading.

House Bill No. 451:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Representative Wang as amended.

Representatives Wang and R. King spoke in favor of the amendment, and Representatives Betzoff and Fiske spoke against it.

#### POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Wang, I just want to put the overall effect of this bill in a specific circumstance. I'm sure you have had the opportunity, as has everyone else, of dealing with information operators or dealing with various telephone operators in asking for various assistance, and sometimes you will get someone who is excellent, very friendly and very professional, and other times you get someone who just hits you in a very unprofessional manner and is very grumpy. I know sometimes I feel like issuing a complaint or issuing a congratulatory letter, but it certainly goes on in my mind that I hope somebody is listening to this conversation to give that good operator a plus or that bad operator a minus.

My question is: Would the bill with your amendment as passed, prevent--other than specified prenotified evaluation periods--someone to tell whether or not we have a regular grump or a regular very excellent telephone operator?"

Mr. Wang: "Representative Van Dyken, there are several ways in which we can deal with that problem. One is you can use some sort of tone or any sort of device so that the person calling in will have some idea that the call is being recorded. I was shocked to discover that my calls might be monitored when I call through an assistance operator. This would simply put a tone in or something, so that I, when calling in, would know as well as the employee. The second way is with the evaluation or training period as provided in the bill and the final way is with complaints. So, there are a number of ways in which to respond to that problem."

Representatives Van Dyken, G. Nelson and Ballard spoke against the amendment.

Mr. Heck demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Barrett, Bond, R. King and Padden.

On motion of Mr. Wang, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the question before the House to be the amendment by Representative Wang as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wang as amended to House Bill No. 451, and the amendment was not adopted by the following vote: Yeas, 38; nays, 56; excused, 4.

Voting yea: Representatives Appelwick, Braddock, Brekke, Charnley, Crane, Dellwo, Ebersole, Fisch, Gallagher, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P., Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D., Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Walk, Wang, and Mr. Speaker - 38.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fisher, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J., Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G., Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, West, Williams B., Williams J., Wilson, Zellinsky - 56.

Excused: Representatives Barrett, Bond, King R., Padden - 4.

On motion of Mr. R. King, the committee amendment to the title was adopted.

House Bill No. 451 was ordered engrossed and passed to Committee on Rules for third reading.

#### SUBSTITUTE HOUSE BILL NO. 325:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendments by Representative Long.

With the consent of the House, Ms. Long withdrew the amendments to page 9, line 32; page 9, line 35 and page 10, line 2.

Ms. Long spoke in favor of the amendment to page 9, line 2 and Ms. Monohon spoke against it.

Representatives Tilly, Barnes and Schoon spoke in favor of the amendment, and Representative Grimm spoke against it.

Mr. Barnes spoke again in favor of the amendment, and Ms. Monohon again opposed it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Long to Substitute House Bill No. 325, and the amendment was not adopted by the following vote: Yeas, 42; nays, 52; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

Mr. Schoon moved adoption of the following amendment:

On page 9, line 2 following "general fund" insert "and is appropriated for the superintendent of public instruction for pupil transportation during the 1983-84 state fiscal year"

Mr. Schoon spoke in favor of the amendment, and Ms. Galloway spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to Substitute House Bill No. 325, and the amendment was not adopted by the following vote: Yeas, 38; nays, 56; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

Substitute House Bill No. 325 was passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 17, by Representatives Powers, Miller, Hine, Allen, Niemi, Brough, Ellis, Silver, Belcher, Fisher, Sommers, Hankins, Brekke, Galloway, Rust, Stratton, Monohon, Haugen, Heck, Patrick, Wang, Schoon, Appelwick, Vander Stoep, Pruitt, Betrozoff, Smitherman, Ristuben, Zellinsky, Sayan, Burns, McClure, Jacobsen, Egger, D. Nelson, Grimm, Garrett, O'Brien, Fisch, Tanner, McMullen, Crane, Vekich, Armstrong, Sutherland, Charnley, J. King, R. King, Dellwo, P. King, Lux, Braddock, Moon, Halsan, Todd, Kreidler, Locke, Prince, Martinis, Kaiser, Barrett, Isaacson, and Lewis

Urging the passage of the Equal Rights Amendment to the U.S. Constitution.

The memorial was read the second time.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Hankins:

On page 1, line 15 strike "Over a century of involvement by women and their supporters in seeking equal legal rights through the democratic process has contributed" and insert "For over a century, women and their supporters, while recognizing biological differences between the sexes, have sought equal legal rights through the democratic process and have contributed"

Mr. Isaacson spoke in favor of the amendment, and Ms. Powers spoke against it.

Mr. Isaacson spoke again in favor of the amendment.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Isaacson to page 1, line 15 of House Joint Memorial No. 17, and the amendment was not adopted by the following vote: Yeas, 36; nays, 58; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Mitchell, Nealey, Nelson G, Prince, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 36.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Hankins:

On page 1, line 25 following "passage of" strike "the" and insert "an"

Mr. Isaacson spoke in favor of the amendment, and Ms. Powers spoke against it.

The amendment was not adopted.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Hankins:

On page 1, line 26 after "Constitution" insert ", which will ensure the protection of women from compulsory combat and ensure personal privacy"

Mr. Isaacson spoke in favor of the amendment, and Representatives Lewis and Ellis spoke against it.

The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 1, following line 26 insert "to insure continued legislative jurisdiction of the several states over legislation pertaining to the sexes and which will not be construed to prevail over previous amendments to the U.S. Constitution"

Mr. Fuhrman spoke in favor of the amendment.

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

Representatives Miller, Belcher, Powers and Brough spoke against the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman to page 1, line 26 of House Joint Memorial No. 17, and the amendment was not adopted by the following vote: Yeas, 2; nays, 92; excused, 4.

Voting yea: Representatives Fuhrman, West - 2.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

Mr. Patrick moved adoption of the following amendment:

On page 1, line 26 after "Constitution" insert "which includes a prohibition of women being drafted into the armed forces of the United States"

Mr. Patrick spoke in favor of the amendment, and Mr. Lewis spoke against it.

The amendment was not adopted.



Mr. Fuhrman moved adoption of the following amendment:

On page 2, line 1 after "Washington" insert ". subject to the approval of the electorate as provided for in the following paragraph.

AND BE IT FURTHER RESOLVED, That 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 Article II, Section 1 of the State Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Mr. Fuhrman spoke in favor of the amendment, and Ms. Hine spoke against it.

Mr. Fuhrman spoke again in favor of the amendment.

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

Representatives G. Nelson, Stratton and Dickie spoke in favor of the amendment, and Representatives Moon, Allen, Galloway and D. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman to page 2, line 1 of House Joint Memorial No. 17, and the amendment was not adopted by the following vote: Yeas, 31; nays, 63; excused, 4.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Holland, Johnson, Long, McDonald, Mitchell, Nealey, Nelson G, Patrick, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J - 31.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 63.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

#### MOTION

On motion of Mr. Heck, the rules were suspended, the second reading considered the third and House Joint Memorial No. 17 was placed on final passage.

Representatives Powers, Isaacson, Patrick, Brough and Hine spoke in favor of the memorial, and Mr. Fuhrman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 17, and the memorial passed the House by the following vote: Yeas, 83; nays, 11; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Nealey, Schmidt, Smith, Van Dyken, West - 11.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

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

HOUSE JOINT MEMORIAL NO. 16, by Representatives Belcher, Hankins, Hine, Long, Ellis, Schmidt, Sommers, Allen, Niemi, Silver, Powers, Brough, Brekke, Miller, Rust, Fisher, Galloway, Stratton, Monohon, Haugen, Heck, G. Nelson, Wang, Schoon, Appelwick, Betzoff, Pruitt, Johnson, Smitherman, Mitchell, Zellinsky, Vander Stoep, Burns, Patrick, Jacobsen, Ballard, D. Nelson, McDonald, Garrett, Addison, Fisch, Taylor, McMullen, Van Dyken, Vekich, Chandler, Gallagher, Tanner, Sutherland, Ristuben, Crane, Braddock, Moon, Armstrong, Lux, J. King, Todd, Kreidler, Charnley, R. King, Halsan, Locke, Martinis, Kaiser, J. Williams, Ebersole, Isaacson, Dellwo, Holland, O'Brien and Lewis

Requesting the adoption of the Economic Equity Act II.

The memorial was read the second time.

Ms. Long moved adoption of the following amendment:

On page 1, line 20 strike "the Economic Equity Act II" and insert "an Economic Equity Act"

Representatives Long and Belcher spoke in favor of the amendment and it was adopted.

The memorial was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 16, and the memorial passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Barrett, Bond, King R, Padden - 4.

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

The Speaker declared the House to be at ease until 2:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker.

Representative R. King appeared at the bar of the House.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-42, by Representatives Hine, Hankins, Belcher and Kreidler

WHEREAS, The Olympic Games represent the pinnacle of achievement for amateur athletes; and

WHEREAS, The marathon is one of the oldest and most respected of Olympic challenges; and

WHEREAS, Olympia, Washington has the honor of hosting the first U.S. Women's Marathon Trials for the 1984 Olympic Games; and

WHEREAS, Over two hundred athletes are expected to compete in the Olympic Trials; and

WHEREAS, Approximately 60,000 visitors to the Puget Sound Area will attend the Trials; and

WHEREAS, The Marathon Trials will be an event of national importance and will be an event around which a week of activities will be planned; and

WHEREAS, The Women's Marathon Trials Association, opening offices in Seattle and Olympia, is working to ensure that the Marathon Race Week, May 6 through May 13, 1984, will be one of meaning and significance both to participants and the general community;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That our commendations be conveyed to the Women's Marathon Trials Association for its efforts; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives urges local government, civic organizations and the public to become involved in the activities of the Women's Marathon Trials Association and to support these events and the 1984 Women's Marathon Trials in Olympia.

Ms. Hine moved adoption of the resolution. Representatives Hine, Hankins and Tilly spoke in favor of the resolution, and it was adopted.

The Speaker called on Mr. O'Brien to preside.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 431, by Representatives Kreidler, Locke, Pruitt, Van Dyken, Brekke, Patrick, Haugen, Wang, Lux, Lewis, G. Nelson, Todd, Holland, Jacobsen, Isaacson, Miller and Schoon

Modifying the sentencing of juvenile offenders.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 431 was substituted for House Bill No. 431 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 431 was read the second time.

Mr. Struthers moved adoption of the following amendment:

On page 5, beginning on line 22 following "impose" strike "an immediate," and insert "a"

Mr. Struthers spoke in favor of the amendment, and Mr. Kreidler spoke against it.

The amendment was not adopted.

Mr. Struthers moved adoption of the following amendments:

On page 7, line 32 following "by" insert "clear and convincing"

On page 7, line 32 following "evidence" strike through "doubt" on line 32

On page 8, line 25 following "by" insert "clear and convincing"

On page 8, line 25 strike "beyond a reasonable doubt"

Mr. Struthers spoke in favor of the amendments, and Ms. Niemi spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Struthers to Substitute House Bill No. 431, and the amendments were not adopted by the following vote: Yeas, 36; nays, 59; excused, 3.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Fuhrman, Grimm, Hankins, Hastings, Holland, Isaacson, Johnson, Locke, McDonald, Miller, Mitchell, Nealey, Nelson G. Patrick, Prince, Sanders, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Waik, Williams B - 36.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Stratton, Sutherland, Tanner, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 59.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. Broback moved adoption of the following amendment:

On page 11, line 8 following "(7)" insert a new subsection as follows:

"The secretary shall give notice of any leave to the juvenile's victim or the immediate family of the victim."

Renumber the remaining subsections.

Representatives Broback and Kreidler spoke in favor of the amendment, and it was adopted.

Mr. Broback moved adoption of the following amendment:

On page 11, line 18 following "plan" strike "may" and insert "(~~may~~) shall"

Mr. Broback spoke in favor of the amendment, and Mr. Kreidler spoke against it.

The amendment was not adopted.

The bill was ordered engrossed. Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Taylor spoke against the motion, and the motion was lost.

The bill was passed to Committee on Rules for third reading.

HOUSE BILL NO. 719, by Representatives Galloway, Armstrong, Betrozoff and Miller

Establishing procedures before closing a school for instructional purposes.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 719 was substituted for House Bill No. 719 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 719 was read the second time.

Mr. Betrozoff moved adoption of the following amendment:

On page 1, line 19 following "closure" insert "including their findings as to the effect of the school closure on the district's pupil transportation budget, operating budget, and capital budget."

Representatives Betrozoff and Struthers spoke in favor of the amendment, and Ms. Galloway spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betrozoff to Substitute House Bill No. 719, and the amendment was not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Barrett, Bond, Padden - 3.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Taylor spoke against the motion.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute House Bill No. 719 to final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 54; nays, 41; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett,

Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Excused: Representatives Barrett, Bond, Padden - 3.

The bill was passed to Committee on Rules for third reading.

HOUSE BILL NO. 868, by Representatives Crane, Smitherman, Barnes, Moon, R. King, Garrett, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders and Halsan

Authorizing permanently unemployed veterans to have special license plates.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 868 was substituted for House Bill No. 868 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 868 was read the second time. Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Taylor spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute House Bill No. 868 to final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 54; nays, 41; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Excused: Representatives Barrett, Bond, Padden - 3.

The bill was passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 5, by Representatives D. Nelson, Niemi, Lux, Isaacson, Hankins, Johnson and Brekke

Opposing funding for civil defense programs designed to evacuate civilians in preparation for a nuclear attack.

The memorial was read the second time.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 14 strike all material through page 2, line 31 and insert:

"WHEREAS, The Washington State Legislature recognizes that one of the major problems of the nation is the size of the federal deficit:

NOW, THEREFORE, Your Memorialists respectfully pray that the Congress of the United States not make expenditures for civil defense unless it be proven that such expenditures create sufficient value to make them worthwhile in light of the size of the federal deficit."

Representatives Vander Stoep, B. Williams, Addison and Hastings spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment, and Mr. D. Nelson again opposed it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to House Joint Memorial No. 5, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Armstrong, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Allen, Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Barrett, Bond, Padden - 3.

## MOTION

On motion of Mr. Heck, further consideration of House Joint Memorial No. 5 was deferred.

HOUSE BILL NO. 390, by Representatives Moon, Isaacson, Haugen, Van Dyken, Hine, Brough, Appelwick, Todd, Powers, McClure, Fisher, Halsan and Ristuben

Providing for the registration of bonds.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 390 was substituted for House Bill No. 390 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 390 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon, Isaacson and Van Dyken spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 390, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Bond, Padden - 3.

Substitute House Bill No. 390, having received the 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. 550, by Representatives Schoon, Brough, Sanders, Fisch, Johnson and Isaacson

Providing reduced utility rates to handicapped persons.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 550 was substituted for House Bill No. 550 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 550 was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 5:

The House resumed consideration of the memorial on second reading.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 21 following "people" insert ", again none of whom are named herein."

Mr. Barnes spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

Mr. Barnes spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 1, following line 26 insert:

"WHEREAS, many knowledgeable people including the President of the United States, the Secretary of Defense and the Secretary of State, believe that the development of a civil defense program of the size proposed will reduce the likelihood of nuclear war because it will decrease the presumption of soviet leaders that the United States is so paralyzed by pacifism that it is unwilling to act like a responsible government;"

Representatives Barnes and Smith spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to House Joint Memorial No. 5, and the amendment was not adopted by the following vote: Yeas, 41; nays, 54; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Barrett, Bond, Padden - 3.

House Joint Memorial No. 5 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 9, by Representatives Padden, Lewis, G. Nelson, West, Egger, Stratton, McMullen, Niemi, Struthers, Miller, Broback, Mitchell, Nealey, Patrick, Isaacson, Addison, Silver, Johnson and Tilly

Requiring notice to county law enforcement officers of the conditioned release of criminally insane persons.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 9 was substituted for House Bill No. 9 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 9 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 9, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Bond, Padden - 3.

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

HOUSE BILL NO. 653, by Representatives Braddock and McMullen

Revising provisions relating to livestock markets.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass with the following amendment:

On page 3, beginning on line 19 strike all of subsection (3).

On motion of Mr. Braddock, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 653, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruiitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zelinisky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Bond, Padden - 3.

Engrossed House Bill No. 653, having received the 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. 22, by Representatives Stratton, Lux, B. Williams, R. King, Struthers, Lewis, Ebersole, Prince, Walk, Taylor, Wang, Grimm, Johnson, Egger and Tanner

Modifying provisions relating to real estate licensure.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 22 was substituted for House Bill No. 22 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 22 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 769, by Representatives Martinis, Wilson, Walk, Gallagher and Clayton

Bringing vehicle size and load restrictions into conformity with federal standards.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass with the following amendment:

On page 4, line 14 after "than" strike "~~sixty-six~~" and insert "sixty-eight"

On motion of Mr. Martinis, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 769, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Bond, Padden - 3.

Engrossed House Bill No. 769, having received the 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. 643, by Representatives Locke, Schmidt, Armstrong and Dellwo

Modifying the time limitation for filing insurance claims against a deceased person.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 1, line 10 after "claims" insert "subject to applicable statutes of limitation."

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 643, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Barrett, Bond, Padden - 3.

Engrossed House Bill No. 643, having received the 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. 328, by Representatives Appelwick and Dellwo

Equalizing interest on judgments.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 328 was substituted for House Bill No. 328 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 328 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 12 after "contracts" insert "or at twelve percent per annum, whichever is higher"

Mr. Tilly spoke in favor of the amendment, and Representatives Appelwick and Armstrong spoke against it.

Mr. Tilly spoke again in favor of the amendment, and it was not adopted.

Mr. Tilly moved adoption of the following amendments:

On page 1, line 12 following "interest" insert "from the date the cause of action accrued"

On page 1, line 15 strike "entry" and insert "filing suit"

On page 2, line 1 strike "entry" and insert "filing suit"

On page 1, line 21 after "shall" strike everything through "rendered" on line 22 and insert "((date back to and shall accrue from the date the verdict was rendered)) accrue from the date the suit was filed"

On page 2, line 7 after "shall" strike everything through "rendered" and insert "((date back to and shall accrue from the date the verdict was rendered)) accrue from the date the suit was filed"

Mr. Tilly spoke in favor of the amendments, and Representatives Halsan and Appelwick spoke against them.

The amendments were not adopted.

Mr. Hastings moved adoption of the following amendments:

On page 1, line 15 strike "of entry" and insert "the cause of action accrued"

On page 2, line 1 strike "of entry" and insert "the cause of action accrued"

Mr. Hastings spoke in favor of the amendments, and Mr. Appelwick spoke against them.

The amendments were not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 328, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Halsan - 1.

Excused: Representatives Barrett, Bond, Padden - 3.

Substitute House Bill No. 328, having received the 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. 603, by Representatives Belcher, Armstrong, Niemi, Burns, Appelwick, Haugen and Lux

Requiring real estate listing forms to explain that commissions are negotiable.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 603 was substituted for House Bill No. 603 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 603 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 146, by Representatives Locke, Johnson, Wang, McDonald, Brough, Allen, Burns, Jacobsen, Belcher, Ellis, Haugen, Sayan, Powers, Braddock, Egger, Vekich, Stratton, Fisher, Smitherman, Armstrong, Lux, Ristuben, Fisch, Niemi, Galloway, Dellwo, Crane, Charnley, Garrett, Heck, McClure, Hine, Todd, Pruitt, Halsan, Tanner, O'Brien, R. King, D. Nelson, Brekke, Miller, Kaiser, Appelwick, Lewis, Patrick and Rust (by Governor Spellman request)

Modifying provisions relating to the Asian-American Affairs Commission.

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

#### MOTION

On motion of Mr. Heck, Representatives Hankins, Hastings, Nealey, Prince, Struthers and Tilly were excused from further business under the Call of the House.

HOUSE BILL NO. 646, by Representatives Heck, G. Nelson, Tanner and Tilly

Creating the public accountancy act of 1983.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 646 was substituted for House Bill No. 646 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 646 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 493, by Representatives Walk, Dickie, Lewis and Armstrong (by Joint Select Committee on Sunset request)

Providing for the termination of various state agencies and programs.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 493 was substituted for House Bill No. 493 and the substitute bill was placed on the calendar for second reading.

#### STATEMENT FOR THE JOURNAL

On February 24, 25, 28 and March 1, I was excused to be in Colorado during my mother's illness and surgery. I wish the record to show that I would have voted as follows:

Final Passage of SHB 24, Yea; HB 136, Yea; HB 217, Yea; EHB 318, Yea; SHB 149, Yea; EHB 150, Nay; EHB 152, Nay; EHB 153, Nay; ESHB 79, Yea; REHB 36, Yea; SHB 47, Yea; HB 77, Yea; HB 31, Yea; SHB 99, Yea; HB 174, Yea; HB 344, Yea; EHB 348, Yea; EHB 259, Yea; EHCRC 3, Yea; HB 111, Yea; SHB 6, Nay; HB 73, Nay; ESHB 84, Yea; SHB 6, Motion to Reconsider, Yea; SHB 117, Prince amendment, Yea; SHB 117, McDonald amendment, Yea; SHB 117, Struthers amendments, Yea; HB 257, Belcher amendment, Nay; Final Passage: SHB 95, Yea; SHB 177, Yea; EHB 357, Yea; SHB 117, Motion to Reconsider Struthers amendment, Nay.

On March 10, I was in the 8th District for a meeting of Kennewick teachers: Final Passage: EHB 257, Nay; SHB 334, Yea; HB 72, Yea; EHB 96, Yea; EHB 164, Yea; EHB 239, Yea; ESHB 263, Yea; ESHB 278, Yea; SHB 306, Yea; EHB 392, Yea; EHB 413, Yea; SHB 488, Yea; HB 524, Yea.

March 14, 15, 16, 17 and 18, I attended my mother's funeral:

Final passage: SHB 139, Yea; EHB 180, Yea; HB 216, Yea; HB 288, Yea; HB 374, Yea; EHB 428, Yea; EHB 487, Yea; SHB 547, Yea; HB 611, Yea; SHB 266, Yea; SHB 189, Yea; HB 531, Yea; HJR 27, Nay.

SJM 106, Bond amendments, Yea; Hastings amendment, Yea.

SHB 179, Appelwick amendment, Yea.

2SHB 231, B. Williams amendment, Yea.

Final Passage: 2SHB 226, Nay; E2SHB 231, Yea; SHB 251, Yea; HJM 15, Yea; E2SHB 245, Nay; SJM 106, Nay.

Motions to relieve Ways and Means of HB 314, Yea.

HB 606, Struthers amendment, Yea; McDonald amendment, Yea.

Final Passage: SHJR 19, Yea; SHB 366, Yea; EHB 399, Yea; SHB 105, Yea.

HB 140, Zellinsky amendment, Yea; ESSB 3112, Tanner amendment, Yea; ESSJR 103, Fisch amendment, Yea.

ESSB 3108, Wilson amendments, Yea; Schmidt amendments, Yea; Brough amendment, Yea; Patrick amendment, Yea; Wilson amendment, Yea; Prince amendment, Yea.

Final Passage: SHB 784, Yea; HJM 32, Yea; EHB 269, Yea; ESHB 232, Yea; HB 585, Yea; SHB 1038, Yea; ESSB 3112, Nay; ESSJR 103, Nay.

On March 24, I was in District 8 attending official function:

Final Passage: SHB 861, Yea; SHB 552, Yea; SB 3096, Yea; HB 765, Yea.

SHB 552, Struthers amendment, Yea; HB 534, Sanders amendment, Nay; SHB 1035, Ballard amendment, Nay; SHB 1035, G. Nelson amendment, Nay.

SHIRLEY W. HANKINS, 8th District.

#### MOTIONS

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Sunday, March 27, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-SEVENTH DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, March 27, 1983

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 Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell, Tilly and Wilson. Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell and Tilly were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Becky Mattila and Robert Merriman. Prayer was offered by The Reverend George C. Smith, Minister of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

March 25, 1983

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3085,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3183,  
 ENGROSSED SECO. ID SUBSTITUTE SENATE BILL NO. 3230,  
 SUBSTITUTE SENATE BILL NO. 3455,  
 SUBSTITUTE SENATE BILL NO. 3782,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3814,  
 ENGROSSED SENATE BILL NO. 3843,  
 ENGROSSED SENATE BILL NO. 3847,  
 SUBSTITUTE SENATE BILL NO. 3864,  
 SUBSTITUTE SENATE BILL NO. 3866,  
 SUBSTITUTE SENATE BILL NO. 3868,  
 SENATE BILL NO. 4010,  
 ENGROSSED SENATE BILL NO. 4089,  
 ENGROSSED SENATE BILL NO. 4105,  
 ENGROSSED SENATE BILL NO. 4205,  
 SENATE JOINT MEMORIAL NO. 121,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 26, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3143,  
 SUBSTITUTE SENATE BILL NO. 3152,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3154,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3156,  
 SENATE BILL NO. 3182,  
 SENATE BILL NO. 3238,  
 SUBSTITUTE SENATE BILL NO. 3253,  
 SUBSTITUTE SENATE BILL NO. 3267,  
 ENGROSSED SENATE BILL NO. 3309,  
 SENATE BILL NO. 3376,  
 SUBSTITUTE SENATE BILL NO. 3382,  
 SUBSTITUTE SENATE BILL NO. 3395,  
 SUBSTITUTE SENATE BILL NO. 3434,  
 SUBSTITUTE SENATE BILL NO. 3494,  
 SENATE BILL NO. 3613,

SUBSTITUTE SENATE BILL NO. 3614,  
 SUBSTITUTE SENATE BILL NO. 3646,  
 SUBSTITUTE SENATE BILL NO. 3742,  
 ENGROSSED SENATE BILL NO. 3840,  
 ENGROSSED SENATE BILL NO. 3858,  
 SUBSTITUTE SENATE BILL NO. 3984,  
 SENATE BILL NO. 4082,  
 SUBSTITUTE SENATE BILL NO. 4084,  
 SUBSTITUTE SENATE BILL NO. 4107,  
 ENGROSSED SENATE BILL NO. 4110,  
 SUBSTITUTE SENATE BILL NO. 4111,  
 SUBSTITUTE SENATE BILL NO. 4201,  
 SENATE BILL NO. 4204.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 112.  
 ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTIONS AND FIRST READING

2SSB 3085 by Committee on Commerce & Labor (originally sponsored by Senators McDermott, Vognild, Moore, Wojahn, Shinpoch, Talmadge, Hughes and McManus)

Modifying provisions on unemployment compensation.

Referred to Committee on Labor

ESB 3143 by Senators Bottiger, Zimmerman and Thompson

Modifying provisions relating to justices of the peace.

Referred to Committee on Judiciary

SSB 3152 by Committee on Energy & Utilities (originally sponsored by Senator Hurley)

Requiring the preparation of a long-range plan for the state leased land on the Hanford reservation.

Referred to Committee on Energy & Utilities

ESSB 3154 by Committee on Natural Resources (originally sponsored by Senators Thompson, Moore and Sellar)

Modifying provisions relating to construction of hydraulic works.

Referred to Committee on Natural Resources

ESSB 3156 by Committee on Parks & Ecology (originally sponsored by Senators Talmadge, Hughes, Wojahn, Lee and von Reichbauer)

Establishing the Puget Sound water quality authority.

Referred to Committee on Environmental Affairs

SB 3182 by Senators Bottiger and Shinpoch

Modifying provisions relating to financial institutions.

Referred to Committee on Financial Institutions & Insurance

ESSB 3183 by Committee on Energy & Utilities (originally sponsored by Senators Moore, Hurley and Williams)

Amending the regulation of attachments to utility poles.

Referred to Committee on State Government

E2SSB 3230 by Committee on Ways & Means (originally sponsored by Senators Fleming, Bluechel, Wojahn, Hemstad, Guigg, Deccio, Fuller,

McManus, von Reichbauer, Granlund, Lee, Bender, Kiskaddon and Bauer; by Governor Spellman request)

Establishing the office of minority and women's business enterprises.

Referred to Committee on State Government

SB 3238 by Senators Zimmerman, Fleming and Bluechel (by Governor Spellman request)

Changing the planning and community affairs agency to the office of community programs.

Referred to Committee on State Government

SSB 3253 by Committee on Judiciary (originally sponsored by Senators Rinehart, Kiskaddon, Talmadge, Bluechel, Deccio and Woody)

Requiring law enforcement officers to take certain abused children into custody.

Referred to Committee on Social & Health Services

SSB 3267 by Committee on Ways & Means (originally sponsored by Senator McDermott; by Department of Revenue request)

Modifying provisions on property tax exemptions and deferrals.

Referred to Committee on Ways & Means

ESB 3309 by Senators McManus, McDermott, Talmadge, Jones and Bottiger

Modifying cigarette taxes.

Referred to Committee on Ways & Means

SB 3376 by Senators Talmadge, Clarke and Warnke

Modifying provisions relating to the salary of the administrator for the courts.

Referred to Committee on Judiciary

SSB 3382 by Committee on Judiciary (originally sponsored by Senators Hemstad, Wojahn, Hayner and Deccio)

Requiring intensive alcoholism treatment for persons convicted of driving while intoxicated who have serious alcohol problems.

Referred to Committee on Judiciary

SSB 3395 by Committee on Local Government (originally sponsored by Senators Moore and Lee)

Modifying provisions relating to water supply operators.

Referred to Committee on Local Government

SSB 3434 by Committee on Commerce & Labor (originally sponsored by Senators Peterson, Sellar and Vognild)

Modifying definition of "member" for gambling enforcement purposes.

Referred to Committee on Commerce & Economic Development

SSB 3455 by Committee on Education (originally sponsored by Senators Gaspard, Hayner, Hurlley, Bottiger, Hemstad, Bauer and Vognild)

Revising the persons on the state board of education who may vote.

Referred to Committee on Education

SSB 3494 by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, and Hughes)

Modifying the enforcement of judgments in small claims court.

Referred to Committee on Judiciary

- SB 3613 by Senators Woody, Jones and Lee (by Attorney General request)  
 Requiring gender-neutral language in statutes, rules, and publications.  
 Referred to Committee on State Government
- SSB 3614 by Committee on Natural Resources (originally sponsored by Senators Bauer, Zimmerman, Owen and Thompson)  
 Permitting the department of natural resources to exchange publicly-owned lands.  
 Referred to Committee on Natural Resources
- SSB 3646 by Committee on Institutions (originally sponsored by Senator Granlund)  
 Modifying the rights of juvenile offenders.  
 Referred to Committee on Social & Health Services
- SSB 3742 by Committee on Judiciary (originally sponsored by Senators Bender, Rinehart, Williams and Granlund)  
 Modifying provisions relating to precinct committeemen.  
 Referred to Committee on Constitution, Elections & Ethics
- SSB 3782 by Committee on Judiciary (originally sponsored by Senators Talmadge, McCaslin, Zimmerman, Rasmussen and Deccio)  
 Modifying provisions relating to firearms.  
 Referred to Committee on Judiciary
- ESSB 3814 by Committee on Ways & Means (originally sponsored by Senators McDermott, Warnke, Rasmussen, Bauer, Gaspard, Woody, McManus, Bottiger, Moore and Wojahn)  
 Modifying provisions relating to the state lottery.  
 Referred to Committee on Commerce & Economic Development
- ESB 3840 by Senators Shinpoch, Hemstad and Wojahn  
 Permitting employees to participate in state deferred compensation plans.  
 Referred to Committee on State Government
- ESB 3843 by Senators Bluechel, Thompson and Jones  
 Establishing a Washington state board on geographic names.  
 Referred to Committee on State Government
- ESB 3847 by Senators Bender and Bluechel  
 Modifying procedures for public transportation benefit areas.  
 Referred to Committee on Transportation
- ESB 3858 by Senators Barr, Thompson, Zimmerman, Bauer and Deccio  
 Authorizing the annexation of areas outside cities and towns upon consent of the property owners.  
 Referred to Committee on Local Government
- SSB 3864 by Committee on Agriculture (originally sponsored by Senator Hansen)  
 Authorizing increased assessments on soft fruits.  
 Referred to Committee on Agriculture



SSB 3866 by Committee on Agriculture (originally sponsored by Senator Hansen)

Modifying provisions on horticultural plants and facilities.

Referred to Committee on Agriculture

SSB 3868 by Committee on Agriculture (originally sponsored by Senator Hansen)

Expanding the authority of irrigation districts.

Referred to Committee on Agriculture

SSB 3984 by Committee on Judiciary (originally sponsored by Senators Talmadge and Pullen; by Secretary of State request)

Clarifying recall procedures.

Referred to Committee on Constitution, Elections & Ethics

SB 4010 by Senators Goltz, Hansen, Newhouse and Benitz

Allowing the director of agriculture to establish or amend certain dairy product standards and definitions.

Referred to Committee on Agriculture

SB 4082 by Senators Granlund, Deccio, Barr and Lee

Revising provisions relating to prisoners.

Referred to Committee on Social & Health Services

SSB 4084 by Committee on Natural Resources (originally sponsored by Senators Owen, Lee and Hayner)

Establishing a state-wide bow and arrow hunting season.

Referred to Committee on Natural Resources

ESB 4089 by Senators Rinehart, Goltz, Fleming, Patterson, Talmadge and Metcalf

Permitting excess moneys in the institutional long term loan fund to be used for locally administered financial aid programs.

Referred to Committee on Higher Education

ESB 4105 by Senator Talmadge

Removing restrictions regarding who may be subpoenaed before justices of the peace.

Referred to Committee on Judiciary

SSB 4107 by Committee on Parks & Ecology (originally sponsored by Senators Moore, Jones, Bottiger, Rasmussen and Guess)

Revising procedures and penalties under the model litter control and recycling act.

Referred to Committee on Environmental Affairs

ESB 4110 by Senators Vognild, Sellar, Rasmussen and Wojahn (by Attorney General request)

Modifying various provisions regarding cemeteries.

Referred to Committee on State Government

SSB 4111 by Committee on Judiciary (originally sponsored by Senators Hughes and Newhouse)

Changing provisions relating to sales under execution and redemption.

Referred to Committee on Judiciary

SSB 4201 by Committee on Parks & Ecology (originally sponsored by Senators Williams, Fuller, Goltz, Lee and Hemstad)

Requiring that used automotive oil be recycled.

Referred to Committee on Environmental Affairs

SB 4204 by Senators Wojahn, Zimmerman, Bauer, Haley, Deccio, Vognild, Warnke and Bender

Permitting the state board of health to exist for two additional years.

Referred to Committee on Social & Health Services

ESB 4205 by Senators Warnke and Jones (by Secretary of State request)

Modifying provisions relating to the productivity board.

Referred to Committee on State Government

SSJM 112 by Committee on Commerce & Labor (originally sponsored by Senators Quigg, McManus, Bluechel, Barr, Sellar, Fuller, Metcalf, Hemstad, Bottiger and Moore)

Requesting the mutual bilateral elimination of trade barriers with China.

Referred to Committee on Commerce & Economic Development

SJM 121 by Senator Metcalf

Urging the President and Congress to repeal the Federal Reserve Act.

Referred to Committee on Financial Institutions & Insurance

ESSCR 113 by Committee on State Government (originally sponsored by Senators Warnke and Vognild)

Providing for a legislative study of government reorganization.

Referred to Committee on State Government

#### REPORTS OF STANDING COMMITTEES

HB 497 Prime Sponsor, Representative Jacobsen: Requiring review before a higher education degree program may be terminated. Reported by Committee on Rules

March 26, 1983

Rereferred to Committee on Ways & Means.

HB 580 Prime Sponsor, Representative Tanner: Establishing a local economic development assistance program. Reported by Committee on Rules

March 26, 1983

Rereferred to Committee on Ways & Means.

HB 791 Prime Sponsor, Representative Charnley: Modifying provisions concerning county hospitals. Reported by Committee on Rules.

March 26, 1983

Rereferred to Committee on Local Government.

HJR 41 Prime Sponsor, Representative J. King: Relating to a constitutional amendment. Reported by Committee on Rules.

March 26, 1983

Rereferred to Committee on Commerce & Economic Development.

#### SECOND READING

HOUSE BILL NO. 740, by Representatives Braddock, J. King, Zellinsky, Tanner, Smitherman, Ebersole, D. Nelson, Haugen and Jacobsen

Establishing a cost control task force.

The bill was read the second time. On motion of Mr. Walk, 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. Braddock, the following amendment by Representatives Braddock and B. Williams was adopted:

On page 1, strike lines 8 through 23 and insert:

**"NEW SECTION.** Sec. 2. The cost control task force members and chairman shall be appointed by the speaker of the house of representatives, the president of the senate and the governor of the state and shall consist of management, business and economic specialists from the private sector. The speaker of the house of representatives, the president of the senate and the governor of the state shall each select an equal number of task force members after soliciting interest in the task force from private sector specialists. It is the intent of the legislature that the task force be a nonpartisan body. Members of the legislative budget committee shall serve as nonvoting, ex officio members of the task force. The task force members shall develop their own rules of operation and meetings and shall have authority to examine, question and review all state agencies."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock 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. 740, and the bill passed the House by the following vote: Yeas, 80; nays, 0; absent, 9; excused, 9.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, McClure, McDonald, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 80.

Absent: Representatives Allen, Brekke, Clayton, Lux, Martinis, Pruitt, Sommers, Taylor, Wilson - 9.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell, Tilly - 9.

Engrossed Substitute House Bill No. 740, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Brekke was excused.

HOUSE BILL NO. 569, by Representatives Fisher, Fisch, Tanner, Miller, Jacobsen, Smitherman, Zellinsky and Powers

Prescribing duties of county auditors or elections official handling public disclosure reports.

The bill was read the second time.

Ms. Miller moved adoption of the following amendment:

On page 1, line 23 following "act." insert "No additional persons shall be hired or funds expended for the purposes of this act."

Representatives Miller and Vander Stoep spoke in favor of the amendment, and Ms. Fisher spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller to House Bill No. 569, and the amendment was not adopted by the following vote: Yeas, 34; nays, 49; absent, 5; excused, 10.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Galloway, Hankins, Holland, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Van Dyken, Vander Stoep, West, Williams B, Williams J - 34.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Martinis, McClure,

Monohon, Moon, Nelson D. Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Absent: Representatives Allen, Clayton, Lux, Taylor, Wilson - 5.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell, Tilly - 10.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fisher and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 569, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent, 4; excused, 10.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 84.

Absent: Representatives Allen, Clayton, Lux, Wilson - 4.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell, Tilly - 10.

House Bill No. 569, having received the 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. 319, by Representatives J. King and B. Williams (by Liquor Control Board request)

Modifying provisions relating to the state liquor control board.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 319 was substituted for House Bill No. 319, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 319 was read the second time.

Mr. Tilly appeared at the bar of the House.

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 22, by Committee on Commerce & Economic Development (originally sponsored by Representatives Stratton, Lux, B. Williams, R. King, Struthers, Lewis, Ebersole, Prince, Walk, Taylor, Wang, Grimm, Johnson, Egger and Tanner)

Modifying provisions relating to real estate licensure.

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

Ms. Stratton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 22, and the bill passed the House by the following vote: Yeas, 83; nays, 2; absent, 4; excused, 9.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Garrett, Niemi - 2.

Absent: Representatives Allen, Clayton, Lux, Wilson - 4.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell - 9.

Substitute House Bill No. 22, having received the 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. 146, by Representatives Locke, Johnson, Wang, McDonald, Brough, Allen, Burns, Jacobsen, Belcher, Ellis, Haugen, Sayan, Powers, Braddock, Egger, Vekich, Stratton, Fisher, Smitherman, Armstrong, Lux, Ristuben, Fisch, Niemi, Galloway, Dellwo, Crane, Charnley, Garrett, Heck, McClure, Hine, Todd, Pruitt, Halsan, Tanner, O'Brien, R. King, D. Nelson, Brekke, Miller, Kaiser, Appelwick, Lewis, Patrick and Rust (by Governor Spellman request)

Modifying provisions relating to the Asian-American Affairs Commission.

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

Mr. Locke spoke in favor of passage of the bill, and Mr. B. Williams spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 146, and the bill passed the House by the following vote: Yeas, 66; nays, 20; absent, 3; excused, 9.

Voting yea: Representatives Addison, Allen, Appelwick, Belcher, Braddock, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Armstrong, Ballard, Barnes, Betzoff, Cantu, Chandler, Dickie, Fiske, Fuhrman, Nelson G, Padden, Sanders, Schmidt, Schoon, Smith, Struthers, Taylor, West, Williams B, Williams J - 20.

Absent: Representatives Clayton, Lux, Wilson - 3.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell - 9.

House Bill No. 146, having received the 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 vote me "Yes" on House Bill No. 146. The vote was taken Sunday, March 27 at 2:15 p.m.

GENE LUX, 11th District.

SUBSTITUTE HOUSE BILL NO. 325, by Committee on Ways & Means (originally sponsored by Representatives Sayan, Silver and R. King; by Office of Financial Management request)

Abolishing certain obsolete funds and accounts.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 325, and the bill passed the House by the following vote: Yeas, 86; nays, 0; absent, 3; excused, 9.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, Miller, Monohon, Moon, Nealey,

Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 86.

Absent: Representatives Clayton, Lux, Wilson - 3.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, McMullen, Mitchell - 9.

Substitute House Bill No. 325, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative McMullen appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 431, by Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Locke, Pruitt, Van Dyken, Brekke, Patrick, Haugen, Wang, Lux, Lewis, G. Nelson, Todd, Holland, Jacobsen, Isaacson, Miller and Schoon)

Modifying the sentencing of juvenile offenders.

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

Representatives Kreidler, Van Dyken, Lewis, Stratton, Barnes, and Niemi spoke in favor of passage of the bill, and Representatives Padden, Ebersole, West and Struthers spoke against it.

Mr. Kreidler spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 431, and the bill passed the House by the following vote: Yeas, 62; nays, 26; absent, 2; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Charnley, Dellwo, Egger, Fisch, Fisher, Fiske, Galloway, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Smitherman, Sommers, Stratton, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, Wang, Williams B, Williams J, Zellinsky - 62.

Voting nay: Representatives Addison, Cantu, Chandler, Crane, Dickie, Ebersole, Fuhrman, Gallagher, Garrett, Grimm, Kaiser, Locke, McDonald, Nealey, Nelson G, Padden, Sanders, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Walk, West, and Mr. Speaker - 26.

Absent: Representatives Clayton, Wilson - 2.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, Mitchell - 8.

Engrossed Substitute House Bill No. 431, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 482, by Committee on Transportation (originally sponsored by Representatives Martinis, Wilson, Walk, Sutherland, Patrick, Burns, McMullen, Ristuben, Prince, Barrett, Hankins, Fisch, Schmidt, Smith and Betzoff)

Establishing standards for manufacturing motor vehicle license plates.

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

Representatives Martinis and Betzoff spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 482, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent, 2; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt,

Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representative Garrett - 1.

Absent: Representatives Clayton, Wilson - 2.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, Mitchell - 8.

Substitute House Bill No. 482, having received the 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. 540, by Committee on Transportation (originally sponsored by Representatives Ebersole, Allen, Fisher, G. Nelson and Gallagher)

Permitting public transportation benefit areas to designate a person other than a county treasurer as the PTBA treasurer.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 540, and the bill passed the House by the following vote: Yeas, 85; nays, 3; absent, 2; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Fuhrman, Prince, Vander Stoep - 3.

Absent: Representatives Clayton, Wilson - 2.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, Mitchell - 8.

Substitute House Bill No. 540, having received the 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. 603, by Committee on Commerce & Economic Development (originally sponsored by Representatives Belcher, Armstrong, Niemi, Burns, Appelwick, Haugen and Lux)

Requiring real estate listing forms to explain that commissions are negotiable.

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

Ms. Belcher spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Addison.

Mr. Addison: "Representative Belcher, to clarify legislative intent, and as prime sponsor of this bill, I was hoping we could establish very clearly that the printed form or agreement that initially establishes the right to compensation paid to the real estate broker is a form that is commonly referred to as a listing agreement and not a purchase sale or earnest money form?"

Ms. Belcher: "In the usual transaction, Representative Addison, that would be the listing form and not the earnest money agreement. The intent of this bill is that the first agreement entered into between the person who is going to pay the commission and the person who is going to receive the commission, would be the document that has to have the notice."

Mr. Broback spoke against passage of the bill, and Representatives Armstrong and Barnes spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 603, and the bill passed the House by the following vote: Yeas, 56; nays, 32; absent, 2; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Burns, Cantu, Charnley, Dellwo, Egger, Fisher, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Padden, Patrick, Powers, Pruitt, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 56.

Voting nay: Representatives Ballard, Betzoff, Broback, Brough, Chandler, Crane, Dickie, Ebersole, Fisch, Fiske, Fuhrman, Garrett, Holland, Kaiser, King P, McDonald, Miller, Nealey, Nelson G, O'Brien, Prince, Ristuben, Sanders, Schmidt, Smith, Struthers, Tanner, Tilly, West, Williams B, Williams J, Zellinsky - 32.

Absent: Representatives Clayton, Wilson - 2.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, Mitchell - 8.

Substitute House Bill No. 603, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Wilson appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 646, by Committee on Commerce & Economic Development (originally sponsored by Representatives Heck, G. Nelson, Tanner and Tilly)

Creating the public accountancy act of 1983.

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

Representatives Heck, Silver, Tanner and Schoon spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 646, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent, 1; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Absent: Representative Williams B - 1.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, Mitchell - 8.

Substitute House Bill No. 646, having received the 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. 719, by Committee on Education (originally sponsored by Representatives Galloway, Armstrong, Betzoff and Miller)

Establishing procedures before closing a school for instructional purposes.

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

Representatives Galloway, Taylor, Hine, Betzoff, McDonald, Cantu, Schoon and J. Williams spoke in favor of passage of the bill, and Ms. Rust spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 719, and the bill passed the House by the following vote: Yeas, 85; nays, 5; excused, 8.



Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Burns, Nelson D, Niemi, Pruitt, Rust - 5.

Excused: Representatives Barrett, Bond, Brekke, Ellis, Hastings, Isaacson, Johnson, Mitchell - 8.

Substitute House Bill No. 719, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Brekke appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 4:15 p.m.

The Speaker called the House to order.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 1093, by Representative Moon

Relating to local government.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 1093 was substituted for House Bill No. 1093, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1093 was read the second time.

Mr. Martinis moved adoption of the following amendment:

On page 4, after line 4 insert a new section as follows:

\*NEW SECTION. Sec. 9. There is added to chapter 90.03 RCW a new section to read as follows:

Whenever a county, city, town, sewer district, or flood control zone district imposes rates or charges to fund storm water control facilities or improvements and the operation and maintenance of such facilities or improvements under RCW 35.67.020, 35.92.020, 36.89.080, 36.94.140, 56.08.010, or 56.16.090, it shall take into consideration the value of storm water control facilities or improvements that a person or entity has installed or located that mitigate or lessen the impact of storm water which otherwise would occur."

Renumber the remaining sections consecutively.

Representatives Martinis and Moon spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Broback.

Mr. Broback: "Representative Martinis, would a private developer receive credit for the amount of contributions that came out of state and county and city government?"

Mr. Martinis: "It says 'any person or entity.' I would interpret that as any person."

The amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Brough 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. 1093, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 1; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representative Miller - 1.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Mitchell - 7.

Engrossed Substitute House Bill No. 1093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Miller was excused.

HOUSE BILL NO. 520, by Representatives Hine, Barnes, Garrett and Gallagher

Authorizing special districts to modify rates and charges for low-income utility users.

The bill was read the second time.

On motion of Ms. Long, the following amendments by Representatives Long and D. Nelson were adopted:

On page 1, line 22 after "citizens." insert "Other financial assistance available to low income persons shall be considered in determining charges and rates under this section. Notification of special rates or charges established under this section shall be provided to all persons served by the district annually and upon initiating service. Information on cost shifts caused by establishment of the special rates or charges shall be included in the notification."

On page 1, line 13 after "citizens." insert "Other financial assistance available to low income persons shall be considered in determining charges and rates under this section. Notification of special rates or charges established under this section shall be provided to all persons served by the district annually and upon initiating service. Information on cost shifts caused by establishment of the special rates or charges shall be included in the notification."

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine and Barnes spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 520, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Engrossed House Bill No. 520, having received the 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. 132, by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Patrick, P. King, Johnson, Isaacson, Garrett, Ristuben and Halsan

Modifying provisions relating to accrued vacation leave for public employees.

The bill was read the second time. On motion of Ms. Monohon, Substitute House Bill No. 132 was substituted for House Bill No. 132, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 132 was read the second time.

Mr. Cantu moved adoption of the following amendment:

On page 2, following line 32 insert a new section as follows:

"NEW SECTION. Sec. 3. There is added to chapter 43.01 RCW a new section to read as follows:

The director of the office of financial management shall report on or before January 30 of each year to the speaker of the house and the president of the senate the dollar amount of pension ballooning that occurred in the various Washington state pension plans during the previous calendar year."

Renumber the remaining sections consecutively.

Representatives Cantu, Taylor, McDonald, Schoon and B. Williams spoke in favor of the amendment, and Representatives Monohon and Sommers spoke against it.

Mr. Taylor demanded an electric roll call vote, and the demand was sustained.

Ms. Monohon again opposed the amendment, and Mr. Cantu spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Cantu to Substitute House Bill No. 132, and the amendment was not adopted by the following vote: Yeas, 42; nays, 48; excused, 8.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Berozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Galloway, Hankins, Holland, King P. Lewis, Long, McDonald, Nealey, Nelson G. Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Excused: Representatives Barreff, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Mr. Clayton moved adoption of the following amendments:

On page 2, line 27 strike "resignation."

On page 2, line 30 strike all material following "deceased" through "termination" on line 32.

Representatives Clayton and Taylor spoke in favor of the amendments, and Representatives Monohon and Kreidler spoke against them.

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

Mr. Clayton spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Clayton to Substitute House Bill No. 132, and the amendments were not adopted by the following vote: Yeas, 43; nays, 47; excused, 8.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Berozoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Haugen, Holland, King P. Lewis, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 47.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Mr. Cantu moved adoption of the following amendment:  
On page 3, line 4 strike all of section 5.

Mr. Cantu spoke in favor of the amendment, and Ms. Monohon spoke against it.

The amendment was not adopted.

Substitute House Bill No. 132 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 493, by Committee on State Government (originally sponsored by Representatives Walk, Dickie, Lewis and Armstrong; by Joint Select Committee on Sunset request)

Providing for the termination of various state agencies and programs.

The bill was read the second time.

Mr. West moved adoption of the following amendment:

On page 45, after line 34, insert the following:

\*NEW SECTION, Sec. 54. The training standards and education boards and their powers and duties shall be terminated on June 30, 1986, as provided in section 55 of this act.

NEW SECTION, Sec. 55. The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1987:

(1) Section 9, chapter 94, Laws of 1974 ex. sess., section 4, chapter 132, Laws of 1981 and RCW 43.101.090;

(2) Section 10, chapter 94, Laws of 1974 ex. sess., section 5, chapter 132, Laws of 1981 and RCW 43.101.100;

(3) Section 11, chapter 94, Laws of 1974 ex. sess., section 6, chapter 132, Laws of 1981 and RCW 43.101.110;

(4) Section 12, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.120;

(5) Section 13, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.130;

(6) Section 14, chapter 94, Laws of 1974 ex. sess., section 127, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.101.140;

(7) Section 15, chapter 94, Laws of 1974 ex. sess., section 2, chapter 82, Laws of 1975 1st ex. sess. and RCW 43.101.150; and

(8) Section 16, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.160.\*

Renumber the sections consecutively and correct internal references accordingly.

Representatives West and Walk spoke in favor of the amendment, and it was adopted.

On motion of Mr. West, the following amendment to the title was adopted:

On page 17, line 30 of the title, after "2.52.070;" strike "and" and on line 32, after "2.52.080" insert "; repealing section 9, chapter 94, Laws of 1974 ex. sess., section 4, chapter 132, Laws of 1981 and RCW 43.101.090; repealing section 10, chapter 94, Laws of 1974 ex. sess., section 5, chapter 132, Laws of 1981 and RCW 43.101.100; repealing section 11, chapter 94, Laws of 1974 ex. sess., section 6, chapter 132, Laws of 1981 and RCW 43.101.110; repealing section 12, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.120; repealing section 13, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.130; repealing section 14, chapter 94, Laws of 1974 ex. sess., section 127, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.101.140; repealing section 15, chapter 94, Laws of 1974 ex. sess., section 2, chapter 82, Laws of 1975 1st ex. sess. and RCW 43.101.150; and repealing section 16, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.160"

Substitute House Bill No. 493 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 618, by Representatives Belcher and Moon

Permitting employees to participate in state deferred compensation plans.

The bill was read the second time.

On motion of Ms. Belcher, the following amendment was adopted:

On page 2, beginning on line 12 after "state" strike the balance of the paragraph down through "creditors" on line 14 and insert "and participating counties, municipalities and subdivisions (without being restricted to the provisions of benefits under the plan) subject only to the claims of the state's and participating jurisdictions' general creditors. Participating jurisdictions shall each retain property rights separately"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 618, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Engrossed House Bill No. 618, having received the 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. 689, by Representatives Silver, J. King, B. Williams, Tanner, Schmidt, Schoon, Brough, Padden, Johnson, Tilly, Long and Sanders

Establishing the small business assistance coordinating council.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 689 was substituted for House Bill No. 689, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 689 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Silver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 689, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Substitute House Bill No. 689, having received the 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, HOUSE BILL NO. 862 was rereferred from the second reading calendar to Committee on Rules.

HOUSE BILL NO. 741, by Representatives Isaacson, Moon, Addison, Todd, Sanders, Hine and Dickie

Changing age provisions relating to the reporting of deaths by local registrars of vital statistics.

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

HOUSE BILL NO. 479, by Representative Appelwick

Modifying provisions on safe deposit companies.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 2, line 25 after "~~(the~~ strike ") fees (~~"~~ and insert "fees"

On motion of Mr. Armstrong, the committee amendment was adopted.

Mr. Ballard moved adoption of the following amendments:

On page 2, line 7 following "~~((two years))~~" strike "six months" and insert "one year"

On page 2, line 20 following "~~((two years))~~" strike "six months" and insert "one year"

On page 2, line 22 preceding "such person" strike "six months" and insert "one year"

Mr. Ballard spoke in favor of the amendments, and Mr. Appelwick spoke against them.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Appelwick, does House Bill 479 have a fiscal impact to the state?"

Mr. Appelwick: "No, it does not have a separate fiscal note that I'm aware of. It's included as part of the \$3 million under the unclaimed property act that was previously passed."

Mr. Vander Stoep: "When something becomes unclaimed property, it falls to the state. Is that right?"

Mr. Appelwick: "That is correct."

Mr. Vander Stoep: "So you wouldn't know whether or not there would be a fiscal impact, whether you did it in a year or two years?"

Mr. Appelwick: "The way the uniform unclaimed property act and the integration of this bill work, is that after the property has been named unclaimed for the statutory period of time, it then would be surrendered to the state to be held. The state derives its income then either from custody of the fees that are subsequently unclaimed at a future date, or from interest on those proceeds that have sold."

Mr. Vander Stoep: "But whether it was two years or six months or one year, you don't know whether or not there would be a fiscal impact of any degree?"

Mr. Appelwick: "We can't tell without looking at actual deposits what the extent of the fiscal impact would be, but certainly by the fact this shortens the period of time for surrendering those properties and a shorter period of time which financial institutions must hold them, it would, in all probability, result in some coming to the state sooner."

Mr. Armstrong spoke against the amendments, and Representatives Tilly and Locke spoke in favor of them.

Mr. Ballard spoke again in favor of the amendments.

The amendments were adopted.

On motion of Mr. Appelwick, the following amendment was adopted:

On page 3, line 11 after "the" and before "~~((~~ insert "contents of the safe or box located and where the"

Ms. Long moved adoption of the following amendment:

On page 4, following line 28 insert a new section as follows:

**"NEW SECTION, Sec. 3.** There is added to chapter 22.28 RCW a new section as follows:

Any monies derived from the sale of items delivered to the department of revenue as unclaimed property under the provisions of RCW 22.28.040 or RCW 22.28.060 shall be dedicated to the department of retirement systems for the purpose of decreasing the unfunded liability in the law enforcement officers and fire fighters retirement system."

Ms. Long spoke in favor of the amendment, and Ms. Sommers spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Long to House Bill No. 479, and the amendment was not adopted by the following vote: Yeas, 32; nays, 58; excused, 8.

Voting yea: Representatives Addison, Ballard, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Lewis, Long, McDonald, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 32.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Mr. Schoon moved adoption of the following amendment by Representatives Schoon and Long:

On page 4, following line 28 insert a new section as follows:

**"NEW SECTION, Sec. 3.** There is added to chapter 22.28 RCW a new section as follows:

Any monies derived from the sale of items delivered to the department of revenue as unclaimed property under the provisions of RCW 22.28.040 or RCW 22.28.060 shall be dedicated to the superintendent of public instruction for the purpose of funding programs for preschool handicapped children."

Representatives Schoon and G. Nelson spoke in favor of the amendment, and Mr. Heck spoke against it.

Mr. Schoon spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Schoon and Long to House Bill No. 479, and the amendment was not adopted by the following vote: Yeas, 33; nays, 57; excused, 8.

Voting yea: Representatives Addison, Ballard, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Holland, King R, Lewis, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 33.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 479, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Engrossed House Bill No. 479, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 739, by Representatives Clayton, Ellis, Wilson, Martinis, Hankins, Smith, Dickie and Barrett

Authorizing special operating permits to be granted for antique boilers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was 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 House Bill No. 739, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

House Bill No. 739, having received the 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. 436, by Representatives Monohon, Vekich, Patrick, Zellinsky, Smitherman, Belcher, Sanders, McClure, Taylor, Fisch, Ristuben, Powers, Egger, Jacobsen, Stratton, Isaacson, Long, P. King and Schoon

Exempting persons over sixty-five from fees for collecting wood from state beaches and parks.

The bill was read the second time.

On motion of Mr. Chandler, the following amendment was adopted:

On page 1, line 8 strike "in state parks" and insert "on all state lands where wood gathering is permitted"

On motion of Ms. Haugen, the following amendment by Representatives Haugen, Armstrong, Sommers and Fiske was adopted:

On page 1, line 8 after "use," insert "To receive this exemption, persons over the age of sixty-five must qualify under the financial eligibility requirements of RCW 43.51.055(2)(c)."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Monohon spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 436, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J. King P., King R., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Engrossed House Bill No. 436, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 856, by Representatives Addison, Ebersole, Patrick, Smitherman, Lewis and B. Williams

Lowering the age of law enforcement and fire fighter's children exempt from college and university tuition fees.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 856 was substituted for House Bill No. 856, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 856 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 856, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J., King P., King R., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Substitute House Bill No. 856, having received the 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. 203, by Representatives Lux, Sanders and Garrett

Modifying provisions on underinsured motor vehicle coverage.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 64th Day, March 14, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 203, and the bill passed the House by the following vote: Yeas, 87; nays, 2; absent, 1; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Brough - 2.

Absent: Representative Haugen - 1.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Engrossed House Bill No. 203, having received the 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. 620, by Representatives Lux, Belcher and Kreidler (by State Employees Insurance Board request)

Permitting the state employees' insurance fund to self-fund its insurance programs.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 620 was substituted for House Bill No. 620, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 620 was read the second time.

Mr. Ballard moved adoption of the following amendment:

On page 3, following line 21 insert the following:

"(c) Any investment of funds from the state employees' insurance reserve fund shall be governed by the provisions under chapter 48.13 RCW."

Renumber the remaining subsections consecutively.

Representatives Ballard, Lewis, McDonald, West and Addison spoke in favor of the amendment, and Representatives Kreidler, Lux and Wang spoke against it.

Mr. Ballard spoke again in favor of the amendment, and Mr. Lux again opposed it.

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

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ballard to Substitute House Bill No. 620, and the amendment was not adopted by the following vote:

Yeas, 38; nays, 51; absent, 1; excused, 8.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Holland, Lewis, Long, McDonald, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representative Nealey - 1.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Ms. Silver moved adoption of the following amendment:

On page 3, line 27 following "funded," insert "A copy of the annual statement shall be filed with the speaker of the house of representatives and the president of the senate."

Representatives Silver and Lux spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to Substitute House Bill No. 620, and the amendment was adopted by the following vote: Yeas, 83; nays, 7; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Crane, Fisher, Garrett, King P, Kreidler, Moon, Vekich - 7.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Miller, Mitchell - 8.

Mr. Ballard moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) Any portion of the insurance programs self funded under this section shall provide that the beneficiaries of such insurance, health care plans, or protection, may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 48.21.130, 48.21.140, 48.21.141, 48.21.142, 48.21.144, 48.21.146, 48.21.150, 48.21.155, 48.21.180 RCW."

Mr. Ballard spoke in favor of the amendment, and Representatives Barnes and Lux spoke against it.

#### POINT OF INQUIRY

Mr. Ballard yielded to question by Mr. P. King.

Mr. P. King: "Representative Ballard, would you support a bill where all self insurers would have this mandated as you have indicated in your amendment?"

Mr. Ballard: "The purpose of the amendment is that the state employees would have to carry the same kind of insurance that we are presently mandating to private independent insurers. For instance, I just bought a policy recently--"

Mr. P. King: "I don't think you understand the question. Would you support a bill for all self-insurers?"

#### POINT OF ORDER

Mr. Tilly: "Mr. Speaker, I don't think the questioner is talking about the amendment before us. I don't think it has a thing to do with this amendment."

The Speaker: "Representative King, please hold your questions to the amendment we are considering."

Mr. P. King spoke against the amendment.

On motion of Mr. Taylor, further consideration of the amendment was deferred.

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

Representatives Lewis and B. Williams were excused.

Mr. Padden moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) No member of the board may participate in the decision of whether to self fund any portion of these insurance programs under its jurisdiction or a decision to contract out for payment of claims or other services under any such programs, where a breach of the appearance of fairness doctrine would occur."

Representatives Padden and G. Nelson spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Padden spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to Substitute House Bill No. 620, and the amendment was not adopted by the following vote: Yeas, 35; nays, 52; absent, 1; excused, 10.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 35.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Egger - 1.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

On motion of Mr. Broback, the following amendment was adopted:

On page 3, following line 27 insert:

"(d) Members of the board shall be deemed to stand in a fiduciary relationship to the employees covered by any self funded insurance program and shall discharge the duties of their respective positions in good faith and with that diligence, care and skill which ordinary prudent persons would exercise under similar circumstances in like positions."

Mr. Broback moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) No portion of the insurance programs under the board's jurisdiction shall be self funded unless after investigation by the board it is shown that self funding would be as free of risk, as comprehensive of coverage, and as inexpensive as that coverage which may be obtained from an independent insurer, giving preference to the independent insurer to the extent the independent insurer would pay business and occupation premium, and other taxes to the state of Washington."

Representatives Broback and Addison spoke in favor of the amendment, and Representatives Lux and P. King spoke against it.

Mr. Broback spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Broback to Substitute House Bill No. 620, and the amendment was not adopted by the following vote: Yeas, 34; nays, 53; absent, 1; excused, 10.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 34.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Absent: Representative Egger - 1.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

## MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Lux moved that the House immediately reconsider the vote by which the amendment by Representative Padden was not adopted.

The motion was carried. The amendment by Representative Padden was reconsidered and adopted.

Mr. Taylor moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) No member of the board, or any company or organization with whom the member is associated or financially interested in, may be employed to administer any portion of the insurance programs which are self funded."

Mr. Taylor spoke in favor of the amendment, and Mr. Lux spoke against it.

The amendment was not adopted.

Mr. Sanders moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) The commissioner of insurance shall promulgate rules and regulations concerning adequacy of reserves required under this section and such other rules and regulations as are necessary to carry out the purposes of this section."

Mr. Sanders spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Sanders spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Broback moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) Any insurance program self funded under this section shall be subject to chapter 48.32A RCW."

Mr. Broback spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Broback spoke again in favor of the amendment, and Mr. P. King spoke against it.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Lux, who would pick up the tab for this insurance program if it went broke? We don't have a guaranty fund."

Mr. Lux: "I think what you're asking is prudently responsible. I think the responsibility as we've written the bill now, is that the insurance commissioner is responsible to make sure there are adequate reserves so there are not losses. In addition to this, any self-insurance program has an over insurance provision that would require that like any self-insured industry for workers' compensation they all have private insurance that's a reinsurance umbrella in case of a catastrophic chill or whatever happens out there. So the same thing would prevail here, and I don't see where putting these people under the guaranty fund--if you put them under the guaranty fund, it would be an out--then the citizens of the State of Washington would pick it up, and I don't think that would be appropriate. I would certainly not support putting the self-funding under the guaranty fund."

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Broback to Substitute House Bill No. 620, and the amendment was not adopted by the following vote: Yeas, 37; nays, 51; excused, 10.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Holland, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 37.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

Mr. Fuhrman moved adoption of the following amendment by Representatives Ballard and Fuhrman:

On page 3, following line 27 insert:

"(d) For the purposes of 48.14 RCW any self insurance program created under this section will be considered a domestic insurer"

Mr. Fuhrman spoke in favor of the amendment, and Mr. Wang spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Ballard and Fuhrman to Substitute House Bill No. 620, and the amendment was not adopted by the following vote: Yeas, 33; nays, 55; excused, 10.

Voting yea: Representatives Addison, Ballard, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Holland, Long, McDonald, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Wilson - 33.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

Mr. Addison moved adoption of the following amendment:

On page 3, following line 27 insert:

"(d) Any contract let for the administration of the payment of claims or other services under any such programs shall be put out for competitive bid."

Representatives Addison and Lux spoke in favor of the amendment, and it was adopted.

#### MOTION FOR RECONSIDERATION

Mr. Locke, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendment by Representative Addison was adopted.

Mr. Addison spoke against the motion, and Representatives Moon, Lux and G. Nelson spoke in favor of it.

Mr. Moon spoke again in favor of the motion.

Mr. Heck 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 the Addison amendment was adopted, and the motion was carried by the following vote: Yeas, 53; nays, 35; excused, 10.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Long, McDonald, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 35.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

The Speaker stated the question before the House to be reconsideration of the amendment by Representative Addison.

Mr. Addison spoke in favor of the amendment, and Mr. P. King spoke against it.

## ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representative Addison to Substitute House Bill No. 620, and the amendment was not adopted by the following vote: Yeas, 35; nays, 53; excused, 10.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 35.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

Mr. Ballard moved adoption of the following amendments:

On page 2, line 26 after "plans," and before "including" insert "self-insurance programs for comprehensive health or disability benefits"

On page 2, line 29 after "plans," insert "self-insurance programs for comprehensive health or disability benefits"

Mr. Ballard spoke in favor of the amendments, and Representatives Lux and Barnes spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Ballard to Substitute House Bill No. 620, and the amendments were not adopted by the following vote: Yeas, 36; nays, 52; excused, 10.

Voting yea: Representatives Addison, Allen, Ballard, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Hankins, Holland, Kaiser, Long, McDonald, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 36.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Barrett, Bond, Ellis, Hastings, Isaacson, Johnson, Lewis, Miller, Mitchell, Williams B - 10.

## MOTION

Mr. G. Nelson moved that Substitute House Bill No. 620 be rereferred to Committee on Financial Institutions & Insurance.

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

The motion was lost.

## MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Monday, March 28, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-EIGHTH DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, March 28, 1983

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Horner and David Rees. Prayer was offered by The Reverend Charles Loyer, Pastor Emeritus 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.

## REPORTS OF STANDING COMMITTEES

March 27, 1983

HB 761 Prime Sponsor, Representative Pruitt: Extending voter registration to ten days before the election. Reported by Committee on Rules.

Referred to Committee on Constitution, Elections & Ethics.

March 27, 1983

HB 807 Prime Sponsor, Representative D. Nelson: Authorizing a B&O tax credit for the employment of certain school teachers. Reported by Committee on Rules.

Referred to Committee on Ways & Means.

## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 493, by Committee on State Government (originally sponsored by Representatives Walk, Dickie, Lewis and Armstrong; by Select Joint Committee on Sunset Review request)

Providing for the termination of various state agencies and programs.

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

Mr. Walk 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. 493, and the bill passed the House by the following vote: Yeas, 89; nays, 1; absent, 8; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representative Garrett - 1.

Absent: Representatives Brekke, Grimm, Halsan, Locke, Lux, McClure, Monohon, Sanders - 8.

Engrossed Substitute House Bill No. 493, having received the 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. 741, by Representatives Isaacson, Moon, Addison, Todd, Sanders, Hine and Dickie

Changing age provisions relating to the reporting of deaths by local registrars of vital statistics.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 741, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 8; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Brekke, Grimm, Halsan, Locke, Lux, McClure, Monohon, Sanders - 8.

House Bill No. 741, having received the 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. 868, by Committee on Transportation (originally sponsored by Representatives Crane, Smitherman, Barnes, Moon, R. King, Garrett, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders and Halsan)

Authorizing permanently unemployed veterans to have special license plates.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 868, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 8; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Brekke, Grimm, Halsan, Locke, Lux, McClure, Monohon, Sanders - 8.

Substitute House Bill No. 868, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 11, by Representatives Tilly, Locke and Barnes

Repealing Article IV, section 29, of the Constitution pertaining to the election of superior court judges.

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

Mr. Tilly spoke in favor of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 11, and the resolution passed the House by the following vote: Yeas, 91; nays, 2; absent, 5; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Garrett, Padden - 2.

Absent: Representatives Brekke, Locke, McClure, Monohon, Sanders - 5.

House Joint Resolution No. 11, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 620, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Belcher and Kreidler; by State Employees Insurance Board request)

Permitting the state employees' insurance fund to self-fund its insurance programs.

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

Mr. Lux spoke in favor of passage of the bill, and Mr. Broback spoke against it.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Ballard.

Mr. Ballard: "Representative Lux, as you are painfully aware, I have a lot of reservations about this and there is one area I'd like to have you address for me if you could. If the present carriers have so much set aside in reserve and then they have a major catastrophe and they would go way over their reserve, would they be obligated to pay those losses no matter if it went into millions of dollars over their reserve; and at the same time, if this were under a state insurance plan and they ran through their reserve and ran out of money, what would happen?"

Mr. Lux: "Well, Representative Ballard, I suppose you are asking me what would happen if an atomic bomb or a nuclear warhead landed on the capitol here. I really can't answer that. If you are going to destroy everything that's out there, you are asking me what is the back up. The only way I can explain that is that there is not insurance coverage if every home in America is demolished tomorrow. If every bank in town, every bank in America goes under tomorrow, there isn't anywhere enough in the FDIC to cover that. I don't know how you would handle those kinds of situations."

Representatives Ballard and McDonald spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Lux, on page 3 of the engrossed substitute bill, line 19 of subsection (b), it says: 'The state employees' insurance board shall keep full and adequate accounts and records of the assets, obligations, transactions and affairs of the self-insurance program.' Could you give me a definition of what 'adequate' means in this case?"

Mr. Lux: "Representative Hastings, when this was discussed it was said that this means that they have to follow exactly the same regulations and audits that other insurance companies do. The insurance commissioner is going to review and audit these funds."

Mr. Hastings: "So is it the intent to have as strict, if not stricter, regulations than what the insurance commissioner would require in the private sector?"

Mr. Lux: "That's the intent of the bill, and that's the intent of the amendment that was offered and adopted in committee."

Mr. Fuhrman spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Lux, if the states goes into the insurance business, this is insurance business which the private sector apparently has and of course, the private sector pays taxes such as the premium tax which the state would not receive as revenue if this bill passes. Correct?"

Mr. Lux: "No, that's not correct at all. We're not going into the insurance business in the first place. There's nothing in this bill that says we're going into the insurance business. It says they are being allowed to self fund and that means that they would probably hire an insurance company that would be similar to a service company in the workers' comp field to administer the programs for them. They are not going into the insurance business any more than Boeing goes into the insurance business when they self insure for worker's comp."

Mr. Sanders: "But this is taking away insurance from the private sector. It's possible that the state insurance program would hire a service company, but it would not directly contract with a private insurance company for the insurance, isn't that correct?"

Mr. Lux: "Representative Sanders, that isn't correct either. The only time they would use the self funding mechanism is when they felt in the judgment of the board that there was a margin or that they weren't getting adequate competitive bidding and that they could do better by self-funding. In any other case if there were competitive bids from reputable insurance companies, the way the statute reads, they would be obligated to take those bids."

Representatives Sanders and Addison spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 620, and the bill passed the House by the following vote: Yeas, 58; nays, 40; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Williams B, Williams J, Wilson - 40.

Engrossed Substitute House Bill No. 620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 132, by Committee on Ways & Means (originally sponsored by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Patrick, P. King, Johnson, Isaacson, Garrett, Ristuben and Halsan)

Modifying provisions relating to accrued vacation leave for public employees.

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

Ms. Monohon spoke in favor of passage of the bill, and Mr. Dickie spoke against it.

## POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Monohon, I'm trying to get clarification on the Supreme Court ruling that you made reference to. My understanding from the bill report (I'm not an attorney) is that the challenge was brought because Senate Bill 5007 prohibited employees from cashing out their sick leave. Because they were under existing contract, the case was brought before the Supreme Court on the basis that such a prohibition would not apply to persons employed prior to the effective date of this act because of existing employee contracts. I'm asking: Does the Supreme Court ruling relate to that question or did it relate to the fact that the legislature cannot enact future contracts that would allow payment of accrued vacation?"

Ms. Monohon: "I'm not sure if I fully understand your question, but the Supreme court ruled that the existing language affected PERS I with their cash out and that was a contractual right under the pension system and we could not address the pension abuse by that method. As I said before, what we're trying to do is just strip the language off the books that the Supreme Court has said is unconstitutional and come back with a different method in a later bill to address that."

Representatives Cantu and Taylor spoke against the bill.

## POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Monohon, the question I have is regarding primarily the PUD employees and SB 5007 did effect them. In our district we have a number of districts that have allowed people to cash in up to sixty days. How does this particular measure bear upon them?"

Ms. Monohon: "The ruling addresses PERS I employees and says that we cannot use this language to address the pension ballooning situation for all PERS I employees; that to do so was unconstitutional. If that individual is a PERS I employee, then you cannot address the pension ballooning with that situation. What we are doing is bringing the language into conformity, and then we will come back with another bill that uses a different method to address the pension ballooning."

Mr. Tilly: "Is there anything in this bill that would prohibit a local PUD board of commissioners, through their own policy, from reducing from sixty or fifty-six days down to thirty days or maybe even allowing no-days cash-in for a PERS I employee?"

Ms. Monohon: "It would depend on the contract and what kind of employees they are, if they are a PERS I or PERS II or what."

Mr. Tilly: "But the intent if not to mandate that the sixty days continue?"

Ms. Monohon: "The intent of this bill is just simply to bring the statute into conformity with the Supreme Court ruling and to come back and address the pension ballooning with a different vehicle."

Mr. G. Nelson spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 132, and the bill passed the House by the following vote: Yeas, 54; nays, 44; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince,

Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Substitute House Bill No. 132, having received the 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. 300, by Representatives P. King, Dickie, Galloway, Holland, G. Nelson, Egger, Stratton, Schoon, Armstrong, Taylor, Heck, Johnson, Betzoff, Haugen, Tanner, Sutherland, Zellinsky, Powers, Sayan, Smitherman, Ebersole, Fisher, Ellis, Hine, Crane, Jacobsen, Halsan, Todd, Ristuben, Lux, J. Williams and Moon

Modifying the laws regulating the school directors' association.

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

Representatives P. King, Schoon, Lux, Galloway, Betzoff and Van Dyken spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 300, and the bill passed the House by the following vote: Yeas, 91; nays, 7; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 91.

Voting nay: Representatives Burns, Fisher, Jacobsen, Locke, Sayan, Walk, and Mr. Speaker - 7.

Substitute House Bill No. 300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 606, by Representatives R. King, Patrick, Fisch, Lux, Ellis, Jacobsen and Belcher

Regulating employee-employer relationships.

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

Representative R. King spoke in favor of passage of the bill, and Representatives Struthers, Patrick, Broback, Ballard and Schoon spoke against it.

Mr. R. King spoke again in favor of the bill, and Mr. Ballard again opposed it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Hastings.

Mr. Hastings: "Representative King, the last paragraph of section 1 in the first part says that if I have a contract and I desire to sell to you, I have to tell you that I have a bargaining contract. The second part of that says, 'The disclosure requirements are satisfied to include any contract of sale, agreement to purchase or similar instrument of conveyance, a statement that the successor employed is bound as provided for in the collective bargaining agreement.' My question is, what happens if I tell you that we have a collective bargaining agreement but we don't agree in any of the contract for sale, agreement of purchase, that they should carry out? What happens then?"

Mr. R. King: "All that says is that one way of satisfying the disclosure requirement would be to put it into the contract. Another way would be to have a jointly-signed statement that's not quite a contract. There would be a number of ways that the seller could protect himself without actually putting it into a sales' contract."

Mr. Hastings: "Then by what you said, it sounds to me that you really don't have to do what is in the second part. I tell you I have a contract which fulfills that

part, and then if I don't have to put it in a contract--the collective bargaining, it seems to me, is rather open that way."

Mr. R. King: "In the first place, we would hope there would never be a purpose for a law like this, that nobody would violate it. If a sale occurs--say I sold a business to you--I told you verbally that I have a union contract and you are going to have to live up to that contract for the six months remaining on the contract. When it comes up for renegotiation, you are on your own and can do what you want. I don't write it down and you don't write it down anyplace. You buy the business from me and you immediately fire everybody; that violates the contract. There would be an action brought against you and one of your possible defenses would be that you were not alerted, I suppose, and then you and I would have an argument."

Mr. Hastings: "I guess that's my point. I have to tell you by written notice. My point is that if we don't put it in any other area in the contract, agreement of purchase, we just verbally say it."

Mr. R. King: "In most sales there would be attorneys involved in the transaction, and you are going to have all kinds of leases and contracts and papers and agreements and encumbrances and everything else, and the labor contract would be probably one of the most simple ones to understand. With this language in the law, any attorney who represented you to the buyer or the seller would make sure that was known and noticed."

Mr. Hastings: "If we don't agree on that second part, then where are we? What's the intent of the bill then?"

Mr. R. King: "If you can make a sales' agreement then there's no problem. You are going to have to decide if you want to buy the business and continue that contract."

Mr. Padden spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 606, and the bill passed the House by the following vote: Yeas, 50; nays, 48; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

Engrossed House Bill No. 606, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### SECOND READING

HOUSE JOINT MEMORIAL NO. 19, by Representatives Tilly, B. Williams, Taylor, Johnson, Barnes, Chandler, Smith, Sanders, Prince, Silver, Allen, Miller, G. Nelson, Patrick, Brough, Ballard, Wilson, J. Williams, Isaacson, Betzoff and Lewis

Asking Congress to adequately fund the Export Import Bank.

The memorial was read the second time. On motion of Mr. J. King, Substitute House Joint Memorial No. 19 was substituted for House Joint Memorial No. 19, and the substitute memorial was placed on the calendar for second reading.

Substitute House Joint Memorial No. 19 was read the second time. On motion of Mr Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Tilly spoke in favor of the memorial, and Mr. Fuhrman spoke against it.

Mr. Tilly spoke again in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Memorial No. 19, and the memorial passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Moon - 2.

Substitute House Joint Memorial No. 19, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 319, by Committee on Commerce & Economic Development (originally sponsored by Representatives J. King and B. Williams; by Liquor Control Board request)

Modifying provisions relating to the state liquor control board.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendments by Representatives Van Dyken and Moon:

On page 1, line 29 after "determine" insert ", after obtaining the approval of the legislative authority of the local jurisdiction."

On page 2, line 3 after "appoint" insert ", after obtaining the approval of the legislative authority of the local jurisdiction."

With the consent of the House, Mr. Van Dyken withdrew the amendments.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Moon:

On page 8, following line 27 insert "The board shall issue no beer retailer license Class A, B, D, or E or wine retailer license Class C or F or Class H license covering any premises not now licensed unless the approval of the legislative authority of the local jurisdiction is obtained."

Representatives Van Dyken and Patrick spoke in favor of the amendment, and Ms. Schmidt spoke against it.

Mr. Van Dyken spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Van Dyken, could you tell me under what kind of procedures would a local jurisdiction make its decision on where it wanted another licensee? I'm not familiar with anything beyond zoning at the local level, which really would apply to this. There seems to be nothing at the local level to give it criteria."

Mr. Van Dyken: "Representative Barrett, I'm glad you asked that question because it permits me to clarify what is a misunderstanding, obviously, of the intent of the amendment. This amendment has nothing to do with the location of a facility, whether it will be on 'H' street or 'Y' street; it's just the number of licensees, so that if there were an applicant for a liquor license and if the city council says they think they have enough outlets, the city council would have the authority to say that no more liquor licenses will be authorized. It just gives them that authority."

Representatives Barrett and Struthers spoke against the amendment, and Representatives G. Nelson and Moon spoke in favor of it.

The amendment was not adopted.

Mr. Dellwo moved adoption of the following amendments by Representatives Dellwo, Stratton, Egger, Padden and Van Dyken:

On page 8, line 31 after "the premises of any" strike "tax supported public" and insert "(~~tax supported public~~)"

On page 8, line 36 after "license" strike ", and if, after receipt by the school (" and insert "(~~and if, after receipt by the school~~)"

On page 9, strike lines 1 through 10 and insert "(~~church, or public institution of the notice as provided in this subsection, the board receives written notice, within twenty days after posting such notice, from an official representative or representatives of the schools and/or churches within five hundred feet of said proposed licensed premises, indicating to the board that there is an objection to the issuance of such license because of proximity to a school or church. For the purpose of this section, church shall mean a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith~~))."

Representatives Dellwo, Stratton, Padden and Pruitt spoke in favor of the amendments, and Representatives J. King and Schmidt spoke against them.

The amendments were adopted.

Mr. G. Nelson moved adoption of the following amendment:

On page 13, following line 18 insert:

NEW SECTION. Sec. 11. There is added to chapter 66.08 RCW a new section to read as follows:

The board shall cease selling, at retail, beer and wine on June 30, 1986."

Mr. G. Nelson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. G. Nelson yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Nelson, I'm told by people who frequent state liquor stores that there are beers on sale there of a higher alcohol content than are legally salable in grocery stores. That being the case, would that then make the sale of those beers illegal in the state or where could they be sold?"

Mr. G. Nelson: "We would have to change that particular statute to permit those stronger beers, but that's why we're now putting on notice, 1986. You could, I think, make that particular change rather easily. You are right, there are strong beers that are sold in liquor stores that aren't sold in the grocery stores, but this amendment would establish the stepping stone to permit that."

#### POINT OF INQUIRY

Mr. G. Nelson yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Nelson, it's my understanding that if we phased out the sale of beer and wine in the liquor stores in a one-year period that it would have an impact of a loss of \$8 million in revenue. If we did it over a three-year period, obviously that loss would be sustained over a greater period of time, but have you estimated what that loss would be over the period you are discussing?"

Mr. G. Nelson: "That estimate was weighed, Representative Smitherman, by the State Liquor Control Board itself in an analysis they gave to the Legislative Budget Committee on July 1, 1982. That particular \$8 million per year, in my opinion, would be less as we now get people oriented toward the idea of purchasing from their local grocery store. What's happening today is that those that want to buy beer or wine, in some cases, are going to two different establishments, especially in the case brought up by one of our previous colleagues on the strong beer where there may be some interest in purchasing that, or a particular different wine, or whatever the case might be. I want to point out, I want to be sure in all candor that you recognize this, in some cases the liquor control stores will have a cheaper price because they are cost subsidizing. When it's a monopoly within the State of Washington you can get away with that kind of stuff. So they took that particular



point in mind, but I am convinced that we will far make up for any loss by transferring this particular business into the private sector. There wasn't, in this case, in this particular report that was made, any reduction in numbers of employees, of space that would be reduced for the storage of the wine and beer. There are just an awful lot of things that I think we are lacking that in this three-year phase-in would be taken care of and we would, in fact, likely be making more money than we are today."

Representatives Brekke, Sommers and Vander Stoep spoke against the amendment, and Representatives Clayton, Barrett and Fiske spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Substitute House Bill No. 319, and the amendment was adopted by the following vote: Yeas, 53; nays, 45; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Ellis, Fiske, Fuhrman, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, King J, Lewis, Martinis, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson, Zellinsky - 53.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 45.

#### MOTION FOR RECONSIDERATION

Ms. Hine, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendment by Representative G. Nelson was adopted.

Ms. Hine spoke in favor of the motion, and Mr. G. Nelson 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 G. Nelson to Substitute House Bill No. 319 was adopted, and the motion was lost by the following vote: Yeas, 46; nays, 52; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J, Lewis, Long, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

On motion of Mr. G. Nelson, the following amendment to the title was adopted:

On page 1, line 22 following "66.44 RCW" insert "; and adding a new section to chapter 66.08 RCW"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 683, by Representatives Vekich, Patrick, Monohon, Sayan, Fisher, Fisch, McMullen and Tanner

Providing for interest on workers compensation awards, if appealed.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 74th Day, March 24, 1983.)

Mr. R. King moved adoption of the committee amendment.

Mr. R. King moved adoption of the following amendment to the committee amendment:

On line 7 of the committee amendment strike "additional or" and on line 8 after "award," insert "When a worker or beneficiary prevails in an appeal by the worker or beneficiary to the board of the court regarding a claim for temporary total disability, the worker or beneficiary shall be entitled to interest at the rate of twelve percent per annum on the unpaid amount of the award."

Mr. R. King spoke in favor of the amendment to the amendment.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Isaacson: "Mr. Speaker, can I offer a substitute amendment for the King amendment to the committee amendment?"

The Speaker (Mr. O'Brien presiding): "These two amendments would have to be acted upon by the House first, then you could offer your amendment."

Mr. Isaacson spoke against the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative R. King to the committee amendment to House Bill No. 683, and the amendment was adopted by the following vote: Yeas, 66; nays, 31; absent, 1; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brekke, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Addison, Allen, Ballard, Barrett, Bond, Broback, Brough, Cantu, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Prince, Sanders, Silver, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J - 31.

Absent: Representative Schoon - 1.

#### MOTION FOR RECONSIDERATION

Mr. Barnes, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendment by Representative R. King to the committee amendment was adopted.

Representatives Barnes and Isaacson spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the R. King amendment to the committee amendment to House Bill No. 683 was adopted, and the motion was lost by the following vote: Yeas, 41; nays, 56; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Bond, Broback, Brough, Cantu, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Absent: Representative King J - 1.

The committee amendment as amended was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 683, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 683, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 804, by Representatives Smitherman, Zellinsky, Tilly, Sanders, Holland, Schoon, Isaacson, Johnson, Long and Allen

Requiring agencies to prepare annual program goals and objectives.

The bill was read the second time.

On motion of Mr. Tilly, the following amendments by Representatives Tilly and Smitherman were adopted:

On page 1, line 11 following "agency," insert "The goals and objectives shall be stated in terms of objective, measurable results as much as feasible."

On page 1, line 15 strike "annually"

On page 1, line 15 following "report" insert "by August 15 of each year"

On page 1, line 16 following "objectives" insert "for the previous fiscal year"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 804, and the bill passed the House by the following vote: Yeas, 95; nays, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Clayton, Fiske, Wilson - 3.

Engrossed House Bill No. 804, having received the 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. 882, by Representative Tanner

Changing provisions relating to interest rates in the absence of an express agreement.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 882 was substituted for House Bill No. 882, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 882 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Tanner spoke in favor of passage of the bill, and Mr. Lux spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 882, and the bill passed the House by the following vote: Yeas, 82; nays, 15; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, King J, King R, Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Appelwick, Armstrong, Burns, Chamley, Dellwo, Fisch, Garrett, Halsan, Jacobsen, Kaiser, Locke, Lux, Moon, Niemi, Wang - 15.

Absent: Representative King P - 1.

Substitute House Bill No. 882, having received the 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. 724, by Representatives R. King and Isaacson

Restricting circumstances under which an employer may lay off injured workers.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 74th Day, March 24, 1983.)

Mr. R. King moved adoption of the committee amendment.

Mr. Betzoff moved adoption of the following amendment to the committee amendment:

On line 7 after "has", strike "work available" and insert "a position vacant or has work available without causing the termination of another employee"

Representatives Betzoff and R. King spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Barrett moved adoption of the following amendments to the committee amendment:

On page 1, line 8 following "of" strike "doing that work" and insert "performing that work at a level which is competitive with other applicants"

On page 1, line 11 following "performing" insert "at a level which is competitive with other applicants"

Mr. Barrett spoke in favor of the amendments, and Mr. R. King spoke against them.

#### POINT OF INQUIRY

Mr. Barrett yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Barrett, as I read the amendment, it merely states that the applicant has to be at a comparable level with other applicants, doesn't have to be superior to the other applicants as the last speaker seemed to imply. Is that correct?"

Mr. Barrett: "That's correct, Representative Schoon, and I think it should be noted that when the word 'competitive' is used in the manner in which it is done here we don't mean you have to finish first. What we're saying is that the person to be hired back--and I keep reminding you, this person was terminated because of injuries--and for that person to be hired back, they would have to be able to function at the level--and the word 'competitive' has many synonyms--at a level

which is equal to that of the other applicant and equal to the nature of the job. I will remind you that there is another portion in this bill that says that they must be reemployed for any job, obviously within that company. You are correct, Representative Schoon, this does not require that you be firstest and bestest."

The amendments to the amendment were not adopted.

Mr. Ballard moved adoption of the following amendment to the committee amendment:

On page 1, line 13 following "time" insert "not to exceed six months from the time of injury"

Mr. Ballard spoke in favor of the amendment, and Mr. R. King spoke against it.

The amendment to the amendment was not adopted.

The Clerk read the following amendment to the committee amendment by Representative Clayton:

On page 1, after line 19 insert "An employee who has been off work due to a job related injury and has recovered within a reasonable amount of time not exceeding six months shall be entitled to his previous position."

With the consent of the House, Mr. Clayton withdrew the amendment to the amendment.

The committee amendment as amended was adopted.

The bill was ordered engrossed. On motion of Mr. Sayan, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 724, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 724, having received the 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. 790, by Representatives Sommers and Miller

Establishing a higher education course designation and numbering system.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 790 was substituted for House Bill No. 790, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 790 was read the second time. On motion of Mr. Sayan, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers, Charnley and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 790, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland,

Isacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 790, having received the 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. 787, by Representatives Sayan, Appelwick, Allen, Schoon, Fisher, Vekich, Stratton, Dellwo, R. King, Holland, Johnson and Miller

Excluding weekend duty military reserve pay from the definition of remuneration for purposes of unemployment compensation.

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

HOUSE BILL NO. 311, by Representatives Vekich Lux, Kreidler, Garrett and Ristuben

Establishing consumer credit reporting protections.

The bill was read the second time. On motion of Mr. Lux, Substitute House Bill No. 311 was substituted for House Bill No. 311, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 311 was read the second time.

Ms. Hankins moved adoption of the following amendment:  
On page 1, line 12 strike "toll free"

Ms. Hankins spoke in favor of the amendment, and Mr. Vekich spoke against it.

The amendment was not adopted.

On motion of Mr. Vekich, the following amendment was adopted:  
On page 1, line 15 after "inquiries" strike "and corrections." and insert "corrections, and for reverification."

On motion of Mr. P. King, the following amendment was adopted:  
On page 2, line 1 after "Any" strike "wilful."

Mr. Sanders moved adoption of the following amendment:  
On page 2, line 1 strike all of section 4.  
Renumber the remaining sections consecutively and correct internal references accordingly.

Mr. Sanders spoke in favor of the amendment, and Mr. Armstrong spoke against it.

Mr. Sanders spoke again in favor of the amendment, and Mr. Armstrong again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to Substitute House Bill No. 311, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54; excused, 0.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 517, by Representatives Grimm, Kreidler, Walk, Halsan and Wang

Requiring operators of carnival rides to possess liability insurance.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass with the following amendment:

On page 1, line 10 after "persons." strike all material to and including "48 RCW." on line 12.

On motion of Mr. Lux, the committee amendment was adopted.

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

On page 1, line 6 starting with "In" strike all material to and including "town, the" on line 7 and insert "The"

On page 1, line 16 after "entertainment." insert "Insurance obtained pursuant to requirements established by a county, city, or town may satisfy this section if it otherwise meets the standards set forth herein."

Representative Ebersole was excused.

Mr. G. Nelson moved adoption of the following amendment:

On page 1, line 16 following "entertainment." insert "No person shall operate or ride upon any carnival ride or device while drinking alcoholic beverages."

Representatives G. Nelson and Lux spoke in favor of the amendment.

#### MOTION

On motion of Mr. Heck, further consideration of House Bill No. 517 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 430.

HOUSE BILL NO. 817, by Representatives R. King, Patrick, Lux, Brekke, J. King, Schmidt, Pruitt, Clayton, McMullen, Hankins, Fisch, Hine, Heck, Gallagher and Dickie

Authorizing injured workers to claim compensation for personal property damaged as a result of industrial accidents.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass with the following amendments:

On page 1, line 6 after "Workers" insert "otherwise"

On page 1, line 7 strike "property" and insert "clothing, footwear or protective equipment"

On motion of Mr. R. King, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended the second reading considered the third, and the bill was placed on final passage.

Representatives Smith and Betrozoff spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 817, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Ebersole - 1.

Engrossed House Bill No. 817, having received the 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. 449, by Representatives Belcher, Sayan, Fisher, Fisch, Patrick, Brekke, Dellwo and R. King

Regulating the use of lie detectors for employment purposes.

The bill was read the second time. Committee on Labor recommendation: Do pass as amended. (For amendment, see Journal, 64th Day, March 14, 1983.)

Ms. Belcher moved adoption of the committee amendment.

Mr. Dellwo moved adoption of the following amendment by Representatives West and Dellwo to the committee amendment:

On line 34 of the amendment following "security" strike ", or to persons in the field of public law enforcement who are seeking promotion to a rank of captain or higher" and insert "~~(-or to persons in the field of public law enforcement who are seeking promotion to a rank of captain or higher))~~"

Representatives Dellwo and West spoke in favor of the amendment to the amendment, and it was adopted.

The committee amendment as amended was adopted.

Mr. Betrozoff moved adoption of the following amendments:

On page 2, line 5 strike "Twice the" and insert "The"

On page 2, line 9 strike "two" and insert "one"

Representatives Betrozoff, Struthers and Patrick spoke in favor of the amendment, and Ms. Belcher spoke against it.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Belcher, I'm wondering what the underlying logic or rationale behind the payment of twice the employee's wages, during the time they are off and the \$2,000 penalty?"

Ms. Belcher: "The purpose of the penalty clause in the bill was simply to make it unreasonable for an employer to violate the law. I think that's the purpose of any penalty."

Mr. Vander Stoep: "But specifically the numbers--twice the wages--is that something that's used in other law other places?"

Ms. Belcher: "I couldn't tell you how we arrived at twice the amount of the wages, whether that was modeled after other state law or not. It simply was an amount we felt was reasonable for people who had been subjected to having to take a lie detector test and then going through a court procedure and losing. It seemed a reasonable penalty."

Mr. Vander Stoep: "The same question on the \$2,000. Is there something else that matches in state law or is that just an arbitrary figure?"

Ms. Belcher: "It's a reasonable penalty for someone who has been subjected and it would be a penalty that would be awarded after the person had won a judgment in court."

Mr. Vander Stoep spoke in favor of the amendment, and Mr. Sayan spoke against it.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Belcher, I noticed that in subsection (a) it says, 'Twice the amount of wages lost by an employee who is terminated....' What amount of wages would an employee lose by being terminated? Does that pay for the rest of ones life?"

Ms. Belcher: "That was not the intent. The intent would be from the date of termination until the date the award was made. I assume that's how most loss of wage judgments are determined."

Mr. Barnes: "That would be an award made through court action?"



Ms. Belcher: "Yes, upon winning the court case, the person would be awarded twice the lost wages."

Representatives Locke and R. King spoke against the amendment, and Mr. Betrozoff spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betrozoff to House Bill No. 449, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Allen, Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Ebersole - 1.

House Bill No. 449 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 517: The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Representative G. Nelson to page 1, line 16.

Mr. Lewis moved adoption of the following amendment to the G. Nelson amendment:

On line 2 of the amendment after "beverages" insert "or under the influence of a controlled substance"

Representatives Lewis and Lux spoke in favor of the amendment to the amendment, and Mr. Pruitt spoke against it.

The amendment to the amendment was adopted.

The amendment by Representative G. Nelson as amended was adopted.

Mr. Bond moved adoption of the following amendment:

On page 1, following line 16 insert a new section as follows:

"NEW SECTION, Sec. 2. There is added to Title 19 RCW a new section to read as follows:

While operators of carnival rides or devices must possess and offer the protection of general liability insurance coverage to their users it shall be lawful for an operator to offer users noninsured rides so long as the price of such ride is at least eighty percent of the cost of an insured ride."

Mr. Bond spoke in favor of the amendment, and Mr. Halsan spoke against it.

#### POINT OF INQUIRY

Mr. Bond yielded to question by Mr. Sutherland.

Mr. Sutherland: "Representative Bond, on the next to the last line it says 'at least eighty percent of the cost.' What was it that determined that figure?"

Mr. Bond: "A lot of thought goes into that and the idea is that we don't want carnival riders to say they can ride on the thing for twenty dollars insured, or one dollar uninsured. In other words, we want it to be a reasonable difference because that way, of course, nobody would buy the insured ride. This makes it a reasonable choice."

The amendment was not adopted.

House Bill No. 517 was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grimm and Hastings spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 517, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Ebersole - 1.

Engrossed House Bill No. 517, having received the 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

The Speaker announced the appointment of Representative Tilly to the Legislative Budget Committee.

#### POINT OF INFORMATION

Mr. Taylor: "A communication from the Democratic Communications Office this morning indicated that there would be a full week of hearings on the budget. The question we have, we are assuming that since the Ways & Means Committee meeting has been cancelled for tonight, the time available will be expanded over the next several days to be equal to a full week of hearings. Is that correct?"

The Speaker: "I really don't know, Representative Taylor. My recollection is that a year or two ago the Ways & Means Committee unfortunately had to work all night on Good Friday. That's a good possibility, but we hope that's not the case. I guess we'll have to wait and see what's going to happen. I don't set the policy on the communications."

#### MOTION

On motion of Mr. Heck, the House was adjourned until 9:45 a.m., Tuesday, March 29, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SEVENTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 29, 1983

The House was called to order at 9:45 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 Shelley Grant and Tom Myers. Prayer was offered by The Reverend Charles Loyer, Pastor Emeritus 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.

## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 311, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Vekich, Lux, Kreidler, Garrett and Ristuben)

Establishing consumer credit reporting protections.

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

Representatives Vekich, Armstrong and Lux spoke in favor of passage of the bill, and Representatives Sanders and West spoke against it.

## POINT OF INQUIRY

Mr. Vekich yielded to question by Ms. Hankins.

Ms. Hankins: "Representative Vekich, how many credit reporting information agencies does this affect?"

Mr. Vekich: "Every credit bureau that uses computerized agencies in the state. There are three primary computerized sources of information in the state. They are all based outside the state and they have offices in the state. It does not, however, affect the small manual noncomputerized reporting agencies."

Ms. Hankins: "How many of those that it does affect have toll-free lines already established?"

Mr. Vekich: "The big three that we call the main basis for computerized companies have toll-free lines. The language of the bill would allow the smaller agency to use those toll-free lines. You will notice, Representative Hankins, it says: 'Each consumer credit reporting agency that maintains an office in Washington state and maintains computerized files.' There are only three companies that maintain computerized files. Nobody else is plugged into one of those three companies."

Ms. Hankins spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. West.

Mr. West: "Representative Vekich, in the bill on line 11 it says, '...and maintains computerized files.' There's nothing in this bill that says it ties into a national computerized system. Would the words 'maintains computerized files' mean to you any computerized files?"

Mr. Vekich: "Representative West, you sat in on the committee meetings, and I think you know what my intent on the bill is, and you know what computerized files we're talking about."

Mr. West: "My concern, Representative Vekich, is not your intent, but---"

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

The Speaker (Mr. O'Brien presiding): "Representative West, if you have an argument against the bill, I'd like you to speak to that rather than going into a cross-examination on the contents of the bill."

Mr. West spoke again in opposition to the bill.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Armstrong, we had a good debate yesterday on the inclusion of the consumer protection act in section 4 by cross-reference in this bill, and it's still confusing to me. Could you give me an example of how you could apply the consumer protection act to this legislation, to the activity after we authorize it?"

Mr. Armstrong: "One example would be if a person is applying for a credit card and finds out that he or she is denied credit and a debt of \$43 is somehow listed as an obligation on him. When the collection entity is informed that this is not a valid debt that should be registered against the person and it takes three months to lift the ban, whatever damages that person suffers during the three months from the period of time the collection entity was informed until the time when they finally came through with the clearing of the record which was unjustly smudged, the damages that person has from not being able to get credit are actual damages under the consumer protection act. Those could be tripled up to a maximum of \$1,000 and reasonable attorney fees if it were necessary to go to trial with the collectible rate, the reasonable rate, for having to bring that action."

Mr. Fiske spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 311, and the bill passed the House by the following vote: Yeas, 51; nays, 47; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

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

MOTION

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

SECOND READING

HOUSE BILL NO. 430, by Representatives Heck, Galloway, Burns, Dickie, Sanders, Taylor and Hine

Extending the duration of the temporary committee on educational policies, structure, and management.

The bill was read the second time.

Mr. G. Nelson moved adoption of the following amendment:  
On page 3, following line 7 insert:

**"NEW SECTION.** Sec. 3. There is appropriated for the biennium ending June 30, 1985, from the general fund to the temporary committee on educational policies, structure and management, the sum of one hundred thousand dollars, or as much thereof as may be necessary to carry out the purposes of the committee."

Representatives G. Nelson and McDonald spoke in favor of the amendment, and Mr. Heck spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to House Bill No. 430, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Absent: Representative Ballard - 1.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heck and G. Nelson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 430, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent, 1; excused, 0.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Padden, Stratton - 2.

Absent: Representative Allen - 1.

House Bill No. 430, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 480, by Representatives Belcher, McClure, B. Williams and Todd

Modifying the provisions regulating surface mines.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 480 was substituted for House Bill No. 480, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 480 was read the second time.

The Clerk read the following amendment by Representative Hastings:

On page 4, line 34 following "appeals" insert "Provided such agreements shall be subject to legislative review."

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

Mr. Mitchell moved adoption of the following amendment by Representatives Mitchell and Martinis:

On page 4, line 29 following "provide," strike all language through and including "appeals," on line 34.

Representatives Mitchell and Martinis spoke in favor of the amendment, and it was adopted.

Mr. Sanders moved adoption of the following amendment:  
On page 6, line 26 following "~~(twenty-five)~~" strike "two" and insert "one"

Representatives Sanders and McDonald spoke in favor of the amendment, and Mr. Martinis spoke against it.

Mr. Sanders spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Sanders moved adoption of the following amendment:  
On page 6, line 35 following "the" strike all language through "chapter" on line 3 of page 7 and insert "state general fund"

Representatives Sanders and Cantu spoke in favor of the amendment, and Mr. Martinis spoke against it.

Mr. Sanders spoke again in favor of the amendment, and Mr. Martinis again opposed it.

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

The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher 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. 480, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Vander Stoep - 1.

Engrossed Substitute House Bill No. 480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 571, by Representatives Hankins, Isaacson, Sutherland, Dickie, Stratton, Lewis, Moon, Nealey, Clayton and Van Dyken

Specifying procedure for removal of territory from public hospital districts.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 571 was substituted for House Bill No. 571, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 571 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 571, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 571, having received the 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. 116, by Representatives P. King, Crane and Halsan

Modifying provisions relating to offers of settlement in civil actions.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 116 was substituted for House Bill No. 116, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 116 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives P. King and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 116, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 116, having received the 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. 667, by Representative Lux (by Insurance Commissioner request)

Modifying provisions on health service contractors and health maintenance organizations.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 667 was substituted for House Bill No. 667, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 667 was read the second time.

On motion of Mr. Heck, further consideration of Substitute House Bill No. 667 was deferred, and the bill was ordered placed on the second reading calendar following House Joint Memorial No. 31.

HOUSE BILL NO. 1089, by Representatives Niemi and Johnson

Relating to the holding of a China Exhibition in Washington State.

The bill was read the second time. On motion of Ms. Niemi, Substitute House Bill No. 1089 was substituted for House Bill No. 1089, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1089 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Niemi, Tilly, Betrozoff and B. Williams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1089, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1089, having received the 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. 848, by Representatives Braddock, Lewis, Kaiser, Crane, Jacobsen, Gallagher, Smitherman, Moon, Garrett, Barnes, R. King, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders, Tanner and Addison

Extending the tuition and fee limits for Vietnam veterans.

The bill was read the second time. On motion of Mr. Burns, Substitute House Bill No. 848 was substituted for House Bill No. 848, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 848 was read the second time.

Mr. Broback moved adoption of the following amendment by Representatives Broback and Long:

On page 1, line 12 after "operations" insert "and children, of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty, who are"

Representatives Broback, Braddock, Addison, Long, Barnes, West and Vander Stoep spoke in favor of the amendment, and Representatives Burns and Locke spoke against it.

Mr. Broback spoke again in favor of the amendment.

The amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock 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. 848, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 848, having received the 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. 726, by Representatives West, Barrett, Bond, Stratton and Isaacson

Defining electrical terms and amending the provision relating to the appointment of state electrical inspectors.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 726 was substituted for House Bill No. 726, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 726 was read the second time.

On motion of Mr. West, the following amendment by Representatives Sutherland and West was adopted:

On page 1, line 21 after "accessory" strike "buildings." and insert "buildings not used for commercial purposes. Class B electrical inspectors shall not inspect locations or structures which are determined to be hazardous by a recognized and enforced local, state or national electrical code."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 305, by Representative Wang

Allowing certain licensed health care professionals to form one professional service corporation.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 68th Day, March 18, 1983.)

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

On motion of Mr. Heck, further consideration of House Bill No. 305 was deferred.

HOUSE BILL NO. 954, by Representatives Dickie, Patrick, Long, J. Williams, Schoon, B. Williams, Chandler and Sanders

Providing for a math and science recommended state course of study in the common schools.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 954 was substituted for House Bill No. 954, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 954 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Galloway and Dickie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 954, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 954, having received the 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. 305: The House resumed consideration of the bill on second reading.

Mr. Barrett moved adoption of the following amendment:

On page 1, line 20 following "corporation" insert "; AND PROVIDED FURTHER, That any other individuals or group of individuals duly licensed or otherwise legally authorized to render professional services within this state may own stock in and render their individual professional services through one professional service corporation regardless of the professions of the individuals or group"

Representatives Barrett and Padden spoke in favor of the amendment, and Mr. Wang spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barrett to House Bill No. 305, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 305, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

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

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 449, by Representatives Belcher, Sayan, Fisher, Fisch, Patrick, Brekke, Dellwo and R. King

Regulating the use of lie detectors for employment purposes.

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

Representatives Belcher, R. King, Sayan and Brekke spoke in favor of passage of the bill, and Representatives Barrett, Struthers, Barnes, Clayton and Isaacson spoke against it.

## POINT OF INQUIRY

Mr. Barrett yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Barrett, as is frequently the case, I'm confused on this bill. You said earlier that this bill would prohibit any employer from giving any test--not just lie detector, but as I read the language, any test of honesty. In the case you cited, for example, the frosting manufacturer, the gentleman from the 38th District later stood up and said that, in fact, this wouldn't prohibit that; that if there were a case, the employer could give a test to the employees. Could you expand on that?"

Mr. Barrett: "Yes, Representative Vander Stoep, I think we come back to first a basic concept that is being talked about here, and I've heard other representatives refer to it. What we are talking about is when somebody applies for a job. I call to your attention that the bill makes reference to employees or prospective employees. Employees, in any definition in the state of Washington, does not imply someone who is making an application for a position with a company; it implies a person who is under the employ of a company. As we read the bill, without having that preset in our minds, that perhaps it only applies to people applying for jobs, as we now read the bill. Getting that out of our minds, it says that the company may not require any employee to take or be subjected to any lie detector. That means any test for examination for the purpose to detect deception or to test honesty or to verify the truth of a statement. Granted, there is one further statement in there that says, 'as a condition of employment.' I think we have to understand that when a person is suspected of--let's say--injecting a substance into that frosting that we brought up awhile ago, certainly there is a danger. I'll admit there is a danger. The employee will probably lose his or her job if found to have subjected that product to some kind of pollution. We are running a very fine line. As the proponents of this bill say, it's only for people who are applying for jobs, and we are just saying as a condition of your employment, you must be subjected to any test of honesty or a test for deception or a verification of the truth of any statement you make. In the terms that many bills are read so far as interpretation, this bill says that once employed, no employer may ever try to verify the truth of a statement from an employee by use of a lie detector or any of the broad definition of lie detector as far as any kind of examination is concerned. Your confusion should be clarified now."

Representatives Vander Stoep and Betrozoff spoke against passage of the bill, and Mr. Fiske spoke in favor of it.

## POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative King, in discussion of the remarks of the question of what 'indirectly' means, if an employer, for example, upon reviewing his applicants for an opening said: 'Customarily our employees have, in the past, taken a lie detector test; would you be willing to submit to a lie detector test?' Would that be considered as a direct or indirect requirement of that employer?"

Mr. R. King: "I don't believe it would be. I think that if he went on and said the chances of getting the job are greater if you do or, if he said for some reason most people who are working there have done it, or something like that, that would be an indirect suggestion and would be very clearly prohibited. We tried to draft language here so that an employer could, especially if there were suspicion, say, 'You may take a polygraph test; you are not required to, but you may take it and it may help you feel better about it if you pass it.' The word 'indirectly' as it is used here is tied to the requirement. You are implying that if you don't do this, you will lose your job or you are not going to get the job; and that's clearly violating the law."

Mr. Isaacson: "So it's only in the broader sense of an indirect requirement, rather than an indirect statement?"

Mr. R. King: "The way I see this, you can do all the suggesting you want to that it might be a good idea, but the minute you start implying that it's tied as a

requirement to either getting a job or keeping a job, then you are violating the law."

Mr. Isaacson: "If a person did then take a lie detector test and it showed there were some problems involved with an apparent deception and an expert used that and said that employee would not probably be a good employee, would that be subject to recourse under this law?"

Mr. R. King: "Under this law, no, because one of the things that was made very clear in our committee was that the polygraph test is not one hundred percent accurate. It's not allowed in many instances in a court of law. The very best operators, and we don't necessarily have the best operators in the state of Washington because they are not licensed, have about ninety percent accuracy. Nationally, there's a movement to make them absolutely illegal because of the 500,000 people who have had to take these nationwide before they could get a job. Ninety percent accuracy means that 50,000 were denied access to work because of polygraphs who had no reason to be denied that opportunity to work."

Representatives Isaacson and Vander Stoep again opposed the bill, and Ms. Brekke spoke again in favor of it.

Mr. Charnley demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 449, and the bill passed the House by the following vote: Yeas, 56; nays, 42; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Engrossed House Bill No. 449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Schmidt was excused.

The Speaker assumed the Chair.

HOUSE BILL NO. 787, by Representatives Sayan, Appelwick, Allen, Schoon, Fisher, Vekich, Stratton, Dellwo, R. King, Holland, Johnson and Miller

Excluding weekend duty military reserve pay from the definition of remuneration for purposes of unemployment compensation.

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

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

#### POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Sayan, I looked at the fiscal note on this measure. You know, we keep adding benefits and we don't increase the unemployment compensation revenue side, and the unemployment compensation fund is already in deep trouble. The fiscal note says they can't estimate the cost of this or the impact to the unemployment comp fund. Could you elaborate please?"

Mr. Sayan: "I suspect the reason they can't estimate the cost is because this is not calculated as earnings in the overall unemployment compensation benefits. In other words, there aren't earnings paid in. All this suggests is if these people were to be unemployed under the current practice, how much would be deducted from

their rate of earnings under their current rate. If this were to be considered as part of their earnings, their benefit level would be here. It is not considered as part of their earnings, but it is deducted, therefore, anything that is earned is down here. It would be a wash in the last analysis, but there's no way to estimate how much money these people are, in fact, giving to that fund."

Mr. Sanders: "This will not impact--"

#### SPEAKER'S ADMONITION

The Speaker: "Representative Sanders, we've had a debate going back and forth here. I've been sitting and listening for some time today to the debate. The purpose of a question-and-answer is primarily to put something in the record. It's a very short distance between your two desks and, unless it's a planned scenario which is going into the Journal, I suggest that the members talk with each other and let's get on with what's happening. It has become a debate."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, I agree with your remarks that asking questions and answers is to get the intent in the Journal, and sometimes those questions can't be answered very easily by 'yes' or 'no.' You have to deal sometimes a little deeper than that. I think the gentleman from the 48th District's question was to try to find out why there was no fiscal impact. I think the question was good because the rules of the House would say fiscal impacts of a certain amount should go to Ways & Means. I think that the Representative from the 48th District was trying to establish that, and I think certainly the question was in order."

The Speaker: "We are going to take this on a case-by-case basis. Representative Hastings. My observation has been that in the past, generally, it is true that this kind of debate could be handled in some discussion between the members which does not take up the time of the body. We've been on this matter for some time. The point is that it's going to be on a case-by-case basis, and the Speaker will not accept a debate back and forth. I suggest the members try to resolve it and then we'll handle it case-by-case."

Mr. Padden spoke against passage of the bill, and Representatives R. King and Fuhrman spoke in favor of it.

Mr. Sayan spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 787, and the bill passed the House by the following vote: Yeas, 90; nays, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Armstrong, Cantu, King J, Niemi, Prince, Struthers, Williams J - 7.

Excused: Representative Schmidt - 1.

House Bill No. 787, having received the 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, the House reverted to the sixth order of business.

## SECOND READING

HOUSE JOINT MEMORIAL NO. 31, by Representatives Fuhrman, Sanders and Tanner

Petitioning Congress and President Reagan to make efforts to have MIAs returned.

The memorial was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Fuhrman and Van Dyken spoke in favor of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 31, and the memorial passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Niemi - 1.

Excused: Representative Schmidt - 1.

House Joint Memorial No. 31, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 667: The House resumed consideration of the bill on second reading.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Sanders:

On page 10, line 29 after "fund," insert a new section to read as follows:

"Sec. 16. Section 20, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.21.200 are each amended to read as follows:

(1) No group disability insurance policy which provides benefits for hospital, medical, or surgical expenses shall be delivered or issued for delivery in this state after September 8, 1975 which contains any provision whereby the insurer may reduce or refuse to pay such benefits otherwise payable thereunder solely on account of the existence of similar benefits provided under any individual disability insurance policy, or under any individual health care service contract.

(2) Except as provided under subsection (4), ((No)) no group disability insurance policy providing hospital, medical or surgical expense benefits and which contains a provision for the reduction of benefits otherwise payable thereunder on the basis of other existing coverages, shall provide that such reduction will operate to reduce total benefits payable below an amount equal to one hundred percent of total allowable expenses. The commissioner shall by rule establish guidelines for the application of this section, including: (a) The procedures by which persons insured under such policies are to be made aware of the existence of such a provision; (b) the benefits which may be subject to such a provision; (c) the effect of such a provision on the benefits provided; (d) establishment of the order of benefit determination; and (e) reasonable claim administration procedures to expedite claim payments under such a provision.

(3) The provisions of this section shall apply to health care service contractor contracts and health maintenance organization agreements.

(4) Nothing in this section prevents a provision in a contract, agreement or policy negotiated by the state employees' insurance board with any health maintenance organization, health care contractor or insurer, which provision provides for a reduction in benefits below an amount equal to one hundred percent of total allowable expenses where the reduction occurs under the following circumstances: (a) the reduction totally or partially offsets a decrease in a deductible; (b) the decrease in the deductible results from coordination of benefits; and (c) the

provision is based on the board's belief that employees having to pay for the reduction in benefits will result in more cost-effective use of health care services. This subsection provides authority to have such a provision in a contract, agreement or policy negotiated by the board. The commissioner shall adopt rules providing for reciprocity in coordination of benefits between a board-approved plan having the provision authorized under this subsection and any other plan, policy or contract."

Renumber the remaining sections consecutively.

Representatives Lux and Sanders spoke in favor of the amendment, and it was adopted.

On motion of Mr. Lux, the following amendment to the title was adopted:

On line 1 of the title after "insurance;" insert "amending section 20, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.21.200;"

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill 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 Substitute House Bill No. 667, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Schmidt - 1.

Engrossed Substitute House Bill No. 667, having received the 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. 596, by Representatives Todd, Isaacson, D. Nelson, Long, Gallagher and Miller

Modifying provisions on the state building code.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 74th Day, March 24, 1983.)

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

Mr. Gallagher moved adoption of the following amendment by Representatives Gallagher, Garrett, Smitherman, Zellinsky, Egger, Stratton, R. King and O'Brien:

On page 2, line 12 after "following" insert ": PROVIDED, That the codes referred to in subsections (1), (2), (4) and (6) shall not be exceeded by cities, counties and towns"

Representatives Gallagher, Isaacson, J. Williams, Barrett, Broback and G. Nelson spoke in favor of the amendment, and Representatives Todd, D. Nelson, Long and Hine spoke against it.

Mr. Gallagher spoke again in favor of the amendment, and Representatives D. Nelson and Todd again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Gallagher and others to House Bill No. 596, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Cantu, Clayton, Dellwo, Dickie, Ebersole, Fisch, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Isaacson, Johnson, King J, King P, Lewis, Martinis, McDonald, McMullen, Mitchell, Nealey,

Nelson G. O'Brien, Padden, Ristuben, Sanders, Sayan, Schoon, Smith, Smitherman, Struthers, Taylor, Tilly, Williams B. Williams J. Wilson, Zellinsky - 44.

Voting nay: Representatives Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Crane, Ellis, Fisher, Fiske, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King R, Kreidler, Locke, Long, Lux, McClure, Miller, Monohon, Moon, Nelson D, Niemi, Patrick, Powers, Prince, Pruitt, Rust, Silver, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, and Mr. Speaker - 51.

Absent: Representatives Egger, Stratton - 2.

Excused: Representative Schmidt - 1.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Barrett moved that the House immediately reconsider the vote by which the amendment by Representative Gallagher and others to House Bill No. 596 was not adopted.

Representatives Barrett, Gallagher and Barnes spoke in favor of the motion, and Mr. D. Nelson spoke against it.

Mr. Barnes spoke again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House immediately reconsider the vote by which the amendment by Representative Gallagher and others to House Bill No. 596 was not adopted, and the motion was lost by the following vote: Yeas, 45; nays, 50; absent, 2; excused, 1.

Voting yea: Representatives Addison, Barnes, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Isaacson, Johnson, King R, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Nelson G, O'Brien, Padden, Prince, Sanders, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ellis, Fisher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nealey, Nelson D, Niemi, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 50.

Absent: Representatives Egger, Stratton - 2.

Excused: Representative Schmidt - 1.

House Bill No. 596 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 685, by Representatives Van Dyken and Moon

Revising local government procedures concerning shoreline management.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 685 was substituted for House Bill No. 685, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 685 was read the second time.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Rust and Moon:

On page 7, after line 7 insert the following:

"Sec. 2. Section 18, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 51, Laws of 1975-76 2nd ex. sess. and RCW 90.58.180 are each amended to read as follows:

(1) Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 as now or hereafter amended may seek review from the shorelines hearings board by filing a request for the same within thirty days of the date of filing as defined in RCW 90.58.140(6) as now or hereafter amended.

Concurrently with the filing of any request for review with the board as provided in this section pertaining to a final order of a local government, the requestor shall file a copy of his request with the department and the attorney general. If it appears to the department or the attorney general that the requestor has valid reasons to seek review, either the department or the attorney general may certify the request within thirty days after its receipt to the shorelines hearings board. Following which, the board shall then, but not otherwise, review the matter covered by the requestor: PROVIDED, That the failure to obtain such certification shall not preclude the requestor from obtaining a review in the superior court under any right to review otherwise available to the requestor. The department and the attorney general may intervene



to protect the public interest and insure that the provisions of this chapter are complied with at any time within fifteen days from the date of the receipt by the department or the attorney general of a copy of the request for review filed pursuant to this section. The shorelines hearings board shall initially schedule review proceedings on such requests for review without regard as to whether such requests have or have not been certified or as to whether the period for the department or the attorney general to intervene has or has not expired, unless such review is to begin within thirty days of such scheduling. If at the end of the thirty-day period for certification neither the department nor the attorney general has certified a request for review, the hearings board shall remove the request from its review schedule.

(2) The department or the attorney general may obtain review of any final order granting a permit, or granting or denying an application for a permit issued by a local government by filing a written request with the shorelines hearings board and the appropriate local government within thirty days from the date the final order was filed as provided in RCW 90.58.140(6) as now or hereafter amended.

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases. Judicial review of such proceedings of the shorelines hearings board may be had as provided in chapter 34.04 RCW.

(4) Local government may appeal to the shorelines hearings board any rules, regulations, or guidelines (~~(- designations, or master programs for shorelines of the state)~~) adopted or approved by the department within thirty days of the date of the adoption or approval. The board shall make a final decision within sixty days following the hearing held thereon.

~~((a) In an appeal relating to a master program for shorelines, the board, after full consideration of the positions of the local government and the department, shall determine the validity of the master program:))~~ If the board determines that said ~~((program))~~ rule, regulation, or guideline: ~~((#))~~ (a) is clearly erroneous in light of the policy of this chapter; or ~~((#))~~ (b) constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or ~~((#))~~ (c) is arbitrary and capricious; or ~~((#))~~ (d) was developed without fully considering and evaluating all ~~((proposed master programs))~~ material submitted to the department by the local government; or ~~((#))~~ (e) was not adopted in accordance with required procedures; the board shall enter a final decision declaring the ~~((program))~~ rule, regulation, or guideline invalid, remanding the ~~((master program))~~ rule, regulation, or guideline to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government, a new ~~((master program))~~ rule, regulation, or guideline. Unless the board makes one or more of the determinations as hereinbefore provided, the board shall find the ~~((master program))~~ rule, regulation, or guideline to be valid and enter a final decision to that effect.

~~((b) In an appeal relating to a master program for shorelines of state-wide significance the board shall approve the master program adopted by the department unless a local government shall, by clear and convincing evidence and argument, persuade the board that the master program approved by the department is inconsistent with the policy of RCW 90.58.020 and the applicable guidelines:~~

~~(c) In an appeal relating to rules, regulations, guidelines, master programs of state-wide significance, and designations, the standard of review provided in RCW 34.04.070 shall apply:))~~

(5) Rules, regulations, ~~((designations, master programs:))~~ and guidelines shall be subject to review in superior court, if authorized pursuant to RCW 34.04.070: PROVIDED, That no review shall be granted by a superior court on petition from a local government unless the local government shall first have obtained review under subsection (4) of this section and the petition for court review is filed within three months after the date of final decision by the shorelines hearings board.

Sec. 3. Section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190 are each amended to read as follows:

~~((The department and))~~ (1) Each local government shall periodically review any master programs under its jurisdiction and make such adjustments thereto as are necessary. ~~((Each local government shall submit any proposed adjustments, to the department as soon as they are completed. No such adjustment shall become effective until it has been approved by the department:))~~ Any adjustments to a master program shall be forwarded to the department for review. The department shall within 95 days of receipt of the master program adjustment approve, reject, or propose modification to the adjustment. If the department either rejects or proposes modification to the master program adjustment, it shall provide substantive written comments as to why the proposal is being rejected or modified.

(2) Any local government aggrieved by the department's decision to approve, reject, or modify a proposed master program adjustment may appeal the department's decision to the shorelines hearings board. The shorelines hearings board shall review the proposed adjustment and, after full consideration of the presentations of the local government and the department, shall determine the validity of the local government's adjustment in the light of the policies and standards for implementation under this chapter. Review by the hearings board shall be considered a contested case under chapter 34.04 RCW. Whenever possible, the review

by the hearings board shall be heard within the county where the land subject to the proposed adjustment is primarily located. The department and any local government aggrieved by a final decision of the hearings board may appeal the decision to either the superior court of the county within whose boundaries the land subject to the proposed adjustment is primarily located or the superior court of Thurston county.

(3) A master program amendment shall become effective after the approval of the department or after the decision of the shorelines hearings board to uphold local government's adjustment.

Sec. 4. Section 15, chapter 234, Laws of 1959 as last amended by section 6, chapter 221, Laws of 1982 and RCW 34.04.150 are each amended to read as follows:

Except as provided under RCW 34.04.290, this chapter shall not apply to the state militia, or the board of prison terms and paroles, or any institution of higher education as defined in RCW 28B.19.020. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply to the denial, suspension, or revocation of a driver's license by the department of licensing. To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100. To the extent they are inconsistent with RCW 90.58.190: (1) RCW 34.04.090, 34.04.100, and 34.04.105 do not apply to the review by the shorelines hearings board of proposed adjustments to a local government master program; and (2) RCW 34.04.130 does not apply to the superior court where review may be sought of a final decision by the shorelines hearings board on proposed adjustments to a local government master program. All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act."

Renumber the remaining section consecutively.

Representatives Van Dyken, Rust and Moon spoke in favor of the amendment, and it was adopted.

On motion of Mr. Van Dyken, the following amendment to the title was adopted:

On page 1, line 5 after "RCW 90.58.210" insert "; amending section 15, chapter 234, Laws of 1959 as last amended by section 6, chapter 221, Laws of 1982 and RCW 34.04.150; amending section 18, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 51, Laws of 1975-76 2nd ex. sess. and RCW 90.58.180; and amending section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190"

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Van Dyken spoke in favor of passage of the bill.

Ms. Schmidt appeared at the bar of the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 685, and the bill passed the House by the following vote: Yeas, 95; nays, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Charnley, Clayton, Miller - 3.

Engrossed Substitute House Bill No. 685, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 3:00 p.m.

## AFTERNOON SESSION

The House was called to order at 3:00 p.m. by the Speaker.

## MESSAGE FROM THE SENATE

March 28, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3003,  
 SUBSTITUTE SENATE BILL NO. 3056,  
 SUBSTITUTE SENATE BILL NO. 3066,  
 SENATE BILL NO. 3142,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3308,  
 ENGROSSED SENATE BILL NO. 3427,  
 SUBSTITUTE SENATE BILL NO. 3480,  
 SUBSTITUTE SENATE BILL NO. 3483,  
 ENGROSSED SENATE BILL NO. 3507,  
 SUBSTITUTE SENATE BILL NO. 3511,  
 ENGROSSED SENATE BILL NO. 3519,  
 SUBSTITUTE SENATE BILL NO. 3595,  
 SUBSTITUTE SENATE BILL NO. 3616,  
 SUBSTITUTE SENATE BILL NO. 3617,  
 ENGROSSED SENATE BILL NO. 3644,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3739,  
 SUBSTITUTE SENATE BILL NO. 3740,  
 SUBSTITUTE SENATE BILL NO. 3766,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3817,  
 ENGROSSED SENATE BILL NO. 3991,  
 SUBSTITUTE SENATE BILL NO. 4066,  
 ENGROSSED SENATE BILL NO. 4153,  
 ENGROSSED SENATE BILL NO. 4202.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

## INTRODUCTIONS AND FIRST READING

ESSB 3003 by Committee on Commerce & Labor (originally sponsored by Senator Conner)

Regulating amusement rides.

Referred to Committee on Commerce & Economic Development

SSB 3056 by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse; by Department of Labor and Industries request)

Revising laws on enforcement of contractor registration.

Referred to Committee on Commerce & Economic Development

SSB 3066 by Committee on Natural Resources (originally sponsored by Senator Peterson)

Authorizing certain harbor lease moneys to be paid to towns.

Referred to Committee on Natural Resources

SB 3142 by Senators Thompson and Newhouse

Modifying financial disclosure requirements for public treasurers.

Referred to Committee on Constitution, Elections & Ethics

- ESSB 3308 by Committee on Financial Institutions (originally sponsored by Senators Goltz, Deccio, Moore and Shinpoch)  
 Requiring health insurance plans to provide benefits for home health care services.  
 Referred to Committee on Financial Institutions & Insurance
- ESB 3427 by Senators Hurley, Metcalf, Craswell, Hansen and Deccio  
 Prohibiting state employees and officials from receiving a salary higher than the governor's.  
 Referred to Committee on State Government
- SSB 3480 by Committee on Commerce & Labor (originally sponsored by Senators Bottiger and Newhouse)  
 Authorizing certain performers to elect industrial insurance coverage.  
 Referred to Committee on Labor
- SSB 3483 by Committee on Natural Resources (originally sponsored by Senators Hansen, Deccio, Bender, Bauer, Goltz, Sellar, Benitz, Newhouse and Barr)  
 Modifying the oil and gas conservation.  
 Held on first reading.
- ESB 3507 by Senators Hurley, Talmadge, Warnke and Hughes  
 Modifying provisions relating to gubernatorial appointments.  
 Referred to Committee on State Government
- SSB 3511 by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz, Goltz, Barr and Hayner)  
 Authorizing the creation of legal authorities to construct and operate hydroelectric facilities.  
 Referred to Committee on Energy & Utilities
- ESB 3519 by Senators Thompson, Zimmerman and Bauer (by Governor Spellman request)  
 Increasing state power to repair damage from the eruption of Mount St. Helens.  
 Referred to Committee on State Government
- SSB 3595 by Committee on State Government (originally sponsored by Senator Warnke)  
 Authorizing the department of veterans affairs to contract with veterans' organizations for services.  
 Referred to Committee on State Government
- SSB 3616 by Committee on Parks & Ecology (originally sponsored by Senators Hughes, Hansen, Quigg, Rasmussen, Fuller, Peterson and Guess)  
 Modifying provisions governing air pollution emissions.  
 Referred to Committee on Environmental Affairs
- SSB 3617 by Committee on Social & Health Services (originally sponsored by Senators McManus, Metcalf, Rinehart, Bender, Owen and Goltz)  
 Providing for an alcohol awareness program.  
 Referred to Committee on Judiciary
- ESB 3644 by Senators Goltz, Guess, Rinehart, Thompson and Gaspard  
 Exempting certain institutions offering continuing education credits from the educational services registration act.  
 Referred to Committee on Higher Education

ESSB 3739 by Committee on Social & Health Services (originally sponsored by Senators McManus, Guess, Hansen and Deccio)

Modifying provisions relating to day care.

Referred to Committee on Social & Health Services

SSB 3740 by Committee on Transportation (originally sponsored by Senators Vognild, Rasmussen and Peterson)

Defining liability for hazardous materials incidents.

Referred to Committee on Transportation

SSB 3766 by Committee on Judiciary (originally sponsored by Senators Fleming, Talmadge and McDermott)

Prohibiting the use of choke holds by law enforcement and correctional officers.

Referred to Committee on Judiciary

ESSB 3817 by Committee on Judiciary (originally sponsored by Senators Fleming, Hemstad, McDermott and Talmadge)

Restricting body searches by law enforcement agencies.

Referred to Committee on Judiciary

ESB 3991 by Senators Conner, Peterson and Bottiger

Establishing procedures for reducing and ending tolls on the Hood Canal Bridge.

Held on first reading.

SSB 4066 by Committee on Financial Institutions (originally sponsored by Senator Moore)

Revising certain powers and duties of consumer finance companies.

Referred to Committee on Financial Institutions & Insurance

ESB 4153 by Senators Bender, Warnke and Conner

Authorizing permanently unemployable veterans to have special license plates.

Referred to Committee on Transportation

ESB 4202 by Senators Talmadge, Hughes, Williams, Woody, Fleming, Thompson and Hemstad

Changing the Washington state patrol disciplinary process.

Referred to Committee on State Government

#### SECOND READING

HOUSE BILL NO. 426, by Representatives Pruitt, Patrick, R. King, Moon, Miller, Armstrong, Lux, Hine, Garrett, Brekke, Ellis, Long, Wang, Powers, Holland, Ristuben and Ebersole

Revising the regulation of political activity by public employees.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 426 was substituted for House Bill No. 426, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 426 was read the second time.

Ms. Miller moved adoption of the following amendment:

On page 1, line 5 insert a new section as follows:

"NEW SECTION. Sec. 1. There is added to chapter 41.06 RCW a new section as follows:

The purpose of this 1983 amendatory act is to remove state barriers to employees of the state or any of its political subdivisions from involving themselves in any political campaign. Nothing contained in this act is intended to restrict the ability of political subdivisions of this state from adopting more stringent rules of conduct."

Ms. Miller spoke in favor of the amendment, and Mr. Pruitt spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller to Substitute House Bill No. 426, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

On motion of Mr. Ebersole, the following amendment by Representatives Ebersole, Patrick and Pruitt was adopted:

On page 1, line 19 strike "party" and insert "((party))"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 476, by Representatives Kreidler and Lewis (by Attorney General request)

Modifying procedures governing parole revocation and offenders records.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 476 was substituted for House Bill No. 476, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 476 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 476, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fisher, Smitherman - 2.

Substitute House Bill No. 476, having received the 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. 665, by Representatives Belcher, Allen, Kreidler, R. King, Sayan, Ristuben, Dellwo and Powers

Providing for payroll deduction for public employee organizations.

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

HOUSE BILL NO. 1011, by Representative D. Nelson

Relating to building requirements.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1011 was substituted for House Bill No. 1011, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1011 was read the second time.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Chandler:

On page 4, after line 31, insert the following:

\*NEW SECTION. Sec. 3. There is added to chapter 35.92 RCW a new section to read as follows:

Cities and towns engaged in the sale of electrical energy under this chapter shall establish credits to be granted on all residential electric utility bills of customers whose residences comply with the building requirements specified in the model conservation standards for new structures adopted by the Pacific Northwest electric power and conservation planning council, as those standards exist on the effective date of this act. Each city or town shall determine the amount of credit allowable and the manner in which compliance with these standards will be ascertained.

NEW SECTION. Sec. 4. There is added to chapter 54.24 RCW a new section to read as follows:

Public utility districts engaged in the sale of electrical energy under this title shall establish credits to be granted on all residential electric utility bills of customers whose residences comply with the building requirements specified in the model conservation standards for new structures adopted by the Pacific Northwest electric power and conservation planning council, as those standards exist on the effective date of this act. The commission of each district shall determine the amount of credit allowable and the manner in which compliance with these standards will be ascertained.

NEW SECTION. Sec. 5. There is added to chapter 80.28 RCW a new section to read as follows:

The commission, in consultation with the state energy office, shall provide by rule for the granting of credits by electric companies regulated under this title on all residential electric utility bills of customers whose residences comply with the building requirements specified in the model conservation standards for new structures adopted by the Pacific Northwest electric power and conservation planning council, as those standards exist on the effective date of this act. The commission shall determine the amount of credit allowable and the manner in which compliance with these standards will be ascertained."

#### POINT OF ORDER

Mr. D. Nelson: "Mr. Speaker, I would ask that you rule whether or not this amendment is within the scope and object of the bill. Also whether or not it is the subject of a bill that is before this House."

#### MOTION

On motion of Mr. Heck, further consideration of Substitute House Bill No. 1011 was deferred and it was ordered placed on the second reading calendar after House Bill No. 803.

Mr. Heck demanded a Call of the House.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Allen.

On motion of Mr. Heck, the absent member was excused and the House proceeded with business under the Call of the House.

HOUSE BILL NO. 803, by Representatives Charnley, Belcher and Rust

Clarifying the proper use of revenues from personalized license plates.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass with the following amendment:

On page 1, line 16 after "invertebrates" strike all material down to and including "Washington" on line 18.

On motion of Ms. Rust, the committee amendment was adopted.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, line 10 following "him" insert "into the general fund and is hereby appropriated to the Washington public employee's retirement system for the 1983-85 biennium, there after the revenue shall be deposited"

Mr. Vander Stoep spoke in favor of the amendment, and Mr. Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to House Bill No. 803, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Allen - 1.

Mr. Lewis moved adoption of the following amendment:

On page 1, line 11 following "of the" insert "general fund dedicated for the specific use in the consolidated emergency assistance program under the department of social and health services in times when the average state unemployment rate exceeds 9 percent otherwise it shall be deposited to the credit of the"

Mr. Lewis spoke in favor of the amendment, and Mr. Martinis spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lewis to House Bill No. 803, and the amendment was not adopted by the following vote: Yeas, 37; nays, 60; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith, Stratton, Struthers, Vander Stoep, West, Williams B, Williams J - 37.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 60.

Excused: Representative Allen - 1.

#### MOTIONS

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

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

On motion of Mr. Heck, SENATE BILL NO. 3054 was rereferred from Committee on Commerce & Economic Development to Committee on Labor.

On motion of Mr. Heck, SENATE BILL NO. 4110 was rereferred from Committee on State Government to Committee on Judiciary.

On motion of Mr. Heck, the House recessed until 8:00 p.m.



## EVENING SESSION

The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Allen, Sommers and West. Representative Allen was excused.

## MOTION

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

## SECOND READING

HOUSE BILL NO. 803: The House resumed consideration of the bill on second reading.

On motion of Mr. Tilly, the following amendment was adopted:  
On page 1, line 13 after "birds," insert "raptors."

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 803, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 7; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Egger, Gallagher, King J, Locke, Sommers, West, Wilson - 7.

Excused: Representative Allen - 1.

Engrossed House Bill No. 803, having received the 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. 1011: The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the point of order raised by Representative D. Nelson, challenging the scope and object of the Isaacson amendment.

## SPEAKER'S RULING

The Speaker: "The Speaker has examined the title and contents of Substitute House Bill No. 1011. The bill deals with the naming of energy managers for state agencies. The amendment is concerned with cities and towns, PUDs and energy credits. This is clearly beyond the scope and object of the bill. Your point is well taken, Representative Nelson."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1011, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Sommers, West, Wilson - 3.

Excused: Representative Allen - 1.

Substitute House Bill No. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 985, by Representative Martinis

Relating to transportation.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 985 was substituted for House Bill No. 985, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 985 was read the second time.

Mr. Prince moved adoption of the following amendment:

On page 1, line 13 following "applicable to" strike "municipal transit workers" and insert "employees of public transit benefit areas"

On motion of Mr. Heck, further consideration of Substitute House Bill No. 985 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 240.

HOUSE BILL NO. 864, by Representatives Sayan, Fiske, Fisher, Grimm, Patrick, Ballard, J. King, Walk and Holland

Providing for management reviews of state agencies.

The bill was read the second time. On motion of Mr. Sayan, Substitute House Bill No. 864 was substituted for House Bill No. 864, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 864 was read the second time.

Ms. Silver moved adoption of the following amendment:

On page 1, line 6 following "(1)" strike everything through "government" and insert "the director of financial management shall contract with management consultants, here and after referred to as management evaluation teams, after submitting to the competitive bid process"

Representatives Silver, B. Williams and McDonald spoke in favor of the amendment, and Representatives Walk and Sayan spoke against it.

Ms. Silver spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Vander Stoep asked Mr. Sayan to yield to question and he refused to yield.

#### POINT OF INQUIRY

Mr. B. Williams yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Williams, in reading over the bill the question that comes to my mind is: I'm wondering if there is anything in state law right now which would prohibit OFM from setting up a committee such as is provided for in House Bill 864?"

Mr. B. Williams: "OFM came before the Legislative Budget Committee and disclosed to us, over a year ago, its self-audit program, which because of funding limitations by the state legislature, it hasn't been able to do as many management audits as it would like. It developed procedure guides with the help of some of the other state agencies, for example, DSHS, and they now have a self-audit guide which is being implemented in many state agencies. In fact, it would probably be a good idea to implement that in the legislative branch for some of our operations.

It has been a very effective program. Also, if you will look at the bill, there is nothing in the bill which refers to a national CPA firm or a national consultant firm which again sets the need for this amendment."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Bailard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

Ms. Silver moved adoption of the following amendment:

On page 1, line 15 following "(2)" strike everything through "comment" on line 22 and insert "the management evaluation teams shall submit reports to the director of financial management and the legislative budget committee. The reports shall include recommendations for the improvement of agency efficiency and cost-effectiveness. The director of financial management together with the legislative budget committee shall review and, if necessary, modify such reports. The reports and any modifications made by the director of financial management and the legislative budget committee shall then be submitted to the agency under review for the agencies review and comment."

Ms. Silver spoke in favor of the amendment, and Mr. Walk spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Bailard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

Ms. Hankins moved adoption of the following amendments:

On page 1, line 23 strike "implemented" and insert "considered for implementation"

On page 1, line 25 following "possible." insert "The agency shall report within 90 days of receipt of the report to the director of financial management the extent the report recommendations were followed and the reasons the recommendations were not followed if applicable."

Representatives Hankins and Walk spoke in favor of the amendments, and they were adopted.

Ms. Silver moved adoption of the following amendment:

On page 1, line 25 following "possible" insert "the director of financial management and the legislative budget committee shall evaluate at the end of one year the effectiveness of the implemented recommendations and report its findings to the legislature."

Representatives G. Nelson and Silver spoke in favor of the amendment, and Mr. Sayan spoke against it.

## POINT OF INQUIRY

Ms. Silver yielded to question by Mr. Betrozoff.

Mr. Betrozoff: "Representative Silver, in your amendment to page 1, line 15, it provided for requiring that the Director of Financial Management and the Legislative Budget Committee do some review and modification of reports, and it seemed like there was a connection between that amendment and the process you were talking about and the evaluation of the effectiveness of the amendment before us. Is there an intent to carry out the same type of activity?"

Ms. Silver: "Yes, there is an attempt. The first intent was as they occur, and the second intent would be a review at the end of the year. This is just to keep an accurate account of what is happening with this program."

Representatives B. Williams and Hastings spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to page 1, line 25 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

Ms. Silver moved adoption of the following amendment:

On page 2, after line 6 insert the following:

"NEW SECTION, Sec. 2. This act shall cease to exist on June 30, 1987."

Representatives Silver and Sayan spoke in favor of the amendment, and it was adopted.

## MOTION

On motion of Mr. Heck, further consideration of Substitute House Bill No. 864 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 240.

HOUSE JOINT RESOLUTION NO. 35, by Representatives Isaacson, Pruitt, Barnes, Fisch, Miller, Locke, Long, Jacobsen, Patrick, Charnley, Vander Stoep, Zellinsky, Schoon, Smitherman, Fisher, Sommers, Addison, Sanders and Holland

Removing an obsolete provision on presidential voters from the State Constitution.

The resolution was read the second time. On motion of Mr. Wang the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Isaacson spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 35, and the resolution passed the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D,

Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

House Joint Resolution No. 35, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 661, by Representatives Halsan and Schmidt

Modifying provisions on forest protection.

The bill was read the second time. On motion of Ms. Stratton, Substitute House Bill No. 661 was substituted for House Bill No. 661, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 661 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 661, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 2; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

Substitute House Bill No. 661, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 240, by Representatives Heck, Vander Stoep, J. King, Lewis, Brekke, Patrick, Fisch, Fisher, Zellinsky, Pruitt, Barnes, Miller, Long, Jacobsen, Tanner, Johnson, Ristuben and Garrett (by Secretary of State request)

Revising procedures for mail voting.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 240 was substituted for House Bill No. 240, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 240 was read the second time.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 23 following "election" insert "on a ballot issue"

Representatives Barnes and Hastings spoke in favor of the amendment, and Mr. Pruitt spoke against it.

Mr. Barnes spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Pruitt, referring to section 5 of Substitute House Bill 240, to follow up on your comments, I notice that on line 19 we're referring back

to RCW 29.36.120, which is the section the Representative from the 30th District is amending. It does say that the ballots from that particular section shall contain the names of offices, the names of candidates, propositions to be voted on, but it appears to me you were saying candidates or people would not be voted on. Would you clarify that this is intended to be used only for issues?"

Mr. Pruitt: "Representative Nelson, we have always had some mail voting, voting by mail, in precincts at the end of the registration time that have registration in those precincts of less than one hundred persons. That has been in the law for some time and that's not applying to what we're talking about. In this bill we're talking about greatly expanding that to new precincts."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to Substitute House Bill No. 240, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; absent, 2; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Sloop, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

Mr. Hastings moved adoption of the following amendment:

On page 3, line 12 following "than" insert "one day before"

Representative Hastings spoke in favor of the amendment, and Representatives Heck and Padden spoke against it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 5, line 24 following "election," insert "Any such information shall be of a style, tenor and content so as to be a fair representation of fact, neutral and unbiased in every respect, and without advocating a particular vote."

Representatives Schoon and Heck spoke in favor of the amendment, and it was adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 5, following line 24 insert a new section as follows:

"NEW SECTION, Sec. 9. There is added to chapter 29.36 RCW a new section as follows:

In any election in which a portion of a county or district election is conducted by mail ballot if the returns from the precinct or precincts which voted by mail vary from all of the other precincts combined average vote by more than ten percent plus or minus there shall be an automatic recount of the mailed ballots."

Renumber the remaining section consecutively.

Representatives Fuhrman and Padden spoke in favor of the amendment, and Mr. Heck spoke against it.

The amendment was not adopted.

Substitute House Bill No. 240 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 864: The House resumed consideration of the bill on second reading.

On motion of Ms. Silver, the following amendment to the title was adopted:

On page 1, line 2 of the title after "RCW" insert "; providing an expiration date"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 863, by Representatives Lux, Rust, D. Nelson, Garrett, Armstrong, Brekke, Burns, Dellwo, Belcher, Isaacson and Wang

Requiring employers to warn employees working with hazardous substances.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 863 was substituted for House Bill No. 863, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 863 was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Kaiser, Isaacson and Clayton:

On page 1, line 10 after "which" strike all material down to and including "may" on line 13  
On page 1, line 16 after "which" strike all material down to and including "teratogenic," on line 18 and insert "is carcinogenic, mutagenic, teratogenic, toxic, corrosive, flammable, an irritant, or which generates pressure through decomposition, heat, or other means"

Mr. Lux spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Lux, there's a word on here, 'teratogenic.' What does that one mean?"

Mr. Lux: "Well, I just was talking to Representative Moon about that word and it's a question we both had. I don't know except we know it's doggone hazardous and that's why it's in here."

The amendments were adopted.

On motion of Mr. Lux, the following amendment by Representatives Lux, Isaacson, Clayton and Kaiser was adopted:

On page 1, line 22 after "thereof" insert "and those products labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act"

Mr. Fuhrman moved adoption of the following amendment:

On page 1, line 26 strike "on demand" and insert "at the commencement of the employees' employment and at any time thereafter within a reasonable time after demand"

Mr. Fuhrman spoke in favor of the amendment, and Mr. Lux spoke against it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendments:

On page 1, following line 22 insert:

"NEW SECTION. Sec. 2. The department shall develop proposed regulations which contain a list of

(1) All hazardous substances of which employers must give their employees notice, the exposure levels of each substance and the circumstances or activities with each substance which are sufficient to cause the employer to be required to give such notice

(2) Specific information on the actual and reasonably suspected health and safety hazards from exposure to each hazardous substance which the employer must include in the material safety data sheet

(3) Specific safety measures to be taken to avoid or minimize exposure for each substance which information the employer must include in the material safety data sheet

(4) Specific procedures for handling of each such substance, its cleanup and disposal which the employer must include on the material safety data sheet

These proposed regulations shall be developed and submitted to the speaker of the house of representatives and the president of the senate for adoption by the legislature by January 1, 1985."

Renumber the remaining sections consecutively.

On page 3, following line 20 insert:

"NEW SECTION. Sec. 7. This act shall take effect upon the effective date of the act of the legislature adopting the proposed regulations developed by the department of labor and industries according to section 2 of this act."

Renumber the remaining sections consecutively.

Mr. Schoon spoke in favor of the amendments, and Mr. Lux spoke against them.

The amendments were not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 3, following line 20 insert:

"NEW SECTION, Sec. 7. This act shall take effect on July 1, 1984."

Representatives Schoon and Isaacson spoke in favor of the amendment, and Mr. Lux spoke against it.

The amendment was not adopted.

Mr. Lewis moved adoption of the following amendment by Representatives Lewis and Rust:

On page 2, beginning on line 10 after "English" strike all material through "Spanish." on line 11 and insert ". For those employees who primarily communicate in a language other than English, employers shall make a reasonable effort to inform such employees of the information on the data sheets."

Representatives Lewis and Lux spoke in favor of the amendment, and it was adopted.

Mr. Barrett moved adoption of the following amendment:

On page 2, following line 23 insert:

"(5) For the purpose of this section, delivery of a material safety data sheet to the bargaining representative of employees subject to a collective bargaining agreement shall constitute delivery to the employee. The employee shall demand copies from the employees' association. Failure to timely deliver a copy to the employee by the employees' association shall be a violation of this chapter subject to the penalties in section 4 of this act."

Mr. Barrett spoke in favor of the amendment, and Representatives Lux and Isaacson spoke against it.

The amendment was not adopted.

Mr. Padden moved adoption of the following amendment:

On page 3, following line 12 insert:

"(4) The failure of an employer to provide or post a material data safety sheet as provided in this chapter shall not constitute negligence per se so as to impose liability upon the employer for injury to an employee due to exposure to a hazardous substance, if the employer included at any time prior to the specific exposure to the hazardous substance which caused the injury a material safety data sheet with the employee's wages for any pay period."

Mr. Padden spoke in favor of the amendment, and Representatives Lux and Isaacson spoke against it.

Mr. Padden spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 43; nays, 48; absent, 6; excused, 1.

Voting yea: Representatives Addison, Baillard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Absent: Representatives Crane, Egger, Rust, Sommers, Struthers, West - 6.

Excused: Representative Allen - 1.

Mr. Lux moved adoption of the following amendments by Representatives Lux, Isaacson, Clayton and Kaiser:

On page 1, line 26 after "sheet" strike "on demand"

On page 2, line 23 strike "on demand" and insert the following new subsection:

"(5) The department shall adopt regulations establishing reasonable procedures for minimal interruption of normal work operations to be used by employers in responding to any person's request for a material safety data sheet under subsection (1) of this section. Employers must provide a material safety data sheet to any person making a request under subsection (1) of this section by the end of the next working day."



On page 2, line 34 after "sheet" strike "on demand by" and insert "to"

On page 2, line 35 after "representative" insert "as required in section 2 of this 1983 act"

Correct internal references as necessary.

Mr. Schoon moved adoption of the following amendment to the Lux amendment:

On line 6 of the amendment following "this section" insert "The department shall also develop proposed regulations which contain a list of:

(1) All hazardous substances of which employers must give their employees notice, the exposure levels of each substance and the circumstances or activities with each substance which are sufficient to cause the employer to be required to give such notice;

(2) Specific information on the actual and reasonably suspected health and safety hazards from exposure to each hazardous substance which the employer must include in the material safety data sheet;

(3) Specific safety measures to be taken to avoid or minimize exposure for each substance which information the employer must include in the material safety data sheet;

(4) Specific procedures for handling of each such substance, its cleanup and disposal which the employer must include on the material safety data sheet.

These proposed regulations shall be developed and submitted to the speaker of the house of representatives and the president of the senate for adoption by the legislature by January 1, 1985."

Mr. Schoon spoke in favor of the amendment to the amendment, and Representatives Lux and Isaacson spoke against it.

The amendment to the amendment was not adopted.

Mr. Schoon moved adoption of the following amendment to the Lux amendment:

On line 9 of the amendment strike "by the end of the next working day" and insert "within three days"

Mr. Schoon spoke in favor of the amendment to the amendment, and Mr. Lux spoke against it.

The amendment to the amendment was not adopted.

The amendment by Representative Lux was adopted.

Mr. Lux moved adoption of the following amendments by Representatives Lux, Isaacson, Clayton and Kaiser:

On page 2, beginning on line 12 strike all material down to and including "employers." on line 13 and insert the following:

"(3) Employers shall keep all material safety data sheets required under subsection (1) of this section on file and ready for inspection by employees. Manufacturers, producers and sellers of hazardous substances shall provide such data sheets upon the request of an employer. The department shall adopt regulations establishing reasonable requirements and procedures to be used by manufacturers, producers, and sellers of hazardous substances when supplying material safety data sheets to an employer which shall assure that the employers may fulfill their requirements under subsection (1) of this chapter."

On page 2, line 23 after "demand." insert the following:

"(5) Hazardous substances are exempt from the requirements of subsection (1) of this section if:

(a) the substances are used in a research laboratory by or under the direct supervision of a technically qualified individual with a degree in chemistry or the equivalent thereof from a certified college or university; and

(b) the substance is not being used or produced for commercial sale; and

(c) a list of hazardous substances, to be provided by the department, is available to employees in the workplace."

Correct internal references if necessary.

On page 2, after line 23 insert the following:

"(5) For those employees who primarily communicate in a language other than English, employers shall make a reasonable effort to inform such employees of their rights under this chapter. Employers shall make a reasonable effort to assure that such employees understand any information which employees are entitled to under this chapter."

Representatives Lux and Isaacson spoke in favor of the amendments, and they were adopted.

Substitute House Bill No. 863 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 985: The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Representative Prince to page 1, line 13.

Mr. Prince spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Prince spoke again in favor of the amendment, and Mr. Martinis opposed it.

The amendment was not adopted.

Mr. Prince moved adoption of the following amendment:

On page 1, line 16 following "amended" insert "and who employs over fifty transit workers"

Mr. Prince spoke in favor of the amendment, and Mr. R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince to Substitute House Bill No. 985, and the amendment was not adopted by the following vote: Yeas, 44; nays, 50; absent, 3; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Absent: Representatives Egger, Sommers, West - 3.

Excused: Representative Allen - 1.

Mr. Hastings moved adoption of the following amendment:

On page 1, line 16 following "amended" insert "and who agrees in writing to a system of binding arbitration"

Mr. Hastings spoke in favor of the amendment, and Mr. R. King spoke against it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 4, line 25 following "others" strike "statute," and insert "(~~statute~~)"

Mr. Schoon spoke in favor of the amendment, and Mr. R. King spoke against it.

The amendment was not adopted.

Mr. Struthers moved adoption of the following amendment:

On page 2, following line 21 insert:

"In interest arbitration involving municipal transit operators, the neutral arbitrator, whether agreed upon by the parties or selected by the commission, shall be a legal resident of the state of Washington, shall be experienced in state and local finance and shall be familiar with transit industry interest arbitration and transit industry work rules and conditions."

Mr. Struthers spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative King, in reading the amendment and listening to your remarks, I'm wondering is there a shortage of competent arbitrators in the state?"

Mr. R. King: "I don't believe there would be."

Mr. Vander Stoep: "Do I understand the amendment correctly that the arbitrators would come from Washington state?"

Mr. R. King: "The amendment does say that, yes. I might point out that unless both parties agreed to it, he's not going to come from anyplace but what they have both agreed to."

Representatives Vander Stoep, Schoon and G. Nelson spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to Substitute House Bill No. 985, and the amendment was not adopted by the following vote: Yeas, 43; nays, 51; absent, 3; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Crane, Sommers, West - 3.

Excused: Representative Allen - 1.

Mr. Struthers moved adoption of the following amendment:

On page 4, following line 27 insert:

"NEW SECTION, Sec. 6. There is added to chapter 41.56 RCW a new section to read as follows:

In addition to the standards enumerated in RCW 41.56.460, panels assembled for interest arbitration involving municipal transit workers shall take into consideration the following factors:

(a) The financial ability of the public employer to meet additional costs which shall include but not be limited to:

(1) The constitutional and statutory authority of the employer's legislative body for the employers' fiscal budget;

(2) The financial ability of the affected community or communities to meet additional costs;

(3) The average per capita sales tax burden, the transit fare, the average annual income and sources of revenue within the community(s) affected, and the fiscal and environmental effect of any arbitration award on the cities and towns within the employer's service area.

(b) The overall compensation presently received by the employees, having regard not only for wages for time actually worked but also for wages for time not worked, including vacations, holidays and other excused time.

(c) All benefits received by the employees, including insurance, pension, as well as the continuity and stability of employment."

Renumber the remaining section consecutively.

Mr. Struthers spoke in favor of the amendment, and Mr. R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to Substitute House Bill No. 985, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; absent, 2; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fisch, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representatives Sommers, West - 2.

Excused: Representative Allen - 1.

## MOTIONS

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

On motion of Mr. Heck, SENATE BILL NO. 3183 was rereferred from Committee on State Government to Committee on Energy and Utilities.

## MOTION

On motion of Mr. Heck, the House adjourned until 9:45 a.m., Wednesday, March 30, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## EIGHTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 30, 1983

The House was called to order at 9:45 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Grimm, Miller, Sommers and Wang, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Hardin and Maddy Metzger. Prayer was offered by The Reverend Charles Loyer, Pastor Emeritus 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.

## SECOND READING

HOUSE BILL NO. 919, by Representative R. King

Authorizing self-insurers to provide assignments of account as security for industrial insurance payments.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 73rd Day, March 23, 1983.)

On motion of Mr. R. King, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King, Smith and Betrozoff spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 919, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent, 3; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Addison, Tanner, Todd - 3.

Excused: Representatives Grimm, Miller, Sommers, Wang - 4.

Engrossed House Bill No. 919, having received the 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. 138, by Representatives Armstrong, Padden, Schmidt, Wilson, G. Nelson, Tilly, J. Williams, Ristuben, Struthers, Lewis, Brough, McMullen, Monohon, Patrick, Johnson, Isaacson, Silver, Clayton, Sanders, West, Broback, Haugen, Ballard, McDonald, Hastings, Taylor, Halsan, Allen, Dellwo, Holland, Schoon, Cantu, Miller, Bond and Locke

Awarding reasonable costs, including attorneys' fees, to prevailing parties in frivolous actions or defenses.

The bill was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Padden, the term 'frivolous'-- maybe you could give us an example of what they could offer?"

Mr. Padden: "Of course, Representative Nealey, frivolous would be determined by the judge in the post trial motion on a case-by-case basis. I would say it would be an action without merit done simply to harass somebody. Perhaps if somebody were to bring a lawsuit against you just for the fact that they say you are from from the 9th Legislative District and they don't like that, that's completely without merit. With something like that, I'm sure a judge would probably award you the cost of your attorney fees to defend an action like that."

Mr. Nealey: "Then, Representative Padden, the decision is made by the judge on what would be frivolous and not frivolous?"

Mr. Padden: "Yes."

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

#### POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Padden, I'm interested in frivolous lines on real property. Would this cover that kind of a situation?"

Mr. Padden: "No, Representative Sanders, only if the lawsuit were actually filed. If it were just a lien being filed, it would not be covered by this bill."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 138, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Allen - 1.

Excused: Representatives Grimm, Miller, Sommers, Wang - 4.

House Bill No. 138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) called on Mr. Charnley to preside.

Representative Wang appeared at the bar of the House.

HOUSE BILL NO. 1016, by Representative Galloway

Relating to education.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1016 was substituted for House Bill No. 1016, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1016 was read the second time.

Mr. Schoon moved adoption of the following amendment:

On page 2, line 36 following "duties" insert "only when a joint agreement has been reached between the board of directors and the certificated employee"

Representatives Schoon, Vander Stoep, Taylor, Long and Brough spoke in favor of the amendment, and Ms. Galloway spoke against it.

#### POINT OF INQUIRY

Ms. Galloway yielded to question by Mr. Dickie.

Mr. Dickie: "Representative Galloway, in discussing this bill in committee, as I recall, we did put language into the bill which specifically limited the use to the employee's instructional duties. Is that not correct?"

Ms. Galloway: "That is correct. This would only be used in the case of that person improving their educational area of expertise."

Representatives Cantu, Ballard, Addison and Nealey spoke in favor of the amendment.

Representatives Long and Schoon spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to Substitute House Bill No. 1016, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G. Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Grimm, Miller, Sommers - 3.

The Speaker assumed the Chair.

The Clerk read the following amendment by Representative Long:

On page 2, line 36 strike "related to the employee's instructional duties" and insert "which are specifically related to the employee's academic course of instruction or instructional methods"

With the consent of the House, Ms. Long withdrew the amendment.

Mr. Fuhrman moved adoption of the following amendment:

On page 3, line 2 strike "or as compensated for the purposes of RCW 28A.58.095"

Mr. Fuhrman spoke in favor of the amendment, and Ms. Galloway spoke against it.

The amendment was not adopted.

Representative Grimm appeared at the bar of the House.

Mr. Taylor moved adoption of the following amendment:

On page 3, line 2 following "28A.58.095" insert ": PROVIDED, That any employee who accepts such reimbursement shall continue employment with the school district for two years following completion of the course or shall be required to repay the amount of reimbursement to the district"

Representatives Taylor and West spoke in favor of the amendment, and Ms. Galloway spoke against it.

#### POINT OF INQUIRY

Mr. Hastings asked Ms. Galloway to yield to question, and she refused to yield.

Representatives Hastings and Patrick spoke in favor of the amendment.

Mr. Garrett demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taylor to Substitute House Bill No. 1016, and the amendment was not adopted by the following vote: Yeas, 43; nays, 53; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 53.

Excused: Representatives Miller, Sommers - 2.

Substitute House Bill No. 1016 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 307, by Representatives Moon, Powers, Tanner, Taylor, Appelwick, Zellinsky, Lewis, Sayan, Mitchell, Miller, Haugen, Smitherman, Ebersole, Isaacson, Fisher, Jacobsen, Todd, Ristuben, Long, Lux, Locke, Braddock and P. King

Requiring the department of corrections to give notice to certain people of the disposition of inmates convicted of violent offenses.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 307 was substituted for House Bill No. 307, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 307 was read the second time.

Mr. Struthers moved adoption of the following amendments:

On page 1, line 12 following "notice" insert "to those specified in (a) and (b) below, with or without request, and to those specified in (c) and (d) below"

On page 1, line 13 following "inmate" strike all material through "following:" on line 14 and insert a period.

Mr. Struthers spoke in favor of the amendments, and Mr. Moon spoke against them.

Mr. Struthers spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Struthers to Substitute House Bill No. 307, and the amendments were not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Miller, Sommers - 2.



Mr. Tilly moved adoption of the following amendment:

On page 2, following line 20 insert:

"(5) Nothing in this section shall impose any liability upon a chief of police of a city or sheriff of a county for failing to request in writing a notice as provided in subsection (1) of this section."

Representatives Tilly and Moon spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, according to the fiscal note on this bill, in this biennium there is an expenditure of \$1.2 billion and this bill has not been to Ways & Means Committee yet. My point is that this should fall within the House rules, I think."

The Speaker: "Your point is not well taken, Representative Hastings. There is no direct appropriation nor negative revenue impact."

Representatives Powers, Mitchell, Barnes, Betrozoff, G. Nelson and Struthers spoke in favor of passage of the bill.

Mr. Moon spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 307, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Miller, Sommers - 2.

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

HOUSE BILL NO. 475, by Representatives Rust and Patrick (by Department of Ecology request)

Modifying provisions on waste discharge permits.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 475 was substituted for House Bill No. 475, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 475 was read the second time.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt, Zellinsky and B. Williams:

On page 2, after line 30, insert the following:

"Sec. 4. Section 3, chapter 139, Laws of 1973 and RCW 70.95B.030 are each amended to read as follows:

(1) As provided for in this chapter, the operator in ((responsible)) charge of the ((day-to-day)) operation of a waste treatment plant ((shall)) may be certified ~~((--When a waste treatment plant is normally operated for more than one shift, the man responsible for each shift operation shall also be certified. Operating personnel not required to be certified by this chapter are encouraged to become certified hereunder on a voluntary basis))~~ if the operator meets established criteria or is required to be certified by the employee's employer.

(2) If, after a third warning in a six-year period, a waste treatment plant fails to meet the standards established by the department under this chapter and chapter 70.95 RCW, the department may require certification of one or more of the operators in the plant.

Sec. 5. Section 8, chapter 139, Laws of 1973 and RCW 70.95B.080 are each amended to read as follows:

Certificates shall be issued without examination under the following conditions:

(1) Certificates, in appropriate classifications, shall be issued without application fee to operators who, on July 1, 1973, hold certificates of competency attained by examination under the voluntary certification program sponsored jointly by the state department of social and health services, health services division, and the Pacific Northwest pollution control association.

(2) Certificates, in appropriate classifications, shall be issued to persons certified by a governing body or owner to have been the operator in responsible charge of a waste treatment plant on July 1, 1973. A certificate so issued will be valid only for the existing plant.

(3) A nonrenewable certificate, temporary in nature, may be issued for a period not to exceed twelve months, to an operator to fill a vacated position in a plant required to have a certified operator by the department. Only one such certificate may be issued subsequent to each instance of vacation of any such position.

NEW SECTION. Sec. 6. Section 12, chapter 139, Laws of 1973 and RCW 70.95B.120 are each repealed."

#### POINT OF ORDER

Mr. Heck: "Mr. Speaker, I would ask that you would rule on the scope and object of this amendment."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined Substitute House Bill No. 475; while the title is sufficient: 'An Act Relating to water pollution control,' the subject of the bill concerns federal waivers for the federal Clean Water Act. This amendment concerns state operator qualifications. Your point is well taken, Representative Heck."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 475, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Barnes - 1.

Excused: Representatives Miller, Sommers - 2.

Substitute House Bill No. 475, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, HOUSE BILL NO. 887 was referred from the second reading calendar to Committee on Rules.

HOUSE BILL NO. 432, by Representatives Dellwo, Patrick, Smitherman and Armstrong

Prohibiting law enforcement personnel from being required to submit to lie detector tests.

The bill was read the second time.

Mr. Betzoff moved adoption of the following amendment:

On page 1, following line 20 insert:

"Sec. 2. Section 2, chapter 152, Laws of 1965 and RCW 49.44.130 are each amended to read as follows:

(1) Any person violating the provisions of RCW 49.44.120 shall be guilty of a gross misdemeanor.

(2) In addition, any person violating RCW 49.44.120 shall be liable to the employee or prospective employee for

(a) The amount of wages lost by an employee terminated or suspended for refusing to take a lie detector test;

(b) A penalty of one thousand dollars."

Mr. Betzoff spoke in favor of the amendment, and Mr. Dellwo spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betzoff to House Bill No. 432, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Miller, Sommers - 2.

#### MOTION

On motion of Mr. Wang, the House moved to immediately consider House Bill No. 463.

HOUSE BILL NO. 463, by Representatives Dellwo, Locke, Padden and Niemi

Modifying definition of full-time judges of courts of limited jurisdiction.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 463 was substituted for House Bill No. 463, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 463 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 2, line 21 following "per year" insert "the justice of the peace pro tempore was required to work as the result of service by a justice of the peace on a commission as authorized under subsection (1) of this section"

Representatives Tilly and Dellwo spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

Representative Sommers appeared at the bar of the House.

HOUSE BILL NO. 498, by Representatives Crane, Armstrong, Padden, Jacobsen, Appelwick, Todd, Isaacson, Silver, Schoon, Holland and Johnson

Modifying provisions relating to driving while intoxicated.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 498 was substituted for House Bill No. 498, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 498 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane, Padden, Patrick and Tilly spoke in favor of passage of the bill, and Mr. Braddock spoke against it.

Mr. Crane spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 498, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Braddock, Hine, Lewis, Stratton - 4.

Excused: Representative Miller - 1.

Substitute House Bill No. 498, having received the 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. 522, by Representatives Locke, Padden, Crane, Prince, Halsan, Brough, O'Brien, Addison, Burns, Charnley, Lewis, Appelwick, Belcher, D. Nelson, Lux, Allen, Tilly, P. King, Smitherman, Dellwo, Moon and Niemi

Requiring an advisement on deportation consequences prior to acceptance of a guilty plea.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 522 was substituted for House Bill No. 522, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 522 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 522, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 522, having received the 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. 555, by Representatives Locke, Padden, Smitherman, Belcher, Allen, Fisher, Brough, Lux, Miller, Brekke, Niemi, Egger, Burns, Dellwo, Monohon, Powers, Wang, Charnley and Jacobsen

Revising provisions relating to discrimination.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 555, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Deilwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 555, having received the 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, HOUSE BILL NO. 506 was rereferred from the second reading calendar to Committee on Rules.

HOUSE BILL NO. 583, by Representatives Kaiser and Smith

Modifying the duties of the department of ecology under the state reclamation act.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 583 was substituted for House Bill No. 583, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 583 was read the second time.

Mr. McDonald moved adoption of the following amendments:

On page 1, line 8 strike "investigations, and water right examinations" and insert "and investigations (~~(-and water right examinations)~~)"

On page 1, strike lines 13 through 14 and insert "~~((2) Support the preparation for and administration of proceedings, provided in RCW 90-03-110 or 90-44-220, or both;))"~~

On page 1, line 20 following "contrary," strike all material through line 1 on page 2.

Mr. McDonald spoke in favor of the amendments, and Representatives Smith and Kaiser spoke against them.

Mr. McDonald spoke again in favor of the amendments.

The amendments were not adopted.

HOUSE BILL NO. 432:

The House resumed consideration of the bill on second reading.

The Speaker declared the question before the House to be the amendment by Representative Betzoff to page 1, line 20.

Representatives Betzoff and Dellwo spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment by Representative Betzoff:

On page 1, following line 20 insert:

"As used in this section, 'lie detector' means any test whose purpose is to detect deception, test honesty, or verify the truth of statements. Nothing in this section shall be construed to prohibit the use of psychological tests as defined in RCW 18.83.010"

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

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo and Betrozoff spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 432, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Bond, Sanders - 2.

Excused: Representative Miller - 1.

House Bill No. 432, having received the 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. 700, by Representatives Locke, Lewis, Belcher, Niemi, Wang and Brough

Modifying provisions relating to rape.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 700 was substituted for House Bill No. 700, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 700 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke, West, Brough, Wang and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 700, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 700, having received the 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. 710, by Representatives D. Nelson, Miller, Braddock and Todd

Authorizing municipal corporations to develop electrical generation facilities.

The bill was read the second time.

Mr. G. Nelson moved adoption of the following amendment:

On page 2, line 19 following "within" strike "or outside"

Mr. G. Nelson spoke in favor of the amendment, and Representatives D. Nelson and Sanders spoke against it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 2, line 17 following "acquire" strike all language through "means," on line 18 and insert "by purchase"

Mr. Schoon spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Nelson, in reading the bill, particularly in light of the amendment on page 2, it says the municipalities will have the right to condemn property within '...lands, waters, water rights, and...located within or outside the boundaries....' What is the limitation on that?"

Mr. D. Nelson: "I believe you are speaking to the last amendment which we defeated. It's within the state of Washington, but in practical reality it applies to those geographical areas where the municipal government has the facility, like a dam, and wants to deliver energy. It would be limited to those areas."

Mr. Vander Stoep spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to House Bill No. 710, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representative Miller - 1.

#### STATEMENT FOR THE JOURNAL

I voted "No" on the amendment by Representative Schoon to House Bill No. 710, but did not have the chance to study the amendment. I would have voted "Yes" had I known the effect.

DENNIS A. DELLWO, 3rd District.

Mr. Addison moved adoption of the following amendment:

On page 2, line 15 following "section" insert "": PROVIDED, That no such joint venture may adopt any official name incorporating the name Washington"

Mr. Addison spoke in favor of the amendment, and Mr. D. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to House Bill No. 710, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Miller - 1.

The Speaker called on Mr. Heck to preside.

Mr. Addison moved adoption of the following amendment:

On page 2, line 10 strike all of subsection (4) and renumber the remaining subsections consecutively.

Representatives Addison, G. Nelson and Taylor spoke in favor of the amendment, and Representatives D. Nelson, Barnes and Sanders spoke against it.

Mr. Addison spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to House Bill No. 710, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Betzoff, Broback, Brough, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams J, Wilson - 40.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Burns, Cantu, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 57.

Excused: Representative Miller - 1.

House Bill No. 710 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 747, by Representative Armstrong (by Uniform Legislation Commission request)

Revising provisions of the uniform limited partnership act.

The bill was read the second time. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 747, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 747, having received the 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. 448, by Representatives Todd, Addison, Belcher, Lewis, D. Nelson, McDonald, Mitchell, Brekke, Ballard, Johnson, Crane, Lux, Charnley, McMullen, Fisher, Ebersole, Holland, Wang, Patrick, Garrett, Taylor, Jacobsen, Miller, Silver and Brough

Modifying the disabled parking laws.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 448 was substituted for House Bill No. 448, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 448 was read the second time.



Mr. Ballard moved adoption of the following amendment by Representatives Ballard and Todd:

On page 1, line 17 following "second," insert "or is legally blind."

Representatives Ballard and Todd spoke in favor of the amendment, and it was adopted.

Mr. Todd moved adoption of the following amendments by Representatives Todd and Ballard:

On page 3, strike lines 17 through 20 and insert "~~((parking place reserved for physically disabled persons pursuant to chapter 76.92 RCW, or authority implemental thereof, without a special license plate, card, or decal as in this section provided. A)) parking place on private or public property without charge that is reserved for physically disabled persons and conspicuously marked under section 3 of this 1983 act without a special license plate, card, or decal as in this section provided: PROVIDED, That this section shall not apply to parking lots which are operated commercially and for profit or to leased parking lots. A~~"

On page 4, line 16 after "space" strike lines 17 and 18 and insert "on private or public property without charge that is clearly and conspicuously marked under section 3 of this 1983 act: PROVIDED, That this section shall not apply to parking lots which are operated commercially and for profit or to leased parking lots."

Representatives Todd and Ballard spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd and Ballard 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. 448, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed Substitute House Bill No. 448, having received the 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. 749, by Representatives Charnley and Ebersole

Providing procedures for municipalities to prequalify contractors.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 749 was substituted for House Bill No. 749, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 749 was read the second time.

Mr. Nealey moved adoption of the following amendment:

On page 1, line 17 strike "take acknowledgement of deeds" and insert "administer oaths"

Mr. Nealey spoke in favor of the amendment, and Mr. Charnley spoke against it.

#### POINT OF INQUIRY

Mr. Nealey asked Mr. Charnley to yield to question and Mr. Charnley refused to yield.

## POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Padden, would you advise the body on what the difference is legally between 'administer oaths' and 'take acknowledgement of deeds'?"

Mr. Padden: "The administering of oaths, I think, is just more the common language of a notary. I think that would probably be it. Taking 'acknowledgement of deeds,' I think, really means about the same thing, but 'administer oaths' is used more frequently."

Mr. Nealey spoke again in favor of the amendment, and Mr. Halsan spoke against it.

The amendment was not adopted.

Mr. Nealey moved adoption of the following amendment:

On page 1, line 27 following "five days" insert "from the time the refusal was received by the appellant"

Representatives Nealey and Barrett spoke in favor of the amendment, and Mr. Charnley spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nealey to Substitute House Bill No. 749, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Miller - 1.

Mr. Broback moved adoption of the following amendments:

On page 2, following line 15 insert

"A municipal corporation may establish criteria for prequalification for accepting bid proposals by size and nature of public works project."

On page 2, line 20 following "projects" insert "of similar size and nature"

Mr. Broback spoke in favor of the amendments, and Mr. Charnley spoke against them.

The amendments were not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 Substitute House Bill No. 749, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van

Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Bond, Brough, Sanders - 3.

Excused: Representative Miller - 1.

Substitute House Bill No. 749, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 806, by Representatives McClure, Fisch, Sayan and Vekich  
Relating to cities and towns.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 806 was substituted for House Bill No. 806, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 806 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 839, by Representatives Fisch, Brekke, Jacobsen, D. Nelson and R. King

Prohibiting fees for employment application.

The bill was read the second time.

Mr. Chandler moved adoption of the following amendment:

On page 1, following line 18 add a new section as follows:

**NEW SECTION.** Sec. 2. There is added to chapter 49.44 RCW a new section as follows:  
For the purpose of this 1983 act applications for entrance to the universities and colleges of Washington state shall be deemed to be employment applications."

Representatives Chandler and B. Williams spoke in favor of the amendment, and Mr. R. King spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Chandler to House Bill No. 839, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Miller - 1.

Mr. McDonald moved adoption of the following amendment:

On page 1, line 8 following "pay" strike "an" and insert "an unreasonable"

Representatives McDonald and Padden spoke in favor of the amendment, and Mr. Fisch spoke against it.

#### POINT OF INQUIRY

Mr. Hastings asked Mr. Fisch to yield to question, and Mr. Fisch refused to yield.

Representatives Hastings and Struthers spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Ms. Hankins asked Mr. R. King to yield to question, and Mr. R. King refused to yield.

Representatives Patrick, Vander Stoep, Taylor, Martinis, Smith and Betzoff spoke in favor of the amendment, and Mr. R. King again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to House Bill No. 839, and the amendment was adopted by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Flske, Fuhrman, Grimm, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J. Lewis, Long, Martinis, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 54.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 43.

Excused: Representative Miller - 1.

House Bill No. 839 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 579, by Representatives Tanner, Patrick, Egger, Allen, Powers, Barrett, Smitherman, J. King, Monohon, Braddock, Broback, Brekke, Van Dyken, Miller, Brough, Haugen, Long and Holland

Studying the feasibility of establishing prison work programs to operate record storage and retrieval systems for departments of state government.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 579 was substituted for House Bill No. 579, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 579 was read the second time.

Mr. Broback moved adoption of the following amendment:

On page 1, after line 21 insert the following:

"NEW SECTION, Sec. 4. The department of corrections shall study the concept of developing an industrial program to provide vocational training for inmates to better prepare them for reentry into society. The department shall seek input from the business and labor community. The department of corrections shall report back to the legislature with its findings on January 1, 1984."

Representatives Broback and Tanner spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Tanner, Ballard, Long and Sommers 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. 579, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed Substitute House Bill No. 579, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 860, by Representatives Jacobsen, Fisher, McClure, Belcher, Niemi, Burns and Appelwick

Requiring notification of condominium associations before condominium sales are closed.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 1, line 6 strike "Thirty" and insert "Not less than ten"

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 860, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed House Bill No. 860, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Heck presiding) declared the House to be at ease until 3:00 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 3:00 p.m.

Representative Belcher was excused.

#### MOTION

On motion of Mr. Wang, the House reverted to the fourth order of business.

#### MESSAGES FROM THE SENATE

March 29, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3021,  
 SUBSTITUTE SENATE BILL NO. 3034,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3055,  
 ENGROSSED SENATE BILL NO. 3636,  
 SUBSTITUTE SENATE BILL NO. 3642,  
 SUBSTITUTE SENATE BILL NO. 3800,  
 SUBSTITUTE SENATE BILL NO. 3873,  
 SUBSTITUTE SENATE BILL NO. 4034,  
 ENGROSSED SENATE BILL NO. 4079,  
 SUBSTITUTE SENATE BILL NO. 4090.

SUBSTITUTE SENATE BILL NO. 4137,  
 SUBSTITUTE SENATE BILL NO. 4245,  
 SENATE JOINT MEMORIAL NO. 110,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 30, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3007,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTIONS AND FIRST READING

SSB 3007 by Committee on Judiciary (originally sponsored by Senators Williams and Moore)

Modifying provisions relating to sexual offenses.

Referred to Committee on Judiciary

SSB 3021 by Committee on Commerce & Labor (originally sponsored by Senator McDermott)

Regulating health studios.

Referred to Committee on Commerce & Economic Development

SSB 3034 by Committee on Commerce & Labor (originally sponsored by Senator Rinehart)

Modifying provisions relating to consumer warranties.

Referred to Committee on Judiciary

ESSB 3055 by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse; by Department of Labor and Industries request)

Revising electrical construction laws.

Referred to Committee on Commerce & Economic Development

ESB 3636 by Senators Vognild, Lee, Rinehart, Hurley, Hughes, Talmadge, Hemstad, Woody, Goltz and Quigg

Making certain fireworks violations gross misdemeanors.

Referred to Committee on Commerce & Economic Development

SSB 3642 by Committee on Judiciary (originally sponsored by Senators Wojahn, Patterson, Talmadge and Warnke; by Attorney General request)

Modifying provisions on charitable solicitations.

Referred to Committee on State Government

SSB 3800 by Committee on Natural Resources (originally sponsored by Senator Owen)

Modifying provisions relating to fishing licenses.

Referred to Committee on Natural Resources

SSB 3873 by Committee on Agriculture (originally sponsored by Senator Hansen)

Specifying conditions for the issuance of water permits for certain hydroelectric projects.

Referred to Committee on Agriculture

SSB 4034 by Committee on Transportation (originally sponsored by Senator Peterson)

Prohibiting deceptive gasoline pricing methods.

Referred to Committee on Transportation

ESB 4079 by Senators Williams, Lee and Fuller

Prohibiting the use of pesticides containing endrin.

Referred to Committee on Environmental Affairs

SSB 4090 by Committee on Commerce & Labor (originally sponsored by Senators Rasmussen and Metcalf)

Strengthening the regulation of pawn brokers.

Referred to Committee on Commerce & Economic Development

SSB 4137 by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying provisions relating to adult corrections.

Referred to Committee on Social & Health Services

SSB 4245 by Committee on Parks & Ecology (originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams)

Revising provisions relating to hazardous waste management.

Referred to Committee on Environmental Affairs

SJM 110 by Senators Zimmerman, Bauer, Benitz, Fuller, Conner, Owen, Sellar, Hansen, Hayner and Pullen

Requesting Congress to refrain from imposing further federal control over land in the Columbia River Gorge.

Referred to Committee on Natural Resources

#### REPORTS OF STANDING COMMITTEES

March 29, 1983

SB 3448 Prime Sponsor, Senator Hughes: Permitting waiver of fees for employees of the intercollegiate center for nursing education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, R. King, McMullen, Miller, D. Nelson, Powers and Sutherland.

Absent: Representatives Crane, Locke, McDonald, Struthers and Tanner.

Passed to Committee on Rules for second reading.

March 29, 1983

SB 3492 Prime Sponsor, Senator Goltz: Providing reciprocity for waiver of non-resident tuition between this state and Idaho and British Columbia. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 19 after "act." strike "The" and insert "By January 10 of each odd numbered year, the"

On page 2, line 21 after "act and" insert "shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. In addition, the council shall"

On page 3, beginning on line 11 after "Columbia." strike "The" and insert "By January 10 of each odd numbered year, the"

On page 3, line 11 after "Council" strike "also"

On page 3, beginning on line 13 after "and" insert "shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. In addition, the council shall"

On page 3, after line 15 add a new section as follows:

"NEW SECTION. Sec. 6. Sections one through five of this act shall expire on June 30, 1987."

On page 1, line 1 of the title after "education;" strike "and" and on line 2 after "RCW" insert and providing an expiration date"

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, R. King, McMullen, Miller, D. Nelson, Powers and Sutherland.

Absent: Representatives Allen, Crane, Locke, McDonald, Miller, Struthers and Tanner.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 865, by Representatives Ebersole, Dellwo, Niemi, D. Nelson, Smitherman, Jacobsen, Zellinsky, Fisher and Broback

Requiring approval for contractual expenditures by cities or districts.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 865 was substituted for House Bill No. 865, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 865 was read the second time.

Mr. Isaacson moved adoption of the following amendments:

On page 1, line 15 following "amount" insert ": PROVIDED, FURTHER, That the express dollar amount may be adjusted using a rate of inflation as agreed upon in the contract by all of the participating cities and districts"

On page 1, line 15 following "dollar amount" insert "or in excess of an express rate per unit of electrical energy received"

Representatives Isaacson and Ebersole spoke in favor of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill, and Representatives Isaacson and Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 865, and the bill passed the House by the following vote: Yeas, 77; nays, 19; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Betzoff, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Barnes, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Nealey, Padden, Sanders, Smith, Taylor, Tilly, Williams J - 19.

Excused: Representatives Belcher, Miller - 2.

Engrossed Substitute House Bill No. 865, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



HOUSE BILL NO. 888, by Representatives Ebersole, Jacobsen, Wang and Dellwo  
Revising provisions relating to criminal sentencing.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 888 was substituted for House Bill No. 888, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 888 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole, Struthers and McDonald spoke in favor of passage of the bill, and Representatives Van Dyken and Patrick spoke against it.

Mr. Ebersole spoke again in favor of the bill, and Mr. Van Dyken again opposed it.

#### POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Patrick, if I understand the bill, this bill closes the window on early release. We have a window that's so wide and this closes that window. Do I understand your opposition to this bill to be not so much that we close the window, but rather the whole concept of early release?"

Mr. Patrick: "Yes, Representative Hastings, that is my concern with the concept of early release. I believe our first obligation is to protect the victims and citizens of this state, not those who have been convicted of felonies. I'm very concerned that we really aren't solving any problems, we're creating more problems. I believe we can eliminate the program altogether. I believe we have a responsibility to protect our citizens in this state, and I think the concept itself was originally passed just for the sake of expediency in this state and there are other alternatives, you know. You can double up the prison cells. I know some people don't like to hear us talk about that, but there are other alternatives rather than releasing people early."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 888, and the bill passed the House by the following vote: Yeas, 88; nays, 7; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Betrozoff, Clayton, Dickie, Garrett, Patrick, Schoon, Van Dyken - 7.

Absent: Representative Stratton - 1.

Excused: Representatives Belcher, Miller - 2.

Substitute House Bill No. 888, having received the 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. 905, by Representatives Dellwo and Stratton

Revising the determination of eligibility for certain group training homes.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 73rd Day, March 23, 1983.)

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

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo, Barrett and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 905, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Belcher, Miller - 2.

Engrossed House Bill No. 905, having received the 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. 1017, by Representative Galloway

Relating to school transportation.

The bill was read the second time. On motion of Ms. Galloway, Substitute House Bill No. 1017 was substituted for House Bill No. 1017, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1017 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Galloway spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1017, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Belcher, Miller - 2.

Substitute House Bill No. 1017, having received the 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, the House recessed until 7:00 p.m.

#### EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher and Martinis, who were excused.

HOUSE JOINT MEMORIAL NO. 30, by Representatives D. Nelson and Isaacson

Petitioning Congress to designate the Hanford Reservation as a National Energy Center.

The memorial was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives D. Nelson, Hankins and Isaacson spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 30, and the memorial passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Charnley, McClure, Sanders, Van Dyken - 4.

Excused: Representatives Belcher, Martins - 2.

House Joint Memorial No. 30, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 816, by Representatives Charnley, O'Brien, Hine, Locke, Brough, Sommers, McDonald, Niemi and Johnson

Revising the powers of housing authorities.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 816 was substituted for House Bill No. 816, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 816 was read the second time.

Mr. Fuhrman moved adoption of the following amendment:

On page 5, line 30 following "least" strike all language through "building" on line 31 and insert "thirty percent of the interior space of any individual building in the project and at least fifty percent of the interior space in the total project"

Representatives Fuhrman and Moon spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moon 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. 816, and the bill passed the House by the following vote: Yeas, 92; nays, 1; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Hastings - 1.

Absent: Representatives Charnley, Sanders, Van Dyken - 3.

Excused: Representatives Belcher, Martinis - 2.

Engrossed Substitute House Bill No. 816, having received the 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. 548, by Representatives Ballard and Miller

Modifying provisions relating to water supply operations.

The bill was read the second time. On motion of Mr. Moon, Substitute House Bill No. 548 was substituted for House Bill No. 548, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 548 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 548, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Charnley, Sanders, Van Dyken - 3.

Excused: Representatives Belcher, Martinis - 2.

Substitute House Bill No. 548, having received the 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. 270, by Representatives Dellwo, Lewis, Stratton, Patrick, Charnley, Mitchell, Wang, Fiske, McClure, Tilly, Holland, Sanders, Silver, Brough, Ellis, Jacobsen, Todd and Isaacson

Providing for treatment and services for developmentally disabled persons.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass with the following amendment:

On page 1, beginning on line 20 strike "training, therapy, and employment" and insert "training for employment, and therapy"

On motion of Mr. Kreidler, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Dellwo yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Dellwo, I certainly support the intent of this bill. I just wanted to ask a question for clarification. Section 3, 'To the extent that state, federal, or other funds designated for services to developmentally disabled persons are available....' When we fund the Department of Social & Health Services they, of course, have interfund transfer ability. Exactly what does that mean to the department in terms of what they are doing now?"

Mr. Dellwo: "The wording says that this does not appropriate any particular money amount to this purpose, but does require them to make sure that if the money is available, to provide it across the board--in other words, regardless of age or the difficulty they are having, the seriousness of the problem--that wording was put in there to avoid any implication of funding."

Mr. Vander Stoep: "I guess that shoots down the question in terms of how strong it is. Does it add a new emphasis of priority to DSHS?"

Mr. Dellwo: "It does give a new direction. It says they are not to be selective in the sense of picking one group and they must provide those services to all regardless of age. So many of them are being ignored at this time that we want to ensure they are not ignored in the future as funding allows."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 270, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

Engrossed House Bill No. 270, having received the 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. 855, by Representatives Ballard, Kreidler, Ellis, Brough, Wang, Patrick, Lewis and Holland

Changing provisions on emergency medical services.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 855 was substituted for House Bill No. 855, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 855 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 855, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

Substitute House Bill No. 855, having received the 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, HOUSE BILL NO. 486 was rereferred from the second reading calendar to Committee on Rules.

HOUSE BILL NO. 756, by Representatives Brekke and Hankins

Permitting the appropriate directors to name designees to be members of the interagency committee for outdoor recreation.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 74th Day, March 24, 1983.)

On motion of Ms. Rust, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 756, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

Engrossed House Bill No. 756, having received the 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. 511, by Representatives Garrett, Isaacson, Patrick, Fisher and Hine

Adding certain aquatic programs to the local improvement powers of cities and towns.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 2, line 32 beginning with "As" strike all the matter down to and including "persons," on line 34

On motion of Mr. Moon, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Garrett and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 511, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton,

Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

Engrossed House Bill No. 511, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 911, by Representative Barrett

Authorizing an additional method of county road improvement district formation.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 911, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

House Bill No. 911, having received the 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. 417, by Representatives G. Nelson and B. Williams

Providing for adult offender community service insurance funds and modifying provisions concerning juvenile offender community service funds.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. G. Nelson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 417, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Charnley, McMullen, Van Dyken - 3.

Excused: Representatives Belcher, Martinis - 2.

House Bill No. 417, having received the 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. 939, by Representatives Appelwick and Hine

Modifying modification and enforcement procedures used by municipalities regarding uninhabitable dwellings.

The bill was read the second time.

Mr. G. Nelson moved adoption of the following amendment:

On page 1, line 5 strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The purpose of this 1983 act is to remove the retail sales and use tax on the sale and use of food, effective April 1, 1983.

Sec. 2. Section 48, chapter 35, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

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, except that sections 28, 29, and 30 of this act shall take effect on May 1, 1982, sections 33 and 34 of this act shall take effect on ((July)) April 1, 1983, and sections 35 through 38 of this act shall take effect on January 1, 1983.

Sections 28 and 29 of this act shall expire on July 1, 1983. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution.

NEW SECTION. Sec. 3. This 1983 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 April 1, 1983."

#### POINT OF ORDER

Mr. Appelwick: "Mr. Speaker, I would ask you to rule on scope and object."

#### SPEAKER'S RULING

The Speaker: "Representative Appelwick, your point is well taken. The amendment fails in both scope and object."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 939, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

House Bill No. 939, having received the 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. 576, by Representatives Kaiser, Gallagher, Mitchell, Lewis, Lux, Johnson, Hine, Vekich, Crane, Struthers, Schmidt, Tilly, Miller, Ebersole and Isaacson

Revising the laws regulating the veterans' relief fund.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 576 was substituted for House Bill No. 576, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 576 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 576, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Chamley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

Substitute House Bill No. 576, having received the 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. 753, by Representative Moon

Modifying provisions concerning local improvements.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 75th Day, March 25, 1983.)

On motion of Mr. Moon, the committee amendment was adopted.

#### MOTION

On motion of Mr. Heck, the House moved to immediately consider House Bill No. 925.

HOUSE BILL NO. 925, by Representatives McMullen and Armstrong

Enacting the Uniform Conflict of Laws--Limitations Act.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 925, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt,

Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Charnley, Van Dyken - 2.

Excused: Representatives Belcher, Martinis - 2.

House Bill No. 925, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 906, by Representative Kreidler

Modifying provisions regarding developmentally disabled juveniles living in out-of-home placements.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 906 was substituted for House Bill No. 906, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 906 was read the second time.

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

On page 1, line 17 after "their" insert "parents have determined that the children's"

On page 2, beginning on line 14 strike "care for the child" and insert "provide the necessary care for the child and has determined that the child would benefit from placement outside of the home"

On page 6, line 1 strike "care for the child" and insert "provide the necessary care for the child and the parent, guardian, or legal custodian has determined that the child would benefit from placement outside of the home"

The bill was ordered engrossed. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill 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 Engrossed Substitute House Bill No. 906, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Charnley - 1.

Excused: Representatives Belcher, Martinis - 2.

Engrossed Substitute House Bill No. 906, having received the 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. 608, by Representatives Kaiser, Smith, Pruitt, Stratton, Van Dyken, Todd, Egger, Braddock and Jacobsen

Prohibiting the intentional undisclosed substitution of food products in food service establishments.

The bill was read the second time. On motion of Mr. Kaiser, Substitute House Bill No. 608 was substituted for House Bill No. 608, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 608 was read the second time.

On motion of Mr. Locke, the following amendment was adopted:

On page 1, line 6 after "for" insert "a product advertised as being"

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

On page 1, line 8 after "fresh," strike "or"

On page 1, line 9 after "advertised" insert ", or (d) imitation meat or fish products substituted for genuine meat or fish products; and"

On page 1, line 16 after "revealed" insert "in a clear and concise way"

Mr. G. Nelson moved adoption of the following amendment:

On page 1, line 16 after "is" strike everything down through "customers" on line 19 and insert "listed on . . . invoice upon the premises and is available for review by any customer upon request"

Mr. G. Nelson spoke in favor of the amendment, and Mr. Kaiser spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Substitute House Bill No. 608, and the amendment was not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Ellis, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G. Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Gallagher, Grimm, Halsan, Heck, Hine, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smith, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 50.

Excused: Representatives Belcher, Martinis - 2.

Mr. Struthers moved adoption of the following amendment:

On page 1, following line 28 insert:

"NEW SECTION. Sec. 4. This act shall take effect on October 1, 1983."

Representatives Struthers and Kaiser spoke in favor of the amendment, and it was adopted.

On motion of Mr. Struthers, the following amendment to the title was adopted:

On page 1, line 2 of the title after "RCW;" insert "providing an effective date:"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker resumed the Chair.

HOUSE BILL NO. 753:

The House resumed consideration of the bill on second reading.

#### MOTION FOR RECONSIDERATION

Mr. Moon, having voted on the prevailing side, moved that the House now reconsider the vote by which the committee amendment was adopted.

The motion was carried.

The Speaker stated the question before the House to be the committee amendment.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On line 29 of the committee amendment, strike ", or department of ecology,"

Mr. Padden spoke in favor of the amendment, and Mr. Moon spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to the committee amendment to House Bill No. 753, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 48.

Excused: Representatives Belcher, Martinis - 2.

The committee amendment was adopted.

Mr. Taylor moved adoption of the following amendment:

On page 1, strike lines 22 through 28 and insert "borne by the property within the proposed district, a statement in detail of the local improvement assessments outstanding and unpaid against the property in the proposed district, and a statement of the aggregate actual valuation of the real estate including twenty-five percent of the actual valuation of the improvements in the proposed district according to the valuation last placed upon it for the purposes of general taxation."

Representatives Taylor, Padden, Lewis and Addison spoke in favor of the amendment, and Mr. Moon spoke against it.

Mr. Taylor spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taylor to House Bill No. 753, and the amendment was adopted by the following vote: Yeas, 51; nays, 45; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Grimm, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 51.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 45.

Excused: Representatives Belcher, Martinis - 2.

Mr. Padden moved adoption of the following amendment:

On page 2, line 20 strike all of section 2, and renumber the remaining sections consecutively.

Mr. Padden spoke in favor of the amendment, and Mr. Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to House Bill No. 753, and the amendment was not adopted by the following vote: Yeas, 41; nays, 55; excused, 2.

Voting yea: Representatives Allen, Ballard, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Addison, Appelwick, Armstrong, Barnes, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Belcher, Martinis - 2.

House Bill No. 753 was ordered engrossed. On motion of Mr. Heck, 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 House Bill No. 753, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Clayton, Fuhrman, Padden, Taylor - 4.

Excused: Representatives Belcher, Martinis - 2.

Engrossed House Bill No. 753, having received the 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. 872, by Representatives J. King, G. Nelson, R. King and Tanner

Limiting deductions from payments to employers under certain industrial insurance group plans.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 73rd Day, March 23, 1983.)

On motion of Mr. R. King, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives J. King and Fiske spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 872, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Brekke, Moon, Vekich - 3.

Excused: Representatives Belcher, Martinis - 2.

Engrossed 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.

HOUSE BILL NO. 867, by Representatives O'Brien, Niemi, Wilson, Miller, Brough, Allen, D. Nelson, Galloway, Isaacson, Charnley and Crane (by Washington State Arts Commission request)

Revising the public arts program.

The bill was read the second time.

Mr. Bond moved adoption of the following amendment:

On page 2, line 24 following "exceeding" strike "two hundred thousand" and insert "one million"

Mr. Bond spoke in favor of the amendment, and Representatives Wilson and O'Brien spoke against it.

The amendment was not adopted.

On motion of Ms. Silver, the following amendments were adopted:

On page 2, line 23 following "construction" strike "or any major renovation or remodel work exceeding two hundred thousand dollars"

On page 4, line 17 following "construction" strike "or any major renovation or remodel work exceeding two hundred thousand dollars"

Mr. Bond moved adoption of the following amendments:

On page 2, line 25 following "amount of" strike "one-half" and insert "~~((one-half))~~ one-quarter"

On page 3, line 5 following "art the" strike "one-half" and insert "~~((one-half))~~ one-quarter"

Mr. Bond spoke in favor of the amendments, and Mr. O'Brien spoke against them.

The amendments were not adopted.

Mr. Bond moved adoption of the following amendments:

On page 4, line 5 preceding "in" strike "Washington state arts commission" and insert "~~((Washington state arts commission))~~ the agency paying for the art"

On page 4, line 6 following "administration" strike all language through "purpose" on line 10.

Mr. Bond spoke in favor of the amendments, and Mr. Wilson spoke against them.

Mr. Bond spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Bond moved adoption of the following amendment:

On page 3, line 11 following "nature" insert ", or state ferries"

Mr. Bond spoke in favor of the amendment, and Mr. Walk spoke against it.

Mr. Bond spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Bond moved adoption of the following amendment:

On page 3, line 11 following "nature" insert ", or the Seattle convention center"

Mr. Bond spoke in favor of the amendment and Mr. Isaacson spoke against it.

The amendment was not adopted.

Ms. Silver moved adoption of the following amendment:

On page 5, strike lines 15, 16 and 17 and insert:

"(1) Waive its use of the one-half of one percent of the appropriation for the acquisition of works of art before the selection process by the Washington state arts commission:"

Representatives Silver, Nealey and O'Brien spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Silver yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Silver, if the school district waives that right to take the half of one percent, can they still use that money for construction?"

Ms. Silver: "That's exactly right."

Ms. Brough spoke against adoption of the amendment.

#### POINT OF INQUIRY

Ms. Silver yielded to question by Mr. Kaiser.

Mr. Kaiser: "Representative Silver, it's my understanding in reading this bill that if the schools refuse to use the one-half of one percent for art, they don't get to use that for mortar and bricks, it goes back to the Arts Commission. Am I wrong in this understanding?"

Ms. Silver: "Yes, you are incorrect. If they don't use it for the arts, the state can use it for construction. It does not go back to the Arts Commission."

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Ms. Silver to House Bill No. 867, and the amendment was adopted by the following vote: Yeas, 63; nays, 31; absent, 2; excused, 2.

Voting yea: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King R. Kreidler, Lewis, Locke, Long, McDonald, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Silver, Smith, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J - 63.

Voting nay: Representatives Allen, Armstrong, Brække, Brough, Burns, Charnley, Ellis, Fisch, Fisher, Haugen, Jacobsen, King J, King P, McClure, Miller, Mitchell, Moon, Nelson D, Niemi, Powers, Ristuben, Rust, Sayan, Schoon, Smitherman, Sutherland, Vekich, Wang, Wilson, Zellinsky, and Mr. Speaker - 31.

Absent: Representatives Lux, McMullen - 2.

Excused: Representatives Belcher, Martinis - 2.

Ms. Galloway moved adoption of the following amendment:

On page 4, beginning on line 11 strike all of section 7 and renumber the remaining sections consecutively.

Representatives Galloway, Taylor and Tilly spoke in favor of the amendment, and Representatives Brough, O'Brien and Schoon spoke against it.

Mr. Barrett demanded the previous question, and a division was called.

## ROLL CALL

The Clerk called the roll on the demand for the previous question on the debate of the Galloway amendment to House Bill No. 867, and the demand failed to receive the required two-thirds majority by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Braddock, Brække, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Excused: Representatives Belcher, Martinis - 2.

The Speaker stated the question before the House to be the amendment by Representative Galloway.

Representatives Taylor and Galloway spoke again in favor of the amendment, and Mr. O'Brien again opposed it.

Mr. Fuhrman spoke in favor of the amendment, and Representatives Wilson, Lux and Long spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Ms. Galloway to House Bill No. 867, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; excused, 2.

Voting yea: Representatives Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Galloway, Grimm, Hankins, Hastings, Heck, Hine, Holland, Johnson, Kaiser, King R, Kreidler, Lewis, McDonald, Monohon, Nealey, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Tanner, Taylor, Tilly, Van Dyken, Walk, West, Williams B, Williams J, Zellinsky - 48.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Braddock, Brække, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Halsan, Haugen, Isaacson, Jacobsen, King J, King P, Locke, Long, Lux, McClure, McMullen, Miller, Mitchell, Moon, Nelson D, Nelson G, Niemi, O'Brien, Ristuben, Sayan,

Smitherman, Stratton, Sutherland, Todd, Vander Stoep, Vekich, Wang, Wilson, and Mr. Speaker - 48.

Excused: Representatives Belcher, Martinis - 2.

House Bill No. 867 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 316, by Representatives Fisch, Vekich, McClure, Jacobsen, Fisher, Dellwo, Pruitt, Wang and Ristuben

Modifying the laws regulating political advertising.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 316 was substituted for House Bill No. 316, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 316 was read the second time.

On motion of Ms. Brough, the following amendments were adopted:

On page 1, line 21 following "~~((they and their sponsors" strike "))~~ shall" and insert "shall)  
may"

On page 2, line 12 following "office" strike "shall" and insert "may"

On page 1, following "intended" on line 27 insert "without limiting other common names it shall constitute clear designation for a democrat candidate to denote Demo. and for a republican candidate to denote GOP as their respective party affiliations"

On motion of Mr. Van Dyken, the following amendment was adopted:

On page 1, line 21 following "~~((they and their sponsors" strike "))~~ shall also clearly" and insert "~~shall also~~) shall not"

#### STATEMENT FOR THE JOURNAL

I was absent on March 30, 1983 and I would like the record to show how I would have voted.

I would have voted Yes on final passage of House Bill No. 138, Engrossed Substitute House Bill No. 307, Engrossed House Bill No. 432, Substitute House Bill No. 448, Substitute House Bill No. 475, Substitute House Bill No. 498, Substitute House Bill No. 522, House Bill No. 555, Engrossed Substitute House Bill No. 579, Substitute House Bill No. 700, House Bill No. 747, Substitute House Bill No. 749, Engrossed House Bill No. 860, Engrossed Substitute House Bill No. 865, Substitute House Bill No. 888, Engrossed House Bill No. 905, Engrossed House Bill No. 919 and Substitute House Bill No. 1017.

LOUISE MILLER, 45TH DISTRICT.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:45 a.m., Thursday, March 31, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



**EIGHTY-FIRST DAY**

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 31, 1983

The House was called to order at 9:45 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Moon and Prince, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laura Bayer and Brian Bonar. Prayer was offered by The Reverend Charles Loyer, Pastor Emeritus 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.

## MOTION

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

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 806, by Committee on Local Government (originally sponsored by Representatives McClure, Fisch, Sayan and Vekich)

Relating to cities and towns.

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

Representatives McClure and McDonald spoke in favor of passage of the bill, and Representatives Struthers and Taylor spoke against it.

## POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Addison.

Mr. Addison: "Representative Monohon, this bill did come before Ways & Means Committee, and since we changed the committee structure and we no longer have a Revenue Committee, I'm a little concerned about what kind of precedent we're setting. Can you explain to the body exactly how the B&O structure is working down at Ocean Shores, and how this is going to change it?"

Ms. Monohon: "Representative Addison, Ocean Shores is no longer in my district."

Mr. Addison spoke against passage of the bill.

## MOTION

On motion of Mr. Heck, further consideration of Substitute House Bill No. 806 was deferred, and the bill was ordered placed on the third reading calendar following Engrossed House Bill No. 596.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 463, by Committee on Judiciary (originally sponsored by Representatives Dellwo, Locke, Padden and Niemi)

Modifying definition of full-time judges of courts of limited jurisdiction.

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

Representatives Dellwo and Padden spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Dellwo yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Dellwo, I want to support this measure. I think it's a good one, but how does an attorney, if he's in court and also has hearings scheduled in his court--in other words, when he has an attorney's hat on, what does he

do with a conflict when the judge he's appearing before sets a hearing for the time he has scheduled to hear somebody else as a judge?"

Mr. Dellwo: "Those things are worked out. It happens quite often where a judge is a part-time judge and a part-time attorney. The court works those out very easily. All appearances of conflict are avoided religiously."

Representatives Taylor and Vander Stoep spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Dellwo yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Dellwo, in the statute before this bill that we're now addressing is the amount of \$15,000, and this bill purports to raise that to \$30,000. My question is, why don't we have something in here that relates to the consumer price index or something rather than having to go back and change the statute on a fixed number all the time? I just wondered if the committee considered that? The second question is: Does this have anything to do with Initiative 162 and the impact to local government?"

Mr. Dellwo: "The answer would be 'No' to both those questions."

Mr. Struthers spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 463, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Moon, Prince - 2.

Engrossed Substitute House Bill No. 463, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Prince appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Heck, Vander Stoep, J. King, Lewis, Brække, Patrick, Fisch, Fisher, Zellinsky, Pruitt, Barnes, Miller, Long, Jacobsen, Tanner, Johnson, Ristuben and Garrett; by Secretary of State request)

Revising procedures for mail voting.

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

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

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Ballard.

Mr. Ballard: "Representative Pruitt, would water districts be covered--the election of water district commissioners--under this legislation?"

Mr. Pruitt: "Yes, the water districts would be and they are particularly in a good place to benefit from this."

Mr. Ballard spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Nealey.

Mr. Nealey: "Representative Pruitt, as I understand this, it was not for an individual or a person who was running; it was only on a ballot issue. Is that true or not?"

Mr. Pruitt: "It's a possibility in some situations where the rules of that particular jurisdiction allow this. In the case of water districts, my answer to Representative Ballard was that they are in a particularly good place from their point of view to have this happen because the water districts' bylaws are written in this way. I don't know of instances where this could be done in any fire districts. There may be some that way, but the common thing in fire districts and other jurisdictions is that it would not apply to persons. This is a very special instance because of the way their bylaws are written. In almost every other case it's true that it does not apply to persons being elected."

Representatives Hastings, Barnes, Isaacson, Hankins, Fuhrman and Addison spoke against passage of the bill, and Ms. Allen spoke in favor of it.

## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Pruitt, yesterday when we had a question-and-answer on this bill relative to the scope of the type of elections that can, in essence, use this prerogative of having jurisdictions ask for ballots to be automatically mailed to those precincts with one hundred or less, we talked about whether or not it was only restricted to issues. Now that you've had a chance to review the measure and to listen to the debate, is it your opinion that this particular feature can be used for special elections, such as home rule elections where a county is converting from a commissioner form of government to a county council, or any other special elections of people by the provisions that are now in this bill?"

Mr. Pruitt: "Representative Nelson, my understanding as I have looked it over more thoroughly, is that in the case of water districts a person could be replaced in a special election. The reason being that the water districts operate under general election laws; therefore, not an ordinary election. We are just talking about special elections. A water district might have that privilege because they do operate under general election laws. Other districts, jurisdictions, do not do that. As far as home rule, I doubt that would take place, but I do not know; but very specially under special elections, school districts and fire districts and so forth would not be in that classification because they are not under the general election laws. Water districts, yes."

Mr. Betzoff spoke against passage of the bill, and Mr. Pruitt spoke in favor of it.

Mr. Garrett 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 Engrossed Substitute House Bill No. 240, and the demand was not sustained by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representative Moon - 1.

Mr. Schoon 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. 240, and the bill passed the House by the following vote: Yeas, 56; nays, 15; absent, 26; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Clayton, Hankins, Hastings, Johnson, Long, McDonald, Mitchell, Nealey, Nelson G, Prince, Struthers, Taylor, Van Dyken, Williams J - 15.

Absent: Representatives Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickle, Fiske, Fuhrman, Holland, Isaacson, Lewis, Padden, Patrick, Sanders, Schoon, Smith, Stratton, Tilly, Vander Stoep, West, Williams B, Wilson - 26.

Excused: Representative Moon - 1.

Engrossed Substitute House Bill No. 240, having received the 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

Ms. Silver, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed Substitute House Bill No. 240 passed the House.

The motion was lost.

## POINT OF ORDER

Mr. Taylor: "Mr. Speaker, there were members on the floor asking to be recognized to the point of reconsideration. You failed to recognize them. The rules require that there can be full debate on a request for reconsideration. Is it a new rule that you will not allow debate?"

The Speaker: "I didn't see anybody standing."

ENGROSSED SUBSTITUTE HOUSE BILL NO. 426, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Pruitt, Patrick, R. King, Moon, Miller, Armstrong, Lux, Hine, Garrett, Brekke, Ellis, Long, Wang, Powers, Holland, Ristuben and Ebersole)

Revising the regulation of political activity by public employees.

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

Representatives Pruitt and Patrick spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Hastings asked Mr. Pruitt to yield to question and Mr. Pruitt refused to yield.

Representatives Hastings, Vander Stoep and Long spoke in favor of passage of the bill, and Representatives Barnes and McDonald spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 426, and the bill passed the House by the following vote: Yeas, 80; nays, 16; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Barnes, Betzoff, Bond, Cantu, Chandler, Clayton, Dickle, Egger, Fuhrman, McDonald, Mitchell, Nelson G, Padden, Smith, Williams J, Wilson - 16.

Absent: Representative West - 1.

Excused: Representative Moon - 1.

Engrossed Substitute House Bill No. 426, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 864, by Committee on State Government (originally sponsored by Representatives Sayan, Fiske, Fisher, Grimm, Patrick, Ballard, J. King, Walk and Holland)

Providing for management reviews of state agencies.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 864, and the bill passed the House by the following vote: Yeas, 52; nays, 0; absent, 45; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Excused: Representative Moon - 1.

Engrossed Substitute House Bill No. 864, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, Engrossed Substitute House Bill No. 463, Engrossed Substitute House Bill No. 240, Engrossed Substitute House Bill No. 426 and Engrossed Substitute House Bill No. 864 were ordered immediately transmitted to the Senate.

#### STATEMENTS FOR THE JOURNAL

Please include in the record that it was my intent to vote "Yes" on ESHB 240. Due to the decision of the Chair to cut off debate that I felt was important to the issue, I chose not to vote.

CLYDE BALLARD, 12th District.

I did not vote on ESHB 240 because debate was arbitrarily and capriciously cut off by the Speaker, contrary to rules of the House. My rights were violated by this unilateral action.

JOHN BETROZOFF, 45th District.

I was not afforded the opportunity to speak on ESHB 240 prior to the rushed vote on this issue. I object to the way this issue was handled. It was very undemocratic. I would have voted "No" on ESHB 240.

ART BROBACK, 28th District.

I didn't vote on ESHB 240 because the Speaker cut off debate without the consent of the body. This action runs counter to the House Rules so any vote on the issue would have been inappropriate. I also did not vote on ESHB 426 and ESHB 864 since those votes took place during an official caucus when I was not on the floor.

JEAN MARIE BROUGH, 30th District.

I voted "No" on the first vote on ESHB 240. There was a vote for reconsideration, however, the second vote was rushed through with no opportunity for the members to have additional debate. I object to the manner in which the issue was handled. It was not in keeping with the tradition and dignity of House procedures. I request

that a note be entered in the House Journal that I would have voted "No" on final passage of ESHB 240.

EMILIO CANTU, 41st District.

I did not vote on ESHB 240 because I felt I was not given the process in the democratic system to truly voice the problems associated with voting by mail.

STEVE FUHRMAN, 7th District.

Having been distracted on the final passage of ESHB 863, please let the record show that I support the bill and record my vote as "Aye" on the final passage. Thank you.

RAY ISAACSON, 8th District.

I would like the Journal to reflect that I voted against ESHB 240, not because I opposed the bill, as I supported it in committee, but in protest of the abuse of the process, i.e. the Speaker cut off the debate without the concurrence of the membership at a time when members were standing with the desire to speak! Although I was not standing, I did wish to speak in support of the bill. Most of the speakers had opposed it. Also, as a courtesy, I was not standing as others already were and, as you know, it is customary to wait for the previous speaker to conclude. I strenuously object to the Speaker's refusal, arbitrarily, to close-off the process and deny me the right to speak without the vote of two-thirds of the membership. Thank you.

JEANINE LONG, 44th District.

I would like the Journal to reflect that I was deprived of the right to vote on ESHB 864 by the Speaker, who disregarded the fact that the Republican members of the House were still in caucus. He refused to wait for our caucus to conclude prior to recommencement of action on the floor.

I have made great efforts to be present for every vote, and in fact, have been present with the exception of this one vote denied me by the Speaker.

JEANINE LONG, 44th District.

I wish my vote on HB 240 (Mail voting) to be changed to "Aye."

DARWIN NEALEY, 9th District.

I did not vote on ESHB 240 and ESHB 864 due to the anti-democratic tyrannical actions of Speaker Ehlers in refusing to follow the rules of the House of Representatives by not recognizing numerous members of the minority party waiting to speak on ESHB 240.

MIKE PADDEN, 4th District.

On ESHB 240 I was in the Rotunda speaking to a superintendent from my district and I missed the vote. I wish to be recorded as an affirmative vote.

EUGENE A. PRINCE, 9th District.

It was my intent to vote in favor of both ESHB 240 and ESHB 864. However, the Speaker, Representative Wayne Ehlers, arbitrarily shut off debate before it was finished on ESHB 240. Also, the Speaker started floor action on ESHB 864 before the Republicans had completed their business in caucus. No Republican members were on the floor.

PAUL SANDERS, 48th District.

I would appreciate it if you would insert a note in the Journal that I was on the floor when the two votes were taken on ESHB 240 and did not vote because I was waiting for the Speaker to acknowledge those members of the House who had not yet had the opportunity to speak to the issues of the bill.

DICK SCHOON, 30th District.

I had intended to vote "Yes" on ESHB 240, a measure pertaining to voting by mail. I withheld my vote as a protest to the very arbitrary action by the Speaker of the House in not allowing several members to speak on this issue. My rights were violated; rules of the House were broken by the House Speaker.

EARL F. TILLY, 12th District.

SUBSTITUTE HOUSE BILL NO. 583, by Committee on Agriculture (originally sponsored by Representatives Kaiser and Smith)

Modifying the duties of the department of ecology under the state reclamation act.

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

Representatives Kaiser and Smith spoke in favor of the bill, and Mr. McDonald spoke against it.

Mr. Kaiser spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Taylor asked Mr. Kaiser to yield to question and Mr. Kaiser refused to yield.

Mr. McDonald yielded to question by Mr. Taylor.

Mr. Taylor: "Representative McDonald, can you explain this to me? I thought this called for issuing a bond. Am I off-base here?"

Mr. McDonald: "Representative Taylor, my understanding of this bill is that it does allow for some use of the bond proceeds for some testing and other administrative costs."

Representatives Taylor and Ballard spoke in favor of the bill, and Mr. Isaacson spoke against it.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Smith, for the clarification of the body, could you explain and define a water right examination?"

Mr. Smith: "What happens is that you may have several different water rights. You may have riparian rights; you may have first in time, first in right; there are so many different types it's hard to explain. The adjudication process that we're going through now in the entire streams in the whole state of Washington is to find out whether or not people have a legal right to these waters. What I mean by 'legal right' is that they have published files at a certain date--it might have been back before the turn of the century on riparian rights, or any different time--but in the process of trying to find out who has the legal right to that water, we go to the first in time, the first in right--that means the person who files first and how much water he files for. So in determining that this adjudication process should get to who owns that water, we might say, and how much and the end result will be if there is any amount of water left over that will be used for the most beneficial use. That might be hydroelectric; that might be for instream for the fish; it might be for many different things, but that will be decided by the Department of Ecology. It is very important that we do adjudicate these water rights and it will take a long time, I'm telling you, because there are an awful lot of streams in the state of Washington."

Mr. Vander Stoep: "Also, Representative Smith, for the record, can you explain how the Department of Ecology will examine those water rights?"

Mr. Smith: "I think to go into this process, it gets to be so complicated it might be better not to explain it on the floor and take that much time. The Department of Ecology files for a certain permit that you have to file for and then you are able to say that your claim is good. They then go through the political process of examining every stream and all the people along that stream to find out whether or not they are first in time to that water right, and if there is enough water left over for all the rights that are there. If there is water left over, Representative Vander Stoep, then you will have some left over for the Department of Ecology to make that decision."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 583, and the bill passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Barnes, Betrozoff, Bond, Cantu, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, McDonald, Nelson G, Padden, Sanders, Struthers, Taylor, Williams J - 17.

Excused: Representative Moon - 1.

Substitute House Bill No. 583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Mr. G. Nelson: "Mr. Speaker, we witnessed here in the last hour one of the darkest hours in my experience in these legislative chambers where, I think, we're driving down the course of thwarting the individual rights in this body for persons to express themselves as well as to express any concerns on behalf of their constituents, which is, in reflection, a violation of our own House Rule 17. I, for one, want to see and want to see maintained a dignity of these House Chambers. I think it blemishes the spirit and morality to have conduct on this floor or for those who, perhaps, preside in front of this House of Representatives not to recognize the kind of dignity that I think should be retained here. That is, in effect, a reflection of Reed's Rule 178. I think also, the concept where we could have a part in representative government, which I think is the foundation of this body, has been violated this morning by going ahead, voting on a measure without everyone having an opportunity to be in their seats, to have had a chance to talk about those measures in an ample way, so that they can legitimately vote in a fashion which is really a reflection of themselves and the people they represent. It has now been violated this morning in disregard of House Rule 20. I sincerely hope, Mr. Speaker, that the action this morning is not going to be a continual one that would set a precedent for this House, because I think it would be a regrettable thing that would then cause a good deal of chaos and the removal of certain people from this floor who no longer want to be a part of the violation of those rules."

The Speaker: "The Speaker and the majority have been extremely patient with the minority this week, throughout the session, despite the fact that it has become obvious that the tactics have been to stall and delay at every turn. Amendments have been prepared by partisan staff, not to perfect legislation, but to delay the process. We saw another example of the organized stalling today. The objection is not with a particular issue or bill, but with the very fact that this legislature is making progress you are concerned with. The time has come to stop the political games, get on with the people's business. We have given ample opportunity for debate and for constructive work on the issues; we continue on that course, to no longer stand the amateur games being used to delay this session, and it has become obvious the debate is being used solely as a means of delay. The intent of this majority is to continue with the work of the people. I would refer the body to Reed's Rule 225, 'Duty of the Presiding Officer in Cases Where Debate and Parliamentary Motions Are Employed to Create Disorder and Impede Business.--The presiding officer should pay close attention to the debates, so as to be ready at all times to interpose for the preservation of order. He should himself always be in order and act with the same evenness of temper which he requires from others. The presiding officer has great power over debate and decorum, because he represents the consolidated power of the assembly. It sometimes happens that in the forgetfulness of temper and of party feeling the very processes of the assembly created to transact business are so abused as to be in themselves disorder. In that event the presiding officer should disregard such proceedings, after he has become entirely satisfied of their nature, and put only such motions as will expedite the declaration of the will of the assembly. Necessarily such a course is to be taken very rarely, and after the offense is clear to all."



## POINT OF PERSONAL PRIVILEGE

Mr. McDonald: "Mr. Speaker, I think we ought to talk about the dignity of the proceedings. The rules, as everyone knows, in parliamentary procedure are for the minority. The majority has fifty votes; they have the ability to do anything and the rules are for the minority. We have few quorums in which to speak. We don't set the agenda; we don't have the committee chairmen; we cannot bring out the bills we think are important. We can only act through the amendatory process, and that's important because in this last week, we have seen a number of bills that we disagree with. We can call press conferences, but that's not really an effective tool. We can, through the amendatory process, bring out what we think are the points that the public should know—that the people on the floor should know—before they vote for that measure. We have, indeed, followed that course in the hope that it heightened the debate. I think we have made it clear that we are not trying to slow down the process. We have, in fact, suspended the rules, joined with the majority in 57 out of 67 bills. That clearly could not be seen as obstructionism. We do have serious concerns about many of the bills that are before us, and we have expressed those through the amendatory process. We have serious concerns about some of the bills on third reading and final passage, and we are going to express those. I hope that in your role as Speaker, as the leading officer of this floor, that you will allow us to have that opportunity. We will attempt to use it judiciously, but we also are wont to have our day in court and our day on the floor so that our constituents and the people in this state can be well-informed."

ENGROSSED SUBSTITUTE HOUSE BILL NO. 726, by Committee on State Government (originally sponsored by Representatives West, Barrett, Bond, Stratton and Isaacson)

Defining electrical terms and amending the provision relating to the appointment of state electrical inspectors.

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

Representatives West, Stratton, J. Williams, Isaacson, Hine and Barnes spoke in favor of passage of the bill, and Representatives Sutherland and R. King spoke against it.

Mr. West spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 726, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crame, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Long, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 74.

Voting nay: Representatives Brough, Ebersole, Fisch, Fisher, Gallagher, Garrett, Halsan, King R, Lewis, Locke, Lux, Martinis, McMullen, Powers, Pruitt, Ristuben, Rust, Sutherland, Taylor, Vekich, Wang, Zellinsky, and Mr. Speaker - 23.

Excused: Representative Moon - 1.

Engrossed Substitute House Bill No. 726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 596, by Representatives Todd, Isaacson, D. Nelson, Long, Gallagher and Miller

Modifying provisions on the state building code.

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

Representatives Todd, Isaacson and J. Williams spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 596, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Lewis - 1.

Excused: Representative Moon - 1.

Engrossed House Bill No. 596, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 608, by Committee on Agriculture (originally sponsored by Representatives Kaiser, Smith, Pruitt, Stratton, Van Dyken, Todd, Egger, Braddock and Jacobsen)

Prohibiting the intentional undisclosed substitution of food products in food service establishments.

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

Representative Kaiser spoke in favor of passage of the bill, and Representatives G. Nelson, Struthers and Hastings spoke against it.

## POINT OF INQUIRY

Mr. Kaiser yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Kaiser, I happen to like Maine lobsters and, of course, Maine lobster is distinguished because it has large claws as opposed to the African or the South Carolina lobster; however, Maine lobsters are also trapped off Nova Scotia and New Hampshire and Massachusetts. Would this bill require restaurants in the state of Washington that serve Maine lobster to determine if they were caught off the state of Maine or if they were caught off New Hampshire or Massachusetts? Would the restaurant have to say they were Massachusetts lobsters?"

Mr. Kaiser: "That's not the intent of the legislation at all. Also you can serve anything. This doesn't prevent serving artificial or imitations as long as it is stated so."

Mr. Fuhrman spoke against the bill.

## POINT OF INQUIRY

Mr. Kaiser yielded to question by Mr. Ballard.

Mr. Ballard: "Representative Kaiser, so I have this straight, if a person has a restaurant and has a menu that says baked potato with toppings, does it mean that they are specifying any kind of topping or that they are mandated to specify any kind of toppings. In addition, pie with toppings could be artificial or could be whipped cream. However if they say pie with whipped cream topping then it must be whipped cream topping, otherwise they could put whatever they want as long as they don't specify real or artificial on the menu. Is that correct?"

Mr. Kaiser: "That's absolutely correct, Representative Ballard."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 608, and the bill passed the House by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Gallagher, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, King P, Kreidler, Lux, Martinis, McClure, McMullen, Miller, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Cantu, Clayton, Fisch, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, King R, Lewis, Locke, Long, McDonald, Mitchell, Nelson G, Padden, Sanders, Schoon, Silver, Struthers, Vander Stoep, West, Williams J, Wilson - 35.

Excused: Representative Moon - 1.

Engrossed Substitute House Bill No. 608, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE HOUSE BILL NO. 806, by Committee on Local Government (originally sponsored by Representatives McClure, Fisch, Sayan and Vekich)

Relating to cities and towns.

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

Representatives McClure and Barrett spoke in favor of passage of the bill, and Representatives Van Dyken, G. Nelson and Addison spoke against it.

Mr. McClure spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 806, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Addison, Allen, Betzoff, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Garrett, King R, McDonald, Miller, Nealey, Nelson G, Padden, Sanders, Schoon, Smith, Taylor, Tilly, Van Dyken, Vander Stoep - 23.

Excused: Representative Moon - 1.

Substitute House Bill No. 806, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 710, by Representatives D. Nelson, Miller, Braddock and Todd

Authorizing municipal corporations to develop electrical generation facilities.

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

Representatives D. Nelson, Sanders, Miller and Barnes spoke in favor of the bill, and Representatives G. Nelson, Taylor, Padden and Fuhrman spoke against it.

Representatives D. Nelson and Sanders spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 710, and the bill passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan,

Schoon, Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Addison, Barrett, Bond, Chandler, Dellwo, Fuhrman, Garrett, Lewis, Mitchell, Nelson G, Padden, Schmidt, Silver, Stratton, Struthers, West, Wilson - 17.

Excused: Representative Moon - 1.

House Bill No. 710, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 863, by Committee on Environmental Affairs (originally sponsored by Representatives Lux, Rust, D. Nelson, Garrett, Armstrong, Brekke, Burns, Dellwo, Belcher, Isaacson and Wang)

Requiring employers to warn employees working with hazardous substances.

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

Representatives Lux, Lewis and Isaacson spoke in favor of passage of the bill, and Representatives Struthers, Schoon and Dickie spoke against it.

#### MOTION

Mr. Barrett moved that Engrossed Substitute House Bill No. 863 be rereferred to Committee on Agriculture.

Representatives Barrett, Tilly and McDonald spoke in favor of the motion, and Representatives Lux and Isaacson spoke against it.

#### POINT OF INQUIRY

Mr. Barrett yielded to question by Ms. Miller.

Ms. Miller: "Representative Barrett, not being a parliamentary expert, maybe you could give me some advice. If I vote to rerefer this bill to the Agriculture Committee does that have the effect of laying it to rest for this session?"

Mr. Barrett: "I think I have established in the last two days that I am probably the least expert on parliamentary procedure to ask this question of, Representative Miller, but to my knowledge that is not—I can't answer that. That is not my intention, I don't hate this bill, but I feel very deeply about the point that Representative Dickie brought up that the entire agricultural community has not responded to something which impacts their community entirely, while it may have a bit of an impact on us. I can't answer your question."

Ms. Miller: "Would Representative McDonald yield to question then?"

Mr. McDonald: "Yes, Representative Miller, if there were no change in the concurrent resolution to exclude this bill, the effect would be to lay it over until the next legislative session when it would be alive. However, if there were a change to that concurrent resolution to include this bill—which we would support, I personally would support, and I think most of the people on this floor would—then it would be exempt from the cutoff."

Representatives Nealey and Clayton spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Substitute House Bill No. 863 to the Committee on Agriculture, and the motion was lost by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Moon - 1.

The Speaker stated the question before the House to be Engrossed Substitute House Bill No. 863 on final passage.

Mr. Kaiser spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Lux, section 4 says that if an employer does not provide a material safety data sheet to the employee or the employee's representative as required, and so forth. Does the employer have to provide a data sheet to the employees representative?"

Mr. Lux: "It says the employee or the employee's representative, which I would presume would be the shop steward or whoever was representing the employee on the job--either one or the other."

Representatives Dickie and Nealey spoke against passage of the bill, and Representatives Lux and Isaacson spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 863, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Garrett, Halsan, Hine, Isaacson, Jacobsen, King P. King R. Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Wang, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fiske, Fuhrman, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Holland, Johnson, Kaiser, King J. Long, McDonald, Nealey, Nelson G. Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Excused: Representative Moon - 1.

Engrossed Substitute House Bill No. 863, having failed to received the constitutional majority, was declared lost.

The Speaker declared the House to be at ease until 3:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 3:00 p.m. by the Speaker (Mr. O'Brien presiding).

#### THIRD READING

ENGROSSED HOUSE BILL NO. 839, by Representatives Fisch, Brekke, Jacobsen, D. Nelson and R. King

Prohibiting fees for employment application.

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

Mr. Fisch spoke in favor of passage of the bill, and Representatives Patrick, McDonald, Sanders, Struthers and Hastings spoke against it.

Mr. Fisch spoke against in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 839, and the bill passed the House by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, King P, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representative Moon - 1.

Engrossed House Bill No. 839, having received the 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. Isaacson, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed House Bill No. 839 passed the House.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which Engrossed House Bill No. 839 passed the House, and the motion was lost by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Moon - 1.

SUBSTITUTE HOUSE BILL NO. 1016, by Committee on Education (originally sponsored by Representative Galloway)

Providing for teacher education.

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

Representatives Galloway and Long spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1016, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Moon - 1.

Substitute House Bill No. 1016, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

Representative Moon appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 867, by Representatives O'Brien, Niemi, Wilson, Miller, Brough, Allen, D. Nelson, Galloway, Isaacson, Charnley and Crane (by Washington State Arts Commission request)

Revising the public arts program.

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

Representatives O'Brien, Wilson, Isaacson and Charnley spoke in favor of passage of the bill, and Representatives Taylor, Bond, Dickie, Nealey and J. Williams spoke against it.

Mr. O'Brien spoke again in favor of the bill, and Representatives Taylor and Bond again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 867, and the bill passed the House by the following vote: Yeas, 66; nays, 32; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sanders, Sayan, Smitherman, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Barnes, Barrett, Belcher, Betzoff, Bond, Chandler, Clayton, Dickie, Fuhrman, Galloway, Halsan, Hastings, Heck, Kaiser, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Taylor, Vander Stoep, Walk, Williams B, Williams J - 32.

Engrossed House Bill No. 867, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 89, by Representatives D. Nelson, Niemi, Lux, Isaacson, Rust, Haugen, Hankins, Johnson, Tanner and Brekke

Relieving counties and cities from an obligation to include nuclear attack evacuation plans in their emergency services plans.

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

Representatives D. Nelson, R. King and Isaacson spoke in favor of passage of the bill, and Representatives Barnes, Van Dyken, B. Williams, Vander Stoep and Patrick spoke against it.

#### MOTION

Mr. McDonald moved that the House revert to the sixth order of business.

Mr. Heck spoke against the motion, and Mr. McDonald 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, 45; nays, 52; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Grimm - 1.

The House resumed consideration of House Bill No. 89 on final passage.

Mr. Bond spoke against passage of the bill, and Ms. Hine spoke in favor of it.

Mr. Barnes spoke again in opposition to the bill.

Mr. Heck demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 89, and the bill passed the House by the following vote: Yeas, 56; nays, 40; absent, 2; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brække, Brough, Burns, Charnley, Crane, Dellwo, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Silver, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Hastings, King P, Lewis, Long, McDonald, Miller, Mitchell, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Absent: Representatives Grimm, Nealey - 2.

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

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 713, by Representatives Charnley, Brough, Wang and Kreidler

Providing procedures for contributions by cities and towns to county or city-county health departments.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 713 was substituted for House Bill No. 713, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 713 was read the second time.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Taylor spoke against the motion, and Mr. Charnley spoke in favor of it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Substitute House Bill No. 713 on final passage, and the motion failed to receive the two-thirds required majority by the following vote: Yeas, 55; nays, 43; excused, 0.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brække, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Substitute House Bill No. 713 was passed to Committee on Rules for third reading.



HOUSE BILL NO. 167, by Representatives Appelwick and P. King  
Modifying the laws regulating family court.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 167 was substituted for House Bill No. 167, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 167 was read the second time.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Taylor spoke against the motion, and Mr. Appelwick spoke in favor of it.  
A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Substitute House Bill No. 167 on final passage, and the motion failed to receive the two-thirds required majority by the following vote: Yeas, 53; nays, 44; absent, 1; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Absent: Representative Grimm - 1.

Substitute House Bill No. 167 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 387, by Representatives Rust, Mitchell, Fiske and Dellwo  
Creating a medical disciplinary account.

The bill was read the second time.

Mr. Armstrong moved adoption of the following amendments by Representatives Armstrong and Addison:

On page 1, line 6 strike "person engaging in the"

On page 1, line 7 strike "profession of osteopathic physician and surgeon, or"

On page 1, line 8 after "surgeon" insert "licensed pursuant to chapter 18.71 RCW"

On page 1, line 9 after "license" insert "renewal"

On page 1, line 9 after "under RCW 43.24.085." insert "The assessment levied pursuant to this subsection is in addition to any license renewal fee established under RCW 43.24.085."

On page 1, line 21 after "allocate" insert "all appropriated"

On page 1, line 22 strike "annually"

On page 1, beginning on line 23 strike all of section 4.

Representatives Armstrong and G. Nelson spoke in favor of the amendments, and they were adopted.

On motion of Mr. Armstrong the following amendment to the title was adopted:  
On line 1 of the title after "board;" strike everything through ".085;" on line 2.

The bill was ordered engrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 387, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Grimm - 1.

Engrossed House Bill No. 387, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 383, by Representatives Rust, Mitchell and Fiske

Modifying the standard of care of health care providers in negligence actions.

The bill was read the second time. On motion of Mr. Armstrong, Substitute House Bill No. 383 was substituted for House Bill No. 383, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 383 was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rust and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 383, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Grimm - 1.

Substitute House Bill No. 383, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Heck moved that the House advance to the seventh order of business.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to advance to the seventh order of business, and the motion was carried by the following vote: Yeas, 53; nays, 44; absent, 1; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Absent: Representative Grimm - 1.

### THIRD READING

The Speaker resumed the Chair.

### MOTION FOR RECONSIDERATION

Ms. Belcher, having voted on the prevailing side, moved that the House immediately reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 863 failed to pass the House.

### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I'd like to have you rule. There has been intervening business since the time that measure was addressed, on seventh order as well as sixth order. I believe this motion to go back now and reconsider is out of order."

### SPEAKER'S RULING

The Speaker: "Representative Nelson, the only intervening business was to immediately transmit a bill over to the other body, which we have not done and that would have been the only intervening business that has taken place."

### POINT OF ORDER

Mr. G. Nelson: "The honorable legislator can give notice of reconsideration on the following day, but not immediate reconsideration today."

The Speaker: "On two other occasions today that has already occurred. Representative Silver did it, and I believe there was another person, so that matter has been resolved today."

Mr. Lux spoke in favor of the motion to reconsider the bill.

A division was called.

### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Substitute House Bill No. 863 failed to pass the House, and the motion was carried by the following vote: Yeas, 53; nays, 44; absent, 1; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Absent: Representative Grimm - 1.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 863.

### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 863, and the bill passed the House by the following vote: Yeas, 50; nays, 47; absent, 1; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G,

Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 47.

Absent: Representative Grimm - 1.

Engrossed Substitute House Bill No. 863, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I was distracted on final passage of Engrossed Substitute House Bill No. 863. Please let the record show that I support the bill and record my vote as "Aye" on final passage.

RAY ISAACSON, 8th District.

#### MOTIONS

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

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 3253 was rereferred from Committee on Social & Health Services to Committee on Judiciary.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:45 a.m., Friday, April 1, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## EIGHTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 1, 1983

The House was called to order at 9:45 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Lewis, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erin King and Mark Ruark. Prayer was offered by The Reverend Charles Loyer, Pastor Emeritus 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

March 30, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3101,  
 ENGROSSED SENATE BILL NO. 3114,  
 SUBSTITUTE SENATE BILL NO. 3194,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3206,  
 ENGROSSED SENATE BILL NO. 3262,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3273,  
 ENGROSSED SENATE BILL NO. 3537,  
 ENGROSSED SENATE BILL NO. 3605,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3660,  
 SUBSTITUTE SENATE BILL NO. 3664,  
 SENATE BILL NO. 3763,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3768,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3811,  
 SUBSTITUTE SENATE BILL NO. 3812,  
 SENATE BILL NO. 3857,  
 SENATE BILL NO. 3985,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4015,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4019,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4092,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4101,  
 ENGROSSED SENATE BILL NO. 4103,  
 SUBSTITUTE SENATE BILL NO. 4135,  
 ENGROSSED SENATE BILL NO. 4145,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4164,  
 ENGROSSED SENATE BILL NO. 4174,  
 SUBSTITUTE SENATE BILL NO. 4259,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 119,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3380,  
 SUBSTITUTE SENATE BILL NO. 3694,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

- ESSB 3101 by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Quigg; by Liquor Control Board request)  
 Modifying provisions relating to the state liquor control board.  
 Referred to Committee on Commerce & Economic Development
- ESB 3114 by Senators Vognild, Newhouse, Moore, Deccio, Sellar and Woody  
 Modifying provisions relating to gambling.  
 Referred to Committee on Commerce & Economic Development
- SSB 3194 by Committee on Transportation (originally sponsored by Senators Peterson, Guess and Hansen; by Department of Licensing request)  
 Authorizes department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system.  
 Referred to Committee on Transportation
- ESSB 3206 by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Bauer)  
 Modifying provisions on open public meetings.  
 Referred to Committee on Local Government
- ESB 3262 by Senator McDermott (by Department of Revenue request)  
 Modifying provisions on property taxation.  
 Referred to Committee on Ways & Means
- ESSB 3273 by Committee on Energy & Utilities (originally sponsored by Senators Williams, Hurley, Bauer and Talmadge)  
 Establishing the Washington radioactive waste commission.  
 Referred to Committee on Energy & Utilities
- ESSB 3380 by Committee on Social & Health Services (originally sponsored by Senators McManus, Talmadge, Deccio, Kiskaddon and Moore)  
 Permitting hearings when a decision is made to return residents of state residential schools to the community.  
 Referred to Committee on Social & Health Services
- ESB 3537 by Senators Vognild, Lee and Woody  
 Requiring notice to firefighters of the presence of guard animals.  
 Held on first reading.
- ESB 3605 by Senators Goltz, Peterson, Vognild, Fuller, Metcalf and Conner  
 Modifying provisions relating to state timber sale contracts.  
 Referred to Committee on Natural Resources
- ESSB 3660 by Committee on Social & Health Services (originally sponsored by Senators McManus and Kiskaddon; by Department of Social and Health Services request)  
 Modifying laws governing the department of social and health services and its powers and duties.  
 Referred to Committee on Social & Health Services
- SSB 3664 by Committee on Parks & Ecology (originally sponsored by Senator Hughes)  
 Authorizing the use of funds for the protection of certain sole-source aquifers.  
 Held on first reading.

- SSB 3694 by Committee on Financial Institutions (originally sponsored by Senator Moore)  
Limiting liability insurance rates for antique vehicles.  
Referred to Committee on Financial Institutions & Insurance
- SB 3763 by Senators Fuller and McManus  
Modifying the income reporting requirements for guardians.  
Referred to Committee on Judiciary
- E2SSB 3768 by Committee on Ways & Means (originally sponsored by Senators Warnke, Zimmerman, Thompson, Haley, Newhouse, Bauer, Hughes, McDermott, Patterson and Hemstad)  
Modifying provisions relating to the public broadcasting commission.  
Referred to Committee on Education
- ESSB 3811 by Committee on Local Government (originally sponsored by Senators Fleming, McDermott, McManus and Woody)  
Revising the powers of housing authorities.  
Referred to Committee on Local Government
- SSB 3812 by Committee on Local Government (originally sponsored by Senator Thompson)  
Modifying provisions on fees for filing surveys, plats, etc.  
Referred to Committee on Local Government
- SB 3857 by Senator Talmadge  
Exempting used cars sold by a dealer from emission control testing.  
Referred to Committee on Transportation
- SB 3985 by Senators Vognild and Quigg (by Gambling Commission request)  
Repealing provisions relating to special taxes on coin-operated devices.  
Referred to Committee on Commerce & Economic Development
- ESSB 4015 by Committee on Local Government (originally sponsored by Senators Thompson, Conner, Kiskaddon and Zimmerman)  
Changing provisions relating to park and recreation service area levies.  
Referred to Committee on Local Government
- ESSB 4019 by Committee on Natural Resources (originally sponsored by Senators Bottiger, Shinpoch and Gaspard)  
Providing procedures for extinguishing claims to mineral interests.  
Referred to Committee on Natural Resources
- ESSB 4092 by Committee on Financial Institutions (originally sponsored by Senators Bender, Williams, Wojahn and Thompson)  
Establishing new reporting requirements for property and casualty insurers.  
Referred to Committee on Financial Institutions & Insurance
- ESSB 4101 by Committee on Ways & Means (originally sponsored by Senators Shinpoch, McDermott, Newhouse and Deccio)  
Revising provisions relating to disposition of proceeds from parimutuel machines.  
Referred to Committee on Commerce & Economic Development

ESB 4103 by Senators Bauer, Kiskaddon and Bender  
Revising the requirements for teachers contact hours.  
Referred to Committee on Education

SSB 4135 by Committee on Institutions (originally sponsored by Senator Granlund)

Authorizing the secretary of corrections to reimburse local governments from the institutional impact account.

Held on first reading.

ESB 4145 by Senators Owen, Sellar, Hughes and McManus

Defining financial interest with respect to alcohol beverage manufacturers, importers, and wholesalers.

Referred to Committee on Commerce & Economic Development

ESSB 4164 by Committee on Local Government (originally sponsored by Senators Thompson, Talmadge and Zimmerman)

Authorizing counties to designate violation as either civil or criminal.

Referred to Committee on Local Government

ESB 4174 by Senator Owen

Revising provisions relating to salmon delivery permits.

Referred to Committee on Natural Resources

SSB 4259 by Committee on State Government (originally sponsored by Senators Rasmussen, Conner, Zimmerman, Owen, Bauer, Sellar, Peterson, Bender, Warnke, Metcalf, Granlund and Vognild)

Revising the laws regulating the veterans' relief fund.

Referred to Committee on State Government

SSJR 119 by Committee on Local Government (originally sponsored by Senators Zimmerman, Fleming, Hemstad, Fuller, Thompson, Goltz, Bluechel, Kiskaddon and Bauer; by Governor Spellman request)

Providing the means for the payment of indebtedness on public improvements.

Referred to Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

March 30, 1983

HB 727 Prime Sponsor, Representative Rust: Placing the Milwaukee Road under control of the department of natural resources. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 28 strike all of subsection (6) down to and including "commission;" on page 2, line 1.

Renumber the remaining subsection consecutively.

On page 2, line 8 after "with" insert "legally enforceable"

On page 2, line 18 after "sum of" strike "seventy-nine" and insert "two hundred"

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Brække, Dellwo, Jacobsen, Lux, Pruitt and Van Dyken.

Voting nay: Representatives Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Clayton, Hankins and J. Williams.

Absent: Representatives Burns and Lewis.

Referred to Committee on Ways & Means.



March 29, 1983

SSB 3174 Prime Sponsor, Committee on Ways & Means: Modifying provisions concerning the Washington state patrol retirement system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Chair; Barrett, Burns, Charnley, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Fisch, Gallagher, Garrett and Vekich.

Passed to Committee on Rules for second reading.

March 30, 1983

SSB 3239 Prime Sponsor, Committee on Agriculture: Defining "cold storage warehouse" for excise tax purposes. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair, Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Galloway, Holland and Prince.

Voting nay: Representative Moon.

Absent: Representatives Ebersole, Egger and Todd.

Passed to Committee on Rules for second reading.

March 29, 1983

SB 3250 Prime Sponsor, Senator Peterson: Establishing prequalifying procedures for ferry contractors. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Fisch, Gallagher, Garrett and Vekich.

Passed to Committee on Rules for second reading.

March 29, 1983

ESB 3252 Prime Sponsor, Senator Hansen: Strengthening the regulation of aircraft dealers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Ristuben, Sanders, Schmidt, Smith and Walk.

Absent: Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Charnley, Egger, Gallagher, Garrett, Prince and Vekich.

Passed to Committee on Rules for second reading.

March 29, 1983

SB 3255 Prime Sponsor, Senator Granlund: Extending penalties for evading toll facility payment to pedestrians as well as vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "(1)" strike "He" and insert "~~((He))~~ Such person"

On page 1, line 20 after "(2)" strike "He" and insert "~~((He))~~ Such person"

on page 1, line 23 after "(3)" strike "He refuses to pass" and insert "~~((He refuses to pass))~~ Such person refuses to move a vehicle"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Gallagher, Garrett and Vekich.

Passed to Committee on Rules for second reading.

March 29, 1983

SSB 3497 Prime Sponsor, Committee on Transportation: Requiring certain propane fueled vehicles to bear a placard to that effect. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause, and insert the following:

NEW SECTION, Sec. 1. The legislature finds that vehicles using alternative fuel sources such as propane, compressed natural gas, liquid petroleum gas, or other hydrocarbon gas fuels require fire fighters to use a different technique if the vehicles catch fire. A reflective placard on such vehicles would warn fire fighters of the danger so they could react properly.

NEW SECTION, Sec. 2. There is added to chapter 46.37 RCW a new section to read as follows:

(1) Every automobile, truck, motorcycle, motor home, or off-road vehicle that is fueled by propane gas shall bear a reflective placard indicating that the vehicle is so fueled. Violation of this subsection is a traffic infraction.

(2) As used in this section 'propane gas' includes propane, compressed natural gas, liquid petroleum gas, or any chemically similar gas but does not include gasoline or diesel fuel.

(3) The vehicle identification decal required by the national fire protection association and designed by the national LP gas association shall be required to be displayed on all propane fueled vehicles.

Sec. 3. Section 11, chapter 163, Laws of 1979 ex. sess. as amended by section 1, chapter 176, Laws of 1980 and RCW 46.16.015 are each amended to read as follows:

(1) Neither the department of licensing nor its agents may issue or renew a motor vehicle license for any vehicle registered in an emission contributing area, as that area is established under RCW 70.120.040, unless the application for issuance or renewal is: (a) Accompanied by a valid certificate of compliance issued pursuant to RCW 70.120.060, 70.120.080, or 70.120.090 or a valid certificate of acceptance issued pursuant to RCW 70.120.070; or (b) exempted from this requirement pursuant to subsection (2) of this section. The certificates must have a date of validation which is within ninety days of the date of application for the vehicle license or license renewal. Certificates for fleet vehicles may have a date of validation which is within twelve months of the assigned license renewal date.

(2) Subsection (1) of this section does not apply to the following vehicles:

(a) New motor vehicles whose equitable or legal title has never been transferred to a person who in good faith purchases the vehicle for purposes other than resale;

(b) Motor vehicles fifteen years old or older;

(c) Motor vehicles that use propulsion units powered exclusively by electricity;

(d) Motor vehicles fueled exclusively by propane, compressed natural gas, or liquid petroleum gas, unless it is determined that federal sanctions will be imposed as a result of this exemption;

(e) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles as defined in RCW 46.04.332;

~~((f))~~ (f) Motor vehicles powered by diesel engines;

~~((f))~~ (g) Farm vehicles as defined in RCW 46.04.181; or

~~((f))~~ (h) Motor vehicles exempted by the director of the department of ecology.

The provisions of subparagraph (a) of this subsection may not be construed as exempting from the provisions of subsection (1) of this section applications for the renewal of licenses for motor vehicles that are or have been leased.

(3) The department of licensing shall mail to each owner of a vehicle registered within an emission contributing area a notice regarding the boundaries of the area and restrictions established under this section that apply to vehicles registered in such areas. The information for the notice shall be supplied to the department of licensing by the department of ecology.

Such a notice shall be mailed to the owner ninety days prior to the expiration date of the owner's motor vehicle license."

In line 2 of the title, after "gas;" insert "amending section 11, chapter 163, Laws of 1979 ex. sess. as amended by section 1, chapter 176, Laws of 1980 and RCW 46.16.015;"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Martinis, Chair; Wilson, Ranking Minority Chair; Charnley, Gallagher and Vekich.

Passed to Committee on Rules for second reading.

March 29, 1983

SB 3535 Prime Sponsor, Senator Hughes: Modifying provisions relating to containers for milk-based and soy-based beverages. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Clayton, Dellwo, Hankins, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Patrick, Ranking Minority Chair; Brekke, Burns, Lewis and Van Dyken.

Passed to Committee on Rules for second reading.

March 30, 1983

ESB 3674 Prime Sponsor, Senator Hughes: Relating to pollution control. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 12 after "act." insert "The department of ecology is also authorized to participate in any future federal program established under the federal Safe Drinking Water Act which provides matching funding for planning and implementation of a sole source aquifer protection program."

On page 3, beginning on line 23 strike all of section 5.  
Renumber the remaining section consecutively.

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Clayton, Dellwo, Hankins, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Patrick, Ranking Minority Chair; Brekke, Burns, Lewis and Van Dyken.

Passed to Committee on Rules for second reading.

March 31, 1983

SSB 4022 Prime Sponsor, Committee on Financial Institutions: Providing for the determination of jurisdiction of providers of health care benefits. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Hankins, P. King, Vekich, Wang and West.

Absent: Representatives Garrett, Johnson, Kreidler and Monohon.

Passed to Committee on Rules for second reading.

## MOTIONS

On motion of Mr. Heck, the following bills were rereferred from the second reading calendar to the Committee on Rules: HOUSE BILL NO. 282, HOUSE BILL NO. 315, SUBSTITUTE HOUSE BILL NO. 316, HOUSE BILL NO. 342, HOUSE BILL NO. 345, HOUSE BILL NO. 401, HOUSE BILL NO. 469, HOUSE BILL NO. 597, HOUSE BILL NO. 687, HOUSE BILL NO. 711, HOUSE BILL NO. 786, HOUSE BILL NO. 840, HOUSE BILL NO. 903, HOUSE BILL NO. 915.

On motion of Mr. Heck, the following bills were rereferred from the third reading calendar to Committee on Rules: SUBSTITUTE HOUSE BILL NO. 550, HOUSE JOINT MEMORIAL NO. 5, ENGROSSED HOUSE JOINT RESOLUTION NO. 18.

## MOTION

On motion of Mr. Heck, the House adjourned until 9:00 a.m., Monday, April 4, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**EIGHTY-FIFTH DAY****MORNING SESSION**

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House Chamber, Olympia, Wash., Monday, April 4, 1983

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative McMullen, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Lisa Presting and Jerri Hackley. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

**SPEAKER'S PRIVILEGE**

The Speaker recognized within the House Chamber, the 1983 Daffodil Queen and her attendant, and appointed Representatives Kaiser, Broback, Walk, Johnson, Ebersole and Schoon to escort them to the rostrum.

Queen Jeanene Dryer of Bethel High School addressed the House briefly and the Speaker instructed the committee to escort Queen Jeanene Dryer and Princess Stephanie Sasaki of Orting High School from the rostrum.

**MOTION**

On motion of Mr. Wang, the House adjourned until 10:15 a.m., Tuesday, April 5, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## EIGHTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 5, 1983

The House was called to order at 10:15 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Burns and Hastings, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Cormier and Kirk Lommers. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

## INTRODUCTIONS AND FIRST READING

SSB 3483 by Committee on Natural Resources (originally sponsored by Senators Hansen, Deccio, Bender, Bauer, Goltz, Sellar, Benitz, Newhouse and Barr)

Modifying the oil and gas conservation.

Referred to Committee on Natural Resources.

ESB 3537 by Senators Vognild, Lee and Woody

Requiring notice to firefighters of the presence of guard animals.

Referred to Committee on Labor.

SSB 3664 by Committee on Parks & Ecology (originally sponsored by Senator Hughes)

Authorizing the use of funds for the protection of certain sole-source aquifers.

Referred to Committee on Environmental Affairs.

ESB 3991 by Senators Conner, Peterson and Bottiger

Establishing procedures for reducing and ending tolls on the Hood Canal Bridge.

Referred to Committee on Transportation.

SSB 4135 by Committee on Institutions (originally sponsored by Senator Granlund)

Authorizing the secretary of corrections to reimburse local governments from the institutional impact account.

Referred to Committee on Social & Health Services.

## REPORTS OF STANDING COMMITTEES

March 31, 1983

HB 228 Prime Sponsor, Representative Ellis: Establishing the capital resource company. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Stratton and Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Vice Chair; Brough, Schoon, Silver and Van Dyken.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Padden, Schmidt, Smitherman, Tilly and Wilson.

Rereferred to Committee on Ways & Means.

March 31, 1983

HJR 41 Prime Sponsor, Representative J. King: Relating to a constitutional amendment. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schoon, Silver, Stratton, Van Dyken, Walk and Wilson.

Voting nay: Representative Holland.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Padden, Schmidt, Smitherman and Tilly.

Passed to Committee on Rules for second reading.

March 31, 1983

ESSB 3042 Prime Sponsor, Committee on Education: Regulating labor relations in institutions of higher education. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

April 1, 1983

SSB 3079 Prime Sponsor, Committee on Local Government: Authorizing insurance services for officials as well as employees of sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Broback, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Absent: Representatives Ballard, Chandler, Grimm, Hine, Mitchell, Smitherman and Todd.

Passed to Committee on Rules for second reading.

April 1, 1983

SB 3084 Prime Sponsor, Senator Thompson: Modifying procedures for local government review board procedures. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Broback, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Absent: Representatives Ballard, Chandler, Grimm, Hine, Mitchell, Smitherman and Todd.

Passed to Committee on Rules for second reading.

April 1, 1983

SSB 3094 Prime Sponsor, Committee on Local Government: Providing for latecomer fees for street improvements which were undertaken as a prerequisite to property development. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Broback, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Ballard, Chandler, Grimm, Hine, Mitchell, Smitherman and Todd.

Passed to Committee on Rules for second reading.

April 1, 1983

SB 3184 Prime Sponsor, Senator Talmadge: Authorizing the code reviser to correct double amendments in the code. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, G. Nelson, Schmidt, Tilly and Wang.

Voting nay: Representative Locke.

Absent: Representatives Lewis and Schmidt.

Passed to Committee on Rules for second reading.

March 31, 1983

SSB 3205 Prime Sponsor, Committee on Agriculture: Establishing the noxious weed control fund. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, line 2 after "noxious" strike "week" and insert "weed"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Dickie, Egger, Galloway, Holland, Moon, Prince and Todd.

Absent: Representatives Ballard and Ebersole.

Rereferred to Committee on Transportation.

April 1, 1983

SB 3221 Prime Sponsor, Senator Rasmussen: Adding members to the veterans affairs advisory committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, Lux, Nealey, D. Nelson, Sayan, Silver and Taylor.

Absent: Representatives Bond, R. King, O'Brien and Vekich.

Passed to Committee on Rules for second reading.

April 1, 1983

SB 3363 Prime Sponsor, Senator Moore: Amending procedures for the selection of port district treasurers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, beginning on line 12 strike "fifty" and insert "one-hundred"



Signed by Representatives Moon, Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Broback, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben and Todd.

Voting nay: Representative Haugen, Vice Chair.

Absent: Representatives Ballard, Chandler, Grimm, Hine, Mitchell, Smitherman and Todd.

Passed to Committee on Rules for second reading.

April 1, 1983

ESB 3383 Prime Sponsor, Senator Clarke: Modifying the laws regulating professional corporations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 10 strike "he" and insert "(he) the nonresident"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

April 1, 1983

SB 3412 Prime Sponsor, Senator Warnke: Increasing the maximum amount which state agencies, colleges and universities may purchase without competition. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:  
On page 2, line 16 after "dollars" strike "by unanimous vote by all" and insert "~~((by unanimous vote by all))~~ with the approval of at least ten of the"  
On page 2, line 17 strike "who are in attendance"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, Lux, Nealey, D. Nelson, Sayan, Silver and Taylor.

Absent: Representatives Bond, R. King, O'Brien and Vekich.

Passed to Committee on Rules for second reading.

April 1, 1983

ESB 3416 Prime Sponsor, Senator Hemstad: Revising certain sentencing laws to facilitate implementation of the recommendations of the sentencing guidelines commission. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:  
On page 4, line 2 strike all of section 2 and renumber the remaining sections consecutively.  
On page 9, line 3 after "analysis of the" insert "anticipated"  
On page 9, line 7 after "community," insert "The analysis required by this section shall be filed at the beginning of the 1984 legislative session."  
on page 9, line 14 strike "This" and insert "Sections 1 through 5 of this"  
On page 1, line 3 of the title after "9.94A.030;" strike all material down to and including "9.94A.060;" on line 4.

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representative Lewis.

Passed to Committee on Rules for second reading.

April 1, 1983

SSB 3657 Prime Sponsor, Committee on State Government: Modifying provisions relating to the use of state-owned armories. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 1 strike all of subsection (4) and insert the following:

"(4) The adjutant general may, upon the recommendation of the executive head or governing body of a county, city or town, permit transient lodging of anyone in armories. The adjutant general may require the county, city or town to pay the cost of staffing, heating, lighting and other miscellaneous expenses incidental to this use."

On page 2, line 18 after "which" strike "~~((may)) shall~~" and insert "may"

On page 2, line 20 after "militia" insert "or activities provided for in subsection 4 of this section"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, Lux, Nealey, D. Nelson, Sayan and Silver.

Voting nay: Representative Hankins, Ranking Minority Chair.

Absent: Representatives Bond, R. King, Lux, O'Brien, Taylor and Vekich.

Passed to Committee on Rules for second reading.

April 1, 1983

SB 3993 Prime Sponsor, Senator Lee: Revising terms of members of the joint administrative rules review committee and insuring the vacancies are filled within a reasonable time. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 8 after "occurring," strike the remainder of subsection 4.

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, Lux, Nealey, D. Nelson, Sayan, Silver and Taylor.

Absent: Representatives Bond, R. King, O'Brien and Vekich.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 234, by Representatives Martinis and Isaacson (by Governor Spellman request)

Adopting the transportation budget.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 234 was substituted for House Bill No. 234 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 234 was read the second time.

Mr. Holland moved adoption of the following amendments:

On page 5, line 16 strike "20,116,112" and insert "15,915,005"

On page 5, line 17 strike "20,673,030" and insert "16,471,923"

On page 11, line 3 strike "132,000,000" and insert "136,201,107"

On page 11, line 5 strike "132,900,000" and insert "137,101,107"

Mr. Holland spoke in favor of the amendments, and Representatives Wilson, Martinis, Charnley and Walk spoke against them.

Mr. Holland spoke again in favor of the amendments, and Mr. Martinis again opposed them.

The amendments were not adopted.

The bill was passed to Committee on Rules for third reading.

HOUSE BILL NO. 235, by Representative Martinis (by Governor Spellman request)

Modifying gas tax provisions ('83-'85 Biennium).

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 235 was substituted for House Bill No. 235 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 235 was read the second time.

Mr. Patrick moved adoption of the following amendments:

On page 6, line 11, beginning with "Only" strike everything through "account." on line 15

On page 8, after line 16, insert the following:

"NEW SECTION. Sec. 18. If, during any calendar year, a county receives funds from the rural arterial trust account and the legislative authority expends any portion of county road property tax revenues for other than county road purposes as permitted in RCW 36.33.220, the county is not eligible to receive additional funds from the rural arterial trust account during any of the following five calendar years."

Renumber the sections following consecutively, and correct internal references accordingly.

Representatives Patrick, Schoon, Schmidt and Holland spoke in favor of the amendments, and Representatives Martinis, Wilson and Hine spoke against them.

Mr. Patrick spoke again in favor of the amendments, and Mr. Martinis again opposed them.

The amendments were not adopted.

Mr. Patrick moved adoption of the following amendments:

On page 6, line 11, beginning with "Only" strike everything through "account." on line 15

On page 8, after line 28, insert the following:

"Sec. 19. Section 1, chapter 25, Laws of 1971 ex. sess. as last amended by section 32, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.33.220 are each amended to read as follows:

The legislative authority of any county may budget, in accordance with the provisions of chapter 36.40 RCW, and expend any portion of the county road property tax revenues for any service to be provided in the unincorporated area of the county notwithstanding any other provision of law, including chapter 36.82 RCW and RCW 84.52.050 and RCW 84.52.043.

During any year in which a county receives funds from the rural arterial trust account established by section 2 of this act, the legislative authority of the county may not expend an amount of county road property tax revenues for other than county road purposes exceeding the amount expended for other than county road purposes during the immediately preceding year."

Renumber the sections following consecutively, and correct internal references accordingly.

Representatives Patrick and Brough spoke in favor of the amendments, and Representatives Martinis and Van Dyken spoke against them.

Mr. Patrick spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Patrick moved adoption of the following amendments:

On page 6, line 11, beginning with "Only" strike everything through "account." on line 15

On page 10, after line 27, insert the following:

"Sec. 21. Section 36.82.040, chapter 4, Laws of 1963 as last amended by section 41, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.82.040 are each amended to read as follows:

For the purpose of raising revenue for establishing, laying out, constructing, altering, repairing, improving, and maintaining county roads, bridges, and wharves necessary for vehicle ferriage and for other proper county road purposes, the board shall annually at the time of making the levy for general purposes make a uniform tax levy throughout the county, or any road district thereof, of not to exceed two dollars and twenty-five cents per thousand dollars of assessed value of the last assessed valuation of the taxable property in the county, or road district thereof, unless other law of the state requires a lower maximum levy, in which event such lower maximum levy shall control. All funds accruing from such levy shall be credited to and deposited in the county road fund except that revenue diverted under RCW 36.33.220 shall be placed in a separate and identifiable account within the county current expense fund.

NEW SECTION. Sec. 22. There is added to chapter 36.82 RCW a new section to read as follows:

The boards of county commissioners of the several counties of the state of Washington may expend up to one percent of the county road fund tax levy, and may rent county road equipment from the county road equipment rental and revolving fund, for the maintenance and operation of garbage disposal sites within the county.

The use of the county road fund tax levy and the rental of county road equipment for the maintenance and operation of garbage disposal sites is a county road purpose under RCW 36.82.040.

This section does not apply to class A or class AA counties.

Sec. 23, Section 1, chapter 25, Laws of 1971 ex. sess. as last amended by section 32, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.33.220 are each amended to read as follows:

(1) To the extent stated in subsection (2) of this section, the legislative authority of any county may budget, in accordance with the provisions of chapter 36.40 RCW, and expend ~~((any))~~ a portion of the county road property tax revenues for any service to be provided in the unincorporated area of the county notwithstanding any other provision of law, including chapter 36.82 RCW and RCW 84.52.050 and RCW 84.52.043.

(2) The portion of the county road property tax revenues that may be budgeted and expended pursuant to subsection (1) of this section shall be limited to the following amounts:

(a) For the county's fiscal year commencing prior to December 31, 1983, any portion of the county road property tax revenues may be budgeted pursuant to subsection (1) of this section.

(b) For the county's first fiscal year commencing after December 31, 1983, sixty-seven percent of the county road property tax revenues may be budgeted pursuant to subsection (1) of this section.

(c) For the county's second fiscal year commencing after December 31, 1983, thirty-three percent of the county road property tax revenues may be budgeted pursuant to subsection (1) of this section.

(d) For the county's third fiscal year commencing after December 31, 1983, and for subsequent fiscal years, no portion of the county road property tax revenues may be budgeted pursuant to subsection (1) of this section."

Renumber the sections following consecutively, and correct internal references accordingly.

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, this language is contained in the exact language of House Bill 11 and is in violation of our House rules."

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

The Speaker (Mr. O'Brien presiding): "The question Representative Martinis raised about a pending bill before one of our committees—it is a pending bill before one of the committees, and in accordance with House Rule 12(D), 'Amendments to be Germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.' The Speaker rules that House Bill 11, pending before one of our committees, is the same as the amendment, and therefore it is out of order in accordance with House Rule 12(D)."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, then is it my understanding that since these bills are now in committee, they cannot be considered before this House? Is it your ruling that they are still alive?"

The Speaker (Mr. O'Brien presiding): "The bill is pending. Conceivably, you could move to suspend the rules and have the House consider it."

#### MOTION

On motion of Mr. Heck, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

The House resumed consideration of Substitute House Bill No. 235 on second reading.

Mr. Fuhrman moved adoption of the following amendment:

On page 18, beginning on line 12 after "fuel" strike all material down to and including "thereafter" on line 14.

Representatives Fuhrman and Bond spoke in favor of the amendment, and Representatives Wilson and Martinis spoke against it.

Mr. Fuhrman spoke again in favor of the amendment.

The amendment was not adopted.

Substitute House Bill No. 235 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3035, by Committee on Ways & Means (originally sponsored by Senators McDermott, Gaspard, Bender and Hughes)

Directing preparation of a comprehensive plan for the maintenance and repair of the state's public works and appropriating funds for the plan.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 66th Day, March 16, 1983.)

On motion of Mr. Appelwick, the committee amendments to page 1, line 4; page 1, line 6; page 1, line 8(2); page 1, line 25; page 1, line 26; page 1, line 27(2); page 1, line 28; page 2, line 4; page 2, line 5; page 2, line 6 and page 2, line 9 were adopted.

Mr. Appelwick moved adoption of the committee amendment to page 2, line 7.

Mr. Appelwick spoke in favor of the amendment, and Representatives B. Williams and Schoon spoke against it.

Mr. Appelwick spoke again in favor of the amendment, and Mr. B. Williams again opposed it.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Appelwick, the second part of this presentation says that it is going to be unfunded. Is it your intent to leave it unfunded?"

Mr. Appelwick: "It's not my personal intent, no. The funding for the ensuing biennium would be part of the budget bill, if it's possible to have that funded."

Representatives Schmidt and Padden spoke against the committee amendment.

Mr. Schoon again opposed the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 2, line 7 of Substitute Senate Bill No. 3035, and the amendment was adopted by the following vote: Yeas, 54; nays, 44; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Beicher, Braddock, Brække, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

On motion of Mr. Appelwick, the committee amendment to page 2, line 10 was adopted.

Substitute Senate Bill No. 3035 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 3198, by Senators Peterson, Sellar, Hansen and Deccio (by Department of Transportation request)

Making appropriations to the department of transportation for the Hood Canal bridge and state highway projects.

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

SENATE BILL NO. 3211, by Senators Peterson, Patterson and Hansen (by Department of Transportation request)

Modifying provisions on aircraft fuel taxes.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 74th Day, March 24, 1983.)

On motion of Mr. Martinis the committee amendments were adopted.

The bill was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, HOUSE BILL NO. 767 was rereferred from the second reading calendar to Committee on Ways & Means.

HOUSE BILL NO. 725, by Representative Grimm (by Code Reviser request)

Appropriating funds for the publication of the session laws.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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 House Bill No. 725, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kredler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

House Bill No. 725, having received the 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. Heck, the House advanced to the eighth order of business.

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 3021 was rereferred from Committee on Commerce & Economic Development to Committee on Judiciary.

On motion of Mr. Heck, ENGROSSED SUBSTITUTE SENATE BILL NO. 3055 was rereferred from Committee on Commerce & Economic Development to Committee on Labor.

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

## SECOND READING

HOUSE BILL NO. 495, by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang, Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson

Providing post-retirement adjustments for public retirement systems.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 495 was substituted for House Bill No. 495 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 495 was read the second time.

Mr. Smitherman moved adoption of the following amendments by Representatives Smitherman and B. Williams:

On page 3, line 22 strike "\$16,743,000" and insert "\$4,178,000"

On page 3, line 25 strike "\$16,312,000" and insert "\$3,747,000"

On page 3, line 27 strike "\$8,800,000" and insert "\$1,252,000"

On page 3, line 29 strike "\$7,350,000" and insert "\$2,444,000"

On page 3, line 32 strike "\$150,000" and insert "\$39,000"

Representatives Smitherman, B. Williams, Hine and Vander Stoep spoke in favor of the amendments, and Representatives Sommers, Rust, McDonald, Braddock, Tilly, J. King, Barnes, Locke and Bond spoke against them.

Representatives B. Williams and Smitherman spoke again in favor of the amendments.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Smitherman and B. Williams to Substitute House Bill No. 495, and the amendments were adopted by the following vote: Yeas, 66; nays, 32; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Belcher, Betzoff, Brough, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Grimm, Halsan, Hankins, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, O'Brien, Patrick, Prince, Pruitt, Ristuben, Sayan, Schmidt, Schoon, Silver, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Armstrong, Barnes, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Clayton, Fisher, Fuhrman, Galloway, Garrett, Hastings, Haugen, Kaiser, King J, Locke, McDonald, Nealey, Niemi, Padden, Powers, Rust, Sanders, Smith, Sommers, Tilly, Van Dyken, West, Williams J - 32.

Substitute House Bill No. 495 was ordered engrossed and passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Heck, the House adjourned until 10:15 a.m., Wednesday, April 6, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**EIGHTY-SEVENTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Wednesday, April 6, 1983

The House was called to order at 10:15 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sydney Ingebritsen and David Foster. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

**MESSAGE FROM THE SENATE**

April 5, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3539,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 5, 1983

Mr. Speaker:

The Senate has adopted:

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 112,  
ENGROSSED SENATE CONCURRENT RESOLUTION NO. 116,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTIONS AND FIRST READING**

SSB 3539 by Committee on Ways & Means (originally sponsored by Senators Granlund, McDermott and Owen)

Providing funds for jail improvement and construction.

Referred to Committee on Ways & Means

SSCR 112 by Committee on Social & Health Services (originally sponsored by Senators Haley, McManus and Deccio)

Printing a study on health care cost containment.

Referred to Committee on Social & Health Services

ESCR 116 by Senators Wojahn, Rasmussen, Patterson and Haley

Establishing a joint ad hoc legislative committee on community college financing and governance.

Referred to Committee on Higher Education

**REPORTS OF STANDING COMMITTEES**

April 5, 1983

SB 3009 Prime Sponsor, Senator Williams: Modifying provisions relating to the use of deadly weapons. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Hastings and G. Nelson.



Passed to Committee on Rules for second reading.

April 5, 1983

SSB 3151 Prime Sponsor, Committee on Local Government: Modifying the provision which limits the hiring of attorneys by counties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Hine, Smitherman and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Ranking Minority Vice Chair; Egger, Isaacson and Mitchell.

Absent: Representatives Grimm, Ristuben and Todd.

Passed to Committee on Rules for second reading.

April 5, 1983

ReESSB 3161 Prime Sponsor, Committee on Local Government: Authorizing service districts for authorized county and road district facilities and improvements. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Smitherman and Todd.

Voting nay: Representatives Van Dyken, Ranking Minority Chair; and Mitchell.

Absent: Representatives Grimm and Ristuben.

Passed to Committee on Rules for second reading.

April 5, 1983

SSB 3166 Prime Sponsor, Committee on Financial Institutions: Modifying provisions relating to notary fees. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

April 5, 1983

SB 3422 Prime Sponsor, Senator Warnke: Adding a premium to bids from vendors whose states have an in-state preference. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause, and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 43.19 RCW a new section to read as follows:

The legislature finds that in-state preference clauses used by other states in procuring goods and services have a discriminatory effect against Washington vendors with resulting harm to this state's revenues and the welfare of this state's citizens. This act is intended to promote fairness in state government procurement by requiring that, when appropriate, Washington exercise reciprocity with those states having in-state preferences.

NEW SECTION. Sec. 2. There is added to chapter 43.19 RCW a new section to read as follows:

The director of general administration shall compile a list of the statutes and regulations, relating to state purchasing, of each state, which statutes and regulations the director believes grant a preference to vendors located within the state or goods manufactured within the state. At least once every twelve months the director shall update the list.

NEW SECTION. Sec. 3. There is added to chapter 43.19 RCW a new section to read as follows:

The director of general administration shall adopt and apply rules designed to provide for some reciprocity in bidding between Washington and those states having statutes or regulations on the list under section 2 of this act. The rules shall provide for reciprocity only to the extent and in those instances where the director considers it appropriate. For the purpose of determining the lowest responsible bidder pursuant to RCW 43.19.1911, such rules shall (1) require the director to impose a reciprocity increase on bids when appropriate under the rules and (2) establish methods for determining the amount of the increase. In no instance shall such increase, if any, be paid to a vendor whose bid is accepted.

Sec. 4. Section 43.19.1911, chapter 8, Laws of 1965 as amended by section 8, chapter 172, Laws of 1980 and RCW 43.19.1911 are each amended to read as follows:

When purchases are made through competitive bidding, the contract shall be let to the lowest responsible bidder, subject to any preferences provided by law to Washington products and vendors and to sections 3 and 5 of this 1983 act, taking into consideration the quality of the articles proposed to be supplied, their conformity with specifications, the purposes for which required, and the times of delivery; PROVIDED, That whenever there is reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the division of purchasing may call for new bids or enter into direct negotiations to achieve the best possible price. Each bid with the name of the bidder shall be entered of record and each record, with the successful bid indicated, shall, after letting of the contract, be open to public inspection. In determining 'lowest responsible bidder', in addition to price, the following elements shall be given consideration:

(1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required;

(2) The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

(3) Whether the bidder can perform the contract within the time specified;

(4) The quality of performance of previous contracts or services;

(5) The previous and existing compliance by the bidder with laws relating to the contract or services;

(6) Such other information as may be secured having a bearing on the decision to award the contract: PROVIDED, That in considering bids for purchase, manufacture, or lease, and in determining the 'lowest responsible bidder,' whenever there is reason to believe that applying the 'life cycle costing' technique to bid evaluation would result in lowest total cost to the state, first consideration shall be given by state purchasing activities to the bid with the lowest life cycle cost which complies with specifications. 'Life cycle cost' means the total cost of an item to the state over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life. The 'estimated useful life' of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner."

In line 1 of the title, after "purchasing;" strike "and"

In line 3 of the title, after "43.19.1911" and before the period, insert "; and adding new sections to chapter 43.19 RCW"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, O'Brien, Silver, Taylor and Vekich.

Absent: Representatives D. Nelson, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

April 5, 1983

SSB 3516 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to the legislative branch. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, O'Brien, Silver, Taylor and Vekich.

Absent: Representatives Bond, Lux, D. Nelson, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

April 5, 1983

SSB 3520

Prime Sponsor, Committee on Local Government: Revising procedures regarding contested elections and challenged voters. Reported by Committee on Constitution, Elections & Ethics

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

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. There is added to chapter 29.10 RCW a new section to read as follows:

Challenges of voter registration filed within thirty days of any primary or election, general or special, shall be administered wholly under sections 2 and 3 of this act.

**NEW SECTION.** Sec. 2. There is added to chapter 29.10 RCW a new section to read as follows:

Registration of a person as a voter is presumptive evidence of his or her right to vote at any primary or election, general or special, but a person's right to vote may be challenged at the polls by a precinct election officer and he or she may be required then and there to establish his or her right to vote. Each precinct election officer shall challenge a person offering to vote when the officer knows or suspects the person to be unqualified as a voter.

Challenges may be initiated by a registered voter subject to the following conditions:

(1) Challenges on grounds other than residence may be made at the polls and the person challenged may be required then and there to establish his or her right to vote to the precinct election officers:

(2) Challenges on the grounds of residence alone must be filed not later than seven days before any primary or election, general or special, at the office of the appropriate county auditor. A challenged voter may properly transfer or reregister until three days before the primary or election, general or special, by applying personally to the county auditor.

**NEW SECTION.** Sec. 3. There is added to chapter 29.10 RCW a new section to read as follows:

When the right of a person has been challenged under section 2 of this act, the officers conducting the election at the polling place shall require the challenged person to vote a ballot which shall be placed in a sealed envelope separate from other voted ballots. In precincts where voting machines are used, any person whose right to vote is challenged under section 2 of this act shall be furnished with a paper ballot, which shall be placed in a sealed envelope after being marked. The sealed ballots of challenged voters shall be transmitted at the close of the election to the canvassing board or other authority charged by law with canvassing the returns of the particular primary or election. The challenging party must prove to the canvassing board or authority by clear and convincing evidence that the challenged voter's registration is improper. If the challenging party fails to meet this burden, the challenged ballot shall be accepted as valid and counted. The canvassing board or authority shall give the challenged voter the opportunity to present testimony and evidence to the canvassing board or authority before making its determination. All challenged ballots must be determined no later than the time of canvassing for the particular primary or election. The decision of the canvassing board or other authority charged by law with canvassing the returns shall be final. Challenges of absentee ballots shall be determined according to RCW 29.36.100.

Sec. 4. Section 2, chapter 156, Laws of 1965 ex. sess. as amended by section 2, chapter 225, Laws of 1967 and RCW 29.10.130 are each amended to read as follows:

Any (~~precinct committeeman, precinct election officer or registration officer~~) registered voter may (~~sign a preliminary~~) request that the registration of another voter be canceled if that voter no longer maintains a legal voting residence at the address shown on his or her registration record. The challenger shall sign a form, subject to the penalties of perjury, to the effect that to his or her personal knowledge and belief another registered voter does not actually reside (and maintain his abode) at the address as given on his or her registration record and that the voter in question is not protected by the provisions of Article VI, section 4, of the Constitution of the state of Washington. (PROVIDED, That (1) a precinct committeeman or precinct election officer may only challenge the residence of a voter registered in the precinct wherein such precinct committeeman or precinct election officer serves and (2)). The person filing (~~such~~) the challenge must furnish the address at which the challenged voter actually resides in order to assure that proper notice will be received by the challenged voter.

Sec. 5. Section 3, chapter 156, Laws of 1965 ex. sess. as last amended by section 34, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.140 are each amended to read as follows:

All (~~such signed forms~~) challenges of voter registration under RCW 29.10.130 shall be delivered to the appropriate county auditor who shall (cancel the registration records of the voters concerned on the thirtieth day following date of mailing or as soon thereafter as is practicable; PROVIDED, That) send, by certified mail, a notice of intent to cancel the registration on account of a (claimed change) challenge of residence (shall be mailed by certified mail) to that address at which the challenged voter (actually resides in order to assure that proper notice will be received by the challenged voter) is alleged to reside and to the address of the challenged voter listed on the registration record.

Any voter(;) whose registration has been so (~~questioned;~~) challenged and who believes that the allegation is not true(;) shall, within twenty days of such mailing (~~or publication~~), file a written (~~protest~~) response with the county auditor. The county auditor shall immediately (~~notify~~) request, by certified mail, the challenger and the challenged voter to appear at a meeting to be held within ten days of the mailing of the request at a place, day, and hour (~~certain~~) to be stated in the (~~notice~~) request, for determination of the validity of such registration(~~-PROVIDED, That should~~). If the challenged voter (~~be~~) is unable to appear in person, he or she may file a reply by means of an affidavit stating (~~therein~~) under oath the reasons he or she believes (~~his~~) the registration to be valid, and (~~should~~) if the challenger (~~be~~) is unable to appear in person he or she may file a statement by means of affidavit stating the reasons he or she believes the registration to be invalid.

(~~The hearing shall take place at the time and place designated by the county auditor in the event~~). If both the challenger and the challenged voter file affidavits instead of appearing in person, an evaluation of (~~such~~) the affidavits by the county auditor (~~shall~~) constitutes a hearing for the purposes of this section.

The county auditor shall hold a hearing at which time both parties shall present their facts and arguments. After reviewing the facts and arguments, the county auditor shall rule as to the validity or invalidity of the challenge. His or her ruling (~~shall be~~) is final subject only to a petition for judicial review by the superior court under (~~the provisions of~~) chapter 34.04 RCW(~~-as it is now or hereafter amended~~). If the challenger fails to appear at the meeting or fails to file an affidavit, the registration in question may remain in full effect as determined by the county auditor. If the challenged voter fails to appear at the meeting or fails to file an affidavit, then the registration shall be canceled and the voter so notified.

Sec. 6. Section 29.65.010, chapter 9, Laws of 1965 as amended by section 101, chapter 361, Laws of 1977 ex. sess. and RCW 29.65.010 are each amended to read as follows:

Any registered voter may contest the right of any person declared elected to an office to be issued a certificate of election for any of the following causes:

(1) For (~~malconduct~~) misconduct on the part of any member of any precinct election board involved therein;

(2) Because the person whose right is being contested was not at the time he was declared elected eligible to that office;

(3) Because the person whose right is being contested was previous to the election convicted of a felony by a court of competent jurisdiction, his conviction not having been reversed nor his civil rights restored after the conviction;

(4) Because the person whose right is being contested gave a bribe or reward to a voter or to an inspector or judge of election for the purpose of procuring his election, or offered to do so;

(5) On account of illegal votes.

(a) Illegal votes include but are not limited to the following:

(i) More than one vote cast by a single voter;

(ii) A vote cast by a person disqualified under Article VI, section 3 of the state Constitution.

(b) Illegal votes do not include votes cast by improperly registered voters who were not properly challenged pursuant to sections 2 and 3 of this act.

All election contests shall proceed under RCW 29.04.030(~~-as now or hereafter amended~~).  
**NEW SECTION.** Sec. 7. There is added to chapter 29.81 RCW a new section to read as follows:

(1) No individual, candidate, or political committee may publish or distribute any campaign material that is similar in design or appearance to a voters' pamphlet or candidates' pamphlet published by the secretary of state during the last ten years pursuant to chapter 29.81 or 29.80 RCW.

(2) The secretary of state may recover damages from any individual, candidate, or political committee found by a superior court to have violated the provision of this section. The damages shall not exceed one hundred dollars for each copy of any similar material published or distributed. Any damages recovered under this section shall be transmitted to the state treasurer for deposit in the general fund.

**NEW SECTION.** Sec. 8. The following acts or parts of acts are each repealed:

(1) Section 29.59.010, chapter 9, Laws of 1965, section 1, chapter 225, Laws of 1967 and RCW 29.59.010;

(2) Section 29.59.020, chapter 9, Laws of 1965 and RCW 29.59.020;

(3) Section 29.59.030, chapter 9, Laws of 1965 and RCW 29.59.030;

(4) Section 29.59.040, chapter 9, Laws of 1965, section 29, chapter 109, Laws of 1967 ex. sess. and RCW 29.59.040; and

(5) Section 29.59.060, chapter 9, Laws of 1965 and RCW 29.59.060."

In line 7 of the title, after "29.10 RCW," insert "adding a new section to chapter 29.81 RCW;"

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen and Sommers.

Voting nay: Representatives Long, Patrick, Schoon, Vander Stoep and Zellinsky.

Absent: Representative Tanner.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3588 Prime Sponsor, Senator Goltz: Authorizing the state archivist to adopt rules and set technical standards. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, O'Brien, Silver, Taylor and Vekich.

Absent: Representatives Bond, Lux, D. Nelson, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

April 5, 1983

SB 3613 Prime Sponsor, Senator Woody: Requiring gender-neutral language in statutes, rules, and publications. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Nealey, O'Brien, Silver, Taylor and Vekich.

Absent: Representatives Bond, Lux, D. Nelson, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

April 5, 1983

SB 4088 Prime Sponsor, Senator Williams: Continuing the archaeological research center for an additional six years. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

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

(1) Section 27, chapter 99, Laws of 1979 and RCW 43.131.201;

(2) Section 69, chapter 99, Laws of 1979 and RCW 43.131.202.

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

On page 1, line 1 of the title after "Relating to the archaeological research center;" strike all material down through and including "date;" on line 4 and insert "repealing section 27, chapter 99, Laws of 1979 and RCW 43.131.201; repealing section 69, chapter 99, Laws of 1979 and RCW 43.131.202;"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, O'Brien, Silver, Taylor and Vekich.

Absent: Representatives Bond, Lux, D. Nelson, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 4205 Prime Sponsor, Senator Warnke: Modifying provisions relating to the productivity board. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, O'Brien, Silver, Taylor and Vekich.

Absent: Representatives Bond, Lux, D. Nelson, O'Brien and Sayan.

Passed to Committee on Rules for second reading.

## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 495, by Committee on Ways & Means (originally sponsored by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang, Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson)

Providing post-retirement adjustments for public retirement systems.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 495, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 4; excused, 0.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Appelwick, Dellwo, Walk, West - 4.

Engrossed Substitute House Bill No. 495, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 1:15 p.m.

## AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker.

## MOTION

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

## SECOND READING

HOUSE BILL NO. 71, by Representatives D. Nelson, Isaacson, Sutherland, Long, Gallagher and Allen

Making the geothermal account not subject to appropriation.

The bill was read the second time. On motion of Mr. D. Nelson, Substitute House Bill No. 71 was substituted for House Bill No. 71, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 71 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 410, by Representatives Monohon, Sommers and Fiske

Authorizing fees to be charged by the department of ecology.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 410 was substituted for House Bill No. 410, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 410 was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Monohon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 410, and the bill passed the House by the following vote: Yeas, 86; nays, 8; absent, 4; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Barnes, Bond, Clayton, Fuhrman, Isaacson, Padden, Sanders, West - 8.

Absent: Representatives Belcher, Brekke, Fisch, Martinis - 4.

Substitute House Bill No. 410, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3035 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators McDermott, Gaspard, Bender and Hughes)

Directing preparation of a comprehensive plan for the maintenance and repair of the state's public works and appropriating funds for the plan.

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

Representatives Appelwick and J. King spoke in favor of the bill, and Representatives B. Williams, Padden, Isaacson and Schoon spoke against it.

Mr. B. Williams again opposed passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3035 as amended by the House, and the bill passed the House by the following vote: Yeas, 55; nays, 43; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Substitute Senate Bill No. 3035 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. 3198, by Senators Peterson, Sellar, Hansen and Deccio (by Department of Transportation request)

Making appropriations to the department of transportation for the Hood Canal bridge and state highway projects.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3198, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Sutherland - 1.

Senate Bill No. 3198, having received the 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. 3211 AS AMENDED BY THE HOUSE, by Senators Peterson, Paterson and Hansen (by Department of Transportation request)

Modifying provisions on aircraft fuel taxes.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3211 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Garrett, Sommers - 2.

Senate Bill No. 3211 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 HOUSE BILL NO. 234, by Committee on Transportation (originally sponsored by Representatives Martinis and Isaacson - by Governor Spellman request)

Adopting the transportation budget.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 234, and the bill passed the House by the following vote: Yeas, 75; nays, 23; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Cantu, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Struthers, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 75.



Voting nay: Representatives Barnes, Bond, Brekke, Burns, Chandler, Dellwo, Fuhrman, Garrett, Haugen, Kreidler, Locke, Nelson G, Padden, Patrick, Rust, Schoon, Sommers, Stratton, Sutherland, Taylor, Vander Stoep, West, and Mr. Speaker - 23.

Substitute House Bill No. 234, having received the 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. 235, by Committee on Transportation (originally sponsored by Representative Martinis; by Governor Spellman request)

Modifying gas tax provisions ('83-'85 Biennium).

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

Representatives Martinis and Wilson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 235, and the bill passed the House by the following vote: Yeas, 64; nays, 33; absent, 1; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Betrozoff, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Chamley, Clayton, Crane, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Halsan, Hankins, Hine, Holland, Isaacson, Johnson, King J, King R, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Struthers, Tanner, Tilly, Todd, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 64.

Voting nay: Representatives Addison, Barnes, Bond, Burns, Dellwo, Ebersole, Fuhrman, Galloway, Garrett, Grimm, Hastings, Haugen, Heck, Jacobsen, Kaiser, King P, Kreidler, Locke, Moon, Nelson G, Padden, Patrick, Pruitt, Rust, Schoon, Sommers, Stratton, Sutherland, Taylor, Van Dyken, Vander Stoep, West, and Mr. Speaker - 33.

Absent: Representative Belcher - 1.

Substitute House Bill No. 235, having received the 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, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 484, by Representatives Monohon, Lewis, Kreidler, Stratton, Brekke, Schmidt, Jacobsen, Wang, Todd and Dellwo

Establishing a long-term care ombudsman program.

The bill was read the second time. On motion of Mr. Kreidler, Substitute House Bill No. 484 was substituted for House Bill No. 484, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 484 was read the second time.

Mr. G. Nelson moved adoption of the following amendment:

On page 1 strike all of section 1 and renumber the remaining sections consecutively.

Mr. G. Nelson spoke in favor of the amendment, and Ms. Monohon spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Mr. G. Nelson:

On page 2, line 12 strike "an area within the department which will enable the office" and insert "bureau of nursing home affairs"

With the consent of the House, Mr. G. Nelson withdrew the amendment.

Mr. G. Nelson moved adoption of the following amendment:

On page 3, line 35 strike "A long-term care ombudsman" and insert "The department of social and health services"

Mr. G. Nelson spoke in favor of the amendment, and Ms. Monohon spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

The amendment was not adopted.

Mr. G. Nelson moved adoption of the following amendment:  
On page 4, strike lines 5 through 10.

Mr. G. Nelson spoke in favor of the amendment, and Ms. Monohon spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. G. Nelson to page 4, lines 5 through 10 of Substitute House Bill No. 484, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 55.

Mr. G. Nelson moved adoption of the following amendment:

On page 6, line 27 following "law," insert "Such local ombudsman programs shall be coordinated with the efforts of other long-term care ombudsman programs, including the office of the state long-term care ombudsman established in section 3 of this act, to avoid multiple investigation of complaints."

Representatives G. Nelson and Monohon spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 484 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:15 a.m., Thursday, April 7, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**EIGHTY-EIGHTH DAY**

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 7, 1983

The House was called to order at 10:15 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Brække, Grimm, Heck, J. King, Todd and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tracy Garringer and Warren Cheney. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

## MESSAGE FROM THE SENATE

April 6, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 207,  
 SUBSTITUTE SENATE BILL NO. 3173,  
 ENGROSSED SENATE BILL NO. 3760,  
 SENATE BILL NO. 3981,  
 SENATE JOINT MEMORIAL NO. 118,  
 SENATE JOINT MEMORIAL NO. 120,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 3173 by Committee on Commerce & Labor (originally sponsored by Senators McManus, Hemstad, Talmadge, Bottiger, Zimmerman, Lee and Deccio)

Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities.

Referred to Committee on Commerce & Economic Development

ESB 3760 by Senators Vognild, Hurley, Guess and Hughes

Modifying provisions relating to local economic development.

Referred to Committee on Commerce & Economic Development

SB 3981 by Senators McManus, Vognild, Conner, Hansen and Warnke

Establishing the jobs again council.

Referred to Committee on Commerce & Economic Development

SJM 118 by Senator Goltz

Petitioning to have the matching local funds requirement for public television transmitters eliminated.

Referred to Committee on Higher Education

SJM 120 by Senators Owen, Metcalf and Vognild

Requesting Congress to review the Boldt decision.

Referred to Committee on Natural Resources

## REPORTS OF STANDING COMMITTEES

April 5, 1983

SB 3089 Prime Sponsor, Senator Goltz: Permitting private schools to obtain a surety bond when making joint purchases with public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Schoon, Ranking Minority Vice Chair; Armstrong, Betzoff, Chandler, Egger, Haugen, Holland, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representatives Dickie, Ranking Minority Chair; Appelwick, Armstrong, Fuhrman, Heck, Johnson, Long, Rust and Taylor.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3097 Prime Sponsor, Senator Sellar: Increasing certain collection fees pertaining to motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich and J. Williams.

Absent: Representatives Gallagher, Garrett and Walk.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3110 Prime Sponsor, Committee on Financial Institutions: Modifying provisions relating to the Washington credit union share guaranty association. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Vekich, Wang and West.

Absent: Representatives Kreidler and Monohon.

Passed to Committee on Rules for second reading.

April 5, 1983

SB 3123 Prime Sponsor, Senator Peterson: Providing that only one transcript recording a conviction must be sent by department of licensing to hearings officers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Absent: Representatives Gallagher, Garrett, Prince, Vekich and Walk.

Passed to Committee on Rules for second reading.

April 5, 1983

SSB 3124 Prime Sponsor, Committee on Social & Health Services: Modifying provisions relating to the Washington health care facilities authority. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments: On page 3, line 2 strike "system or" and insert "(~~system or~~)"

On page 4, line 26 strike "subsection (3) of this section" and insert "this subsection"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton and Wang.

Absent: Representatives West and B. Williams.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3197 Prime Sponsor, Committee on Financial Institutions: Providing insurance coverage for reconstructive breast surgery resulting from a mastectomy. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Vekich, Wang and West.

Absent: Representatives Kreidler and Monohon.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3282 Prime Sponsor, Senator Guess: Enacting the Multistate Highway Transportation Agreement. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Wilson, Ranking Minority Chair; Fisch and Walk.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3364 Prime Sponsor, Senator Gaspard: Permitting school employees to request a postponement of a hearing of lay-offs due to a reduction in force. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Schoon, Ranking Minority Vice Chair; Armstrong, Betzoff, Egger, Haugen, Holland, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representatives Dickie, Ranking Minority Chair; Appelwick, Fuhrman, Heck, Johnson, Long and Rust.

Passed to Committee on Rules for second reading.

April 5, 1983

ESSB 3380 Prime Sponsor, Committee on Social & Health Services: Permitting hearings when a decision is made to return residents of state residential schools to the community. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, G. Nelson, Niemi, Padden, Stratton and Wang.

Absent: Representatives West and B. Williams.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3532 Prime Sponsor, Senator Gaspard: Providing procedures for the removal of members of community college boards of trustees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Allen, Barnes, Barrett, Crane, Locke, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representatives Silver, Ranking Minority Vice Chair; Barrett, Brough, R. King and McDonald.

Passed to Committee on Rules for second reading.

April 5, 1983

SSB 3645 Prime Sponsor, Committee on Social and Health Services: Modifying provisions relating to mental health insurance. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, McClure, Niemi, Stratton and Wang.

Voting nay: Representative G. Nelson.

Absent: Representatives West and B. Williams

Passed to Committee on Rules for second reading.

April 6, 1983

SB 4021 Prime Sponsor, Senator Moore: Modifying provisions on annual statements required of insurance companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Vekich, Wang and West.

Absent: Representatives Cantu and Monohon.

Passed to Committee on Rules for second reading.

April 5, 1983

SSB 4034 Prime Sponsor, Committee on Transportation: Prohibiting deceptive gasoline pricing methods. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Smith, Vekich and J. Williams.

Voting nay: Representative Betrozoff, Ranking Minority Vice Chair.

Absent: Representatives Schmidt and Walk.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 4112 Prime Sponsor, Senator Peterson: Bringing vehicle size and load restrictions into conformity with federal standards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns,

Charnley, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Ristuben, Sanders, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Gallagher, Garrett, Prince and Walk.

Passed to Committee on Rules for second reading.

April 5, 1983

SB 4237 Prime Sponsor, Senator Gaspard: Providing for drug and alcohol abuse education. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Galloway, Chair; P. King, Vice Chair; Schoon, Ranking Minority Vice Chair; Armstrong, Betzoff, Chandler, Egger, Haugen, Holland, Long, Ristuben, Rust, Taylor and Zellinsky.

Absent: Representatives Dickie, Ranking Minority Chair; Appelwick, Fuhrman, Heck, Johnson, Long and Rust.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-38, by Representatives Patrick, Ballard, Holland, Brekke, Galloway, Dickie, G. Nelson, Allen, D. Nelson, McDonald, Rust, Grimm and Walk

WHEREAS, The student congress provides fundamental insights into our political process; and

WHEREAS, The student congress provides a unique and valuable learning experience for students, enabling the students to actually participate in governmental processes; and

WHEREAS, Participation in the student congress, by teaching the students the fundamental principles of our democratic system, helps create the future leaders of our society; and

WHEREAS, Many legislators, through programs such as the student congress, received their initial learning experiences about legislative procedures;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the student congress be commended for the invaluable experiences provided to the youth and future leaders of our state; and

BE IT FURTHER RESOLVED, That the student congress be permitted to use the house chambers during December 9 and 10, 1983, if feasible.

On motion of Mr. Patrick, House Resolution No. 83-38 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-44, by Representatives Belcher, Kreidler, Galloway, Sayan and Vekich

WHEREAS, The Explorer Scouts is a nationwide organization of young men and women between the ages of fourteen and twenty; and

WHEREAS, The Washington State Patrol has eleven explorer scout posts within the state with approximately two hundred members; and

WHEREAS, Olympia's Explorer Scout Post 718 is a training organization for possible future employment with the State Patrol; and

WHEREAS, James Anderson, Tracy Barnes, Tim Campbell, James Chambers, Stephen Howe, Christopher LaBelle, Mark LaBelle, Patty Lemirand, Ronald Mead, Laura Mounts, Ronald Werre, and David Giese are members of Explorer Scout Post 718; Doug Heimbignor and Charles Miller are advisors of Post 718; and Robert Huss, Loyde Mattern, Grace Chambers, Tim Zandell, and William Lamoreaux are committee members of Post 718; and

WHEREAS, Post 718 explorers: Work as secretaries; assist with accidents and disabled motorists; provide manual traffic control; work in radio rooms; provide

first aid; provide security in the Legislative Building under the supervision of commissioned troopers; and otherwise provide no-cost assistance to the State Patrol; and

WHEREAS, Advisors to the explorers are commissioned troopers who, together with dedicated citizens or the local community, donate their time without compensation to supervise the explorer program; and

WHEREAS, Volunteer work by Explorer Scout Post 718 has included: The collection of food for the Seattle Food Bank at the University of Washington versus University of California at Los Angeles football game; operation Santa Claus which delivered two hundred fifteen food and gift boxes to needy families in Thurston County; and the parking of cars at the Governor's Mansion;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of Explorer Scout Post 718, their advisors, and their committee members be highly commended for their many contributions to the community; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to all members, advisors and committee members of Explorer Scout Post 718.

On motion of Ms. Belcher, House Resolution No. 83-44 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-46, by Representatives Lewis and Ellis

WHEREAS, Phil Mahre of Yakima, has exquisitely represented his home state of Washington and the United States with superior skill, dedication, and determination in Alpine skiing competition throughout this country and the world; and

WHEREAS, On March 7, 1983, Mr. Mahre, after completing two quick giant slalom runs, outdueled Ingemar Stenmark to win a World Cup slalom and clinch the overall World Cup title for the third consecutive year; and

WHEREAS, Mr. Mahre is the first and only American to hold the honor of a World Cup title which symbolizes individual excellence in the international sport of Alpine ski racing; and

WHEREAS, This victory marks another step on the pathway to a gold medal in the 1984 Olympic Games;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulates Phil Mahre for his outstanding accomplishment in capturing his third World Cup title and, on behalf of the skiing enthusiasts throughout the state, expresses its sincere appreciation for his dedication and the excitement he has brought to the sport of Alpine skiing; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Phil Mahre.

Mr. Lewis moved adoption of the resolution. Representatives Lewis and Ellis spoke in favor of the resolution.

House Resolution No. 83-46 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-45, by Representatives Heck and G. Nelson

WHEREAS, The state organization of the Young Men's Christian Association has conducted a Youth Legislature during the past several years for which the use of the Senate and House Chambers for this purpose has been granted; and

WHEREAS, These Youth Legislatures have been most successful and educational to all participating therein; and

WHEREAS, It is the desire of the Legislature of the State of Washington to encourage the interests of our youth in legislative matters and in the proceedings of the Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the use of the House Chamber and the committee rooms be granted to the state organization of the Young Men's Christian Association for the Youth Legislature to be held in 1983 and 1984.

Mr. G. Nelson moved adoption of the resolution. Representatives G. Nelson and Vekich spoke in favor of the resolution, and it was adopted.



## MOTION

On motion of Mr. Wang, the House reverted to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 484, by Committee on Social & Health Services (originally sponsored by Representatives Monohon, Lewis, Kreidler, Stratton, Brekke, Schmidt, Jacobsen, Wang, Todd and Dellwo)

Establishing a long-term care ombudsman program.

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

Ms. Monohon spoke in favor of passage of the bill.

## POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Monohon, yesterday when I was looking at this bill in our billbook, I found an entry that said a fiscal note had been requested on March 9, but I couldn't find a fiscal note in my book. I understand there's a \$20,000 appropriation in the bill. Do you have a total fiscal impact in the number of FTEs that would be required in order to implement this program?"

Ms. Monohon: "There are no FTEs other than the statewide ombudsman. The way it is funded is a percentage of what the state spends on the Older Americans Act, possibly that's about \$40,000."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 484, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent, 3; excused, 7.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representative Hastings - 1.

Absent: Representatives Appelwick, Prince, Wang - 3.

Excused: Representatives Bond, Brekke, Grimm, Heck, King J, Todd, Van Dyken - 7.

Engrossed Substitute House Bill No. 484, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 71, by Committee on Ways & Means (originally sponsored by Representatives D. Nelson, Isaacson, Sutherland, Long, Gallagher and Allen)

Making the geothermal account not subject to appropriation.

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

Mr. D. Nelson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 71, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 1; excused, 7.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith,

Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representative Appelwick - 1.

Excused: Representatives Bond, Brekke, Grimm, Heck, King J, Todd, Van Dyken - 7.

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-47, by Representatives Martinis and Vander Stoep

WHEREAS, Blaine Freer has for years faithfully served the outdoor enthusiasts of Washington through his journalistic efforts; and

WHEREAS, In performing this service he has unfailingly dealt with issues in a fair and compassionate manner; and

WHEREAS, He has added a refreshing and innovative style to his work that has added to the public appreciation and enjoyment of the outdoors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives gratefully recognizes the services of Blaine Freer and extends to both Blaine and his beloved "Brown Eyes" best wishes for happiness in the golden years ahead.

On motion of Mr. Martinis, House Resolution No. 83-47 was adopted.

#### POINT OF PERSONAL PRIVILEGE

Mr. Barrett: "I want to call the attention of the body to a document that has been distributed to each of you at your offices today. It's called "Funding of Retirement Systems," and it was prepared by Mildred Brower, who is serving as a senior intern for Representative Barnes. Mrs. Brower is from Spokane, and I rise because I am extremely proud that Mildred was involved in a project that exemplified, I think, the finest work that we can get from a senior intern. I commend to each of you this year and in future years that to have had a senior intern work on a program that completely details for us the funding of retirement systems, is a permanent document and the senior intern also has the pride of authorship acknowledged on the cover. I am not sure that we all make the best possible use we can of this grand program which is still just in its infancy.

"Number one, I ask you to read this document. I think you'll find it very helpful as a resource piece in the coming years, and second, when you have the opportunity to use a senior intern, find something for them to do that allows them to be a permanent part of our activities here."

#### MESSAGE FROM THE SENATE

April 6, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3198,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 207,

SENATE BILL NO. 3198.

## MOTION

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

## SECOND READING

SENATE BILL NO. 3613, by Senators Woody, Jones and Lee (by Attorney General request)

Requiring gender-neutral language in statutes, rules, and publications.

The bill was read the second time. On motion of Mr. Walk, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3613, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 1; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Flske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representative Moon - 1.

Excused: Representatives Bond, Brekke, Grimm, Heck, King J, Todd, Van Dyken - 7.

Senate Bill No. 3613, having received the 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. 3383, by Senators Clarke, Talmadge and Hemstad (by Secretary of State request)

Modifying the laws regulating professional corporations.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 2, line 10 strike "he" and insert "~~(he)~~ the nonresident"

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SENATE BILL NO. 3221, by Senators Rasmussen, Warnke and Hughes

Adding members to the veterans affairs advisory committee.

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

SENATE BILL NO. 3993, by Senators Lee, Shinpoch, Gaspard and Deccio (by Joint Administrative Rules Review Committee request)

Revising terms of members of the joint administrative rules review committee and insuring the vacancies are filled within a reasonable time.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass with the following amendment:

On page 2, line 8 after "occurring," strike the remainder of subsection 4.

On motion of Mr. Walk, the committee amendment was adopted.

Mr. Lewis moved adoption of the following amendments:

On page 1, line 9 following "legislature," strike "The" and insert "Four of the members shall be deemed regular members whose terms shall be in accordance with subsection (2) of this section. Four of the members shall be ad hoc members consisting of the chair and the ranking minority member of the house and senate standing committees designated by the chairperson"

of the rules review committee as being the appropriate standing committees related to the subject matter of the rule under review. The regular

On page 1, line 16 following "The" strike all material through "Thereafter" on line 19 and insert "~~(initial members of the committee shall be appointed as soon as possible after July 26, 1981, and shall serve until the next regular session of the legislature convenes in an odd-numbered year. Thereafter)~~ regular"

On page 2, line 6 following "party" insert "and standing committee of the legislature, if appropriate."

Representatives Lewis and Padden spoke in favor of the amendments, and Representatives Walk and Prince spoke against them.

The amendments were not adopted.

The bill was passed to Committee on Rules for third reading.

The Speaker declared the House to be at ease until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brække, Grimm, Todd and Van Dyken, who were excused.

ENGROSSED SENATE BILL NO. 3416, by Senators Hemstad, Talmadge, Clarke, Thompson and Granlund

Revising certain sentencing laws to facilitate implementation of the recommendations of the sentencing guidelines commission.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 86th Day, April 5, 1983.)

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

Mr. P. King moved adoption of the following amendment by Representatives P. King and Hine:

On page 9, after line 13 insert the following:

"NEW SECTION. Sec. 8. There is added to chapter 9.94A RCW a new section to read as follows:

The legislature recognizes the implementation of the sentencing reform act of 1981 may affect local criminal justice systems and the capacity of jails. If the impact is negative, the legislature will address adverse impacts on local governments, if any. Such impacts may be mitigated by altering the sentencing guidelines, providing additional resources to the local governments to meet their expanded responsibilities, or any other or combination of means for reducing the impact on local governments."

Renumber the following sections consecutively.

Representatives P. King, Hine, Charnley and West spoke in favor of the amendment, and Representatives Padden, Armstrong, Struthers and Addison spoke against it.

Mr. P. King spoke again in favor of the amendment.

#### POINT OF PERSONAL PRIVILEGE

Mr. Charnley: "Mr. Speaker, on the floor it was suggested that this amendment was put in in order to set us up for a law suit, and I deeply resent that implication. This amendment is being proposed by the proponents because they think it is an honest statement. The implications were, I think, unworthy of statements made before this body."

Representative Moon spoke in favor of the amendment, and Representative G. Nelson spoke against it.

Representatives West and Hine spoke again in favor of the amendment, and Representative Padden again spoke in opposition to it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives P. King and Hine to Engrossed Senate Bill No. 3416, and the amendment was not adopted by the following vote: Yeas, 40; nays, 53; absent, 1; excused, 4.

Voting yea: Representatives Allen, Barnes, Belcher, Broback, Burns, Charnley, Dellwo, Ebersole, Fisch, Fisher, Galloway, Garrett, Haugen, Heck, Hine, Isaacson, Jacobsen, King J, King P, Locke, Long, Lux, McClure, McMullen, Monohon, Moon, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Vekich, West, Zellinsky - 40.

Voting nay: Representatives Addison, Appelwick, Armstrong, Ballard, Barrett, Betzoff, Bond, Braddock, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Holland, Johnson, Kaiser, King R, Kreidler, Lewis, Martins, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Niemi, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Walk, Wang, Williams B, Williams J, Wilson, and Mr. Speaker - 53.

Absent: Representative Crane - 1.

Excused: Representatives Brekke, Grimm, Todd, Van Dyken - 4.

On motion of Mr. Charnley, the committee amendment to the title was adopted.

Engrossed Senate Bill No. 3416 as amended by the House was passed to Committee on Rules for third reading.

Representative Grimm appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 4022, by Committee on Financial Institutions (originally sponsored by Senator Moore; by Insurance Commissioner request)

Providing for the determination of jurisdiction of providers of health care benefits.

The bill was read the second time.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders and G. Nelson:

On page 1, line 7 after "physical" insert "or occupational"

Representatives Sanders and G. Nelson spoke in favor of the amendment, and Mr. Zellinsky spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Sanders and G. Nelson to Substitute Senate Bill No. 4022, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Chandler, Clayton, Egger, Ellis, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McClure, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Wilson - 45.

Voting nay: Representatives Armstrong, Belcher, Braddock, Burns, Cantu, Charnley, Crane, Dellwo, Dickie, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martins, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Schmidt, Smitherman, Sommers, Sutherland, Tanner, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Brekke, Todd, Van Dyken - 3.

Substitute Senate Bill No. 4022 was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 4205, by Senators Warnke and Jones (by Secretary of State request)

Modifying provisions relating to the productivity board.

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

SENATE BILL NO. 3412, by Senators Warnke, Newhouse and Owen (by Department of General Administration request)

Increasing the maximum amount which state agencies, colleges and universities may purchase without competition.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 86th Day, April 5, 1983.)

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

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3657, by Committee on State Government (originally sponsored by Senators Wojahn, McDermott and Talmadge)

Modifying provisions relating to the use of state-owned armories.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 86th Day, April 5, 1983.)

Mr. Walk moved adoption of the committee amendments.

On motion of Ms. Niemi, the following amendment to the committee amendment to page 2, line 1 was adopted:

On line 6 of the amendment, after "pay" strike "the" and insert "no more than the actual"

The committee amendments as amended were adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3516, by Committee on Judiciary (originally sponsored by Senators Talmadge and Bottiger)

Modifying provisions relating to the legislative branch.

The bill was read the second time.

Mr. B. Williams moved adoption of the following amendment, by Representatives B. Williams and Sommers:

On page 9, after line 4, insert the following:

"Sec. 11. Section 7, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.043 are each amended to read as follows:

The authority shall complete the following tasks within the number of days after April 25, 1973 allotted for each task contingent upon the funding of the authority:

(1) Task 1: Preparation of an organization and staffing plan; to be accomplished within one hundred five days;

(2) Task 2: Staffing of the authority; consisting of the transfer of the data processing advisory committee's staff and the data processing coordinator and his staff to the authority within ninety days; and additional staffing to be accomplished within one hundred fifty days;

(3) Task 3: Formulation, publication, and implementation of automatic data processing language standards; to be accomplished within two hundred forty days;

(4) Task 4: Formulation and implementation of standards for resources utilization reporting, including hardware, software, and personnel; to be accomplished within two hundred seventy days;

(5) Task 5: Formulation and implementation of system development standards; to be accomplished within two hundred seventy days;

(6) Task 6: Evaluation of (a) the regional educational computer network study authorized by the council of presidents of the institutions of higher education and (b) the comprehensive plan for computing in the community colleges adopted by the board of community college education; both to be accomplished within three hundred days;

(7) Task 7: Development of a short range resource plan, including a supplemental budget request; to be accomplished within three hundred days;

(8) Task 8: Formulation of agency requirements reporting standards; to be accomplished within three hundred thirty days;

(9) Task 9: Taking inventory of local government automated data processing resources; to be accomplished within three hundred thirty days;

(10) Task 10: Presentation of a preliminary report on the status of automated data processing of the institutions of higher education and of Olympia based state agencies with recommendations for consolidation of such resources of the Olympia based state agencies; to be accomplished within three hundred thirty days;

(11) Task 11: Presentation of a progress report on the definition of standard common business identifiers; to be accomplished within three hundred sixty days;

(12) Task 12: Presentation of a report on policies and procedures for confidentiality and privacy of data; to be accomplished within three hundred sixty days;

(13) Task 13: Presentation of a preliminary progress report to the governor and to the legislature; to be accomplished within three hundred sixty days;

(14) Task 14: Summarization of consolidated agencies and institutions automated data processing requirements; to be accomplished within three hundred ninety days;

(15) Task 15: Presentation of a budget plan and request for the 1975-1977 fiscal biennium; to be accomplished within four hundred eighty days;

(16) Task 16: Development of an internal performance measurement and auditing system; to be accomplished within five hundred ten days;

(17) Task 17: Development of a standard plan for data center operation; to be accomplished within five hundred forty days;

(18) Task 18: Definition of common application systems; to be accomplished within five hundred forty days; and

(19) Task 19: Transmittal to the governor and to the legislature, a Washington state comprehensive data processing plan, which includes the recommended organization of all data processing related functions, a recommendation whether the authority should be phased out and all state data processing functions transferred to a single state agency, and development of an orderly plan for implementation of such recommendations; to the governor to be accomplished within five hundred seventy-five days. ~~((The legislative budget committee shall report to the legislature ten days prior to the first legislative session in 1974 and yearly thereafter regarding the progress being made by the authority in fulfilling the mandates and directives of this chapter.))~~

Representatives B. Williams and Sommers spoke in favor of the amendment, and it was adopted.

On motion of Mr. B. Williams, the following amendment to the title was adopted:

On page 3, line 17, following "RCW 44.36.160" insert "; amending section 7, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.043"

Substitute Senate Bill No. 3516 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Wang, the House moved to immediately consider House Concurrent Resolution No. 12.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:15 a.m., Friday, April 8, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**EIGHTY-NINTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Friday, April 8, 1983

The House was called to order at 10:15 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Zellinsky, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Kaech and Debbie Schoon. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene 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 7, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3608,  
SUBSTITUTE SENATE BILL NO. 3880,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 7, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 119,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTIONS AND FIRST READING**

ESSB 3608 by Committee on State Government (originally sponsored by Senators McManus, Zimmerman, Woody and Bender)

Modifying provisions relating to cultural arts, stadium and convention districts.

Referred to Committee on Local Government

SSB 3880 by Committee on Education (originally sponsored by Senator Gaspard)

Continuing the sick leave buy back program for school employees.

Referred to Committee on Labor

SCR 119 by Senators Thompson, McDermott, Hurley, Hughes, Barr, Bauer, Fleming, Bender, Guess, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fuller, Gaspard, Goltz, Granlund, Haley, Hansen, Hayner, Hemstad, Jones, Kiskaddon, Lee, McCaslin, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman

Requesting federal assistance to repair the damage to the Pend Oreille railroad.

Referred to Committee on Transportation



## REPORTS OF STANDING COMMITTEES

April 7, 1983

HB 49 Prime Sponsor, Representative Grimm: Adopting the operating budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefore and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; McDonald, G. Nelson, Taylor and Vander Stoep.

Voting nay: Cantu, Ranking Minority Chair; Bond, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Addison.

## MOTION

Mr. Wang moved that the rules be suspended and House Bill No. 49 be advanced to second reading and placed at the top of today's second reading calendar.

Representatives Wang and McDonald spoke in favor of the motion, and it was carried.

April 5, 1983

HB 352 Prime Sponsor, Representative Kreidler: Modifying provisions relating to public assistance. Reported by Committee on Social & Health Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton and Wang.

Voting nay: Representatives Ballard, Ranking Minority Vice Chair; Broback and G. Nelson.

Absent: Representatives West and B. Williams.

Passed to Committee on Rules for second reading.

April 7, 1983

SB 3045 Prime Sponsor, Senator Hansen: Removing the requirement for a warm water fish stamp. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, McClure, Miller and Sommers.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3087 Prime Sponsor, Committee on Commerce & Labor: Authorizing payment of shared work unemployment insurance. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 26 strike "employees in the affected units" and insert "an employee in an affected unit"

On page 2, beginning on line 29 after "(4)" strike all material down through "units" on line 32 and insert "Fringe benefits will continue to be provided on the same basis as before the reduction in work hours. In no event shall the level of health benefits be reduced due to a reduction in hours"

On page 7, after line 13 insert a new section to read as follows:

"NEW SECTION, Sec. 14. The department shall adopt such rules as are necessary to carry out the purposes of this act. The department shall make a report to the legislature by January 1, 1984 which describes the implementation of this act."

Renumber the remaining sections accordingly.

On the following pages and line numbers strike "shared" and insert "reduced": page 1, line 18; page 1, line 25; page 2, line 5; page 2, line 11; page 2, line 16; page 2, line 18; page 2, line 19; page 2, line 20; page 3, line 21; page 4, line 1; page 4, line 11; page 4, line 25; page 5, line 1; page 5, line 5; page 5, line 8; page 5, line 14; page 5, line 16; page 5, line 23; page 5, line 24; page 5, line 25; page 5, line 28; page 5, line 32; page 5, line 35; page 6, line 1; page 6, line 3; page 6, line 10; page 6, line 11; page 6, line 14; page 6, line 16; page 6, line 20; page 6, line 25; page 6, line 29; page 6, line 30; and page 7, line 1

On the following pages and line numbers strike "Shared" and insert "Reduced": page 1, line 24; page 1, line 28; page 2, line 4; and page 6, line 22

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Sayan.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3164 Prime Sponsor, Committee on Financial Institutions: Modifying provisions regulating acquisition of control of domestic insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Vekich, Wang and West.

Absent: Representatives Kreidler and Monohon.

Passed to Committee on Rules for second reading.

April 7, 1983

SB 3169 Prime Sponsor, Senator Goltz: Making various housekeeping changes in the game laws. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 2, line 29 strike all of section 4 and renumber the remaining section accordingly.

On page 1, line 7 of the title after "150;" strike all material through "020;" on line 9.

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, McMullen, Miller, Sanders, Sayan, Sutherland, Vekich, B. Williams and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Martinis and Vander Stoep.

Absent: Representatives Fiske, McClure, Miller and Sommers.

Passed to Committee on Rules for second reading.

April 5, 1983

SB 3172 Prime Sponsor, Senator Guess: Providing for the license revocation of motorists convicted of eluding police. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charney, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Ristuben, Sanders, Schmidt, Smith, Walk and J. Williams.

Voting nay: Representative Vekich.

Absent: Representatives Gallagher, Garrett, Prince and Walk.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3203 Prime Sponsor, Senator Peterson: Requiring child restraints in motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24 after "section" strike "shall" and insert "may"

On page 1, line 26 after "section" strike "shall" and insert "may"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Ristuben, Sanders, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Gallagher, Garrett, Prince and Walk.

Passed to Committee on Rules for second reading.

April 6, 1983

SB 3233 Prime Sponsor, Senator Fleming: Modifying provisions relating to the Asia-American Affairs Commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives J. Williams, Ranking Minority Vice Chair; Bond, Johnson, R. King, Lux, Sayan, Taylor and Vekich.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3266 Prime Sponsor, Committee on Energy & Utilities: Modifying requirements for WPPSS executive board membership. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 12 strike all material through "governor;" on line 13 and insert "(~~The outside directors shall also receive a salary from the operating agency as fixed by the governor.~~)"

On page 2, after line 31 add a new subsection as follows:

"(d) The directors shall receive a salary from the operating agency as fixed by the governor."

On page 3, line 11 after "business" insert "which shall include provisions requiring public notice and allowing public involvement in all meetings of the executive board or any subgroup thereof. Such rules shall be in compliance with the open public meetings act, chapter 42.30 RCW"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Gallagher, Hastings, Jacobsen, Locke, Martinis, Moon, Pruitt and Sutherland.

Voting nay: Representatives Barnes, Bond, Fiske, Fuhrman, Miller and Nealey.

Passed to Committee on Rules for second reading.

April 7, 1983

ESB 3297 Prime Sponsor, Senator Hansen: Modifying various provisions concerning the department of agriculture. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. There is added to chapter 43.23 RCW a new section to read as follows:

The executive and administrative head of the department of agriculture shall be the director. The director shall be appointed by the governor with the consent of the senate and shall have complete charge of and supervisory power over the department. The director shall be paid a salary fixed by the governor in accordance with RCW 43.03.040.

Sec. 2. Section 14, chapter 240, Laws of 1967 and RCW 43.23.005 are each amended to read as follows:

The director of agriculture may appoint (~~an assistant director to act as~~) a deputy director who shall assist the director in the administration of the affairs of the department and who shall

have charge and general supervision of the department in the absence or disability of the director, and who, in case a vacancy occurs in the office of director, shall continue in charge of the department until a director is appointed and qualified, or the governor appoints an acting director.

Sec. 3. Section 43.23.010, chapter 8, Laws of 1965 as amended by section 1, chapter 240, Laws of 1967 and RCW 43.23.010 are each amended to read as follows:

The department of agriculture shall be organized into ~~((six divisions, to be known as, (1) the division of agricultural development, (2) the division of plant industry, (3) the division of animal industry, (4) the division of dairy and food, (5) the division of grain and agricultural chemicals, and (6) the division of regulatory services))~~ administrative divisions that the director deems necessary to promote efficient public management, to improve programs, and to take full advantage of both fiscal and administrative economies. The director shall appoint and deputize not more than six assistant directors as necessary to administer the several divisions within the department. The director shall appoint and deputize a state veterinarian who shall be an experienced veterinarian properly licensed to practice veterinary medicine in this state. The officers appointed under this section shall be paid salaries in an amount fixed by the governor.

The director of agriculture shall have charge and general supervision of the department and may assign ~~((the supervision))~~ supervisory and ~~((administration))~~ administrative duties ~~((not specified herein))~~ other than those specified in RCW 43.23.070 to the division which in his judgment can most efficiently carry on those functions.

Sec. 4. Section 15, chapter 240, Laws of 1967 and RCW 43.23.015 are each amended to read as follows:

~~Except for the functions specified in RCW 43.23.070, the director may, at his discretion, reassign any of the functions delegated to the various divisions of the department under the provisions of this chapter or any other law to any other division of the department. ((The director of agriculture may, if it will best serve the said public interest as herein described, establish when necessary additional divisions by adopting the necessary regulations in the manner provided for under chapter 34.04 RCW as enacted or hereafter amended. Such additional divisions shall have the same authority and powers as those divisions specifically named and established under the provisions of this chapter. The director may assign one or more of the various functions assigned to those divisions specifically named under the provisions of this chapter to said divisions established by regulation, or any other duties hereafter delegated to the department by law.))~~

Sec. 5. Section 43.23.030, chapter 8, Laws of 1965 as amended by section 3, chapter 240, Laws of 1967 and RCW 43.23.030 are each amended to read as follows:

The director of agriculture ~~((through the division of agricultural development))~~ shall exercise all the powers and perform all the duties relating to the development of markets, for agricultural products, state and federal cooperative marketing programs, land utilization for agricultural purposes, water resources, transportation, and farm labor as such matters relate to the production, distribution and sale of agricultural commodities.

Sec. 6. Section 43.23.050, chapter 8, Laws of 1965 as amended by section 5, chapter 240, Laws of 1967 and RCW 43.23.050 are each amended to read as follows:

The director of agriculture ~~((through the division of plant industry))~~ shall:

(1) Exercise all the powers and perform all the duties prescribed by law relating to horticulture, and horticultural plants and products;

(2) Enforce and supervise the administration of all laws relating to horticulture, horticultural products, and horticultural interests.

Sec. 7. Section 43.23.070, chapter 8, Laws of 1965 as amended by section 7, chapter 240, Laws of 1967 and RCW 43.23.070 are each amended to read as follows:

The ~~((director of agriculture, through the division of animal industry))~~ state veterinarian shall exercise all the powers and perform all duties prescribed by law relating to diseases among domestic animals and the quarantine and destruction of diseased animals.

He shall enforce and supervise the administration of all laws relating to meat inspection, the prevention, detection, control and eradication of diseases of domestic animals, and all other matters relative to the diseases of livestock and their effect upon the public health.

Sec. 8. Section 43.23.090, chapter 8, Laws of 1965 as amended by section 9, chapter 240, Laws of 1967 and RCW 43.23.090 are each amended to read as follows:

The director of agriculture ~~((through the division of dairy and food))~~ shall exercise all powers and perform all duties prescribed by law with respect to the inspection of foods, food products, drinks, milk and milk products, and dairies and dairy products and the components thereof.

He shall enforce and supervise the administration of all laws relating to foods, food products, drinks, milk and milk products, dairies and dairy products, and their inspection, manufacture, and sale.

Sec. 9. Section 43.23.110, chapter 8, Laws of 1965 as amended by section 11, chapter 240, Laws of 1967 and RCW 43.23.110 are each amended to read as follows:

The director of agriculture(~~(-through the division of grain and agricultural chemicals:))~~) shall exercise all powers and perform all duties prescribed by law with respect to grains, grain and hay products, grain and terminal warehouses (~~((in relation thereto))~~), commercial feeds, commercial fertilizers, and chemical pesticides.

He shall enforce and supervise the administration of all laws relating to grains, grain and hay products, grain and terminal warehouses (~~((in relation thereto))~~), commercial feeds, commercial fertilizers, and chemical pesticides.

Sec. 10, Section 13, chapter 240, Laws of 1967 and RCW 43.23.160 are each amended to read as follows:

The director of agriculture(~~(-through the division of regulatory services))~~) shall exercise all the powers and perform all the duties prescribed by law relating to commission merchants, livestock identification, livestock brand registration and inspection. All officers appointed to enforce these laws who have successfully completed a course of training prescribed by the Washington state criminal justice training commission shall have the authority generally vested in a peace officer solely for the purpose of enforcing these laws.

He shall enforce and supervise the administration of all laws relating to commission merchants, livestock identification and shall have the power to enforce all laws relating to any division under the supervision of the director of agriculture.

NEW SECTION. Sec. 11. There is added to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of agriculture to the director, the director's confidential secretary, the deputy director, not more than six assistant directors, and the state veterinarian.

NEW SECTION. Sec. 12. There is added to chapter 43.23 RCW a new section to read as follows:

The director of agriculture may enter written agreements with one or more agencies of the United States to act as the federal government's agent for determining the disposition of livestock impounded on the federal Hanford reservation. The director's authority under such an agreement may include, but is not limited to, selling or donating, on behalf of the federal government, unclaimed livestock to a qualified person, organization, or governmental agency that the director determines to be capable of humanely transporting and caring for the livestock. The director may sell or donate such livestock only if the livestock remains unclaimed after the completion of a reasonable attempt to ascertain ownership and, if ownership is not otherwise determined, by the publication of notice that the livestock has been impounded on the reservation.

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

(1) Section 43.23.020, chapter 8, Laws of 1965, section 2, chapter 240, Laws of 1967 and RCW 43.23.020;

(2) Section 43.23.040, chapter 8, Laws of 1965, section 4, chapter 240, Laws of 1967 and RCW 43.23.040;

(3) Section 43.23.060, chapter 8, Laws of 1965, section 6, chapter 240, Laws of 1967 and RCW 43.23.060;

(4) Section 43.23.080, chapter 8, Laws of 1965, section 8, chapter 240, Laws of 1967 and RCW 43.23.080;

(5) Section 43.23.100, chapter 8, Laws of 1965, section 10, chapter 240, Laws of 1967 and RCW 43.23.100; and

(6) Section 12, chapter 240, Laws of 1967 and RCW 43.23.150."

On page 1, beginning on line 1 of the title, after "agriculture;" strike the remainder of the title and insert "amending section 14, chapter 240, Laws of 1967 and RCW 43.23.005; amending section 43.23.010, chapter 8, Laws of 1965 as amended by section 1, chapter 240, Laws of 1967 and RCW 43.23.010; amending section 15, chapter 240, Laws of 1967 and RCW 43.23.015; amending section 43.23.030, chapter 8, Laws of 1965 as amended by section 3, chapter 240, Laws of 1967 and RCW 43.23.030; amending section 43.23.050, chapter 8, Laws of 1965 as amended by section 5, chapter 240, Laws of 1967 and RCW 43.23.050; amending section 43.23.070, chapter 8, Laws of 1965 as amended by section 7, chapter 240, Laws of 1967 and RCW 43.23.070; amending section 43.23.090, chapter 8, Laws of 1965 as amended by section 9, chapter 240, Laws of 1967 and RCW 43.23.090; amending section 43.23.110, chapter 8, Laws of 1965 as amended by section 11, chapter 240, Laws of 1967 and RCW 43.23.110; amending section 13, chapter 240, Laws of 1967 and RCW 43.23.160; adding a new section to chapter 41.06 RCW; adding new sections to chapter 43.23 RCW; repealing section 43.23.020, chapter 8, Laws of 1965, section 2, chapter 240, Laws of 1967 and RCW 43.23.020; repealing section 43.23.040, chapter 8, Laws of 1965, section 4, chapter 240, Laws of 1967 and RCW 43.23.040; repealing section 43.23.060, chapter 8, Laws of 1965, section 6, chapter 240, Laws of 1967 and RCW 43.23.060; repealing section 43.23.080, chapter 8, Laws of 1965, section 8, chapter 240, Laws of 1967 and RCW 43.23.080; repealing section 43.23.100, chapter 8, Laws of 1965, section 10, chapter 240, Laws of 1967 and RCW 43.23.100; and repealing section 12, chapter 240, Laws of 1967 and RCW 43.23.150."

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland and Moon.

Absent: Representatives Prince and Todd.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3299 Prime Sponsor, Committee on Financial Institutions: Modifying definition of personal leases. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

On page 6, line 8 after "lease" strike "heretofore or hereafter entered into"

On page 6, lines 14 and 15 strike all of subsection (i) and renumber remaining subsections of section 6(2)(b) consecutively.

On page 9, after line 5 insert the following:

"NEW SECTION. Sec. 8. No person may plead the defense of usury or maintain any action thereon based upon a transaction heretofore entered into if such transaction:

(1) constitutes a 'consumer lease' as defined in section 2 of this act; or

(2) would constitute such a consumer lease but for the fact that:

(i) the lessee was not a natural person;

(ii) the lease was not primarily for personal, family, or household purposes; or

(iii) the total contractual obligation exceeded twenty-five thousand dollars."

Renumber the remaining sections consecutively.

On page 9, line 10 after "5" insert "and 8"

Signed by Representatives Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, Vekich, Wang and West.

MINORITY recommendation: Do not pass. Signed by Representative Lux, Chair.

Absent: Representatives Kreidler and Monohon.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3372 Prime Sponsor, Committee on Natural Resources: Implementing civil penalty system for recovery of wildlife values. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, Martinis, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, McClure, Miller, Sommers and Vander Stoep.

Passed to Committee on Rules for second reading.

April 7, 1983

ESB 3390 Prime Sponsor, Senator Owen: Permitting up to seven letters or numbers on personalized license plates. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 after "3." strike all material through "1984." and insert "Section 2 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of state government and its existing public institutions, and shall take effect on July 1, 1983. Section 1 of this act takes effect on July 1, 1984."

On page 1, line 4 of the title after "appropriation;" insert "declaring an emergency;"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich and B. Williams.

Absent: Representatives Fiske, McClure, Miller and Sommers.

Rereferred to Committee on Ways & Means.

April 6, 1983

ESB 3392 Prime Sponsor, Senator McManus: Modifying provisions on electrical utility installation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12 after "may" strike all the language through "utilities" on line 19 and insert ", with the written approval of the city-owned electric utility, contract with a qualified electrical contractor licensed under chapter 19.28 RCW to install any material or equipment in lieu of having city utility personnel perform the installation. In the event the city-owned electric utility denies the customer's request to utilize a private electrical contractor for such installation work, it shall provide the customer with written reasons for such denial"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Jacobsen, Locke, Miller, Nealey, Pruitt and Sutherland.

Voting nay: Representative Moon.

Absent: Representative Martinis.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3483 Prime Sponsor, Committee on Natural Resources: Modifying the oil and gas conservation. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Martinis, McMullen, Miller, Sanders, Sayan, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, Locke, McClure, Sommers, Sutherland, Vekich and Wilson.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3511 Prime Sponsor, Committee on Agriculture: Authorizing the creation of legal authorities to construct and operate hydroelectric facilities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Fiske, Gallagher, Jacobsen, Locke, Martinis, Miller, Moon, Nealey, Pruitt and Sutherland.

Voting nay: Representative Bond.

Absent: Representative Hastings.

Passed to Committee on Rules for second reading.

April 6, 1983

ESB 3519 Prime Sponsor, Senator Thompson: Increasing state power to repair damage from the eruption of Mount St. Helens. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13 strike "protection" and insert "protection. The authorization for eminent domain provided by this subsection applies only in those counties facing the threat of flood due the eruptions of Mt. St. Helens"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives J. Williams, Ranking Minority Chair; Bond, Johnson, R. King, Lux, Sayan, Taylor and Vekich.

Rereferred to Committee on Ways & Means.

April 7, 1983

SB 3585 Prime Sponsor, Senator Fleming: Extending the permitted duration of harbor leases to fifty-five years. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, Martinis, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, McClure and Sommers.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3628 Prime Sponsor, Committee on Natural Resources: Establishing Hood Canal shrimp fishing licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, line 13 after "dollars" insert ", except that a person seventy years of age or older may pay a one-time fee of five dollars"

On page 1, line 25 after "least" strike "thirty" and insert "ninety"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, Martinis, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, McClure and Sommers.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3630 Prime Sponsor, Committee on Agriculture: Modifying provisions relating to irrigation district board meetings. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 18 after "acres" insert "or more"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland and Moon.

Absent: Representatives Prince and Todd.

Passed to Committee on Rules for second reading.

April 6, 1983

SSB 3782 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to firearms. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:  
Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 172, Laws of 1935 as last amended by section 1, chapter 302, Laws of 1971 ex. sess. and RCW 9.41.010 are each amended to read as follows:

(1) 'Short firearm' or 'pistol' as used in (~~RCW 9.41.010 through 9.41.160~~) this chapter means any firearm with a barrel less than twelve inches in length.

(2) 'Crime of violence' as used in (~~RCW 9.41.010 through 9.41.160~~) this chapter means:

(a) Any of the following (~~crimes or an attempt to commit any of the same: Murder, manslaughter, rape, riot, mayhem, first degree assault, second degree assault, robbery, burglary and kidnapping~~) felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, burglary in the second degree, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a crime of violence in subsection (2) (a) of this section; and



(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under subsection (2) (a) or (b) of this section.

(3) 'Firearm' as used in this chapter means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

(4) 'Commercial seller' as used in this chapter means a person who has a federal firearms license.

Sec. 2. Section 4, chapter 172, Laws of 1935 as amended by section 3, chapter 124, Laws of 1961 and RCW 9.41.040 are each amended to read as follows:

(No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control. Such person upon being convicted of a violation of this section shall be guilty of a felony and punished by imprisonment in the state penitentiary for not less than one year nor more than ten years:)) (1) A person is guilty of the crime of unlawful possession of a short firearm or pistol, if, having previously been convicted in this state or elsewhere of a crime of violence or of a felony in which a firearm was used or displayed, the person owns or has in his possession any short firearm or pistol.

(2) Unlawful possession of a short firearm or pistol shall be punished as a class C felony under chapter 9A.20 RCW.

(3) As used in this section, a person has been 'convicted' at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing, post-trial motions, and appeals. A person shall not be considered 'convicted' if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(4) Except as provided in subsection (5) of this section, a person is guilty of the crime of unlawful possession of a short firearm or pistol if, after having been convicted of any felony violation of the uniform controlled substances act, chapter 69.50 RCW, or equivalent statutes of another jurisdiction, or after any period of confinement under RCW 71.05.320 or an equivalent statute of another jurisdiction, or following a record of commitment pursuant to chapter 10.77 RCW or equivalent statutes of another jurisdiction, he owns or has in his possession or under his control any short firearm or pistol.

(5) Notwithstanding subsection (1) of this section, a person convicted of an offense other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401(a) and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from ownership, possession, or control of a firearm as a result of the conviction.

Sec. 3. Section 7, chapter 172, Laws of 1935 as last amended by section 1, chapter 158, Laws of 1979 and RCW 9.41.070 are each amended to read as follows:

(1) The judge of a court of record, the chief of police of a municipality, or the sheriff of a county, shall within thirty days after the filing of an application of any person issue a license to such person to carry a pistol concealed on his person within this state for ((two)) four years from date of issue, for the purposes of protection or while engaged in business, sport or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. Such citizen's constitutional right to bear arms shall not be denied to him, unless he:

(a) Is ineligible to own a pistol under the provisions of RCW 9.41.040 ((as now or hereafter amended or there exists a record of his prior court conviction of a crime of violence or of drug addiction or of habitual drunkenness or of confinement to a mental institution: PROVIDED: That such permit)); or

(b) Is under twenty-one years of age; or

(c) Is subject to a court order or injunction regarding firearms pursuant to RCW 10.99.040, 10.99.045, or 26.09.060; or

(d) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime of violence; or

(e) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor.

The license shall be revoked immediately upon conviction of a crime which makes such a person ineligible to own a pistol or upon the third conviction for a violation of this chapter within five calendar years. The license shall be in triplicate, in form to be prescribed by the ((state director)) department of licensing, and shall bear the name, address, and description, fingerprints and signature of the licensee ((and the reason given for desiring a license)), and the licensee's driver's license number or state identification card number if used for identification in applying for the license. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing said license.

~~((+))~~ (2) The fee for the original issuance of a ~~((two-year))~~ four-year license shall be ~~((five))~~ twenty dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the issuance of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

(a) ~~((Two))~~ Four dollars shall be paid to the state general fund;

(b) ~~((One dollar fifty cents))~~ Four dollars shall be paid to the agency taking the fingerprints of the person licensed; and

(c) ~~((One dollar fifty cents))~~ Twelve dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

~~((2))~~ (3) The fee for the renewal of such license shall be ~~((three))~~ twelve dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the renewal of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

(a) ~~((One))~~ Four dollars shall be paid to the state general fund; and

(b) ~~((Two))~~ Eight dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(4) A license may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (3) of this section.

(5) Notwithstanding the requirements of subsections (1) through (4) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section.

(6) A political subdivision of the state shall not modify the requirements of this section. A civil suit may be brought to enjoin a wrongful refusal to issue a license. The prevailing party is entitled to reasonable costs, including attorneys' fees.

Sec. 4. Section 9, chapter 172, Laws of 1935 as last amended by section 1, chapter 227, Laws of 1969 ex. sess. and RCW 9.41.090 are each amended to read as follows:

(1) In addition to the other requirements of ~~((RCW sections 9.41.010 through 9.41.150 as now or hereinafter amended))~~ this chapter, no commercial seller shall deliver a pistol to the purchaser thereof until ~~((seventy-two hours shall))~~:

(a) The purchaser produces a valid concealed pistol license and the commercial seller has recorded the purchaser's name, license number, and issuing agency, such record to be made in duplicate and processed as provided in subsection (4) of this section; or

(b) The seller is notified in writing by the chief of police of the municipality or the sheriff of the county that the purchaser meets the requirements of RCW 9.41.040 and that the application to purchase is granted; or

(c) Five days have elapsed from the time of receipt of the application for the purchase thereof as provided herein by the chief of police or sheriff designated in subsection (4) of this section, and, when delivered, said pistol shall be securely wrapped and shall be unloaded. However, if the purchaser does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive ninety days, the waiting period under this subsection (1)(c) shall be up to sixty days.

(2) In any case under subsection (1)(c) of this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the seller shall hold the delivery of the pistol until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a pistol is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the seller so that the hold may be released if the warrant was for a crime other than a crime of violence.

(3) In any case where the chief or sheriff of the local jurisdiction has reasonable grounds based on the following circumstances: (a) Open criminal charges, (b) pending criminal proceedings, (c) pending commitment proceedings, (d) an outstanding warrant for a crime of violence, or (e) an arrest for a crime of violence if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a pistol, the local jurisdiction may hold the sale and delivery of the pistol beyond five days up to thirty days in order to confirm existing records in this state or elsewhere. After thirty days, the hold will be lifted unless an extension of the thirty days is approved by a local district court or municipal court for good cause shown. An applicant shall be notified of each hold placed on the sale by local law enforcement and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.

(4) At the time of applying for the purchase of a pistol, the purchaser shall sign in duplicate and deliver to the seller an application containing his or her full name, address, occupation, place of birth, and the date and hour of the application; the applicant's driver's license number or state identification card number; and a description of the weapon including, the

make, model, caliber and manufacturer's number; and a statement that ~~((he has never been convicted in this state or elsewhere of a crime of violence, drug addiction or habitual drunkenness, or is legally judged to be of unsound mind))~~ the purchaser is eligible to own a pistol under RCW 9.41.040.

The seller shall, by the end of the business day, sign and attach his or her address and deliver the original of ~~((such))~~ the application and such other documentation as required under subsection (1) of this section to the chief of police of the municipality or the sheriff of the county of which the seller is a resident. The seller shall deliver the pistol to the purchaser following ~~((seventy-two hours thereafter))~~ the period of time specified in this section unless the seller is notified in writing by the chief of police of the municipality or the sheriff of the county, whichever is applicable, denying the purchaser's application to purchase and the grounds thereof. The application shall not be denied unless the purchaser ~~((has been convicted in this state or elsewhere of a crime of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound mind))~~ fails to meet the requirements specified in RCW 9.41.040. The chief of police of the municipality or the county sheriff shall maintain a file containing the original of the application to purchase a pistol.

NEW SECTION. Sec. 5. There is added to chapter 9.41 RCW a new section to read as follows:

The department of social and health services, mental health institutions, and other health care facilities shall, upon request of a court or law enforcement agency, supply such relevant information as is necessary to determine the eligibility of a person to possess a pistol or to be issued a concealed pistol license under RCW 9.41.070 or to purchase a pistol under RCW 9.41.090. Such information shall be used exclusively for the purposes specified in this section and shall not be made available for public inspection except by the person who is the subject of the information.

NEW SECTION. Sec. 6. There is added to chapter 9.41 RCW a new section to read as follows:

(1) The superior courts and the courts of limited jurisdiction of the state may order forfeiture of a firearm which is proven to be:

(a) Found concealed on a person not authorized by RCW 9.41.060 or 9.41.070 to carry a concealed pistol: PROVIDED, That it is an absolute defense to forfeiture if the person possessed a valid Washington concealed pistol license within the preceding two years and has not become ineligible for a concealed pistol license in the interim. Before the firearm may be returned, the person must pay the past due renewal fee and the current renewal fee;

(b) Commercially sold to any person without an application as required by RCW 9.41.090;

(c) Found in the possession or under the control of a person at the time the person committed or was arrested for committing a crime of violence or a crime in which a firearm was used or displayed or a felony violation of the uniform controlled substances act, chapter 69.50 RCW;

(d) Found concealed on a person in any place in which a concealed pistol license is required, under the influence of any drug or under the influence of intoxicating liquor, having 0.10 percent or more by weight of alcohol in his blood, as shown by chemical analysis of his breath, blood, or other bodily substance;

(e) Found in the possession of a person prohibited from possessing the firearm under RCW 9.41.040;

(f) Found in the possession of a person free on bail or personal recognizance pending trial, appeal, or sentencing for a crime of violence or a crime in which a firearm was used or displayed, except that violations of Title 77 RCW shall not result in forfeiture under this section;

(g) Found in the possession of a person found to have been mentally incompetent while in possession of a firearm when apprehended or who is thereafter committed pursuant to chapter 10.77 or 71.05 RCW;

(h) Known to have been used or displayed by a person in the violation of a proper written order of a court of general jurisdiction; or

(i) Known to have been used in the commission of a crime of violence or a crime in which a firearm was used or displayed or a felony violation of the uniformed controlled substances act, chapter 69.50 RCW.

(2) Upon order of forfeiture, the court in its discretion shall order destruction of any firearm that is illegal for any person to possess, retention of the firearm as evidence, appropriate use by a law enforcement agency in the state, donation to a historical museum, or sale at a public auction to a commercial seller. The proceeds from any sale shall be divided as follows: The local jurisdiction shall retain its costs, including actual costs of storage and sale, and shall forward the remainder to the state game commission for use in its firearms training program pursuant to RCW 77.32.155. If the court orders delivery to a law enforcement agency and the agency no longer requires use of the firearm, the agency shall dispose of the firearm in a manner which is consistent with this subsection.

(3) The court shall order the firearm returned to the owner upon a showing that there is no probable cause to believe a violation of subsection (1) of this section existed or the firearm was stolen from the owner or was not in the possession of the owner at the time of the violation of subsection (1) of this section.

(4) A law enforcement officer of the state or of any county or municipality may confiscate a firearm found to be in the possession of a person under circumstances specified in subsection (1) of this section. After confiscation, the firearm shall not be surrendered except: (a) To the prosecuting attorney for use in subsequent legal proceedings; (b) for disposition according to an order of a court having jurisdiction as provided in subsection (1) of this section; or (c) to the owner if the proceedings are dismissed or as directed in subsection (3) of this section.

Sec. 7. Section 4, chapter 105, Laws of 1979 ex. sess. as amended by section 6, chapter 145, Laws of 1981 and RCW 10.99.040 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to his client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any defendant charged with a crime involving domestic violence is released from custody before trial on bail or personal recognizance, the court authorizing the release may prohibit the defendant from having any contact with the victim. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 in any further acts of violence, the court may also require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which the defendant resides or to the defendant's counsel for safekeeping. Willful violation of a court order issued under this section is a misdemeanor. The written order releasing the defendant shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 10.99 RCW. A certified copy of such order shall be provided to the victim.

Sec. 8. Section 7, chapter 145, Laws of 1981 and RCW 10.99.045 are each amended to read as follows:

(1) A defendant arrested for an offense involving domestic violence as defined by RCW 10.99.020(2) shall be required to appear in person before a magistrate within one judicial day after the arrest; or

(2) A defendant who is charged by citation, complaint, or information with an offense involving domestic violence as defined by RCW 10.99.020(2) and not arrested shall appear in court for arraignment in person as soon as practicable, but in no event later than fourteen days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information.

At the time of the appearances provided in subsection (1) or (2) of this section, the court shall determine the necessity of imposing a no contact order or other conditions of pretrial release according to the procedures established by court rule for a preliminary appearance or an arraignment. If the court has probable cause to believe that the defendant is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 in any further acts of violence, as one of the conditions of pretrial release, the court may require the defendant to surrender any deadly weapon in the defendant's immediate possession or control, or subject to the defendant's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which the defendant resides or to the defendant's counsel for safekeeping. The decision of the judge and findings of fact in support thereof shall be in writing.

Appearances required pursuant to this section are mandatory and cannot be waived.

Sec. 9. Section 8, chapter 145, Laws of 1981 and RCW 10.99.055 are each amended to read as follows:

Any law enforcement agency in this state may enforce this chapter as it relates to orders restricting the defendants' ability to have contact with the victim and orders requiring defendants to surrender firearms.

Sec. 10. Section 6, chapter 157, Laws of 1973 1st ex. sess. as amended by section 3, chapter 32, Laws of 1975 and RCW 26.09.060 are each amended to read as follows:

(1) In a proceeding for:

(a) Dissolution of marriage, legal separation, or a declaration of invalidity; or

(b) Disposition of property or liabilities, maintenance, or support following dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse; either party may move for temporary maintenance or for temporary support of children entitled to support.

The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.

(2) As a part of a motion for temporary maintenance or support or by independent motion accompanied by affidavit, either party may request the court to issue a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any person from:

(a) Transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business or for the necessities of life, and, if so restrained or enjoined, requiring him to notify the moving party of any proposed extraordinary expenditures made after the order is issued;

(b) Molesting or disturbing the peace of the other party or of any child and, upon a showing by clear and convincing evidence that the party so restrained or enjoined has used or displayed or threatened to use a deadly weapon as defined in RCW 9A.04.110 in an act of violence or has previously committed acts of domestic violence and is likely to use or display or threaten to use a deadly weapon in an act of domestic violence, requiring the party to surrender any deadly weapon in his immediate possession or control or subject to his immediate possession or control to the sheriff of the county having jurisdiction of the proceeding or to the restrained or enjoined party's counsel or to any person designated by the court. The court may order temporary surrender of deadly weapons without notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for response has elapsed;

(c) Entering the family home or the home of the other party upon a showing of the necessity therefor;

(d) Removing a child from the jurisdiction of the court.

(3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary maintenance or support in such amounts and on such terms as are just and proper in the circumstances.

(5) A temporary order, temporary restraining order, or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;

(b) May be revoked or modified;

(c) Terminates when the final decree is entered or when the petition for dissolution, legal separation, or declaration of invalidity is dismissed.

Sec. 11. Section 16, chapter 172, Laws of 1935 as last amended by section 7, chapter 3, Laws of 1983 and RCW 9.41.160 are each amended to read as follows:

Any violation of any provision of ((RCW 9.41.010 through 9.41.150, as amended, other than those violations specified in RCW 9.41.025 and 9.41.040)) this chapter, except as otherwise provided, shall be a misdemeanor and punishable accordingly. There shall be levied and paid into the general fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all violations of this chapter.

NEW SECTION. Sec. 12. There is added to chapter 9.41 RCW a new section to read as follows:

Cities, towns, and counties may enact only those laws and ordinances relating to firearms that are consistent with this chapter. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted.

NEW SECTION. Sec. 13. Section 12 of this act shall not apply to any offense committed prior to the effective date of this act.

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."

On page 1, line 17 of the title, after "RCW;" insert "creating a new section;"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Absent: Representatives McMullen, Vice Chair; Addison, Hastings, Lewis, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3800 Prime Sponsor, Committee on Natural Resources: Modifying provisions relating to fishing licenses. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich and B. Williams.

Absent: Representatives Fiske, McClure, Miller and Sommers.

Passed to Committee on Rules for second reading.

April 6, 1983

ESB 3840 Prime Sponsor, Senator Shinpoch: Permitting employees to participate in state deferred compensation plans. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Absent: Representatives J. Williams, Ranking Minority Vice Chair; Bond, Johnson, R. King, Lux, Sayan, Taylor and Vekich.

Passed to Committee on Rules for second reading.

April 5, 1983

ESB 3991 Prime Sponsor, Senator Conner: Establishing procedures for reducing and ending tolls on the Hood Canal Bridge. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, McMullen, Mitchell, Powers, Prince, Ristuben, Vekich and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Hankins, Patrick, Sanders, Schmidt and Smith.

Absent: Representative Walk.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 4201 Prime Sponsor, Committee on Parks & Ecology: Requiring that used automotive oil be recycled. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Burns, Clayton, Dellwo, Hankins, Jacobsen, Lux and Pruitt.

Voting nay: Representative J. Williams.

Absent: Representatives Brekke, Lewis and Van Dyken.

Passed to Committee on Rules for second reading.

April 7, 1983

SJM 116 Prime Sponsor, Senator Hansen: Petitioning Congress to declare July 16, 1983 as National Grand Coulee Dam day. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18 after "construction" insert "and they stand as a special tribute to the many dedicated people, from the President of the United States to the people of the sagebrush country, who fought for so many years to make the dam a reality"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Galloway, Holland and Moon.

Absent: Representatives Prince and Todd.

Passed to Committee on Rules for second reading.

April 7, 1983

ESJR 105 Prime Sponsor, Senator Fleming: Allowing harbor leases to last for fifty years. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Johnson, Locke, Martinis, McMullen, Miller, Sanders, Sayan, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, McClure and Sommers.

Passed to Committee on Rules for second reading.

#### MOTION

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

HOUSE FLOOR RESOLUTION NO. 83-48, by Representatives Kaiser, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, World Wars I and II, the Korean War, and the Vietnam War caused many citizens of Washington and the United States to participate in the defense and cause of their country; and

WHEREAS, Over one hundred forty-five thousand Americans were confined during those wars by the enemies of the United States; and

WHEREAS, On April 9, 1942, the largest single group of American soldiers was taken prisoner when General Jonathan Wainwright, a brave and courageous man, and his forces were captured on Bataan in the Philippine Islands; and

WHEREAS, Washingtonians have long honored the country's and state's war dead and returning veterans; and

WHEREAS, Many families are left bewildered, afraid, and alone as the fate of their missing loved ones is unknown; and

WHEREAS, Today there are two thousand four hundred Americans, sixty of them from Washington state, who are still Missing in Action from the war in Southeast Asia; and

WHEREAS, The Congress of the United States by Joint Resolution has designated tomorrow, April 9, 1983, forty-one years after the fall of Bataan, as National Prisoner of War and Missing in Action Recognition Day; and

WHEREAS, The Honorable John Spellman, Governor of Washington state, has issued a proclamation dedicating April 9, 1983, to all former American prisoners of war, to those still missing, and to their families; and

WHEREAS, A ceremony will be held at the north entrance to the legislative building today at 12:15 P.M. in recognition and remembrance of those Washingtonians and Americans still missing;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That gratitude be expressed to those who served their country and their states in past wars; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives recognize those who have suffered personal tragedies or who have not yet returned from these wars; and

BE IT FURTHER RESOLVED, That all Washingtonians and Americans be urged to celebrate National Prisoner of War and Missing in Action Recognition Day on April 9, 1983, and to honor all former American prisoners of war, those still missing, and their families who have made great sacrifices for their state and country.

Mr. Kaiser moved adoption of the resolution. Representatives Kaiser and Fuhrman spoke in favor of the resolution, and it was adopted.

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

Mr. Heck demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Barrett and Zellinsky.

On motion of Mr. Heck, the absent members were excused, and the House proceeded with business under the Call of the House.

#### MESSAGES FROM THE SENATE

April 8, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 24,  
SUBSTITUTE HOUSE BILL NO. 47,  
HOUSE BILL NO. 77,  
HOUSE BILL NO. 83,  
SUBSTITUTE HOUSE BILL NO. 99,  
SUBSTITUTE HOUSE BILL NO. 143,  
HOUSE BILL NO. 144,  
HOUSE BILL NO. 174,  
HOUSE BILL NO. 216,  
HOUSE BILL NO. 288,  
ENGROSSED HOUSE BILL NO. 348,  
ENGROSSED HOUSE BILL NO. 487,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 8, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 207,  
SENATE BILL NO. 3613,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3613.

#### SENATE AMENDMENT TO HOUSE BILL

April 6, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 184 with the following amendment:

On page 1, line 15 after "department" insert "in the exercise of any of its powers." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



## MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendment to Engrossed House Bill No. 184.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 184 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 184 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 96.

Excused: Representatives Barrett, Zellinsky - 2.

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

## MOTION

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

## SECOND READING

HOUSE BILL NO. 49, by Representatives Grimm and Cantu (by Governor Spellman request)

Adopting the operating budget.

The bill was read the second time.

Mr. Grimm moved that Substitute House Bill No. 49 be substituted for House Bill No. 49 and the substitute bill be placed on the calendar for second reading.

Representatives G. Nelson, Wilson, B. Williams and Taylor spoke against the motion, and Representatives Grimm and Heck spoke in favor of it.

Mr. G. Nelson again opposed the motion.

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

## ROLL CALL

The Clerk called the roll on the motion to substitute House Bill No. 49, and the motion was carried by the following vote: Yeas, 53; nays, 43; excused, 2.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Excused: Representatives Barrett, Zellinsky - 2.

Substitute House Bill No. 49 was read the second time.

## MOTION

Mr. G. Nelson moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. G. Nelson spoke in favor of the motion, and Mr. Heck spoke against it.

## POINT OF PERSONAL PRIVILEGE

Mr. B. Williams: "I went to the open bipartisan caucus, which I was assured by the Chairman of the Ways & Means Committee would be an open caucus and that we would have input into the process, and I also heard the Chairman of the Democratic caucus tell us that. I went to those Ways & Means Committee meetings, and I signed up to testify on the bill and instead of being allowed to testify, it took two hours in every session to brief some members of the Ways & Means Committee, Democrat and Republican, of what was in that bill--"

The Speaker: "Representative Williams, the question before the House is the motion by Representative Nelson and you have strayed from that, which is not truly a point of personal privilege."

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, I believe the remarks by Representative Williams did fall under Rule 178 in Reed's Rules, which say that he was talking about the 'safety, dignity, and the integrity of its proceedings.' I can't see how he was straying from the topic if he was speaking to that matter."

## SPEAKER'S RULING

The Speaker: "Representative McDonald, Representative Williams had an opportunity to make his remarks when the motion was to substitute the bill. The question before the House is the motion by Representative Nelson and his point of personal privilege does not deal with that issue. In my reading of the rules, it is not appropriate."

Representative Zellinsky appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Substitute House Bill No. 49 on final passage, and the motion was lost by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Barrett - 1.

Substitute House Bill No. 49 was read the second time.

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

On page 4, line 10 strike "\$1,388,000" and insert "\$1,415,000"

On page 4, line 21 strike "\$1,532,000" and insert "\$1,548,000"

On page 4, line 23 strike "\$312,000" and insert "\$318,000"

Mr. B. Williams moved adoption of the following amendment:

On page 6, line 4 strike all of section 112, and insert the following:

NEW SECTION. Sec. 112. FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation ..... \$3,441,000"

Representatives B. Williams and Vander Stoep spoke in favor of the amendment, and Representatives Monohon, Patrick and Grimm spoke against it.

Mr. B. Williams spoke again in favor of the amendment.

The amendment was not adopted.

The Speaker called on Mr. O'Brien to preside.

Mr. Ballard moved adoption of the following amendment:

On page 16, after line 9 insert the following:

\*NEW SECTION, Sec. 154. FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State .....	\$ 871,000
General Fund Appropriation—Federal .....	\$3,862,000
Total Appropriation .....	\$4,733,000*

Renumber the sections consecutively and correct internal references accordingly.

Representatives Ballard and Ristuben spoke in favor of the amendment, and Ms. Monohon spoke against it.

Mr. Ballard spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ballard to page 16, line 9 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 39; nays, 58; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Belcher, Betzoff, Broback, Brough, Cantu, Clayton, Fisch, Fiske, Garrett, Hankins, Hastings, Holland, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Patrick, Prince, Ristuben, Schmidt, Schoon, Silver, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 39.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Bond, Braddock, Brekke, Burns, Chandler, Charney, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sanders, Sayan, Smith, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 58.

Excused: Representative Barrett - 1.

Mr. Armstrong moved adoption of the following amendments:

On page 15, line 27 strike "\$16,713,000" and insert "\$17,215,000"

On page 15, line 31 strike "\$17,681,000" and insert "\$18,183,000"

On page 16, beginning on line 2 strike all of subsection (2) and insert the following:

"(2) \$800,000 of the Public Service Revolving Fund state appropriation is provided solely for the provision of counsel to represent the public before the Utilities and Transportation Commission. If Substitute House Bill 563, or any other legislation establishing a consumer's counsel to represent the public before the Utilities and Transportation Commission, is enacted before July 1, 1983, the amount provided in this subsection shall lapse."

Mr. Armstrong spoke in favor of the amendments, and Mr. Isaacson spoke against them.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Grimm, earlier the majority leader explained that there are other bills that will be carrying appropriations and so forth, and that is the history of this body, so those appropriations will stand up or fall down under the decision of the body at that time. This amendment by the gentleman from the 36th District alludes to a bill in a budget document, Substitute House Bill 563. My question to you is: How or what is the decision made on how some bills will stand on their own weight and some bills get into the budget document? How is that decision made?"

Mr. Grimm: "The decision is made on the individual case--on the merits of the individual case. Representative Armstrong is introducing the amendment, which does refer to legislation. There is a precedent for that, certainly. There is also precedent for other legislation carrying an appropriation and being dealt with separately. That decision is a result of the collective wisdom of the ninety-eight members on the floor of the House."

Representatives Hastings and Cantu spoke against the amendments.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Grimm, since you do understand budgets so well, and House Bill 563 is a bill before this legislature, and as I understand House Bill 563 is alive through this legislative term which runs through this entire two-year period, my question is: If this amendment passes, is this appropriation tied directly to that bill as long as that bill is before this legislative body, regardless of which session we are in?"

Mr. Grimm: "I believe that in the event House Bill 563 were to pass at any time during the legislature which would extend through the second Monday, I believe, of January 1985, that this provision of the budget would no longer be in effect and that if this bill does not pass, then this language would be in effect, so they would be mutually exclusive."

Mr. Martinis spoke against the amendments.

Mr. West moved adoption of the following amendment to the Armstrong amendments:

On line 7 of the amendment after "commission" insert "or public utility districts"

Mr. West spoke in favor of the amendment to the amendment, and Representatives Isaacson and Armstrong spoke against it.

Mr. West spoke again in favor of the amendment to the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment to the Armstrong amendment to page 15 of Substitute House Bill No. 49, and the amendment to the amendment was not adopted by the following vote: Yeas, 15; nays, 82; excused, 1.

Voting yea: Representatives Barnes, Bond, Cantu, Egger, Ellis, Garrett, Lewis, McDonald, Miller, Nelson G, Sanders, Stratton, Van Dyken, West, Williams J - 15.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 82.

Excused: Representative Barrett - 1.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representative Armstrong.

Representatives West, Schmidt and Lewis spoke against the amendments, and Mr. Armstrong spoke again in favor of them.

Mr. Martinis spoke again in opposition to the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Armstrong to page 15 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 35; nays, 62; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Crane, Dellwo, Ebersole, Fisch, Gallagher, Grimm, Halsan, Hine, Jacobsen, Kaiser, Kreidler, Locke, Lux, McClure, McMullen, Moon, Nelson D, O'Brien, Powers, Ristuben, Rust, Sayan, Sommers, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Egger, Ellis, Fisher, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, King J, King P, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 62.

Excused: Representative Barrett - 1.

Mr. Tilly moved adoption of the following amendments:

On page 16, line 21 strike "8,236,000" and insert "14,236,000"

On page 16, line 23 strike "37,056,000" and insert "43,056,000"

On page 17, after line 2 insert:

"(4) \$6,000,000 of the general fund-state appropriation is provided solely for the tourism program including marketing and advertising expenditures."

Representatives Tilly, Lewis and Taylor spoke in favor of the amendments, and Representatives J. King and Smitherman spoke against them.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. B. Williams.

Mr. B. Williams: "Representative Grimm, did the Department of Commerce have the opportunity to come before your committee and explain what these funds are to be utilized for?"

Mr. Grimm: "The Department of Commerce & Economic Development, or a representative of the Governor on behalf of the Department of Commerce & Economic Development has had the opportunity to testify. I can't remember specifically how much testimony was provided by the representative of the Governor. There was reference made, I do know, in opposition, under the original proposal which I submitted on March 28, to the elimination of that funding."

Representatives B. Williams, Ballard, Schmidt and Schoon spoke in favor of the amendment, and Mr. Grimm spoke against it.

Mr. Tilly spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 16 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Ellis, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Barrett - 1.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher and Halsan:

On page 16, line 21 strike "8,236,000" and insert "10,736,000"

On page 16, line 23 strike "37,056,000" and insert "39,556,000"

Representatives Belcher, Holland, Tanner, Kaiser and Miller spoke in favor of the amendments, and Representatives J. King, Van Dyken and Schmidt spoke against them.

Mr. J. King again opposed the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Belcher and Halsan to page 16 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 55; nays, 42; excused, 1.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Clayton, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Hine, Holland, Isaacson, Jacobsen, Kaiser, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, O'Brien, Patrick, Powers, Prince, Ristuben, Sanders, Smitherman, Stratton, Struthers, Tanner, Taylor, Vander Stoep, Williams B, Williams J, Wilson - 55.

Voting nay: Representatives Addison, Appelwick, Braddock, Brekke, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Fisher, Fiske, Grimm, Haugen, Heck, Johnson, King J, Long, Nealey, Nelson D, Nelson G, Niemi, Padden, Pruitt, Rust, Sayan, Schmidt, Schoon, Silver,

Smith, Sommers, Sutherland, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 42.

Excused: Representative Barrett - 1.

The Speaker resumed the Chair.

Mr. Isaacson moved adoption of the following amendment:

On page 16, line 2 strike all of subsection (2).

Mr. Isaacson spoke in favor of the amendment, and Mr. Grimm spoke against it.

Mr. Isaacson spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Isaacson to page 16, line 2 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Barrett - 1.

Mr. Zellinsky moved adoption of the following amendment:

On page 13, line 22 after "limitations:" insert:

"(1) No state employee shall use or cause to be used a state-owned, leased, or rental passenger motor vehicle for other than official state business. Personal use of such vehicles shall result in suspension without pay or termination of employment for any state worker violating this subsection. The public shall be encouraged to report any violations of this subsection to any state agency. Agency personnel receiving these reports shall forward them to the department of general administration.

(2)\*

#### POINT OF ORDER

Mr. Grimm: "Mr. Speaker, the amendment is not germane and therefore is out of order under the provisions of Rule 12(D)."

#### SPEAKER' RULING

The Speaker: "The Speaker has examined the amendment and finds that it tends to deal with matters beyond the biennial budget and is currently covered in the WAC, the Washington Administrative Code. Your point is well taken, according to House Rule 12(d). The amendment is declared out of order."

Mr. Zellinsky moved adoption of the following amendment:

On page 18, line 4 after "limitations:" insert the following:

"(1) The department of corrections shall not expend any moneys to supply tobacco products to inmates.

(2)\*

Representatives Zellinsky and Stratton spoke in favor of the amendment, and Representatives Brekke, Patrick and Bond spoke against it.

The amendment was not adopted.

On motion of Mr. Heck, Representative Dellwo was excused from further business under the Call of the House.

Mr. Moon moved adoption of the following amendments by Representatives Moon and Wang:

On page 16, line 21 strike "8,236,000" and insert "18,736,000"

On page 16, line 23 strike "37,056,000" and insert "47,556,000"

On page 17, after line 2 insert a new subsection as follows:

"(4) \$10,500,000 of the general fund state appropriation is provided solely for distribution to cities and counties on a per capita basis to enhance local efforts to combat drunk driving. Such moneys may be used for law enforcement, prosecution, and disposition by the courts of persons driving while intoxicated, and for such other purposes as will enhance efforts to reduce the incidence of drunk driving."

Mr. Moon spoke in favor of the amendments, and Mr. Holland spoke against them.

The amendments were not adopted.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 24,  
 SUBSTITUTE HOUSE BILL NO. 47,  
 HOUSE BILL NO. 77,  
 HOUSE BILL NO. 83,  
 SUBSTITUTE HOUSE BILL NO. 99,  
 SUBSTITUTE HOUSE BILL NO. 143,  
 HOUSE BILL NO. 144,  
 HOUSE BILL NO. 174,  
 HOUSE BILL NO. 216,  
 HOUSE BILL NO. 288,  
 HOUSE BILL NO. 348,  
 HOUSE BILL NO. 487.

Mr. Tilly moved adoption of the following amendments:

On page 17, after line 34 strike all material down through and including line 2 on page 18 and insert the following:

"General Fund Appropriation-State .....	\$202,628,000
General Fund Appropriation-Federal .....	\$ 700,000
Total Appropriation .....	\$203,328,000"

On page 18, after the period on line 9 insert: "\$1,200,000 is provided solely for providing notice to certain people regarding the release of inmates convicted of violent offenses if HB 307 is enacted before June 30, 1983."

Mr. Tilly spoke in favor of the amendments, and Ms. Brekke spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to page 17 and page 18 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Barrett, Dellwo - 2.

Mr. Kreidler moved adoption of the following amendment:

On page 18, line 5 strike "a minimum of" and insert "up to"

Mr. Kreidler spoke in favor of the amendment, and Mr. Struthers spoke against it.

Mr. Kreidler spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Kreidler, the other night in Ways & Means we were talking about up to 400, weren't we? Have we found another 400 beds?"

Mr. Kreidler: "The fact of the matter is, Representative Taylor, there are going to be over 400 beds available. It's a matter of phasing in. They are not all going to be available this biennium."

Mr. Taylor spoke against the amendment.

The amendment was adopted.

Mr. Fiske moved adoption of the following amendment:

On page 18, after line 18 strike all material beginning with "(1)" and continuing through "act." on page 18, line 23 and insert "The appropriations made by this act to the department of social and health services are subject to the following condition or limitation: because substantial uncertainty continues to exist as to actual federal revenues to the department of social and health services, allotment modifications may include transfers between programs."

Representatives Fiske and G. Nelson spoke in favor of the amendment, and Ms. Brekke spoke against it.

Representatives Fiske and G. Nelson spoke again in favor of the amendment, and Ms. Brekke again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fiske to page 18 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickle, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Barrett, Dellwo - 2.

Mr. Struthers moved adoption of the following amendment:

On page 17, beginning with line 10 strike all material through line 16 on page 18 and insert:

General Fund Appropriation-State .....	\$288,712,741
General Fund Appropriation-Federal .....	\$ 700,000
General Fund-Institutional Impact Account	
Appropriation .....	\$ 870,428
Total Appropriation .....	\$290,283,169

The appropriations in this section are subject to the following condition or limitation: \$3,760,000 is provided solely for expansion of institutional industries operations."

Representatives Struthers and Fiske spoke in favor of the amendment, and Representatives Brekke, Stratton and Grimm spoke against it.

Mr. Struthers spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Fiske moved adoption of the following amendments:

On page 20, line 18 after "provided" strike "solely"

On page 20, line 29 after "beginning" strike "January 1, 1984" and insert "July 1, 1984"

On page 20, line 34 after "provided" strike "solely"

Mr. Fiske spoke in favor of the amendments, and Ms. Brekke spoke against them.

Mr. Fiske spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Fiske to page 20 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.



Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McClure, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Barrett, Dellwo - 2.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher and Allen:

On page 23, line 31 strike "3,647,000" and insert "3,705,000"

On page 23, line 33 strike "4,511,000" and insert "4,569,000"

Representatives Belcher and Allen spoke in favor of the amendments, and Ms. Brekke spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Belcher and Allen to page 23 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 71; nays, 25; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nelson D, Nelson G, Padden, Patrick, Powers, Pruitt, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 71.

Voting nay: Representatives Armstrong, Barnes, Braddock, Brekke, Burns, Crane, Ebersole, Gallagher, Grimm, Halsan, Heck, Hine, Kaiser, Kreidler, Martinis, Monohon, Nealey, Niemi, O'Brien, Prince, Ristuben, Sayan, Sommers, Walk, and Mr. Speaker - 25.

Excused: Representatives Barrett, Dellwo - 2.

Mr. Ballard moved adoption of the following amendments:

On page 25, line 17 strike "357,045,000" and insert "340,377,000"

On page 25, line 18 strike "316,923,000" and insert "300,256,000"

On page 25, line 19 strike "673,968,000" and insert "640,633,000"

On page 26, strike lines 1 through 8 and renumber the remaining subsection consecutively.

Mr. Ballard spoke in favor of the amendments, and Representatives Brekke and Lewis spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Ballard to pages 25 and 26 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 37; nays, 59; excused, 2.

Voting yea: Representatives Addison, Ballard, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Halsan, Hankins, Hastings, Isaacson, Johnson, Kaiser, Martinis, McDonald, Mitchell, Nealey, Nelson G, Prince, Sanders, Schmidt, Smith, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 37.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Betrozoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Holland, Jacobsen, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 59.

Excused: Representatives Barrett, Dellwo - 2.

Mr. Addison moved adoption of the following amendments by Representatives Addison and Broback:

On page 15, after line 21 insert a new subsection as follows:

"(1) income assistance grant levels shall not exceed the payment level in effect on April 1, 1982."

Renumber the remaining subsections consecutively.

On page 26, beginning on line 26 strike all of subsections (6) and (7).

Representatives Addison, Vander Stoep, Lewis, B. Williams, Schmidt and J. Williams spoke in favor of the amendments, and Representatives Brekke and Pruitt spoke against them.

Mr. Addison spoke again in favor of the amendments, and Ms. Brekke again opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Addison and Broback to pages 25 and 26 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 57; nays, 39; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Galloway, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 57.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Ellis, Fisher, Gallagher, Garrett, Grimm, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Todd, Van Dyken, Vekich, Wang, and Mr. Speaker - 39.  
Excused: Representatives Barrett, Dellwo - 2.

Mr. Fuhrman moved adoption of the following amendment:

On page 29, after line 14 insert a new subsection as follows:

"(5) No moneys appropriated in this section shall be used for medical care services where the purpose of such services is to obtain an abortion, induce miscarriage, or induced premature birth, except where such procedure is necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live, viable child and such procedure is necessary for the health of the mother or her unborn child, and except for victims of rape reported within thirty days of such incident to a federal, state, or county law enforcement agency or the department of social and health services and except for victims of incest reported to county law enforcement agency or department of social and health services."

Representatives Fuhrman, Padden, Stratton, Patrick, Van Dyken and Isaacson spoke in favor of the amendment, and Representatives Heck, Lewis, Allen, Pruitt and Wang spoke against it.

Mr. Fuhrman spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman to page 29 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 39; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Hastings, Holland, Isaacson, Johnson, Long, Martinis, McDonald, Mitchell, Nealey, Nelson G, O'Brien, Padden, Patrick, Sanders, Smith, Stratton, Sutherland, Taylor, Tilly, Van Dyken, Walk, West, Williams B, Williams J - 39.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Struthers, Tanner, Todd, Vander Stoep, Vekich, Wang, Wilson, Zellinsky, and Mr. Speaker - 57.  
Excused: Representatives Barrett, Dellwo - 2.

The Clerk read the following amendments by Representative Van Dyken:

On page 25, line 17 strike "\$357,045,000" and insert "\$363,602,000"

On page 25, line 18 strike "\$316,923,000" and insert "\$323,479,000"

On page 25, line 29 strike "\$673,968,000" and insert "\$687,081,000"

On page 26, line 33 strike "\$488,408,000" and insert "\$501,521,000"

On page 26, line 33 strike "\$226,429,000" and insert "\$232,986,000"

On page 28, line 24 strike "\$358,611,000" and insert "\$365,678,000"

On page 28, line 25 strike "\$236,030,000" and insert "\$246,622,000"

On page 28, line 25 strike "\$594,641,000" and insert "\$612,300,000"

With the consent of the House, Mr. Van Dyken withdrew the amendments.

Mr. Appelwick moved adoption of the following amendments:

On page 29, line 17 strike "38,523,000" and insert "39,054,000"

On page 29, line 33 strike "137,486,000" and insert "138,017,000"

On page 29, line 35 after "limitations:" insert "(a)"

On page 30, line 2 insert "(b) \$1,261,000 is provided solely for poison control centers."

Representatives Appelwick, Fiske, Taylor and Mitchell spoke in favor of the amendments, and Ms. Brekke spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Appelwick to pages 29 and 30 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 63; nays, 33; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Betzoff, Broback, Brough, Burns, Chandler, Charnley, Clayton, Dickie, Egger, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Powers, Prince, Ristuben, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Wang, Williams B, Williams J, Wilson, Zellinsky - 63.

Voting nay: Representatives Armstrong, Ballard, Belcher, Bond, Braddock, Brekke, Cantu, Crane, Ebersole, Ellis, Fisch, Galloway, Grimm, Halsan, Heck, Hine, Kaiser, King J, Martinis, Monohon, Niemi, O'Brien, Pruitt, Rust, Sanders, Sayan, Sommers, Stratton, Sutherland, Vekich, Walk, West, and Mr. Speaker - 33.

Excused: Representatives Barrett, Dellwo - 2.

Mr. Tilly moved adoption of the following amendments:

On page 30, line 5 strike "8,443,000" and insert "14,123,500"

On page 30, line 7 strike "34,416,000" and insert "40,096,500"

Representatives Tilly and Lewis spoke in favor of the amendments, and Ms. Brekke spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to page 30 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, Lux, McClure, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Patrick, Prince, Pruitt, Ristuben, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Bond, Braddock, Brekke, Burns, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Martinis, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Rust, Sanders, Sayan, Schmidt, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Wang, Williams J, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Barrett, Dellwo - 2.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher and Todd:

On page 16, strike lines 21 through 23 and insert:

*General Fund Appropriation-State	\$ 9,475,000
General Fund Appropriation-Federal	\$ 107,226,000
Total Appropriation	\$116,701,000*

On page 31, strike lines 13 through 16 and insert:

*General Fund Appropriation-State	\$ 141,168,000
General Fund Appropriation-Federal	\$ 136,952,000
General Fund Appropriation-Local	\$ 100,000
Total Appropriation	\$278,220,000*

On page 31, beginning on line 19 strike all of subsection 1 and renumber the remaining subsections consecutively.

Representatives Belcher, Lewis, Powers, Schoon and Todd spoke in favor of the amendments, and Mr. Smitherman spoke against them.

## POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Belcher, the first part of your amendment strikes lines 19 through 25 and that has an appropriation to the Department of Social and Health Services. It transfers that to this new agency which is carried out in House Bill 796. What would happen if House Bill 796 is not passed or if it is vetoed by the Governor?"

Ms. Belcher: "My understanding, and I did ask that question, is that the money would stay with the Planning and Community Affairs Agency."

Ms. Monohon spoke against adoption of the amendments, and Mr. Smitherman now spoke in favor of them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Belcher and Todd to pages 16 and 31 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Chandler, Charnley, Crane, Dickie, Egger, Fisch, Garrett, Halsan, Holland, Jacobsen, Johnson, Kaiser, King R, Lewis, Locke, Long, Lux, Martinis, McClure, Miller, Nealey, Nelson D, Nelson G, Niemi, Patrick, Powers, Pruitt, Sanders, Schoon, Smitherman, Stratton, Tilly, Todd, Van Dyken, Vander Stoep, Williams J, Zellinsky - 47.

Voting nay: Representatives Appelwick, Barnes, Bond, Brekke, Cantu, Clayton, Ebersole, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, King J, King P, Kreidler, McDonald, McMullen, Mitchell, Monohon, Moon, O'Brien, Padden, Prince, Ristuben, Rust, Sayan, Schmidt, Silver, Smith, Sommers, Struthers, Sutherland, Tanner, Taylor, Vekich, Walk, Wang, West, Williams B, Wilson, and Mr. Speaker - 49.

Excused: Representatives Barrett, Dellwo - 2.

Representative Dellwo appeared at the bar of the House.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher and Locke:

On page 32, line 26 strike "\$2,790,000" and insert "\$2,890,000"

On page 32, strike line 28

On page 32, beginning on line 30 strike all material down through and including line 5 on page 33.

Representatives Belcher, Locke and Struthers spoke in favor of the amendments, and Representatives Brekke and Lewis spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Belcher and Locke to page 32 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 31; nays, 66; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Belcher, Betzoff, Charnley, Crane, Dellwo, Fiske, Garrett, Holland, Jacobsen, Johnson, King P, Locke, Lux, McDonald, Mitchell, Moon, Nelson G, O'Brien, Patrick, Powers, Pruitt, Sayan, Schoon, Struthers, Taylor, Van Dyken, Vander Stoep, Wang - 31.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Kaiser, King J, King R, Kreidler, Lewis, Long, Martinis, McClure, McMullen, Miller, Monohon, Nealey, Nelson D, Niemi, Padden, Prince, Ristuben, Rust, Sanders, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 66.

Excused: Representative Barrett - 1.

Mr. Ballard moved adoption of the following amendments:

On page 37, line 9 strike "\$16,711,000" and insert "\$17,161,000"

On page 37, line 23 strike "\$136,002,000" and insert "\$136,452,000"

On page 37, line 24 strike "\$496,719,000" and insert "\$497,169,000"

Mr. Ballard spoke in favor of the amendments, and Ms. Rust spoke against them.

## POINT OF INQUIRY

Mr. Ballard yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Ballard, is this dam privately owned by stockholders?"

Mr. Ballard: "It is presently. It is being transferred into a public entity. The Department of Ecology is extremely concerned about the situation and that was the reason we had to do some technical amendments."

Mr. Tilly: "Representative Ballard, if there is no action taken to rehabilitate this dam and make it safe, whose liability is this going to be?"

Mr. Ballard: "It's been declared unsafe by the Corps of Engineers and also by the Ecology Department. I would assume there is going to be a responsibility to the state if we have major loss because of this dam failure."

Mr. Tilly spoke in favor of the amendments, and Mr. Ballard spoke again in favor of them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Ballard to page 37 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ellis, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King R. Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Barrett - 1.

Mr. Kaiser moved adoption of the following amendments by Representatives Kaiser and Moon:

On page 41, line 1 strike "\$8,909,000" and insert "\$9,145,000"

On page 41, line 11 strike "\$11,654,000" and insert "\$11,890,000"

Representatives Kaiser, Nealey, Moon, Struthers, Holland and Ballard spoke in favor of the amendments, and Representatives Monohon and Lux spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Kaiser and Moon to page 41 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Belcher, Betzoff, Bond, Broback, Brough, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King R. Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G. Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, West, Williams J, Wilson, Zellinsky - 62.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Cantu, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, King J, King P, Kreidler, Locke, Lux, McClure, Monohon, Niemi, O'Brien, Rust, Sanders, Sayan, Sommers, Stratton, Sutherland, Walk, Wang, Williams B, and Mr. Speaker - 35.

Excused: Representative Barrett - 1.

Mr. Tilly moved adoption of the following amendments:

On page 41, line 1 strike "\$8,909,000" and insert "\$9,561,000"

On page 41, line 6 strike "\$362,000" and insert "\$358,000"

On page 41, line 7 strike "\$363,000" and insert "\$359,000"

On page 41, line 9 strike "\$1,029,000" and insert "\$1,011,000"

On page 41, line 10 strike "\$346,000" and insert "\$340,000"

On page 41, line 11 strike "\$11,654,000" and insert "\$12,274,000"

On page 41, after line 14 insert the following: "Of the funds appropriated in this section the administration program shall be funded solely from the General Fund-State and General Fund-Federal appropriations."

Representatives Tilly, Moon, Kaiser and Smith spoke in favor of the amendments, and Representatives Monohon and Grimm spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to page 41 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Ellis, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, West, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Barrett - 1.

Mr. Tilly moved adoption of the following amendments:

On page 41, line 20 strike "12,468,000" and insert "13,223,000"

On page 41, line 24 strike "22,240,000" and insert "22,995,000"

Representatives Tilly, Mitchell, Schmidt, Struthers and Ballard spoke in favor of the amendments, and Representatives Monohon and Stratton spoke against them.

Mr. Tilly spoke again in favor of the amendments, and Ms. Stratton again opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to page 41 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Patrick, Prince, Ristuben, Schmidt, Schoon, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sanders, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 56.

Excused: Representative Barrett - 1.

Mr. B. Williams moved adoption of the following amendments:

On page 42, line 2 strike "12,899,000" and insert "13,304,000"

On page 42, line 17 strike "89,907,000" and insert "90,312,000"

Mr. B. Williams spoke in favor of the amendments, and Ms. Monohon spoke against them.

Mr. B. Williams spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to page 42 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Barrett - 1.

Mr. G. Nelson moved adoption of the following amendments:

On page 42, line 31 strike "13,236,000" and insert "14,459,000"

On page 42, line 35 strike "20,236,000" and insert "21,459,000"

On page 43, line 6 after "drugs" insert "; PROVIDED FURTHER, That \$254,000 is provided solely for a program to provide additional inservice training in math, science, and computer technology instructors and \$1,000,000 is provided for computer demonstration centers"

Representatives G. Nelson, P. King and Isaacson spoke in favor of the amendments, and Representatives Heck and D. Nelson spoke against them.

Mr. G. Nelson spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to pages 42 and 43 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, King R, Lewis, Long, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Barrett - 1.

Mr. Taylor moved adoption of the following amendment by Representatives Taylor and McDonald:

On page 49, line 5 strike section 508 and insert:

"NEW SECTION, Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION -- SALARY AND COMPENSATION INCREASES

General Fund Appropriation ..... \$116,798,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be distributed by the superintendent of public instruction as specified in this section on an allocation basis only.

(3) A maximum of \$37,746,000 shall be distributed for insurance benefit increases for state-supported staff as defined in section 503(1) of this act at a rate of \$22 per month per full time equivalent staff unit in the 1983-84 school year and an additional \$22 per month in the 1984-85 school year.

(4) A maximum of \$79,052,000 shall be distributed for an average 7% increase for state-supported staff, as defined in section 503(1) of this act, effective September 1, 1984, as specified in LEAP Document .....

(5) For purposes of RCW 28A.58.095, the following conditions and limitations apply:

(a) The sum of salary and insurance benefit increases granted by each school district for nonstate-supported staff shall not exceed those specified for state-supported staff of a district.

(b) Districts may grant increases in insurance benefits to achieve a rate of \$159 per individual employee in the 1983-84 school year and \$181 in the 1984-85 school year. For districts having rates greater than \$159 per individual employee in 1982-83, any increase granted in 1983-84 shall constitute salary increase. For districts having rates greater than \$181 per individual employee in the 1983-84 school year, any increase granted in 1984-85 shall constitute salary increase.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are allocated pursuant to LEAP Document 1."

Representatives Taylor, Dickie, Vander Stoep, McDonald, Barnes, Addison and Miller spoke in favor of the amendment, and Representatives Grimm and Heck spoke against it.

Mr. Taylor spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Taylor yielded to question by Ms. Stratton.

Ms. Stratton: "Representative Taylor what is the total fiscal impact on this amendment?"

Mr. Taylor: "It's the same as in the budget. There is no difference in the fiscal impact whatsoever, Representative Stratton."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Taylor and McDonald to page 49 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Barrett - 1.

Mr. Vander Stoep moved adoption of the following amendments:

On page 50, line 27 strike "\$191,298,000" and insert "\$192,277,000"

On page 50, line 30 strike "\$83,500,000" and insert "\$84,479,000"

Mr. Vander Stoep spoke in favor of the amendments, and Mr. Grimm opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Vander Stoep to page 50 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 34; nays, 63; excused, 1.

Voting yea: Representatives Ballard, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 34.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Brough, Burns, Charley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 63.

Excused: Representative Barrett - 1.

Mr. Vander Stoep moved adoption of the following amendments:

On page 51, line 24 strike "271,088,000" and insert "275,713,000"

On page 51, line 26 strike "298,729,000" and insert "303,354,000"

On page 51, line 29 strike "125,586,000" and insert "127,613,000"

Mr. Vander Stoep spoke in favor of the amendments, and Mr. Heck spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Vander Stoep to page 51 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 27; nays, 70; excused, 1.



Voting yea: Representatives Addison, Allen, Ballard, Belcher, Betzoff, Broback, Brough, Chandler, Clayton, Fiske, Hankins, Hastings, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Patrick, Prince, Schoon, Silver, Taylor, Tilly, Van Dyken, Vander Stoep - 27.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Bond, Braddock, Brekke, Burns, Cantu, Chamley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 70.

Excused: Representative Barrett - 1.

Mr. Tilly moved adoption of the following amendment:

On page 55, after line 11 add a new section to read as follows:

"NEW SECTION, Sec. 522. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION -- FOR ALCOHOL/DRUG ABUSE EDUCATION

General Fund Appropriation-State ..... \$ 3,000,000

The appropriation in this section is subject to the following condition or limitation: \$3,000,000 is provided solely for grants to school districts for alcohol/drug abuse education."

Renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Tilly spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 55 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 29; nays, 68; excused, 1.

Voting yea: Representatives Addison, Ballard, Betzoff, Broback, Dellwo, Fiske, Hankins, Hastings, Isaacson, Johnson, Lewis, Locke, McDonald, Mitchell, Nealey, Nelson D, Nelson G, Patrick, Powers, Prince, Schoon, Stratton, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Wilson - 29.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Niemi, O'Brien, Padden, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 68.

Excused: Representative Barrett - 1.

Mr. McDonald moved adoption of the following amendments by Representatives McDonald and Taylor:

On page 49, line 13 after "(3)" strike "and (4)" and insert ", (4) and (5)"

On page 49, line 30 strike "maximum"

Representatives McDonald, Ebersole, Addison and Barnes spoke in favor of the amendments, and Representatives Grimm and Heck spoke against them.

Mr. McDonald spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives McDonald and Taylor to page 49 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 57; nays, 40; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Isaacson, Johnson, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Prince, Ristuben, Sanders, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ellis, Fisch, Fisher, Galloway, Grimm, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Niemi, Powers, Pruitt, Rust, Sayan, Schmidt, Sommers, Sutherland, Todd, Vekich, Walk, Wang - 40.

Excused: Representative Barrett - 1.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
HOUSE BILL NO. 184.

The House resumed consideration of Substitute House Bill No. 49 on second reading.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson and Vekich:

On page 55, line 33 after "needs," insert "In determining demand and needs, the state board shall consider the needs of new industries, with special reference to the semi-conductor industry, and any other state economic growth that community college education can enhance in rural as well as metropolitan areas. In addition, reallocation of student enrollments that would maximize the highest quality educational offerings shall be considered."

Representatives D. Nelson and Vekich spoke in favor of the amendment.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Nelson, I'm a little intrigued with your amendment. It sounds, maybe, a little bit like what they do in the state of North Carolina where, if an industry wants to come in, the state promises it will train the workers free of charge and have them ready to work when the plan is opened. Is it somewhere along those lines you intend to work cooperatively with industry and would this give the state board the freedom to make those decisions, even though it's going to cost the state some money to get those workers trained?"

Mr. D. Nelson: "Yes, it is, Representative Tilly. We had considerable testimony before the House Higher Education Committee that indicated it would be nice to know how to link enrollment in our higher education system with economic development and job opportunities in the state, but it was clear that we don't have a mechanism to do that. This budget language that we are amending, suggest we ought to look at enrollment in our community colleges and, perhaps, adjust funding or encouragement of enrollment on the basis of the current changes in enrollment. What we are adding in language suggests that we ought to go beyond that and look at how we can change that. In other words, to anticipate where economic growth is going to occur in this state and also make it occur in certain areas in the state and design our enrollment programs to the community colleges that matches that growth and then make that growth happen. That's what we are attempting to do and it just says that the community college board should take a look at that linkage between the programs and the enrollment and the job opportunities in economic development."

Mr. Tilly spoke in favor of the amendment, and it was adopted.

Ms. Rust moved adoption of the following amendment:

On page 55, line 16 after "estimated for" strike "1982-1983" and insert "1981-1982"

Representatives Rust and Charnley spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Charnley spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Rust to Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Fisch, Fisher, Fiske, Garrett, Haugen, Hine, Holland, Jacobsen, Kaiser, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Moon, Nelson D, Nelson G, Niemi, Powers, Pruitt, Rust, Stratton, Taylor, Todd, Van Dyken, Vekich, and Mr. Speaker - 45.

Voting nay: Representatives Barnes, Betrozoff, Bond, Braddock, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Ellis, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins,

Hastings, Heck, Isaacson, Johnson, King J, Kreidler, McDonald, Mitchell, Monohon, Nealey, O'Brien, Padden, Patrick, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Vander Stoep, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Excused: Representative Barrett - 1.

Mr. Dellwo moved adoption of the following amendments by Representatives Dellwo, Powers, Jacobsen and Sommers:

On page 56, line 10 strike "432,049,000" and insert "436,554,000"  
 On page 56, line 12 strike "432,058,000" and insert "436,563,000"  
 On page 56, line 34 strike "712" and insert "823"  
 On page 58, line 17 strike "220,641,000" and insert "226,425,000"  
 On page 58, line 23 strike "869" and insert "889"  
 On page 58, line 26 strike "14,738" and insert "14,943"  
 On page 58, line 29 strike "1,741" and insert "1,796"  
 On page 59, line 11 strike "62,616,000" and insert "66,251,000"  
 On page 59, line 32 strike "345" and insert "375"  
 On page 59, line 35 strike "6,383" and insert "6,765"  
 On page 60, line 3 strike "1,566" and insert "1,580"  
 On page 60, line 13 strike "55,615,000" and insert "57,043,000"  
 On page 60, line 19 strike "303" and insert "313"  
 On page 60, line 22 strike "5,709" and insert "5,800"  
 On page 60, line 25 strike "1,691" and insert "1,695"  
 On page 61, line 5 strike "29,633,000" and insert "29,867,000"  
 On page 61, line 17 strike "2,698" and insert "2,729"  
 On page 61, line 31 strike "67,365,000" and insert "70,452,000"  
 On page 62, line 9 strike "1,152" and insert "1,210"

Representatives Dellwo, Halsan and Grimm spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Dellwo yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Dellwo, as I look over the amendment, Eastern Washington University full-time equivalent for instructional purposes would be increased by this amendment by \$30 per FTE student. Western Washington University wouldn't get any increase in the same area and Central Washington University has a \$4 increase per FTE student. I'm wondering, in terms of your rationale for equalizing education throughout the state, about this?"

Mr. Dellwo: "We sat down with them and each university has a different way of breaking it out. Each university requires different funding for students. In trying to equalize, we've gone through and tried to raise up the three that we did raise up to a level that would be at a comparable level with other universities throughout the state. We did not just increase the dollars. That wasn't the method. We increased the number of students using the formula that would generate the increase in money."

Representatives Powers and Sommers spoke in favor of the amendments, and Representatives Prince and G. Nelson spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Dellwo and others to Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 61; nays, 36; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Ballard, Barnes, Berozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 36.

Excused: Representative Barrett - 1.

Mr. D. Nelson moved adoption of the following amendments:

On page 56, after line 7 insert a new subsection as follows:

"(7) \$4,000,000 is provided within the higher education institutions appropriations for establishment of state grant and work study student awards as follows:

U.W.	\$ 1,285,000
W.S.U.	\$ 691,000
E.W.U.	\$ 194,000
C.W.U.	\$ 174,000
T.E.S.C.	\$ 93,000
W.W.U.	\$ 211,000
C.C.'s	\$1,353,000"

On page 56, line 10 strike "\$432,049,000" and insert "\$433,402,000"

On page 56, line 12 strike "432,058,000" and insert "433,411,000"

On page 57, line 14 strike "410,363,000" and insert "411,648,000"

On page 57, line 17 strike "413,489,000" and insert "414,774,000"

On page 58, line 17 strike "220,641,000" and insert "221,332,000"

On page 59, line 11 strike "62,016,000" and insert "62,200,000"

On page 60, line 13 strike "55,615,000" and insert "55,789,000"

On page 61, line 5 strike "29,633,000" and insert "29,726,000"

On page 61, line 31 strike "67,365,000" and insert "67,576,000"

Mr. D. Nelson spoke in favor of the amendments, and Mr. Grimm spoke against them.

Mr. D. Nelson spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Locke moved adoption of the following amendment by Representatives Locke, Silver, Jacobsen, Miller, Burns, Powers, Sutherland, Allen, Tanner, Appelwick and R. King:

On page 56, after line 7 insert:

"(7) The trustees or regents and faculty of the state universities, regional universities, and The Evergreen State College shall adopt procedures, by January 1, 1984, governing the identification, review, termination, or substantial reduction of academic programs when such identification, review, termination, or substantial reduction is proposed as a result of budget reductions or reallocation of funds within each such institution. Any review shall include consideration of the impact of terminating or substantially reducing the program on the affirmative action goals and policies of the institution. Such procedures shall include standards for the use of reviews and evaluations conducted before the effective date of the procedures.

No academic program existing at the state universities, regional universities, or The Evergreen State College, on May 31, 1983, or thereafter, may be terminated or substantially reduced as a result of a reduction of the university or college budget or reallocation of funds within the university or college except in accordance with the procedures adopted under this subsection. This subsection shall not apply to programs as to which the board of regents or trustees have made a final decision to terminate or reduce substantially and for which all appeals procedures have been completed by April 15, 1983."

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, this amendment is the subject of an issue that is still before us. It's Substitute House Bill 621, in its entirety, and that is a bill that is still before us. According to Speaker Pro Tem O'Brien's ruling of a couple days ago, it is a bill that can be before us at a future time by suspending the rules. That's the way he ruled and I would like to ask you to rule on that."

#### SPEAKER'S RULING

The Speaker: "Representative McDonald, the Speaker has examined House Bill 621, and there is a substantial difference between the bill and this particular amendment. Your point is not well taken."

Mr. Locke continued his remarks in favor of the amendment.

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Locke, is it your intention that this language will extend beyond this next biennium?"

Mr. Locke: "No, it is my intent that as part of the proviso for the budget, as there are several provisos now in this House bill, that they have to come up with the rules of procedure by January 1984, within the current biennium."

Mr. Hastings: "And the effect of those rules will carry through only through the next biennium?"

Mr. Locke: "Well, if the universities decide they want to make those permanent, it is up to them. Certainly they can revise or amend them any time they want."

Mr. Hastings: "But the terms you are giving them are only for the next biennium?"

Mr. Locke: "That's correct."

Representatives Taylor and Sommers spoke against the amendment.

The amendment was not adopted.

Mr. Halsan moved adoption of the following amendments by Representatives Vekich and Halsan:

On page 56, line 17 strike "\$1,820,000" and insert "\$3,310,587"

On page 56, line 18 after "Peninsula," insert "Olympia Technical, Wenatchee Valley, Centralia, Lower Columbia, Walla Walla, Skagit Valley"

On page 56, line 21 strike "1,500" and insert "2,500"

Representatives Halsan and Struthers spoke in favor of the amendments and they were adopted.

The Clerk read the following amendment by Representatives Moon and Kaiser:  
On page 58, line 17 strike "\$220,641,000" and insert "\$221,835,000"

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

The Clerk read the following amendments by Representative D. Nelson:

On page 56, line 10 strike "432,049,000" and insert "433,267,000"

On page 56, line 12 strike "432,058,000" and insert "433,276,000"

On page 57, line 14 strike "410,363,000" and insert "411,039,000"

On page 57, line 17 strike "413,489,000" and insert "414,165,000"

On page 58, line 17 strike "220,641,000" and insert "221,431,000"

On page 59, line 11 strike "62,016,000" and insert "62,477,000"

On page 60, line 13 strike "55,615,000" and insert "55,651,000"

On page 61, line 31 strike "67,365,000" and insert "67,904,000"

With the consent of the House, Mr. D. Nelson withdrew the amendments.

Mr. D. Nelson moved adoption of the following amendments:

On page 62, line 23 strike "\$26,794,000" and insert "\$26,828,000" and on line 26 strike "\$30,360,000" and insert "\$30,394,000"

On page 62, after line 34 insert a new subsection as follows:

"(3) The council shall examine student career counseling and other applicable student and university programs so as to maximize student placement in the job market upon graduation."

Mr. D. Nelson spoke in favor of the amendments, and Mr. Grimm spoke against them.

The amendments were not adopted.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and Padden:

On page 62, following line 34 insert:

"(3) The council shall conduct a study to determine whether, based on factors such as the decline of the ages 18-22 population, The Evergreen State College, as the state institution with the highest undergraduate per cost student rate, should continue to operate as an institution of higher learning or whether alternative uses for the facility including as additional state office space, would be more effective."

Representatives Braddock and Padden spoke in favor of the amendment, and Representatives Grimm, Kreidler and Heck spoke against it.

Representatives Braddock and Padden spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Braddock and Padden to page 62 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Smith, Stratton, Struthers, Taylor, Tilly, West, Williams J, Wilson, Zellinsky - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 56.

Excused: Representative Barrett - 1.

Mr. Locke moved adoption of the following amendment by Representatives Locke, Prince, Silver, Brough, Miller, Burns, Jacobsen, Powers, Sutherland, Allen, Tanner, Appelwick, R. King, Nealey and Wilson:

On page 56, after line 7 insert the following:

"(7) The trustees or regents and faculty of the state universities, regional universities, and The Evergreen State College shall adopt procedures, by January 1, 1984, governing the identification, review, and termination or substantial reduction of academic programs when such identification, review, termination, or substantial reduction is proposed as a result of budget reductions or reallocation of funds within each such institution. Any review shall include consideration of the impact of terminating or substantially reducing the program on the affirmative action goals and policies of the institution. Such procedures shall include standards for the use of reviews and evaluations conducted before the effective date of the procedures."

Mr. Locke spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Addison.

Mr. Addison: "Representative Locke, what's meant by faculty?"

Mr. Locke: "That is defined in the RCW. It is the teachers and those people teaching courses."

Mr. Addison: "So would each faculty member have to vote on the rules and procedures?"

Mr. Locke: That is in the RCWs and I could not tell you offhand."

Mr. Addison: "Would this be rules and regulations that would be statewide or would there be different rules and regulations within each institution?"

Mr. Locke: "This is a local control. Each college and university could come up with their own."

Representatives Grimm, Prince, Barnes, Brough and McDonald spoke in favor of the amendment, and Mr. Taylor spoke against it.

The amendment was not adopted.

Mr. Prince moved adoption of the following amendment by Representatives Prince, Taylor, Silver, Brough and Struthers:

On page 55, line 12 strike sections 522 through 530 and insert:

"NEW SECTION. Sec. 522. HIGHER EDUCATION

The appropriations in sections 117 through 123 of this act are subject to the following conditions and limitations:

(1) The community colleges shall not expand nongraded offerings above the level estimated for 1982-83.

(2) No funds may be used for the inauguration or operation of any new degree program until the program has been reviewed and favorably recommended by the council for postsecondary education.

(3) Eastern Washington University shall not expand its enrollment or offerings in Spokane prior to the completion of the Spokane off-campus study by the council for postsecondary education.

(4) The research universities shall expand their self-sustaining continuing education activities for professional engineers.

**NEW SECTION, Sec. 523. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

General Fund Appropriation--State	\$ 432,165,695
General Fund Appropriation--Federal	\$ 8,510
Total Appropriation	\$ 432,174,205

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,665,438 is provided solely for the replacement and repair of instructional equipment.

(2) Not more than \$3,310,587 may be spent for the small school adjustment to Skagit Valley (fiscal year 1984 only), Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla 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 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(3) It is intended that the community college system shall enroll a minimum of 38,239 and 40,568 vocational full time equivalent students in fiscal years 1984 and 1985, respectively.

(4) The state board shall review and modify its allocation methods to ensure that such methods recognize demonstrated community need and make provision for nonrecurring customized job training directed toward expanding employment of state residents.

**NEW SECTION, Sec. 524. FOR THE UNIVERSITY OF WASHINGTON**

General Fund Appropriation	\$ 410,801,952
Accident Fund Appropriation	\$ 1,563,479
Medical Aid Fund Appropriation	\$ 1,563,479
Total Appropriation	\$ 413,928,910

The appropriations in this section are subject to the following condition or limitation:

\$1,500,000 is provided for family practice medicine.

**NEW SECTION, Sec. 525. FOR WASHINGTON STATE UNIVERSITY**

General Fund Appropriation	\$ 235,599,303
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**NEW SECTION, Sec. 526. FOR EASTERN WASHINGTON UNIVERSITY**

General Fund Appropriation	\$ 67,679,442
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The appropriation in this section is subject to the following condition or limitation: No operating funds may be used for the lease or maintenance of the new Spokane Center Building.

**NEW SECTION, Sec. 527. FOR CENTRAL WASHINGTON UNIVERSITY**

General Fund Appropriation	\$ 58,671,446
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**NEW SECTION, Sec. 528. FOR THE EVERGREEN STATE COLLEGE**

General Fund Appropriation	\$ 29,768,460
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**NEW SECTION, Sec. 529. FOR WESTERN WASHINGTON UNIVERSITY**

General Fund Appropriation	\$ 69,817,493
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**NEW SECTION, Sec. 530. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation--State	\$ 27,604,630
General Fund Appropriation--Federal	\$ 3,525,634
State Education Grant Appropriation	\$ 40,000
Total Appropriation	\$ 31,170,264

The appropriations in this section are subject to the following conditions and limitations:

(1) To the greatest extent possible, the council shall emphasize work study and other self-help programs in its financial assistance programs.

(2) The council shall study the question of undergraduate and graduate education in Spokane, specifically addressing identification of needs, making an inventory of existing resources, and identifying opportunities for cooperative programs."

Representatives Prince and Brough spoke in favor of the amendment, and Mr. Jacobsen spoke against it.

**POINT OF INQUIRY**

Ms. Brough yielded to question by Ms. Powers.

Ms. Powers: "Representative Brough, you have spoken specifically to enrollment. In looking at the amendment before me, the appropriation is fewer dollars than was in the previous amendment we adopted. I would like to know how you can deal with increased enrollment with fewer dollars?"

Ms. Brough: "It was my understanding when we heard from the people from the community colleges, this was basically how dollars were distributed to staff. Because we have seen a reduction in staff at community colleges, we have eliminated all part-time faculty and part-time faculty basically serviced, it was my understanding, twice as many students as full-time faculty. What we are talking

about is termination of night schools and elimination of service to the adult population in this state."

Representatives Powers, R. King and Grimm spoke against the amendment, and Representatives McDonald and G. Nelson spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince to page 55 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G., Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B., Williams J., Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J., King P., King R., Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D., Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Barrett - 1.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher, Lux, Martinis, Taylor, Long, Miller, Schoon and Isaacson:

On page 63, line 2 strike "\$889,000" and insert "\$1,880,000"

On page 63, line 3 strike "\$10,636,000" and insert "\$21,279,000"

On page 63, line 4 strike "\$11,525,000" and insert "\$23,159,000"

On page 63, after line 17 strike all material down to and including the period on line 22.

Representatives Belcher, Taylor, Lux and Broback spoke in favor of the amendments, and Mr. Grimm spoke against them.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Belcher, could you advise us of what the federal funding is--what the ratio is and what we get back in return for the additional \$1 million?"

Ms. Belcher: "I can tell you that there is \$900,000 of state funds in this, and all those big figures are federal funds, but it's too late in the night or too early in the morning to tell you what the ratio is."

Mr. Schoon spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Belcher and others to page 63 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 64; nays, 33; excused, 1.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, King P., King R., Locke, Long, Lux, Martinis, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D., Nelson G., O'Brien, Padden, Patrick, Prince, Pruitt, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, West, Williams B., Williams J. - 64.

Voting nay: Representatives Addison, Appelwick, Braddock, Charnley, Ellis, Fisher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J., Kreidler, Lewis, McClure, McDonald, Monohon, Niemi, Powers, Ristuben, Rust, Smitherman, Sutherland, Tanner, Vander Stoep, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 33.

Excused: Representative Barrett - 1.

Mr. B. Williams moved adoption of the following amendment:

On page 65, line 4 strike "1,500,000" and insert "2,300,000"

Representatives B. Williams and Schoon spoke in favor of the amendment, and Mr. Grimm spoke against it.

Mr. B. Williams spoke again in favor of the amendment.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 65, line 4 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 37; nays, 60; excused, 1.

Voting yea: Representatives Allen, Ballard, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Van Dyken, Williams B, Williams J, Wilson - 37.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vander Stoep, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 60.

Excused: Representative Barrett - 1.

Mr. Hastings moved adoption of the following amendments:

On page 50, line 20 strike "\$327,600,000" and insert "\$403,400,000"

On page 72, line 4 strike "\$193,938,000" and insert "\$376,838,000"

On page 72, line 11 strike "\$192,600,000" and insert "\$375,500,000"

Mr. Hastings spoke in favor of the amendments, and Mr. Grimm spoke against them.

## POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Fiske.

Mr. Fiske: "Representative Hastings, with respect to the remarks of the last speaker, does this amendment require additional funds--new money?"

Mr. Hastings: "No, Representative Fiske, it does not do that. As I pointed out earlier the funds would come from the heretofore available funds that previous legislatures had called the 'twenty-fifth month,' and the dollars available there would be almost the identical amount needed to bring the pension system to an actuarial sound basis."

Mr. Fiske: "But we would have to make the statutory change to what we did in the previous supplemental budget to allow us to do this. Is that correct?"

Mr. Hastings: "That is correct, and as we have heard in debate on the floor tonight, this budget has references to other pieces of legislation that will be passed before this legislative session is over, so this is consistent with what has happened in the past."

Representatives Fiske and B. Williams spoke in favor of the amendments.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Hastings to Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 40; nays, 57; excused, 1.

Voting yea: Representatives Addison, Allen, Barnes, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Excused: Representative Barrett - 1.

On motion of Ms. Rust, the following amendment was adopted:

On page 73, after line 20 insert:

"Salary increases shall average 6.7% for medical residents and graduate assistants of the four-year institutions of higher education."

Mr. Appelwick moved adoption of the following amendments:

On page 73, line 24 after "increases," insert "Each faculty and administrative exempt employee shall receive a minimum salary increase of 3.6%. Merit/market increases for faculty and administrative exempt employees"

On page 73, line 25 strike "Such merit/market increases averaging 3.1%"

Representatives Appelwick and Powers spoke in favor of the amendments, and Mr. Addison spoke against them.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Ms. Miller.

Ms. Miller: "Representative Appelwick, I would like to know if the intention of this amendment is to make those increases COLA that we are allowing for merit, or if you are now going to give a portion of it as a straight across-the-board increase?"

Mr. Appelwick: "It would not be a COLA increase. It is my intention to allow the 3.1% to be used at the discretion of the institution either as a merit increase or to be used as an across-the-board increase, but it's not tied to an exact cost of living factor. We have already determined here that 6.7% is the average increase and so we've looked at the dollar base and decided that the total increase would be 6.7%. The community colleges have historically not given merit increases and opposed that, both the faculty and administration--that prerogative was taken away in this draft before us. What this will do is return that option to the local campus and they can use any part up to 3.1% for merit increases. If they do not choose to use it for merit increases, they can put that back into their across-the-board allocation or their increments."

Mr. Schoon spoke against the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Appelwick to page 73 of Substitute House Bill No. 49, and the amendments were not adopted by the following vote: Yeas, 24; nays, 73; excused, 1.

Voting yea: Representatives Appelwick, Brække, Burns, Charnley, Dellwo, Ellis, Fisher, Halsan, Jacobsen, King P, King R, Martinis, McClure, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Todd, Zellinsky - 24.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Belcher, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 73.

Excused: Representative Barrett - 1.

Mr. Jacobsen moved adoption of the following amendment:

On page 74, line 22 strike all of subsection (11)

Representatives Jacobsen, D. Nelson and McDonald spoke in favor of the amendment, and Representatives Addison and Rust spoke against it.

#### POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Nelson, I am not aware of the terminology, but is it your understanding that in subsection (11), where it says 'faculty and staff,' that they cannot be maintenance people or engineers, or is it your understanding that the staff there are only the faculty people?"

Mr. D. Nelson: "My understanding is that language does not include exempt staff which at the University of Washington includes engineers and other technical staff that are exempt from state civil service and also academic counselors, a large group of people who work at the university who should, in my opinion, be included in any merit system."

Mr. Schoon: "I'm not that familiar with staff as it is, but I do feel that when the percentage is 97% or 98%, as has been stated, that share in the merit pay, that there should be some restriction in here. Would it be possible that the amendment could be reworded to include those people? Is that basically your objection, that those people are not included?"

Mr. D. Nelson: "That is my objection, and I guess the question should be made to Representative Jacobsen, who is the sponsor of the amendment."

#### POINT OF INQUIRY

Mr. Jacobsen yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Jacobsen, is it your legislative intent that in your motion to strike that staff cannot include maintenance people, engineers?"

Mr. Jacobsen: "It is my intention to strike the subsection because it specifically refers to instructional faculty and staff and there are other staff at the University of Washington that are classified as exempt, and they are outside the state pay scales. Those are the people who would be precluded from receiving merit pay even though they are doing an outstanding job."

Ms. Powers spoke in favor of the amendment.

The amendment was not adopted.

Mr. Cantu moved adoption of the following amendment:

On page 72, beginning on line 14 strike all material through "increases" on page 74, line 25 and insert:

<b>*NEW SECTION, Sec. 609. For the Governor--Special Appropriations</b>	
General Fund Appropriation--State .....	\$ 51,859,978
General Fund Appropriation--Federal .....	\$ 6,872,174
Special Fund Salary and Insurance Contribution	
Increase Revolving Fund Appropriation .....	\$ 17,507,075
Total Appropriation .....	\$ 76,239,227

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Not more than \$26,453,401 of general fund moneys (including \$2,873,936 in federal funds) may be expended to implement salary increases, effective January 1, 1985, averaging 5.0% of higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel boards); PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments.

(b) Not more than \$2,992,029 of general fund moneys may be expended to effect merit/market increases up to an average of increases equal to 1.6% for faculty and administrative exempt employees of the four-year institutions of higher education and the community colleges; PROVIDED, That inclusive of merit pool funds, four-year institutions of higher education, or community college district may not grant from any fund source whatsoever any salary increases greater than that provided in this section. The increases are to be granted solely on the basis of formalized merit evaluation procedures which may take into account critical market disparities in teaching disciplines. Furthermore, in the community college system, the formalized merit evaluation procedures for each campus must meet standards adopted by the state board for community college education which take into account professional performance in teaching and community service, as well as market disparities. Each community college shall submit its methodology to the state board for approval prior to implementation. The council for postsecondary education shall report to the governor and the legislature on the implementation of the increases no later than March 15, 1985.

(c) Not more than \$29,286,722 of general fund moneys (including \$3,998,238 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$20,086,346 of this amount (including \$2,752,254 in federal funds) may be expended to effect, beginning July 1, 1983, an increase in the state's maximum contribution for employee insurance benefits from \$137.00 per month to \$159.00 per month per eligible employee. A maximum of \$9,200,376 of this amount (including \$1,245,984 in federal funds) may be expended to effect, beginning July 1, 1984, an increase in the state's maximum contribution for employee insurance benefits from \$159.00 per month to \$179.00 per month per eligible employee.

(d) Not more than \$8,057,525 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases effective January 1, 1985, averaging 5.0% for higher education, classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards).

(e) Not more than \$33,737 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect merit/market increases averaging 1.6% January 1, 1985, for faculty and administrative exempt employees of the four-year institutions of higher education and the community colleges.

(f) Not more than \$9,415,813 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$6,469,957 of this amount may be expended to effect, beginning July 1, 1983, an increase in the state's maximum contribution for employee insurance benefits from \$137.00 per month to \$159.00 per month per eligible employee. A maximum of \$2,945,856 of this amount may be expended to effect, beginning July 1, 1984, an increase in the state's maximum contribution for employee insurance benefits from \$159.00 per month to \$179.00 per month per eligible employee.

(g) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefits increases from special funds, the state treasurer is 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."

Mr. Cantu spoke in favor of the amendment, and Mr. Grimm spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Cantu to page 72 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 36; nays, 61; excused, 1.

Voting yea: Representatives Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Van Dyken, West, Williams J, Wilson - 36.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kroidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 61.

Excused: Representative Barrett - 1.

Mr. Prince moved adoption of the following amendment by Representatives Prince and Struthers:

On page 74, line 33 following "section," insert "The balance in the state general fund at the end of the biennium ending June 30, 1985, transferred to the revenue accrual account in accordance with section 33, chapter 7, Laws of 1983, is appropriated to the department of retirement systems to be spent for the purpose of funding the unfunded liability existing in the state retirement systems under the department of retirement systems jurisdiction, to be divided among the retirement systems in proportion to their unfunded liability to the total unfunded liability."

Representatives Prince and Struthers spoke in favor of the amendment, and Mr. Grimm spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and Struthers to page 74 of Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Barrett - 1.

Ms. Galloway moved adoption of the following amendment:

On page 74, after line 25 insert the following:

\*NEW SECTION, Sec. 610. FOR THE GOVERNOR--SALARY INCREASES

General Fund Appropriation .....	\$ 685,000
Special Fund Salary Increase Revolving Fund Appropriation .....	\$ 825,000
Personnel Service Fund .....	\$ 14,000
HEPB Service Fund .....	\$ 6,000
Total Appropriation .....	\$ 1,530,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The State Personnel Board (SPB) and the Higher Education Personnel Board (HEPB) shall develop a plan for effecting a salary increase of \$100 a year for all classes and employees indexed to salary survey benchmark classes or occupational groups averaging eight or more salary ranges below the comparable worth salary practice line as measured in the 1982 Comparable Worth Study. Such plan shall be implemented on July 1, 1984.

(2) To facilitate payment of state employee salary increases from special funds, the state treasurer is directed to transfer sufficient amounts from each special fund to the special fund salary increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(3) The SPB and the HEPB shall conduct point evaluations on the affected classes which have not been studied."

Renumber the remaining sections consecutively.

Representatives Galloway, Miller, G. Nelson, Belcher and Grimm spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Galloway to page 74 of Substitute House Bill No. 49, and the amendment was adopted by the following vote: Yeas, 88; nays, 9; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Barnes, Bond, Cantu, Fuhrman, Mitchell, Padden, Sayan, West, Wilson - 9.

Excused: Representative Barrett - 1.

Mr. Tanner moved adoption of the following amendments by Representatives Tanner, Armstrong and Tilly:

On page 6, line 18 strike "\$5,028,000" and insert "\$5,148,000"

On page 6, line 21 strike "\$6,338,000" and insert "\$6,458,000"

On page 6, after line 31 insert the following new subsection:

"(3) Four positions provided in this appropriation shall be used solely at the corporations, trademarks and limited partnership division. With respect to such four positions, funding for fiscal 1985 shall lapse unless the director of the office of financial management determines, on the basis of workload statistics furnished by the secretary no later than May, 1984, that workload growth of corporation charter documents received exceeds six percent over the previous year, in which case two of the positions may be funded and retained for fiscal 1985, and that the number of telephone calls, information correspondence, partnership filings, revenues collected and other objective workload indicators exceeds five percent over the previous year, in which case the remaining two positions may be funded and retained for fiscal 1985."

Mr. Tanner spoke in favor of the amendments, and Mr. Grimm spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Tanner, Armstrong and Tilly to page 6 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Clayton, Crane, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, King J, Lewis, Locke, Long, McDonald, Miller, Mitchell, Moon, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Wang, West, Williams B, Williams J, Wilson - 54.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Cantu, Chandler, Charnley, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Grimm, Haugen, Heck, Hine, Kaiser, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Nealey, Nelson D, Niemi, Rust, Sayan, Smith, Smitherman, Sommers, Stratton, Sutherland, Vekich, Walk, Zellinsky, and Mr. Speaker - 43.

Excused: Representative Barrett - 1.

Mr. Tilly moved adoption of the following amendments:

On page 30, line 5 strike "8,443,000" and insert "12,043,000"

On page 30, line 7 strike "34,416,000" and insert "38,016,000"

Mr. Tilly spoke in favor of the amendments, and Ms. Brekke spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to page 30 of Substitute House Bill No. 49, and the amendments were adopted by the following vote: Yeas, 55; nays, 42; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Belcher, Betzoff, Broback, Brough, Cantu, Chandler, Charnley, Crane, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, King P, King R, Lewis, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Patrick, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 55.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Bond, Braddock, Brekke, Burns, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, Kreidler, Locke, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Vekich, Wang, Zellinsky, and Mr. Speaker - 42.

Excused: Representative Barrett - 1.

Mr. Bond moved adoption of the following amendment by Representatives Bond, Smith, Chandler, Isaacson, Padden, Patrick, Clayton, Hastings, West and Fuhrman:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. A budget is hereby adopted and authorized to be disbursed for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985, out of the several funds of the state. Each agency and office of the state is appropriated the amount specified in chapter 340, Laws of 1981, as amended, as modified by an increase of eleven percent.

**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.

**NEW SECTION.** Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representatives Bond, Dickie, Padden and Patrick spoke in favor of the amendment, and Mr. Grimm spoke against it.

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

Mr. Bond spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond and others to Substitute House Bill No. 49, and the amendment was not adopted by the following vote: Yeas, 29; nays, 68; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Silver, Smith, West, Williams J, Wilson - 29.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 68.

Excused: Representative Barrett - 1.

Substitute House Bill No. 49 was ordered engrossed.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

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

Mr. Grimm spoke in favor of passage of the bill, and Mr. Cantu spoke against it.

Mr. Taylor demanded an oral roll call vote and the demand was sustained.

Representatives G. Nelson and B. Williams spoke against the bill, and Mr. Heck spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 49, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 47.

Excused: Representative Barrett - 1.

Engrossed Substitute House Bill No. 49, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Heck, the House dispensed with further business under the Call of the House.

On motion of Mr. Heck, the House was adjourned until 10:00 a.m., Monday, April 11, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 11, 1983

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hastings and McClure, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Cormier and David Foster. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church 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. Heck, the House advanced to the seventh order of business.

## THIRD READING

SENATE BILL NO. 3221, by Senators Rasmussen, Warnke and Hughes

Adding members to the veterans affairs advisory committee.

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

Representatives Walk and J. Williams spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3221, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Ellis, Locke, Nelson G, Tanner - 4.

Excused: Representatives Hastings, McClure - 2.

Senate Bill No. 3221, having received the 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. 3416 AS AMENDED BY THE HOUSE, by Senators Hemstad, Talmadge, Clarke, Thompson and Granlund

Revising certain sentencing laws to facilitate implementation of the recommendations of the sentencing guidelines commission.

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

Representatives Armstrong and Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3416 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman,



Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Locke, Nelson G, Tanner - 3.

Excused: Representatives Hastings, McClure - 2.

Engrossed Senate Bill No. 3416 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.

#### NOTICE OF RECONSIDERATION

Mr. Isaacson, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Senate bill No. 3416 as amended by the House passed the House.

ENGROSSED SENATE BILL NO. 3383 AS AMENDED BY THE HOUSE, by Senators Clarke, Talmadge and Hemstad (by Secretary of State request)

Modifying the laws regulating professional corporations.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3383 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Locke, Tanner - 2.

Excused: Representatives Hastings, McClure - 2.

Engrossed Senate Bill No. 3383 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. 3516 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge and Bottiger)

Modifying provisions relating to the legislative branch.

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

Representatives Walk and Silver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3516 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken,

Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Moon - 1.

Absent: Representatives Locke, Tanner - 2.

Excused: Representatives Hastings, McClure - 2.

Substitute Senate Bill No. 3516 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 11, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 24,  
 SUBSTITUTE HOUSE BILL NO. 47,  
 HOUSE BILL NO. 77,  
 HOUSE BILL NO. 83,  
 SUBSTITUTE HOUSE BILL NO. 99,  
 SUBSTITUTE HOUSE BILL NO. 143,  
 HOUSE BILL NO. 144,  
 HOUSE BILL NO. 174,  
 HOUSE BILL NO. 184,  
 HOUSE BILL NO. 216,  
 HOUSE BILL NO. 288,  
 HOUSE BILL NO. 348,  
 HOUSE BILL NO. 487,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

April 11, 1983

HB 352 Prime Sponsor, Representative Kreidler: Modifying provisions relating to public assistance. Reported by Committee on Rules

Rereferred to Committee on Ways & Means (with substitute).

April 11, 1983

HB 1050 Prime Sponsor, Representative J. King: Relating to economic development. Reported by Committee on Rules

Rereferred to Committee on Commerce & Economic Development.

#### SENATE AMENDMENTS TO HOUSE BILL

April 6, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 32 with the following amendments:

On page 7, after line 25 insert the following:

\*NEW SECTION. Sec. 10. There is added to chapter 31.12 RCW a new section to read as follows:

(1) Any administrative hearing provided in section 6 of this act may be held at such place as is designated by the supervisor and shall be conducted in accordance with chapter 34.04 RCW. The hearing shall be private unless the supervisor determines that a public hearing is necessary to protect the public interest after fully considering the views of the party afforded the hearing.

Within sixty days after the hearing, the supervisor shall render a decision which shall include findings of fact upon which the decision is based and the supervisor shall issue and serve upon each party to the proceeding an order or orders consistent with section 6 of this act.

Unless a petition for review is timely filed in the superior court of the county of the principal place of business of the affected association under subsection (2) of this section and until the

record in the proceeding has been filed as therein provided, the supervisor may at any time modify, terminate, or set aside any order upon such notice and in such manner as the supervisor deems proper. Upon filing the record, the supervisor may modify, terminate, or set aside any order only with permission of the court.

The judicial review provided in this section for an order shall be exclusive.

(2) Any party to the proceeding or any person required by an order issued under sections 6, 7, or 9 of this act to refrain from any of the violations or practices stated therein may obtain a review of any order served under subsection (1) of this section other than one issued upon consent by filing in the superior court of the county of the principal place of business of the affected association within ten days after the date of service of the order a written petition praying that the order of the supervisor be modified, terminated, or set aside. A copy of the petition shall be immediately served upon the supervisor and the supervisor shall then file in the court the record of the proceeding. The court shall have jurisdiction upon the filing of the petition, which jurisdiction shall become exclusive upon the filing of the record to affirm, modify, terminate, or set aside in whole or in part the order of the supervisor except that the supervisor may modify, terminate, or set aside an order with the permission of the court. The judgment and decree of the court shall be final, except that it is subject to appellate review under the rules of court.

(3) The commencement of proceedings for judicial review under subsection (2) of this section shall not operate as a stay of any order issued by the supervisor unless specifically ordered by the court.

(4) Service of any notice or order required to be served under sections 6 or 7 of this act shall be accomplished in the same manner as required for the service of process in civil actions in superior courts of this state."

Renumber the sections consecutively and correct any internal references.

On page 7, line 31 after "7," strike "and" and insert "or"

On page 8, line 1, strike "section 8" and insert "sections 8 and 10"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Lux moved that the House do concur in the Senate amendments to Engrossed House Bill No. 32.

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

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

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 32 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 32 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, McClure - 2.

Engrossed House Bill No. 32 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 5, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 111 with the following amendments:

On page 2, line 7 strike "a commissioner or employee" and insert "by resolution some other person having experience in financial or fiscal matters"

On page 2, line 13 after "dollars." insert "Approval by the county treasurer authorizing such a sewer district to designate its treasurer shall not be arbitrarily or capriciously withheld."

On page 3, line 4 strike "a commissioner or employee" and insert "by resolution some other person having experience in financial or fiscal matters"

On page 3, line 10 after "dollars." insert "Approval by the county treasurer authorizing such a water district to designate its treasurer shall not be arbitrarily or capriciously withheld." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Moon moved that the House do concur in the Senate amendments to House Bill No. 111.

Representatives Moon and Van Dyken spoke in favor of the motion, and the motion was carried.

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

The Speaker stated the question before the House to be the final passage of House Bill No. 111 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 111 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayam, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Fisch - 1.

Excused: Representatives Hastings, McClure - 2.

House Bill No. 111 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

Mr. Taylor: "I want to make a few remarks that I would have made at 7:02 on Saturday morning, but I was afraid John White would kill me if I did at that point in the proceedings. The comments, the process that led to our all-night session on Friday going into Saturday morning, the process in the Ways & Means Committee, which I feel---"

The Speaker: "Mr. Taylor, I suggest you go back and read the section of Reed's Rules having to do with points of personal privilege. It seems that you are straying into other matters. I wish if you do, in fact, have a point of personal privilege to get to that and not to a number of other things."

Mr. Taylor: "The personal privilege I'm making responds to the process and to the all-night session."

The Speaker: "That is not a point of personal privilege, Representative Taylor."

Mr. Taylor: "At what point would a person be allowed to make remarks of that sort, Mr. Speaker?"

The Speaker: "I suggest you read the rules."

#### POINT OF ORDER

Mr. McDonald: "I guess I have read the rules, Mr. Speaker, and we have discussed Reed's Rule 178 a number of times--A question of privilege. It says that you are talking the 'safety, dignity, and the integrity of its proceedings.' It seems to me

that Representative Taylor is, indeed, doing all of those and it seems like he's well within the bounds of the rules."

SPEAKER'S RULING

The Speaker: "Representative McDonald, this is the fifth order of business, Committee Reports and Concurrences. The measure you are apparently speaking of could have been taken up on final passage. It is not appropriate to the fifth order of business. It's not before us today. Certainly, if the member would like to make a statement of some sort and time did not infringe upon the orderly process of this legislature, we could talk about it."

MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Tuesday, April 12, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 12, 1983

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives McMullen and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Price and Mark Eltendahl. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

## POINT OF PERSONAL PRIVILEGE

Mr. Taylor: "I would like to make a brief statement regarding the all-night session which started at roughly 4:00 o'clock Friday afternoon and concluded at about two minutes after 7:00 on Saturday morning. For some of us the all-night session represented two nights out of the last three that in order to conduct the state's business, we were required to go all night. My concession that the calling of all-night sessions whether by my party, which has done it in the past, or by the present majority party is a clear mockery of state government. There were people asleep on the floor; there were people asleep in the lounge, not due to any fault of their own, but sheer exhaustion. There was no dinner break given whatsoever. People were forced to leave the floor to go down and eat. With the seriousness of the proposition (and they weren't stalling) the amendments that were offered were very good ones. They came from that side of the aisle and they came from this side of the aisle. I think our constituents deserve to have us represent them with a clear head and a clear mind at a time when we are not exhausted from lack of sleep. I was one of the fortunate ones; I didn't fall asleep Wednesday or Friday night but believe me, I resent it deeply--the conduct of state business in a manner of this fashion. There's no need for it. No need whatsoever. The time we spent in the Ways & Means Committee, in subcommittee, were a mockery. It could have been adjusted over a given time for consideration on the floor. The only chance we had for input to this budget came in the dark of night and with exhaustion, with no one in the balconies to see the goings on, and I guess I'm very glad there weren't because the effect of this body was to be forced and to be forced hard to pass some of the most serious amendments on one of the largest budgets or the largest budget in the history of the state, deserves better. I ask, Mr. Speaker, that you give serious consideration to adopting a rule that is present in the Senate that says no business will be conducted beyond 10 p.m. I ask this in all seriousness. I think, although I'm speaking for myself, the members on both sides of the aisle would like to approach this in a much more serious vein, wide awake, with food on our stomachs, and not have to leave the floor. I urge you and I urge the body to keep your promise seriously, and I ask the Speaker to avoid, from now on, letting the House run and making a sham of state government and a sham for conducting the legislative business. We were a mockery."

## MESSAGE FROM THE SENATE

April 11, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 136,  
 SUBSTITUTE HOUSE BILL NO. 148,  
 ENGROSSED HOUSE BILL NO. 534,  
 ENGROSSED SENATE BILL NO. 4093,  
 SENATE CONCURRENT RESOLUTION NO. 121,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

April 6, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 256 with the following amendment:

On page 3, line 33 after "section" insert " : PROVIDED, That at such time as these property interests are not used for the purposes enumerated in RCW 84.34.210 and 64.04.130 the additional tax specified in subsection (3) shall be imposed"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Charnley moved that the House do concur in the Senate amendment to House Bill No. 256.

Representatives Charnley and Van Dyken spoke in favor of the motion and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 256 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 256 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent, 7; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Clayton, Ebersole, King J, Monohon, Sanders, Tanner, Todd - 7.

Excused: Representatives McMullen, Wilson - 2.

House Bill No. 256 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

It was my intent to vote in favor of House Bill 256, including the Senate amendment, on final passage.

PAUL SANDERS, 48th District.

## MOTION

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-43, by Representatives Charnley, Barnes, Stratton, Prince, Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson, Zellinsky

WHEREAS, The 1983 regular session of the Washington State House of Representatives continues to be the only state legislative body that has implemented a formal program of senior citizen interns; and

WHEREAS, Twelve Washington State senior citizens have served their state and this House as senior citizen interns during the 1983 regular session; and

WHEREAS, The senior citizen interns of the House of Representatives have made a major contribution to their state and this body by their diligent and able work; and

WHEREAS, The addition of senior citizen interns to the regular session staff continues to contribute a valuable perspective to the House reflecting the wisdom and experience of these senior citizens;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House commends the following senior citizen interns for the exemplary job done during the 1983 Session: Mildred Brower, Mary Cawthon, Dean English, Charles Kerr, Betty Lane, Dorothy Logue, Ruby McIntee, Mary Murray, Gerald Newton, Alice Stroh, Bruce Swegle, and Vivian Wilford; and

BE IT FURTHER RESOLVED, That the members of the House of Representatives extend their best wishes for future success to each of the senior citizen interns; and

BE IT FURTHER RESOLVED, That the Chief Clerk send copies of this resolution to each of the senior citizen interns serving the House of Representatives during the 1983 Session.

Mr. Charnley moved adoption of the resolution. Representatives Charnley, Fiske and Galloway spoke in favor of the resolution.

House Resolution No. 83-43 was adopted.

## MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

## INTRODUCTION AND FIRST READING

ESB 4093 by Senators Bauer, Warnke, Fleming, Hughes, Thompson, Moore, Gaspard, Bender and Talmadge

Requiring that certain categorical education programs be specifically designated when appropriations are made.

Referred to Committee on Education

SCR 121 by Senators McDermott, Deccio, Wojahn, Lee, Shinpoch and Hayner

Establishing a joint committee on health care financing.

Referred to Committee on Rules



## REPORTS OF STANDING COMMITTEES

April 11, 1983

HB 980 Prime Sponsor, Representative Martinis: Relating to aquatic lands. Reported by Committee on Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Martinis, McMullen, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Voting nay: Representative Belcher.

Absent: Representatives Fiske, Johnson, Locke and Miller.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3026 Prime Sponsor, Committee on Energy & Utilities: Authorizing the state patrol to prohibit transportation of hazardous and radioactive wastes during adverse weather conditions. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 11 after "safety," insert "For the purposes of this section hazardous cargo shall mean hazardous materials as defined in RCW 70.136.020(1)."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Barnes, Gallagher, Jacobsen, Locke, Moon, Pruitt and Sutherland.

Absent: Representatives Long, Ranking Minority Vice Chair; Bond, Fuhrman, Hastings, Martinis, Miller and Nealey.

Passed to Committee on Rules for second reading.

April 8, 1983

SSB 3043 Prime Sponsor, Committee on Institutions: Providing for notification to law enforcement agencies of institutional furloughs. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Ebersole, J. King and G. Nelson.

Passed to Committee on Rules for second reading.

April 11, 1983

2SSB 3051 Prime Sponsor, Committee on Agriculture: Modifying the laws governing transportation or confining animals. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Holland, Moon and Prince.

Absent: Representatives Ellis, Vice Chair; Galloway and Todd.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3053 Prime Sponsor, Committee on Commerce & Labor: Authorizing fees for and continuing the contractors registration program. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Powers, Schoon, Silver, Smitherman, Stratton and Tilly.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Ellis, Kaiser, Niemi, Padden, Schmidt, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3056 Prime Sponsor, Committee on Commerce & Labor: Revising laws on enforcement of contractor registration. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16, strike "Upon" and insert "If the name of the contractor allegedly or apparently in violation of this chapter is not known, or if the name of the contractor does not appear on the latest list of registered contractors compiled under RCW 18.27.120(1), upon"

On page 6, after line 27, strike the remainder of the bill and insert the following:

"Sec. 18. Section 4, chapter 77, Laws of 1963 as last amended by section 1, chapter 11, Laws of 1977 ex. sess. and RCW 18.27.040 are each amended to read as follows:

(1) Each applicant shall, at the time of applying for or renewing a certificate of registration, file with the department a surety bond issued by a surety insurer who meets the requirements of chapter 48.28 RCW in a form acceptable to the department running to the state of Washington if a general contractor, in the sum of ~~((four))~~ six thousand dollars; if a specialty contractor, in the sum of ~~((two))~~ four thousand dollars, conditioned that the applicant will pay all persons performing labor, including employee benefits, for the contractor, will pay all taxes and contributions due to the state of Washington, and will pay all persons furnishing labor or material or renting or supplying equipment to the contractor and will pay all amounts that may be adjudged against the contractor by reason of negligent or improper work or breach of contract in the conduct of the contracting business. ~~((Any registered contractor with an unimpaired bond in effect on the day immediately preceding September 21, 1977, is hereby authorized to maintain such bond until the next annual renewal of such bond at which time the terms of this 1977 amendatory act must be complied with: PROVIDED, That))~~ A change in the name of a business or a change in the type of business entity shall not impair a bond for the purposes of this section so long as one of the original applicants for such bond maintains partial ownership in the business covered by the bond.

(2) Any contractor registered as of the effective date of this 1983 act who maintains such registration in accordance with this chapter shall be in compliance with this chapter until the next annual renewal of the contractor's certificate of registration. At that time, the contractor shall provide a bond, cash deposit, or other security deposit as required by this chapter and comply with all of the other provisions of this chapter before the department shall renew the contractor's certificate of registration.

(3) Any person, firm, or corporation having a claim against the contractor for any of the items referred to in this section may bring suit upon such bond in the superior court of the county in which the work is done or of any county in which jurisdiction of the contractor may be had. Action upon such bond or deposit shall be commenced by ~~((serving and))~~ filing ~~((of))~~ the complaint with the clerk of the appropriate superior court within one year from the date of expiration of the certificate of registration in force at the time the claimed labor was performed and benefits accrued, taxes and contributions owing the state of Washington became due, materials and equipment were furnished, or the claimed contract work was completed. Service of process in an action upon such bond shall be exclusively by service upon the department. Three copies of the complaint and a fee of ten dollars to cover the handling costs shall be served by registered or certified mail upon the department at the time suit is started and the department shall maintain a record, available for public inspection, of all suits so commenced. Service is not complete until the department receives the ten-dollar fee and three copies of the complaint. Such service shall constitute service on the registrant and the surety for suit upon the bond and the department shall transmit the complaint or a copy thereof to the registrant at the address listed in his application and to the surety within forty-eight hours after it shall have been received.

(4) The surety upon the bond shall not be liable in an aggregate amount in excess of the amount named in the bond ~~nor for any monetary penalty assessed pursuant to this chapter for~~

an infraction. The surety upon the bond may, upon notice to the department and the parties, tender to the clerk of the court having jurisdiction of the action an amount equal to the claims thereunder or the amount of the bond less the amount of judgments, if any, previously satisfied therefrom and to the extent of such tender the surety upon the bond shall be exonerated but if the actions commenced and pending at any one time exceed the amount of the bond then unimpaired, claims shall be satisfied from the bond in the following order:

- ~~((1))~~ (a) Labor, including employee benefits;
- ~~((2))~~ (b) Claims for breach of contract by a party to the construction contract;
- ~~((3))~~ (c) Material and equipment;
- ~~((4))~~ (d) Taxes and contributions due the state of Washington;
- ~~((5))~~ (e) Any court costs, interest, and attorney's fees plaintiff may be entitled to recover.

(5) In the event that any final judgment shall impair the liability of the surety upon the bond so furnished that there shall not be in effect a bond undertaking in the full amount prescribed in this section, the department shall suspend the registration of such contractor until the bond liability in the required amount unimpaired by unsatisfied judgment claims shall have been furnished. If such bond becomes fully impaired, a new bond must be furnished at the increased rates prescribed by this section as now or hereafter amended.

(6) In lieu of the surety bond required by this section the contractor may file with the department a deposit consisting of cash or other security acceptable to the department.

(7) Any person having an unsatisfied final judgment against the registrant for any items referred to in this section may execute upon the security held by the department by serving a certified copy of the unsatisfied final judgment by registered or certified mail upon the department within one year of the date of entry of such judgment. Upon the receipt of service of such certified copy the department shall pay or order paid from the deposit, through the registry of the superior court which rendered judgment, towards the amount of the unsatisfied judgment. The priority of payment by the department shall be the order of receipt by the department, but the department shall have no liability for payment in excess of the amount of the deposit.

(8) The director may promulgate rules ~~((and regulations))~~ necessary for the proper administration of the security.

Sec. 19. Section 6, chapter 77, Laws of 1963 as amended by section 1, chapter 61, Laws of 1977 ex. sess. and RCW 18.27.060 are each amended to read as follows:

(1) A certificate of registration shall be valid for one year and shall be renewed on or before the expiration date. The ~~((director))~~ department shall issue to the applicant a certificate of registration upon compliance with the registration requirements of this chapter.

(2) If the department approves an application, it shall issue a certificate of registration to the applicant. The certificate shall be valid for:

- (a) One year;
- (b) Until the bond expires; or
- (c) Until the insurance expires, whichever comes first. The department shall place the expiration date on the certificate.

(3) A contractor may supply a short-term bond or insurance policy to bring its registration period to the full one year.

(4) If a contractor's surety bond or other security has an unsatisfied judgment against it or is canceled, or if the contractor's insurance policy is canceled, the contractor's registration shall be automatically suspended on the effective date of the impairment or cancellation. The department shall give notice of the suspension to the contractor.

Sec. 20. Section 5, chapter 118, Laws of 1972 ex. sess. as amended by section 7, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.120 are each amended to read as follows:

(1) The department shall ~~((annually, starting July 1, 1973;))~~ compile a list of all contractors registered ~~((pursuant to the provisions of))~~ under this chapter and update ~~((such))~~ the list at least bimonthly. ~~((Such))~~ The list shall be considered as public record information and shall be available to the public upon request: PROVIDED, That the department may charge a reasonable ~~((reproduction))~~ fee.

(2) The department shall inform the state or a person, firm, corporation, partnership, political subdivision, or other entity if a contractor is registered, and if a contractor is bonded or insured, without charge except for a reasonable reproduction fee. The fee shall be set by rule under RCW 18.27.070.

Sec. 21. Section 2, chapter 161, Laws of 1973 1st ex. sess. and RCW 18.27.140 are each amended to read as follows:

It is the purpose of this chapter to afford protection to the public including all persons, firms, and corporations furnishing labor, materials, or equipment to a contractor from unreliable, fraudulent, financially irresponsible, or incompetent contractors.

NEW SECTION. Sec. 22. Section 6, chapter 126, Laws of 1967 and RCW 18.27.085 are each hereby repealed.

NEW SECTION. Sec. 23. Sections 1 through 16 of this act are each added to chapter 18.27 RCW.

NEW SECTION. Sec. 24. Sections 1 through 17 of this act shall take effect January 1, 1984."

On page 1, line 3 of the title, after "18.27.020;" strike the remainder of the title and insert "amending section 4, chapter 77, Laws of 1963 as last amended by section 1, chapter 11, Laws of 1977 ex. sess. and RCW 18.27.040; amending section 6, chapter 77, Laws of 1963 as amended by section 1, chapter 61, Laws of 1977 ex. sess. and RCW 18.27.060; amending section 5, chapter 118, Laws of 1972 ex. sess. as amended by section 7, chapter 153, Laws of 1973 1st ex. sess. and RCW 18.27.120; amending section 2, chapter 161, Laws of 1973 1st ex. sess. and RCW 18.27.140; adding new sections to chapter 18.27 RCW; repealing section 6, chapter 126, Laws of 1967 and RCW 18.27.085; prescribing penalties; and providing an effective date;"

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Niemi, Powers, Schoon, Silver, Smitherman, Stratton and Tilly.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Ellis, Kaiser, Padden, Schmidt, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

April 7, 1983

ESSB 3081 Prime Sponsor, Committee on Commerce & Labor: Continuing state regulations of barbering. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Niemi, Powers, Schoon, Silver, Smitherman, Stratton and Tilly.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Ellis, Kaiser, Padden, Schmidt, Schoon, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

April 7, 1983

SB 3083 Prime Sponsor, Senator Warnke: Modifying certain license fees and procedures. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Powers, Schoon, Silver, Smitherman and Stratton.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Appelwick, Ellis, Kaiser, Niemi, Padden, Schmidt, Tilly, Van Dyken, Walk and Wilson

Passed to Committee on Rules for second reading.

April 7, 1983

ESSB 3088 Prime Sponsor, Committee on Commerce & Labor: Continuing state regulations of cosmetology. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Niemi, Powers, Schoon, Silver, Smitherman, Stratton and Tilly.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Ellis, Kaiser, Padden, Schmidt, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

April 7, 1983

ESB 3224 Prime Sponsor, Senator Goltz: Authorizing the provisions of heating services by governmental entities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5 after "electricity," insert "sewer, water."

On page 1, line 26 after "earth" strike all material through "substances"

On page 2, line 10 after "town," insert "sewer district, water district."

On page 4, beginning on line 8 strike the remainder of the section.

On page 4, line 19 after "district," insert "water district, sewer district," and on page 4, line 20 after "the" insert "appropriate" and on page 4, line 21 after "53," strike "and" and insert "56, 57, or"

On page 5, beginning on line 29 after "cities" strike "of the first class" and insert "or towns"

On page 5, line 30 after "class," strike the remainder of the section.

On page 7, line 32 after "the" strike "bondholders" and insert "bond owners" and on page 7, line 34 after "remedies of the" strike "bondholders" and insert "bond owners" and on page 7, line 35 after "by" strike "bondholders" and insert "bond owners" and on page 8, beginning on line 6 strike "holder" and insert "owner"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Barnes, Gallagher, Jacobsen, Locke, Moon, Pruitt and Sutherland.

Absent: Representatives Long, Ranking Minority Vice Chair; Armstrong, Bond, Fiske, Fuhrman, Hastings, Martinis, Miller and Nealey.

Passed to Committee on Rules for second reading.

April 7, 1983

ESSB 3251 Prime Sponsor, Committee on Commerce & Labor: Regulating portable oil fueled heaters. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Powers, Schoon, Silver, Smitherman and Stratton.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Appelwick, Ellis, Kaiser, Niemi, Padden, Schmidt, Tilly, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

April 7, 1983

SSB 3311 Prime Sponsor, Committee on Commerce & Labor: Modifying provisions relating to unemployment insurance. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 7, beginning on line 8 after "prescribe," strike all material down through "penalty," on line 13.

On page 7, beginning on line 20 strike all material down through "places," on line 29 and insert "by the dollar amount of the state's minimum wage in effect for such reporting period and the quotient, disregarding any remainder, shall be credited to the worker: PROVIDED, That although the computation so made will not be subject to appeal by the employing unit, monetary entitlement may be redetermined upon request if the department is provided with credible evidence of the actual hours worked."

On page 23, following line 25 add the following paragraph:

"The individual written notice to the employee from the employer must contain a statement that: (a) The notice will result in a denial of benefits; (b) there is a possibility of retroactive benefits if the individual is not offered an opportunity to perform services in the second academic year or term; and (c) to be eligible for retroactive benefits the individual must file a timely claim for benefits in each week for which retroactive benefits would be sought."

On page 28, after line 2, insert the following:

"Sec. 25. Section 13, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.04.145 are each amended to read as follows:

The term 'employment' shall not include services rendered by any person, firm, or corporation currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW when:

(1) Contracting to perform work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

(2) ~~((There is no other person, firm or corporation doing the same work at the same time on the same project except two or more persons, firms or corporations may contract and do the same work at the same time on the same project if each person, firm or corporation has employees;~~

(3)) The person, firm, or corporation has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

~~((4))~~(3) The person, firm, or corporation maintains a separate set of books or records that reflect all items of income and expenses of the business; ~~((and~~

(5)) (4) The work which the person, firm, or corporation has contracted to perform is:

(a) The work of a contractor as defined in RCW 18.27.010; or

(b) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW; and

(5) A contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW does not supervise or control the means by which the result is accomplished or the manner in which the work is performed."

Renumber the remaining section consecutively.

On page 1, line 6 of the title, after "50.04.115," insert "amending section 13, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.04.145;"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Absent: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

April 7, 1983

SB 3314 Prime Sponsor, Senator Vognild: Establishing the OASI revolving fund. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Absent: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

April 11, 1983

SB 3379 Prime Sponsor, Senator Owen: Providing group fishing permits for the handicapped and senior citizens. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Haugen, Isaacson, Martinis, McMullen, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Absent: Representatives Fiske, Johnson, Locke, Martinis and Miller.

Passed to Committee on Rules for second reading.

April 8, 1983

SSB 3453 Prime Sponsor, Committee on Education: Modifying disposition of traffic offenses on college and university campuses. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "parking upon" strike all material down to and including "this section." on page 2, line 13 and insert the following "~~((state))~~ lands ~~((devoted mainly to the~~

educational or research activities of its own institution)) and facilities of the university or college;

(b) Adjudicate matters involving parking infractions internally; and

(c) Collect and retain any penalties so imposed.

(2) If the rules or regulations promulgated under subsection (1) of this section provide for internal adjudication of parking infractions, a person charged with a parking infraction who deems himself or herself aggrieved by the final decision in an internal adjudication may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the college or university police force. Documents relating to the appeal shall immediately be forwarded to the district court in the county in which the offense was committed, which court shall have jurisdiction over such offense and such appeal shall be heard de novo."

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Crane, R. King, McDonald, Miller, D. Nelson, Powers, Struthers and Sutherland.

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

Absent: Representatives Locke, McMullen and Tanner.

Passed to Committee on Rules for second reading.

April 8, 1983

ESB 3523 Prime Sponsor, Senator Granlund: Modifying time limits for furloughs for residents of state correctional institutions. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 17, chapter 138, Laws of 1981 and RCW 10.95.170 are each amended to read as follows:

The defendant shall be imprisoned in the state penitentiary within ten days after the trial court enters a judgment and sentence imposing the death penalty and shall be imprisoned both prior to and subsequent to the issuance of the death warrant as provided in RCW 10.95.160. During such period of imprisonment, the defendant shall be confined in the segregation ((from)) unit, where the defendant may be confined with other prisoners not under sentence of death, but prisoners under sentence of death shall be assigned to single-person cells.

NEW SECTION. Sec. 2. There is added to chapter 72.01 RCW a new section to read as follows:

As used in RCW 72.01.370 and section 4 of this act:

'Escorted leave' means a leave of absence from a correctional facility under the continuous supervision of an escort.

'Escort' means a correctional officer or other person approved by the superintendent or the superintendent's designee to accompany an inmate on a leave of absence and be in visual or auditory contact with the inmate at all times.

'Nonviolent offender' means an inmate under confinement for an offense other than a violent offense defined by RCW 9.94A.030.

Sec. 3. Section 1, chapter 40, Laws of 1959 as last amended by section 72, chapter 136, Laws of 1981 and RCW 72.01.370 are each amended to read as follows:

The superintendents of the state penitentiary, the state reformatory, the state honor camps and such other penal institutions as may hereafter be established, may, subject to the approval of the secretary and under section 4 of this 1983 act, grant escorted leaves of absence to inmates confined in such institutions to:

(1) Go to the bedside of the inmate's wife, husband, child, mother or father, or other member of the inmate's immediate family who is seriously ill;

(2) Attend the funeral of a member of the inmate's immediate family listed in subsection (1) of this section;

(3) Participate in athletic contests~~((and))~~;

(4) Perform work in connection with the industrial, educational, or agricultural programs of the department;

(5) Receive necessary medical or dental care which is not available in the institution; and

(6) Participate as a volunteer in community service work projects which are approved by the superintendent, but only inmates who are nonviolent offenders may participate in these projects. Such community service work projects shall only be instigated at the request of a local community.

NEW SECTION. Sec. 4. There is added to chapter 72.01 RCW a new section to read as follows:

An inmate shall not be allowed to start a leave of absence under RCW 72.01.370 until the secretary, or the secretary's designee, has notified any county and city law enforcement agency having jurisdiction in the area of the inmate's destination.

Sec. 5. Section 11, chapter 136, Laws of 1981 and RCW 72.09.100 are each amended to read as follows:

It is the intent of the legislature to vest in the department the power to provide for a comprehensive inmate work program and to remove statutory and other restrictions which have limited work programs in the past. For purposes of establishing such a comprehensive program, the legislature recommends that the department consider adopting any or all, or any variation of, the following classes of work programs:

(1) CLASS I: FREE VENTURE INDUSTRIES. The industries in this class shall be operated and managed in total or in part by any profit or nonprofit organization pursuant to an agreement between the organization and the department. The organization shall produce goods or services for sale to both the public and private sector.

The department of corrections shall supply appropriate security and custody services without charge to the participating firms.

Inmates who work in free venture industries shall do so at their own choice. They shall be paid a wage not less than sixty percent of the approximate prevailing wage within the state for the occupation, as determined by the director of the institutional industries division. If the director finds that he cannot reasonably determine the wage, then the pay shall not be less than the federal minimum wage.

(2) CLASS II: TAX REDUCTION INDUSTRIES. Industries in this class shall be state-owned and operated enterprises designed to reduce the costs for goods and services for tax-supported agencies and for nonprofit organizations which assist persons who are poor or infirm. The industries selected for development within this class shall, as much as possible, match the available pool of inmate work skills and aptitudes with the work opportunities in the free community. The industries shall be closely patterned after private sector industries but with the objective of reducing public support costs rather than making a profit. The products and services of this industry may be sold to public agencies and to nonprofit organizations which assist persons who are poor or infirm: PROVIDED, That to avoid waste or spoilage and consequent loss to the state, when there is no public sector market for such goods, byproducts and surpluses of timber, agricultural, and animal husbandry enterprises may be sold to private persons, at private sale. Surplus by-products and surpluses of timber, agricultural and animal husbandry enterprises that cannot be sold to public agencies or to private persons may be donated to nonprofit organizations which assist the poor and infirm. All sales of surplus products shall be carried out in accordance with rules prescribed by the secretary.

Security and custody services shall be provided without charge by the department of corrections.

Inmates working in this class of industries shall do so at their own choice and shall be paid for their work on a gratuity scale which shall not exceed the federal minimum wage and which is approved by the director of institutional industries.

(3) CLASS III: INSTITUTIONAL SUPPORT INDUSTRIES. Industries in this class shall be operated by the department of corrections. They shall be designed and managed to accomplish the following objectives:

(a) Whenever possible, to provide basic work training and experience so that the inmate will be able to qualify for better work both within institutional industries and the free community. It is not intended that an inmate's work within this class of industries should be his or her final and total work experience as an inmate.

(b) Whenever possible, to provide forty hours of work or work training per week.

(c) Whenever possible, to offset tax and other public support costs.

Supervising, management, and custody staff shall be employees of the department.

All able and eligible inmates who are assigned work and who are not working in other classes of industries shall work in this class.

Except for inmates who work in work training programs, inmates in this class shall be paid for their work in accordance with an inmate gratuity scale. The scale shall be adopted by the secretary of corrections.

(4) CLASS IV: COMMUNITY WORK INDUSTRIES. Industries in this class shall be operated by the department of corrections. They shall be designed and managed to provide services in the inmate's resident community at a reduced cost. The services shall be provided to public agencies, to persons who are poor or infirm, or to nonprofit organizations which assist persons who are poor or infirm.

Inmates in this program shall reside in facilities owned by, contracted for, or licensed by the department of corrections. A unit of local government shall provide work supervision services without charge to the state and shall pay the inmate's wage.

The department of corrections shall reimburse participating units of local government for liability and workers compensation insurance costs.

Inmates who work in this class of industries shall do so at their own choice and shall receive a gratuity which shall not exceed the minimum wage for their work.



(5) CLASS V: COMMUNITY SERVICE PROGRAMS. Programs in this class shall be subject to supervision by the department of corrections. The purpose of this class of industries is to enable an offender, placed on probation, to work off all or part of a community service order as ordered by the sentencing court.

Employment shall be in a community service program operated by the state, local units of government, or a nonprofit agency which assists persons who are poor or infirm.

Sec. 6. Section 3, chapter 7, Laws of 1972 ex. sess. and RCW 72.62.030 are each amended to read as follows:

Products goods, wares, articles, or merchandise manufactured or produced by residents of state correctional institutions or facilities within or in conjunction with vocational education programs for the training, habilitation, and rehabilitation of inmates may be sold on the open market ~~((at public auction))~~. When services are performed by residents within or in conjunction with such vocational education programs, the cost of materials used and the value of depreciation of equipment used may be recovered.

Sec. 7. Section 13, chapter 20, Laws of 1973 and RCW 72.66.036 are each amended to read as follows:

(1) The furlough or furloughs granted to any one resident, excluding furloughs for medical care, may not exceed thirty consecutive days or a total of sixty days during ~~((any twelve-month period))~~ a calendar year.

(2) Absent unusual circumstances, each first furlough and each second furlough granted to a resident shall not exceed a period of five days and each emergency furlough shall not exceed forty-eight hours plus travel time.

(3) A furlough may be extended within the maximum time periods prescribed under this section.

Sec. 8. Section 5, chapter 20, Laws of 1973 and RCW 72.66.016 are each amended to read as follows:

(1) A furlough shall not be granted to a resident if the furlough would commence prior to the time the resident has served the minimum amounts of time provided under this section:

~~((+))~~ (a) If his minimum term of imprisonment is longer than twelve months, he shall have served at least six months of the term;

~~((#))~~ (b) If his minimum term of imprisonment is less than twelve months, he shall have served at least ninety days and shall have no longer than six months left to serve on his minimum term;

~~((@))~~ (c) If he is serving a mandatory minimum term of confinement, he shall have served all but the last six months of such term.

(2) A person convicted and sentenced for a violent offense as defined in RCW 9.94A.030 is not eligible for furlough until the person has served at least one-half of the minimum term as established by the board of prison terms and paroles or the sentencing guidelines commission.

NEW SECTION. Sec. 9. There is added to chapter 43.06 RCW a new section to read as follows:

Whenever any convicted offender, who is a citizen or national of a foreign country and is under the jurisdiction of the department of corrections, requests transfer to the foreign country of which he or she is a citizen or national, under a treaty on the transfer of offenders entered into between the United States and a foreign country, the governor or the governor's designee:

(1) May grant the approval of the state to such transfer as provided in the treaty; and

(2) Shall have, notwithstanding any provision of chapter 9.95 or 72.68 RCW, the plenary authority to fix the duration of the offender's sentence, if not otherwise fixed, whenever a fixed sentence is a condition precedent to transfer.

Sec. 10. Section 72.68.010, chapter 28, Laws of 1959 as amended by section 282, chapter 141, Laws of 1979 and RCW 72.68.010 are each amended to read as follows:

(1) Whenever in its judgment the best interests of the state or the welfare of any prisoner confined in any penal institution will be better served by his or her transfer to another institution or to a foreign country of which the prisoner is a citizen or national, the secretary may effect such transfer consistent with applicable federal laws and treaties.

(2) If directed by the governor, the secretary shall, in carrying out this section and section 9 of this 1983 act, adopt rules under chapter 34.04 RCW to effect the transfer of prisoners requesting transfer to foreign countries.

Sec. 11. Section 72.68.080, chapter 28, Laws of 1959 as amended by section 10, chapter 122, Laws of 1967 ex. sess. and RCW 72.68.080 are each amended to read as follows:

All persons sentenced to prison by the authority of the United States or of any state or territory of the United States may be received by the department and imprisoned in ~~((the Washington state penitentiary or Washington state reformatory or the Washington correctional institution for women))~~ a state correctional institution as defined in RCW 72.65.010 in accordance with the sentence of the court by which they were tried. The prisoners so confined shall be subject in all respects to discipline and treatment as though committed under the laws of this state.

NEW SECTION. Sec. 12. This chapter shall be known and may be cited as the Interstate Corrections Compact.

**NEW SECTION, Sec. 13.** The secretary of the department of corrections is hereby authorized and requested to execute, on behalf of the state of Washington, with any other state or states legally joining therein a compact which shall be in form substantially as follows:

The contracting states solemnly agree that:

(1) The party states, desiring by common action to fully utilize and improve their institutional facilities and provide adequate programs for the confinement, treatment, and rehabilitation of various types of offenders, declare that it is the policy of each of the party states to provide such facilities and programs on a basis of cooperation with one another, and with the federal government, thereby serving the best interest of such offenders and of society and effecting economies in capital expenditures and operational costs. The purpose of this compact is to provide for the mutual development and execution of such programs of cooperation for the confinement, treatment, and rehabilitation of offenders with the most economical use of human and material resources.

(2) As used in this compact, unless the context clearly requires otherwise:

(a) 'State' means a state of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; and the Commonwealth of Puerto Rico.

(b) 'Sending state' means a state party to this compact in which conviction or court commitment was had.

(c) 'Receiving state' means a state party to this compact to which an inmate is sent for confinement other than a state in which conviction or court commitment was had.

(d) 'Inmate' means a male or female offender who is committed, under sentence to, or confined in a penal or correctional institution.

(e) 'Institution' means any penal or correctional facility, including but not limited to a facility for the mentally ill or mentally defective, in which inmates as defined in subsection (2)(d) of this section may lawfully be confined.

(3) (a) Each party state may make one or more contracts with any one or more of the other party states, or with the federal government, for the confinement of inmates on behalf of a sending state in institutions situated within receiving states. Any such contract shall provide for:

(i) Its duration;

(ii) Payments to be made to the receiving state or to the federal government, by the sending state for inmate maintenance, extraordinary medical and dental expenses, and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment not reasonably included as part of normal maintenance;

(iii) Participation in programs of inmate employment, if any; the disposition or crediting of any payments received by inmates on account thereof; and the crediting of proceeds from or disposal of any products resulting therefrom;

(iv) Delivery and retaking of inmates;

(v) Such other matters as may be necessary and appropriate to fix the obligations, responsibilities and rights of the sending and receiving states.

(b) The terms and provisions of this compact shall be a part of any contract entered into by the authority of or pursuant thereto and nothing in any such contract shall be inconsistent therewith.

(4) (a) Whenever the duly constituted authorities in a state party to this compact, and which has entered into a contract pursuant to subsection (3)(a) of this section, shall decide that confinement in, or transfer of an inmate to, an institution within the territory of another party state is necessary or desirable in order to provide adequate quarters and care or an appropriate program of rehabilitation or treatment, said officials may direct that the confinement be within an institution within the territory of said other party state, the receiving state to act in that regard solely as agent for the sending state.

(b) The appropriate officials of any state party to this compact shall have access, at all reasonable times, to any institution in which it has a contractual right to confine inmates for the purpose of inspecting the facilities thereof and visiting such of its inmates as may be confined in the institution.

(c) Inmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed therefrom for transfer to a prison or other institution within the sending state, for transfer to another institution in which the sending state may have a contractual or other right to confine inmates, for release on probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state, provided that the sending state shall continue to be obligated to such payments as may be required pursuant to the terms of any contract entered into under the terms of subsection (3)(a) of this section.

(d) Each receiving state shall provide regular reports to each sending state on the inmates of that sending state in institutions pursuant to this compact, including a conduct record of each inmate, and certify said record to the official designated by the sending state, in order that each inmate may have official review of his or her record in determining and altering the disposition of said inmate in accordance with the law which may obtain in the sending state and in order that the same may be a source of information for the sending state.

(e) All inmates who may be confined in an institution pursuant to the provisions of this compact shall be treated in a reasonable and humane manner and shall be treated equally with such similar inmates of the receiving state as may be confined in the same institution. The fact of confinement in a receiving state shall not deprive any inmate so confined of any legal rights which said inmate would have had if confined in an appropriate institution of the sending state.

(f) Any hearing or hearings to which an inmate confined pursuant to this compact may be entitled by the laws of the sending state may be had before the appropriate authorities of the sending state, or of the receiving state if authorized by the sending state. The receiving state shall provide adequate facilities for such hearings as may be conducted by the appropriate officials of a sending state. In the event such hearing or hearings are had before officials of the receiving state, the governing law shall be that of the sending state and a record of the hearing or hearings as prescribed by the sending state shall be made. Said record, together with any recommendations of the hearing officials, shall be transmitted forthwith to the official or officials before whom the hearing would have been had if it had taken place in the sending state. In any and all proceedings had pursuant to the provisions of this subdivision, the officials of the receiving state shall act solely as agents of the sending state and no final determination shall be made in any matter except by the appropriate officials of the sending state.

(g) Any inmate confined pursuant to this compact shall be released within the territory of the sending state unless the inmate, and the sending and receiving states, shall agree upon release in some other place. The sending state shall bear the cost of such return to its territory.

(h) Any inmate confined pursuant to the terms of this compact shall have any and all rights to participate in and derive any benefits or incur or be relieved of any obligations or have such obligations modified or his status changed on account of any action or proceeding in which he could have participated if confined in any appropriate institution of the sending state located within such state.

(i) The parents, guardian, trustee, or other person or persons entitled under the laws of the sending state to act for, advise or otherwise function with respect to any inmate shall not be deprived of or restricted in his exercise of any power in respect of any inmate confined pursuant to the terms of this compact.

(5) (a) Any decision of the sending state in respect to any matter over which it retains jurisdiction pursuant to this compact shall be conclusive upon and not reviewable within the receiving state, but if at the time the sending state seeks to remove an inmate from an institution in the receiving state there is pending against the inmate within such state any criminal charge or if the inmate is formally accused of having committed within such state a criminal offense, the inmate shall not be returned without the consent of the receiving state until discharge from prosecution or other form of proceeding, imprisonment or detention for such offense. The duly accredited officers of the sending state shall be permitted to transport inmates pursuant to this compact through any and all states party to this compact without interference.

(b) An inmate who escapes from an institution in which he is confined pursuant to this compact shall be deemed a fugitive from the sending state and from the state in which the institution is situated. In the case of an escape to a jurisdiction other than the sending or receiving state, the responsibility for institution of extradition or rendition proceedings shall be that of the sending state, but nothing contained herein shall be construed to prevent or affect the activities of officers and agencies of any jurisdiction directed toward the apprehension and return of an escapee.

(6) Any state party to this compact may accept federal aid for use in connection with any institution or program, the use of which is or may be affected by this compact or any contract pursuant hereto; and any inmate in a receiving state pursuant to this compact may participate in any such federally-aided program or activity for which the sending and receiving states have made contractual provision, provided that if such program or activity is not part of the customary correctional regimen, the express consent of the appropriate official of the sending state shall be required therefor.

(7) This compact shall enter into force and become effective and binding upon the states so acting when it has been enacted into law by any two states. Thereafter, this compact shall enter into force and become effective and binding as to any other of said states upon similar action by such state.

(8) This compact shall continue in force and remain binding upon a party state until it shall have enacted a statute repealing the same and providing for the sending of formal written notice of withdrawal from the compact to the appropriate official of all other party states. An actual withdrawal shall not take effect until one year after the notice provided in said statute has been sent. Such withdrawal shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date of withdrawal. Before effective date of withdrawal, a withdrawing state shall remove to its territory, at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.

(9) Nothing contained in this compact shall be construed to abrogate or impair any agreement or other arrangement which a party state may have with a nonparty state for the

confinement, rehabilitation or treatment of inmates nor to repeal any other laws of a party state authorizing the making of cooperative institutional arrangements.

(10) The provisions of this compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

**NEW SECTION, Sec. 14.** The secretary of corrections is authorized to receive or transfer an inmate as defined in the Interstate Corrections Compact to any institution as defined in the Interstate Corrections Compact within this state or without this state, if this state has entered into a contract or contracts for the confinement of inmates in such institutions pursuant to subsection (3) of the Interstate Corrections Compact.

**NEW SECTION, Sec. 15.** The courts, departments, agencies, and officers of this state and its subdivisions shall enforce this compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions including but not limited to the making and submission of such reports as are required by the compact.

**NEW SECTION, Sec. 16.** The secretary is authorized and directed to hold such hearings as may be requested by any other party state pursuant to subsection (4)(f) of the Interstate Corrections Compact. Additionally, the secretary may hold out-of-state hearings in connection with the case of any inmate of this state confined in an institution of another state party to the Interstate Corrections Compact.

**NEW SECTION, Sec. 17.** The secretary of corrections is empowered to enter into such contracts on behalf of this state as may be appropriate to implement the participation of this state in the Interstate Corrections Compact pursuant to subsection (3) of the compact. No such contract shall be of any force or effect until approved by the attorney general.

**NEW SECTION, Sec. 18.** If any agreement between this state and any other state party to the Interstate Corrections Compact enables an inmate of this state confined in an institution of another state to be released in such other state in accordance with subsection (4)(g) of this compact, then the secretary is authorized to provide clothing, transportation, and funds to such inmate in accordance with RCW 72.02.100.

**NEW SECTION, Sec. 19.** Sections 12 through 18 of this act shall constitute a new chapter in Title 72 RCW.

**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."

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 17, chapter 138, Laws of 1981 and RCW 10.95.170; amending section 1, chapter 40, Laws of 1959 as last amended by section 72, chapter 136, Laws of 1981 and RCW 72.01.370; amending section 11, chapter 136, Laws of 1981 and RCW 72.09.100; amending section 3, chapter 7, Laws of 1972 ex. sess. and RCW 72.62.030; amending section 13, chapter 20, Laws of 1973 and RCW 72.66.036; amending section 5, chapter 20, Laws of 1973 and RCW 72.66.016; amending section 72.68.010, chapter 28, Laws of 1959 as amended by section 282, chapter 141, Laws of 1979 and RCW 72.68.010; amending section 72.68.080, chapter 28, Laws of 1959 as amended by section 10, chapter 122, Laws of 1967 ex. sess. and RCW 72.68.080; adding a new section to chapter 43.06 RCW; adding new sections to chapter 72.01 RCW; and adding a new chapter to Title 72 RCW."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang, West and B. Williams.

Absent: Representatives Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Ebersole, G. Nelson and West.

Passed to Committee on Rules for second reading.

April 8, 1983

SB 3531 Prime Sponsor, Senator Rinehart: Modifying procedures for refunds of college and university fees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Barnes, Barrett, Brough, Crane, R. King, McDonald, D. Nelson, Powers, Struthers and Sutherland.

Absent: Representatives Allen, Barrett, Locke, McMullen, Miller and Tanner.

Passed to Committee on Rules for second reading.

April 8, 1983

SSB 3589 Prime Sponsor, Committee on Education: Extending the tuition and fee limits for Viet Nam veterans. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, McDonald, Miller, D. Nelson, Powers, Struthers and Sutherland.

Absent: Representatives Locke, McMullen and Tanner.

Passed to Committee on Rules for second reading.

April 8, 1983

ESSB 3660 Prime Sponsor, Committee on Social & Health Services: Modifying laws governing the department of social and health services and its powers and duties. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 6, chapter 157, Laws of 1973 1st ex. sess. as amended by section 3, chapter 32, Laws of 1975 and RCW 26.09.060 are each amended to read as follows:

- (1) In a proceeding for:
  - (a) Dissolution of marriage, legal separation, or a declaration of invalidity; or
  - (b) Disposition of property or liabilities, maintenance, or support following dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse; either party may move for temporary maintenance or for temporary support of children entitled to support. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.
  - (2) As a part of a motion for temporary maintenance or support or by independent motion accompanied by affidavit, either party may request the court to issue a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any person from:
    - (a) Transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business or for the necessities of life, and, if so restrained or enjoined, requiring him to notify the moving party of any proposed extraordinary expenditures made after the order is issued;
    - (b) Molesting or disturbing the peace of the other party or of any child;
    - (c) Entering the family home or the home of the other party upon a showing of the necessity therefor;
    - (d) Removing a child from the jurisdiction of the court.
  - (3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.
  - (4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary maintenance or support in such amounts and on such terms as are just and proper in the circumstances.
  - (5) A temporary order, temporary restraining order, or preliminary injunction:
    - (a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;
    - (b) May be revoked or modified;
    - (c) Terminates when the final decree is entered or when the petition for dissolution, legal separation, or declaration of invalidity is dismissed;
    - (d) May be entered in a proceeding for the modification of an existing decree.
    - (6) A support debt owed to the state for public assistance expenditures which has been charged against a party pursuant to RCW 74.20A.040 and/or 74.20A.055 shall not be merged in, or otherwise extinguished by, the final decree or order, unless the office of support enforcement has been given notice of the final proceeding and an opportunity to present its claim for the support debt to the court and has failed to file an affidavit as provided in this subsection. Notice of the proceeding shall be served upon the office of support enforcement personally, or by certified mail, and shall be given no fewer than thirty days prior to the date of the final proceeding. An original copy of the notice shall be filed with the court either before service or

within a reasonable time thereafter. The office of support enforcement may present its claim, and thereby preserve the support debt, by filing an affidavit setting forth the amount of the debt with the court, and by mailing a copy of the affidavit to the parties or their attorney prior to the date of the final proceeding.

Sec. 2. Section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200 are each amended to read as follows:

Neither husband or wife is liable for the debts or liabilities of the other incurred before marriage, nor for the separate debts of each other, nor is the rent or income of the separate property of either liable for the separate debts of the other: PROVIDED, That the earnings and accumulations of the husband shall be available to the legal process of creditors for the satisfaction of debts incurred by him prior to marriage, and the earnings and accumulations of the wife shall be available to the legal process of creditors for the satisfaction of debts incurred by her prior to marriage. For the purpose of this section, neither the husband nor the wife shall be construed to have any interest in the earnings of the other: PROVIDED FURTHER, That no separate debt, except a child support or maintenance obligation, may be the basis of a claim against the earnings and accumulations of either a husband or wife unless the same is reduced to judgment within three years of the marriage of the parties. The obligation of a parent or stepparent to support a child may be collected out of the parent's or stepparent's separate property, the parent's or stepparent's earnings and accumulations, and the parent's or stepparent's share of community personal and real property. Funds in a community bank account which can be identified as the earnings of the nonobligated spouse are exempt from satisfaction of the child support obligation of the debtor spouse.

Sec. 3. Section 12, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.120 are each amended to read as follows:

In the case of a bank, bank association, mutual savings bank, or savings and loan association maintaining branch offices, service of a lien or order to withhold and deliver or any other notice or document authorized by this chapter shall only be effective as to the accounts, credits, or other personal property of the debtor in the particular branch upon which service is made.

If the department initiates collection action under this chapter against a community bank account, the debtor or the debtor's spouse, upon service on the department of a timely request, shall have a right to a contested hearing under chapter 34.04 RCW to establish that the funds in the account, or a portion of those funds, were the earnings of the nonobligated spouse, and are exempt from the satisfaction of the child support obligation of the debtor pursuant to RCW 26.16.200.

Sec. 4. Section 25, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.250 are each amended to read as follows:

The defendant may also in like manner controvert the answer of the garnishee and claim the exemption provided by RCW 26.16.200.

Sec. 5. Section 7, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.060 are each amended to read as follows:

(1) ~~(a)~~ A child, ~~((his))~~ a child's natural mother, ((or a man presumed to be his father under RCW 26.26.040)) a man alleged or alleging himself to be the father, a child's guardian, a child's personal representative, the state of Washington, or any interested party may bring an action ~~((at))~~ at any time for the purpose of declaring the existence or nonexistence of the father and child relationship ~~((presumed under RCW 26.26.040; or))~~.

(b) A man presumed to be a child's father under RCW 26.26.040 may bring an action for the purpose of declaring the nonexistence of the father and child relationship ((presumed under RCW 26.26.040 (1), (2), (3) or (4))) only if the action is brought within a reasonable time after obtaining knowledge of relevant facts. After the presumption has been rebutted, paternity of the child by another man may be determined in the same action, if he has been made a party.

(2) ~~((Any interested party or the department of social and health services or the state of Washington may bring an action at any time for the purpose of determining the existence or nonexistence of the father and child relationship:~~

(3)) In an action brought by the state pursuant to this chapter, the state may be represented by either the prosecuting attorney for the county where the action is brought or by the attorney general.

~~((4) An action to determine the existence of the father and child relationship with respect to a child who has no presumed father under RCW 26.26.040 may be brought by the child, the mother or personal representative of the child, the department of social and health services, the state of Washington, the personal representative or a parent of the mother if the mother has died, a man alleged or alleging himself to be the father, or the personal representative or a parent of the alleged father if the alleged father has died or is a minor. If a child has no presumed father under RCW 26.26.040 and the action to determine the existence of the father and child relationship has not been brought and proceedings to adopt the child have not been instituted within one year after the child's birth, an action to determine the existence of the~~

relationship may be brought promptly on behalf of the child by the department of social and health services or the state of Washington:

~~((5))~~ (3) Regardless of its terms, no agreement between an alleged or presumed father and the mother or child, shall bar an action under this section.

~~((6))~~ (4) If an action under this section is brought before the birth of the child, all proceedings may be stayed until after the birth, except service of process and discovery, including the taking of depositions to perpetuate testimony.

~~((7) No action may be brought by the department of social and health services to establish the duty of someone who is not a presumed parent under RCW 26.26.040 to support a child after five years (a) from the date of the child's birth, or (b) from any date the alleged parent ceases to contribute to the care, education, and support of the child, as required by chapter 26.26 RCW, whichever is later. PROVIDED: That the time during which the alleged parent is absent from the state shall not be included in the time periods described above.)~~

(5) Actions under this chapter may be maintained as to any child, whether born before or after the enactment of this chapter.

Sec. 6. Section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090 are each amended to read as follows:

The child shall be made a party to the action. If ~~((he))~~ the child is a minor ~~((he))~~, the child shall be represented by ~~((his))~~ the child's general guardian or a guardian ad litem appointed by the court subject to RCW 74.20.310. The child's mother or father may not represent the child as guardian or otherwise. The natural mother, each man presumed to be the father under RCW 26.26.040, and each man alleged to be the natural father, shall be made parties or, if not subject to the jurisdiction of the court, shall be given notice of the action in a manner prescribed by the court and an opportunity to be heard. The court may align the parties.

Sec. 7. Section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.100 are each amended to read as follows:

(1) The court may, and upon request of a party shall, require the child, mother, and a presumed or alleged father to submit to blood tests. The tests shall be performed by an expert ~~((qualified as an examiner of blood types;))~~ in paternity blood testing appointed by the court.

(2) The court, upon reasonable request by a party, shall order that ~~((independent))~~ additional blood tests be performed by other experts qualified ~~((as examiner of blood types))~~ in paternity blood testing.

(3) In all cases, the court shall determine the number and qualifications of the experts.

Sec. 8. Section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130 are each amended to read as follows:

(1) The judgment and order of the court determining the existence or nonexistence of the parent and child relationship ~~((is))~~ shall be determinative for all purposes.

(2) If the judgment and order of the court is at variance with the child's birth certificate, the court shall order that an amended birth certificate be issued.

(3) The judgment and order ~~((may))~~ shall contain ~~((any))~~ other appropriate provisions directed ~~((against))~~ to the appropriate ~~((party))~~ parties to the proceeding, concerning the duty of current and future support, the extent of any liability for past support furnished to the child if that issue is before the court, the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment and order may direct the father to pay the reasonable expenses of the mother's pregnancy and confinement.

(4) Support judgment and orders shall be for periodic payments which may vary in amount. The court may limit the father's liability for the past support to the child to the proportion of the expenses already incurred as the court deems just: PROVIDED HOWEVER, That the court shall not limit or affect in any manner the right of nonparties including the state of Washington to seek reimbursement for support and other services previously furnished to the child.

(5) In determining the amount to be paid by a parent for support of the child and the period during which the duty of support is owed, the court shall consider all relevant facts, including, but not limited to:

(a) The needs of the child;

(b) The standard of living and circumstances of the parents;

(c) The relative financial means of the parents;

(d) The earning ability of the parents;

(e) The need and capacity of the child for education, including higher education;

(f) The age of the child;

(g) The responsibility of the parents for the support of others; and

(h) The value of services contributed by the custodial parent.

(6) In determining custody, a court, in accordance with the best interests of the child, shall consider all relevant facts including:

(a) The wishes of the child's parents or parent as to ~~((his))~~ the child's custody and as to visitation;

(b) The wishes of the child as to ~~((his))~~ the child's custodian and as to visitation privileges;

(c) The interaction and interrelationship of the child with ~~((his))~~ the child's parent or parents, ~~((his))~~ the child's siblings, and any other person who may significantly affect the child's best interests;

(d) The child's adjustment to ~~((his))~~ home, school, and community; and

(e) The mental and physical health of all individuals involved.

The court shall not consider conduct of a proposed custodian that does not affect the welfare of the child.

(7) In any dispute between the natural parents of a child and a person or persons who have (a) commenced adoption proceedings or who have been granted an order of adoption, and (b) pursuant to a court order, or placement by the department of social and health services or by a licensed agency, have had actual custody of the child for a period of one year or more before court action is commenced by the natural parent or parents, the court shall consider the best welfare and interests of the child, including the child's need for situation stability, in determining the matter of custody, and the parent or person who is more fit shall have the superior right to custody.

Sec. 9. Section 19, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.180 are each amended to read as follows:

Any promise in writing to furnish support for a child, growing out of a supposed or alleged father and child relationship, does not require consideration and is enforceable according to its terms, subject to RCW 26.26.060~~((5))~~(3).

Sec. 10. Section 21, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.200 are each amended to read as follows:

Notwithstanding any other rule of law concerning public hearings and records, any hearing or trial held under this chapter shall be held in closed court without admittance of any person other than those necessary to the action or proceeding or for the orderly administration of justice. All papers and records, other than the final judgment and matters related to the enforcement of the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the department of social and health services, are subject to inspection by a nonparty only upon an order of the court for good cause shown following reasonable notice to all parties of the hearing where such order is to be sought.

NEW SECTION. Sec. 11. There is added to chapter 26.26 RCW a new section to read as follows:

A court may not order payment for support provided or expenses incurred more than five years prior to the commencement of the action. Any period of time in which the responsible party has concealed himself or avoided the jurisdiction of the court under this chapter shall not be included within the five-year period.

NEW SECTION. Sec. 12. There is added to chapter 26.26 RCW a new section to read as follows:

(1) If the court has made a finding as to the paternity of a child, or if a party's acknowledgment of paternity has been filed with the court, or a party alleges he is the father of the child, any party may move for temporary support for the child prior to the date of entry of the final order. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.

(2) Any party may request the court to issue a temporary restraining order or preliminary injunction, providing relief proper in the circumstances, and restraining or enjoining any party from:

(a) Molesting or disturbing the peace of another party;

(b) Entering the home of another party; or

(c) Removing a child from the jurisdiction of the court.

(3) The court may issue a temporary restraining order without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(4) The court may issue a temporary restraining order or preliminary injunction and an order for temporary support in such amounts and on such terms as are just and proper in the circumstances.

(5) A temporary order, temporary restraining order, or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding;

(b) May be revoked or modified;

(c) Terminates when the final order is entered or when the petition is dismissed; and

(d) May be entered in a proceeding for the modification of an existing order.

(6) A support debt owed to the state for public assistance expenditures which has been charged against a party pursuant to RCW 74.20A.040 and/or 74.20A.055 shall not be merged in, or otherwise extinguished by, the final decree or order, unless the office of support enforcement has been given notice of the final proceeding and an opportunity to present its claim for the support debt to the court and has failed to file an affidavit as provided in this subsection. Notice of the proceeding shall be served upon the office of support enforcement personally, or by



certified mail, and shall be given no fewer than thirty days prior to the date of the final proceeding. An original copy of the notice shall be filed with the court either before service or within a reasonable time thereafter. The office of support enforcement may present its claim, and thereby preserve the support debt, by filing an affidavit setting forth the amount of the debt with the court, and by mailing a copy of the affidavit to the parties or their attorney prior to the date of the final proceeding.

NEW SECTION. Sec. 13. There is added to chapter 4.16 RCW a new section to read as follows:

This chapter does not limit the time in which an action for determination of paternity may be brought under chapter 26.26 RCW.

Sec. 14. Section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 70.58.095 are each amended to read as follows:

The state registrar of vital statistics shall establish a new certificate of birth for a person born in this state when he receives a request that a new certificate be established and such evidence as required by regulation of the state board of health proving that such person has been acknowledged, or that a court of competent jurisdiction has determined the paternity of such person. When a new certificate of birth is established, the actual place and date of birth shall be shown. It shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of paternity, or acknowledgment shall not be subject to inspection except upon order of a court of competent jurisdiction, or upon written request of the department of social and health services, the attorney general, or a prosecuting attorney, stating that the documents are being sought in furtherance of an action to enforce a duty of support. If no certificate of birth is on file for the person for whom a new certificate is to be established under this section, a delayed registration of birth shall be filed with the state registrar of vital statistics as provided in RCW 70.58.120.

Sec. 15. Section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280 are each amended to read as follows:

The department is authorized and directed to establish a central unit to serve as a registry for the receipt of information, for answering interstate inquiries concerning ~~((deserting))~~ the parents of dependent children, to coordinate and supervise departmental activities in relation to ~~((deserting))~~ such parents ~~((and))~~, to assure effective cooperation with law enforcement agencies, and to perform other functions authorized by state and federal support enforcement and child custody statutes and regulations.

To effectuate the purposes of this section, the secretary may request from state, county and local agencies all information and assistance as authorized by this chapter. Upon the request of the department of social and health services, all state, county and city agencies, officers and employees shall cooperate in the location of the parents ~~((who have abandoned or deserted, or are failing to support, children receiving public assistance))~~ of a dependent child and shall ~~((on request))~~ supply the ~~((state))~~ department ~~((of social and health services))~~ with all information ~~((on hand))~~ relative to the location, income and property of such parents, notwithstanding any provision of law making such information confidential.

Any records established pursuant to the provisions of this section shall be available only to the attorney general, prosecuting attorneys, ~~((and))~~ courts having jurisdiction in support and/or abandonment proceedings or actions, or other authorized agencies ~~((in other states engaged in the enforcement of support of minor children as authorized by the rules and regulations of the department and by the provisions of the federal social security act))~~ or persons for use consistent with the intent of state and federal support enforcement and child custody statutes and regulations.

Sec. 16. Section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080 are each amended to read as follows:

(1) The state agency may purchase, from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the director of financial management. The performance of and payment for such services shall be subject to post audit review by the state auditor.

(2) Notwithstanding any other provision of RCW 28A.10.080, 28A.10.100, 28A.10.105 and 28A.10.110, when the state agency determines that a mentally retarded, severely handicapped, or disadvantaged person can reasonably be expected to benefit from, or in his best interests reasonably requires extended sheltered employment or supervised work furnished by an approved nonprofit organization, the state agency is authorized to contract with such organization for the furnishing of such sheltered employment or supervised work to such mentally retarded, severely handicapped, or disadvantaged person. ~~((The state agency is authorized to expend for or toward the cost of providing such sheltered employment or supervised work a sum or sums not to exceed one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person in order to maintain him as a contributing and self-supporting member of society as an alternative to dependency;~~

~~PROVIDED: That the state agency is authorized to expend in excess of one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person when federal or other funding becomes available to the state agency for such purpose and such additional expenditures may continue as long as the additional federal or other funding is or becomes available;)~~

(3) The determination of eligibility for such service shall be made for each individual by the state agency. The mentally retarded, severely handicapped and disadvantaged individuals served under this law shall be construed to be poor or infirm within the meaning of the term as used in the state Constitution.

(4) The state agency shall maintain a register of nonprofit organizations which it has inspected and certified as meeting required standards and as qualifying to serve the needs of such mentally retarded, severely handicapped, or disadvantaged persons. Eligibility of such organizations to receive the funds hereinbefore specified shall be based upon standards and criteria promulgated by the state agency.

(5) The state agency is authorized to promulgate such rules and regulations as it may deem necessary or proper to carry out the provisions of this section.

NEW SECTION. Sec. 17. There is added to chapter 43.20A RCW a new section to read as follows:

(1) 'Vendor', for the purposes of this section, means any public or private agency or individual providing services under contract to or for clientele of the department.

(2) Except as provided in subsection (5) of this section, vendors of services to the department of social and health services shall pay interest on overpayments made by the department on billings from the vendor at the rate of one percent per month, but of at least one dollar per month.

(3) The department may recover interest accrued under this section by setoff or recoupment against subsequent contract payments due to the vendor.

(4) The interest shall begin accruing thirty days after notice to the vendor of overpayment or the date of the final decision on any administrative or judicial remedy sought by the vendor, whichever is the later date.

(5) This section does not apply to:

(a) Interagency or intergovernmental transactions;

(b) Contracts for public works, goods and services procured for the exclusive use of the department, equipment, or travel;

(c) Claims subject to a good faith dispute. A good faith dispute exists when:

(i) The exact amount of the overpayment has not been established by agreement of the parties or by operation of law; or

(ii) All administrative or judicial remedies available have not been exhausted;

(d) Nursing homes licensed under chapter 18.51 RCW or portions of hospitals licensed under chapter 70.41 RCW and operating as a nursing home, if those facilities are subject to chapter 74.46 RCW;

(e) Contracts entered into before the effective date of this section.

NEW SECTION. Sec. 18. The enactment of section 17 of this act shall not have the effect of terminating or in any way modifying any liability, civil or criminal, which is already in existence on the effective date of section 17 of this act.

Sec. 19. Section 6, chapter 224, Laws of 1982 and RCW 71.20.016 are each amended to read as follows:

~~((Prior to the development of a new statutory definition by the department of social and health services))~~ The term 'developmental disability' ~~((shall))~~ means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary ~~((of Health and Human Services))~~ of the department of social and health services to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

NEW SECTION. Sec. 20. There is added to chapter 43.20A RCW a new section to read as follows:

The department may establish and operate workshops for the training, habilitation, and rehabilitation of residents of institutions of the department. Such workshops shall operate in accordance with the department's standards for private agencies which provide the same or similar services. Products, goods, wares, articles, or merchandise manufactured or produced by the workshops may be sold to governmental agencies or on the open market at fair value. Prior to establishment of new state-operated workshops at institutions, the department shall consider the availability, appropriateness, and relative cost of contracting with and giving first preference to private nonprofit sheltered workshops as defined in RCW 82.04.385 to provide workshop activities for residents of the institution.

The secretary shall credit the moneys derived from the sale of items from workshops under this section to a revolving fund, which is hereby created, under the control of the superintendent of the institution or facility where the items were manufactured. These moneys shall be

expended for the purchase of supplies and materials for use in the workshop, to provide pay and training incentives for residents, and for other costs of the operation of the workshop. Payment of residents for work performed on workshop projects shall take into account resident productivity in comparison to the productivity of a nondisabled person earning the minimum wage as well as other factors consistent with goals of rehabilitation and treatment.

Workshop materials and supplies may be purchased through state purchasing or from private vendors. Each institution or facility shall maintain records to demonstrate that purchases are made at the fair market value or best available price.

Sec. 21. Section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605 are each amended to read as follows:

(1) The secretary shall have full authority to administer oaths and take testimony thereunder, to issue subpoenas requiring the attendance of witnesses before him together with all books, memoranda, papers, and other documents, articles or instruments, and to compel the disclosure by such witnesses of all facts known to them relative to the matters under investigation. ~~((The provisions of RCW 34.04.105 shall apply to subpoenas issued hereunder.))~~

(2) Subpoenas issued in agency hearings and contested cases shall be governed by the provisions of RCW 34.04.105.

(3) Subpoenas issued in the conduct of investigations required or authorized by other statutory provisions or necessary in the enforcement of other statutory provisions shall be governed by the following:

(a) The secretary shall not compel the production of any papers, books, records, or documents which are in the custody of another public official or agency and within the public official's or agency's power to provide voluntarily on request.

(b) 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, the secretary 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 at that time and place show cause why the witness 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. On failing to obey the order, the witness shall be dealt with as for contempt of court.

(c) Subpoenas issued under this subsection shall be served in the manner prescribed for service of a summons in a civil action or by certified mail, return receipt requested. The return receipt is prima facie evidence of service.

Sec. 22. Section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter 171, Laws of 1979 ex. sess. 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)). Subpoenas issued under this power shall be under RCW 43.20A.605.~~

Sec. 23. Section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290 are each amended to read as follows:

The secretary of the department of social and health services or his authorized representative shall have the authority to:

(1) Conduct audits and investigations of providers of medical and other services furnished pursuant to this chapter, except that the Washington state medical disciplinary board shall generally serve in an advisory capacity to the secretary in the conduct of audits or investigations of physicians. In the conduct of such audits or investigations, the secretary may examine only those records or portions thereof, including patient records, for which services were rendered by a health care provider and reimbursed by the department, notwithstanding the provisions of RCW 5.60.060, 18.53.200, 18.83.110, or any other statute which may make or purport to make such records privileged or confidential: PROVIDED, That no original patient records shall be removed from the premises of the health care provider, and that the disclosure of any records or information by the department of social and health services is prohibited and constitutes a violation of RCW 42.22.040, unless such disclosure is directly connected to the official purpose for which the records or information were obtained: PROVIDED FURTHER, That the disclosure of patient information as required under this section shall not subject any physician or other health services provider to any liability for breach of any confidential relationship between the provider and the patient, but no evidence resulting from such disclosure may be used in any civil, administrative, or criminal proceeding against the patient unless a waiver of the applicable evidentiary privilege is obtained: PROVIDED FURTHER, That the secretary shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation or proceedings:

(2) ~~((Issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts, take depositions within and without the state of Washington as now provided by law, and compel the production of pertinent books, payrolls, accounts, papers, records, documents, and testimony relevant to such investigation. If a person in attendance before such secretary or his authorized representative refuses, without reasonable cause, to be examined or to answer a legal and pertinent question, or to produce a book or paper or other evidence when ordered to do so by the secretary or his authorized representative, said secretary or his authorized representative may apply to the judge of the superior court of the county where such person is in attendance, upon affidavit, for an order returnable in not less than two nor more than five days, directing such person to show cause before such judge, or any other judge of such county, why he should not produce such records. Upon the hearing of such order, if the judge shall determine that such person has refused, without reasonable cause or legal excuse, to be examined or to answer a legal or pertinent question, or to produce a book or paper which he was ordered to bring or produce, he may forthwith punish the offender for contempt of court. Subpoenas shall be served and witness fees and mileage paid as allowed in civil cases in the superior courts of this state;~~

(3)) Approve or deny applications to participate as a provider of services furnished pursuant to this chapter;

~~((4))~~ (3) Terminate or suspend eligibility to participate as a provider of services furnished pursuant to this chapter; and

~~((5))~~ (4) Adopt, promulgate, amend, and rescind administrative rules and regulations, in accordance with the administrative procedure act, chapter 34.04 RCW, to carry out the policies and purposes of RCW 74.09.200 through 74.09.290.

Sec. 24. Section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050 are each amended to read as follows:

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it is the duty of the law enforcement agency and the department to commence an investigation within twenty-four hours of such receipt and, where appropriate, submit a report to the appropriate prosecuting attorney. The local prosecutor may seek a restraining order to prohibit continued patient abuse. In all cases investigated by the department a report to the complainant shall be made by the department.

NEW SECTION. Sec. 25. There is added to chapter 43.20A RCW a new section to read as follows:

The secretary may appoint one individual to serve as chief executive officer, administrator, or superintendent for more than one facility or institution of a similar nature of the department where one or both facilities or institutions are required by law to have a chief executive officer, administrator, or superintendent.

Sec. 26. Section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060 are each amended to read as follows:

~~((It shall be the duty of the secretary to appoint a chief executive officer for each public institution under his control, who shall devote his entire time to the duties of his office and whose title shall be "superintendent". Said appointment shall be for a term of four years, but the appointee may be removed by the secretary in his discretion.~~

~~No one shall be eligible for appointment as superintendent of a hospital for the mentally ill unless he has had three or more years experience as a practicing physician after~~

~~receiving his diploma or license:)) The secretary shall appoint the chief executive officers necessary to manage one or more of the public facilities operated by the department.~~

Except as otherwise provided in this title, the ~~((superintendent))~~ chief executive officer of each institution may appoint all assistants and employees required for the management of the institution placed in his charge, the number of such assistants and employees to be determined and fixed by the secretary. The ~~((superintendent))~~ chief executive officer of any institution may, at his pleasure, discharge any person therein employed. The secretary shall investigate all complaints made against the ~~((superintendent))~~ chief executive officer of any institution and also any complaint against any other officer or employee thereof, if it has not been investigated and reported upon by the ~~((superintendent))~~ chief executive officer.

The secretary may, after investigation, for good and sufficient reasons, order the discharge of any subordinate officer or employee of an institution.

Each ~~((superintendent))~~ chief executive officer shall receive such salary as is fixed by the secretary, who shall also fix the compensation of other officers and the employees of each institution. Such latter compensation shall be fixed on or before the first day of April of each year and no change shall be made in the compensation, so fixed, during the twelve month(s) period commencing April 1st.

Sec. 27. Section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030 are each amended to read as follows:

The superintendent of the correctional institution established by this chapter shall be appointed by the secretary. ~~((The superintendent shall have such administrative and correctional experience and possess such qualifications as shall be determined by the state personnel board subject to the advice and approval of the secretary:))~~

Sec. 28. Section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030 are each amended to read as follows:

The superintendent of a state hospital ~~((shall be a skillful practicing physician; he shall have control of the medical, therapeutic, and dietetic treatment of the patients, which shall include authority to cause the performance of all necessary surgery. The superintendent:))~~ subject to rules ~~((and regulations))~~ of the department, shall have control of the internal government and economy of a state hospital and shall appoint and direct all subordinate officers and employees. ~~if the superintendent is not a psychiatrist, clinical care shall be under the direction of a qualified psychiatrist.~~

Sec. 29. Section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030 are each amended to read as follows:

The superintendent of the Interlake School ~~((for handicapped persons))~~ shall be appointed by the secretary ~~((and shall have such administrative experience and possess such qualifications as shall be determined by the state personnel board subject to the advice and approval of the secretary:))~~.

Sec. 30. Section 72.33.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 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 RCW 28A.58.772 through 28A.58.776, 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. 31. Section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020 are each amended to read as follows:

The secretary shall appoint a superintendent for each institution. The ~~((superintendents must be not less than thirty nor more than seventy years of age and must be practically~~

~~acquainted with school management and class instruction of the blind and the deaf, respectively, having had at least ten years' actual experience in teaching in schools for such persons.~~

~~The~~) secretary may discharge any employee in his discretion.

Sec. 32. Section 4, chapter 96, Laws of 1972 ex. sess. as amended by section 1, chapter 42, Laws of 1981 and RCW 72.42.040 are each amended to read as follows:

Subject to the direction and control of the secretary of the department of social and health services, the board of trustees of the state school for the deaf:

(1) Shall monitor and inspect all existing facilities of the state school for the deaf, and report its findings to the secretary;

(2) Shall study and recommend comprehensive programs of education and training and review the admission policy as set forth in RCW 72.40.040 and 72.40.050, and make appropriate recommendations to the secretary;

(3) Shall advise the secretary in selection of qualified candidates for superintendent, members of the faculty and such other administrative officers and other employees, who shall all be subject to chapter 41.06 RCW, the state civil service law, unless specifically exempted by other provisions of law. The board ~~((in consultation with))~~ shall advise the secretary ~~((shall establish))~~ regarding establishment of qualifications for the position of superintendent. The board shall evaluate the superintendent annually and when necessary may recommend disciplinary action in respect to the superintendent. All employees and personnel classified under chapter 41.06 RCW shall continue, after May 23, 1972, to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state civil service law;

(4) May recommend to the secretary the establishment of new facilities as needs demand;

(5) May recommend to the secretary rules and regulations for the government, management, and operation of such housing facilities deemed necessary or advisable;

(6) May make recommendations to the secretary concerning 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 the school for the deaf;

(7) May make recommendations to the secretary for adoption of rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the school for the deaf;

(8) Shall recommend to the secretary, with the assistance of the faculty, the course of study including vocational training in the school for the deaf, in accordance with other applicable provisions of law and rules and regulations;

(9) May grant to every student, upon graduation or completion of a program or course of study, a suitable diploma, nonbaccalaureate degree, or certificate(;;);

(10) Shall participate in the development of, and monitor the enforcement of the rules and regulations pertaining to the school for the deaf;

(11) Shall perform any other duties and responsibilities prescribed by the secretary.

NEW SECTION, Sec. 33. There is added to chapter 74.20 RCW a new section to read as follows:

If the legal custodian has been wrongfully deprived of physical custody, the department is authorized to excuse the custodian from support payments for a child or children receiving or on whose behalf public assistance was provided under chapter 74.12 RCW.

Sec. 34. Section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060 are each amended to read as follows:

For the protection of applicants and recipients, the department and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, except for purposes directly connected with the administration of the programs of this title. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records, files, papers and communications, and their contents, shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a recipient of welfare assistance and such person shall be entitled to an affirmative or negative answer. However, upon written request of a parent who has been awarded visitation rights in an action for divorce or separation or any parent with legal custody of the child, the department shall disclose to him or her the current address and location of his or her natural or adopted children. Information supplied to a parent by the department shall be used only for purposes directly related to the enforcement of the visitation and custody provisions of the court order of separation or decree of divorce. No parent shall disclose such information to any other person except for the purpose of enforcing visitation provisions of the said order or decree.

The county offices shall maintain monthly at their offices a report showing the names and addresses of all recipients in the county receiving public assistance under this title, together with the amount paid to each during the preceding month.

The provisions of this section shall not apply to duly designated representatives of approved private welfare agencies, public officials, members of legislative interim committees and advisory committees when performing duties directly connected with the administration of

this title, such as regulation and investigation directly connected therewith: PROVIDED, HOWEVER, That any information so obtained by such persons or groups shall be treated with such degree of confidentiality as is required by the federal social security law.

It shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, publish, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of any lists or names for commercial or political purposes of any nature. The violation of this section shall be a gross misdemeanor.

NEW SECTION. Sec. 35. Section 45, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.902 are each repealed.

NEW SECTION. Sec. 36. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 277, Laws of 1959, section 216, chapter 141, Laws of 1979 and RCW 72.18.010;

(2) Section 4, chapter 277, Laws of 1959, section 217, chapter 141, Laws of 1979 and RCW 72.18.040;

(3) Section 5, chapter 277, Laws of 1959, section 218, chapter 141, Laws of 1979 and RCW 72.18.050;

(4) Section 6, chapter 277, Laws of 1959, section 219, chapter 141, Laws of 1979 and RCW 72.18.060; and

(5) Section 8, chapter 277, Laws of 1959, section 221, chapter 141, Laws of 1979 and RCW 72.18.080.

NEW SECTION. Sec. 37. 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. 38. 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 "services;" strike the remainder of the title and insert "amending section 6, chapter 157, Laws of 1973 1st ex. sess. as amended by section 3, chapter 32, Laws of 1975 and RCW 26.09.060; amending section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200; amending section 12, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.120; amending section 25, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.250; amending section 7, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.060; amending section 10, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.100; amending section 14, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.130; amending section 19, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.180; amending section 21, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.200; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 70.58.095; amending section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080; amending section 6, chapter 224, Laws of 1982 and RCW 71.20.016; amending section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605; amending section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter 171, Laws of 1979 ex. sess. and RCW 74.04.290; amending section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290; amending section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050; amending section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060; amending section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030; amending section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030; amending section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030; amending section 72.33.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 ex. sess. and RCW 72.33.040; amending section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020; amending section 4, chapter 96, Laws of 1972 ex. sess. as amended by section 1, chapter 42, Laws of 1981 and RCW 72.42.040; amending section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060; adding new sections to chapter 26.26 RCW; adding a new section to chapter 4.16 RCW; adding new sections to chapter 43.20A RCW; adding a new section to chapter 74.20 RCW; creating a new section; repealing section 45, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.902; repealing section 1, chapter 277, Laws of 1959, section 216, chapter 141, Laws of 1979 and RCW 72.18.010; repealing section 4, chapter 277, Laws of 1959, section 217, chapter 141, Laws of 1979 and RCW 72.18.040; repealing section 5, chapter 277, Laws of 1959, section 218, chapter 141, Laws of 1979 and RCW 72.18.050; repealing section 6, chapter 277, Laws of 1959, section 219, chapter 141, Laws of 1979 and RCW 72.18.060; repealing section 8, chapter 277, Laws of 1959, section 221, chapter 141, Laws of 1979 and RCW 72.18.080; and declaring an emergency."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Broback, Ebersole, J. King, McClure, Niemi, Padden, Wang, West and B. Williams.

Voting nay: Representative Stratton.

Absent: Representatives Lewis, Ranking Minority Chair; Braddock, Ebersole and G. Nelson.

Passed to Committee on Rules for second reading.

April 7, 1983

SB 3784 Prime Sponsor, Senator Vognild: Modifying period during which monies from the federal unemployment trust fund may be used by the state. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien and Sayan.

Absent: Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Patrick, Smith and Struthers.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3864 Prime Sponsor, Committee on Agriculture: Authorizing increased assessments on soft fruits. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Holland, Moon, Prince and Todd.

Absent: Representatives Ellis, Vice Chair; Ebersole and Galloway.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3868 Prime Sponsor, Committee on Agriculture: Expanding the authority of irrigation districts. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Holland, Moon, Prince and Todd.

Absent: Representatives Ellis, Vice Chair; Ebersole and Galloway.

Passed to Committee on Rules for second reading.

April 11, 1983

SB 4010 Prime Sponsor, Senator Goltz: Allowing the director of agriculture to establish or amend certain dairy product standards and definitions. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment.

Beginning on page 1 at the beginning of line 26, strike all material through "hereunder." on page 2, line 1 and insert:

"The provisions of this section do not apply to rules adopted under chapter 15.32 RCW or chapter 15.36 RCW or to federal rules regarding standards for dairy products."

Signed by Representatives Kaiser, Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Egger, Holland, Moon, Prince and Todd.

Absent: Representatives Ellis, Vice Chair, and Galloway.

Passed to Committee on Rules for second reading.



April 8, 1983

ESB 4089 Prime Sponsor, Senator Rinehart: Permitting excess moneys in the institutional long term loan fund to be used for locally administered financial aid programs. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 29 insert the following:

"(4) Before approving a guaranteed loan, each institution shall analyze the ability of the student to repay the loan based on factors which include, but are not limited to, the student's accumulated total education loan burdens and the employment opportunities and average starting salary characteristics of the student's chosen fields of study. The institution shall counsel the student on the advisability of acquiring additional debt, and on the availability of other forms of financial aid."

Re-number the remaining subsections consecutively.

On page 3, line 12 strike "may" and insert "shall"

On page 3, beginning on line 18 after "programs." insert:

"Priority in the use of these funds shall be given to students who have accumulated excessive educational loan burdens. An excessive educational loan burden is a burden that will be difficult to repay given employment opportunities and average starting salaries in the needy student's chosen fields of study."

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, Locke, McDonald, Miller, D. Nelson, Powers, Struthers and Sutherland.

Absent: Representatives McMullen and Tanner.

Passed to Committee on Rules for second reading.

April 8, 1983

ESB 4103 Prime Sponsor, Senator Bauer: Revising the requirements for teachers' contact hours. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 15 after "that" strike "direct contact hours" and insert "compliance with the direct contact hour requirement"

Signed by Representatives Galloway, Chair; P. King, Vice Chair; Dickie, Ranking Minority Chair; Schoon, Ranking Minority Vice Chair; Armstrong, Betzoff, Chandler, Egger, Fuhrman, Haugen, Holland, Johnson, Long, Ristuben and Rust.

Absent: Representatives Appelwick, Taylor and Zellinsky.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 4226 Prime Sponsor, Committee on Agriculture: Providing for sanitation programs and other programs concerning tree fruit. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 23 after "and" strike "to administer" and insert "regarding the administration of"

Signed by Representatives Kaiser, Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Egger, Holland, Moon and Todd.

Absent: Representatives Ellis, Vice Chair; Ebersole, Galloway and Prince.

Passed to Committee on Rules for second reading.

## MOTION

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

## THIRD READING

SENATE BILL NO. 3993 AS AMENDED BY THE HOUSE, by Senators Lee, Shinpoch, Gaspard and Deccio (by Joint Administrative Rules Review Committee request)

Revising terms of members of the joint administrative rules review committee and insuring the vacancies are filled within a reasonable time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3993 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Senate Bill No. 3993 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. 4022, by Committee on Financial Institutions (originally sponsored by Senator Moore - by Insurance Commissioner request)

Providing for the determination of jurisdiction of providers of health care benefits.

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

Representatives Lux and Ballard spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Lux, there are quite a number of services listed in this bill which are included under the coverage required, including such things as physical therapy. It is my understanding that occupational therapy is also included under this legislation. Is that correct?"

Mr. Lux: "That's true, Representative Sanders. In talking with the Insurance Commissioner there are several other classifications of disciplines that are not included in the bill, but these are understood by the Insurance Commissioner that these are coverages that he would so deem as far as coverage under this bill, even though they are not listed here. This is just a number of listed disciplines, but there are many others that would also be covered and occupational therapy is one of them."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4022, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G,

Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Substitute Senate Bill No. 4022, having received the 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. 4205, by Senators Warnke and Jones (by Secretary of State request)

Modifying provisions relating to the productivity board.

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

Representatives Walk and Hankins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4205, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Engrossed Senate Bill No. 4205, having received the 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. Isaacson, having given notice on the previous day, moved that the House immediately reconsider the vote by which Engrossed Senate Bill No. 3416 as amended by the House was passed.

Mr. Isaacson spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Padden, in the terms that we have introduced in this bill, what do we mean by 'negligent homicide'?"

Mr. Padden: "Representative Isaacson, 'negligent homicide' is defined in RCW 46.61.520 as negligent homicide by motor vehicle. That is described in that section of the RCW. That is what is meant by negligent homicide in Engrossed Senate Bill No. 3416."

Mr. Isaacson: "What is the effect of adding negligent homicide? As I understand that definition of RCW 46.61.520, it defines it as negligent homicide by motor vehicle. According to that, what are we doing by adding that word under 'violent offense'?"

Mr. Padden: "Well, what we are doing, Representative Isaacson, is we're accompanying the penalties on negligent homicide in conjunction with this and also with Engrossed House Bill 297, the other bill of sentencing guidelines, so now negligent homicide will require an eighteen-month sentence and will, in all probability, unless the judge goes outside of the guidelines, require prison terms for negligent homicide. That's the effect and it is accompanying the negligent homicide laws."

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

With the consent of the House, Mr. Isaacson withdrew the motion for reconsideration.

#### MOTION

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

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3380, by Committee on Social and Health Services (originally sponsored by Senators McManus, Talmadge, Deccio, Kiskaddon and Moore)

Permitting hearings when a decision is made to return residents of state residential schools to the community.

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

ENGROSSED SENATE BILL NO. 3392, by Senators McManus, Quigg and Bottiger  
Modifying provisions on electrical utility installation.

The bill was read the second time.

Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 89th Day, April 8, 1983.)

On motion of Mr. D. Nelson, the committee amendment was adopted.

Engrossed Senate Bill No. 3392 as amended by the House was passed to Committee on Rules for third reading.

#### MESSAGES FROM THE SENATE

April 11, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 63,  
HOUSE BILL NO. 78,  
HOUSE BILL NO. 106,  
SUBSTITUTE HOUSE BILL NO. 187,  
SUBSTITUTE HOUSE BILL NO. 189,  
ENGROSSED HOUSE BILL NO. 198,  
HOUSE BILL NO. 219,  
HOUSE BILL NO. 285,  
ENGROSSED HOUSE BILL NO. 371,  
HOUSE BILL NO. 787,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 11, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3221.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SUBSTITUTE SENATE BILL NO. 3511, by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz, Goltz, Barr and Hayner)

Authorizing the creation of legal authorities to construct and operate hydro-electric facilities.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. D. Nelson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3511, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Substitute Senate Bill No. 3511, having received the 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. 3110, by Committee on Financial Institutions (originally sponsored by Senators Wojahn, Sellar and Moore)

Modifying provisions relating to the Washington credit union share guaranty association.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3110, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Substitute Senate Bill No. 3110, having received the 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. 3164, by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar, Bottiger and Clarke)

Modifying provisions regulating acquisition of control of domestic insurers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3164, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G,

Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Substitute Senate Bill No. 3164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
SENATE BILL NO. 3221.

SUBSTITUTE SENATE BILL NO. 3124, by Committee on Social & Health Services (originally sponsored by Senators McManus and Deccio - by Office of Financial Management request)

Modifying provisions relating to the Washington health care facilities authority.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 88th Day, April 7, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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. 3124 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McMullen, Wilson - 2.

Substitute Senate Bill No. 3124 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. 3645, by Committee on Social and Health Services (originally sponsored by Senators McManus, Talmadge, Rinehart, Hemstad, Lee, Kiskaddon, Fleming and Moore)

Modifying provisions relating to mental health insurance.

The bill was read the second time.

Mr. Kreidler moved adoption of the following amendments:

On page 1, line 24 after "18.83 RCW" insert ": PROVIDED, HOWEVER, That a group disability insurance carrier may require additional supervisory standards"

On page 2, line 20 after "RCW" insert ": PROVIDED, HOWEVER, That a group health care services organization may require additional supervisory standards"

On page 3, line 10 after "18.83 RCW" insert ": PROVIDED, HOWEVER, That a group health maintenance organization may require additional supervisory standards"

Representatives Kreidler and Barnes spoke in favor of the amendments, and Mr. Lewis spoke against them.

The amendments were not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kreidler and Lewis 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 Substitute Senate Bill No. 3645, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Barnes, Bond, Fuhrman, Nelson G - 4.

Excused: Representatives McMullen, Wilson - 2.

Substitute Senate Bill No. 3645, having received the 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, the House adjourned until 10:00 a.m., Wednesday, April 13, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 13, 1983

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Wilson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Missy Lindgren and Craig Batty. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

April 12, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 274,  
ENGROSSED HOUSE BILL NO. 275,  
HOUSE BILL NO. 312,  
SUBSTITUTE HOUSE BILL NO. 366,  
ENGROSSED HOUSE BILL NO. 413,  
SUBSTITUTE HOUSE BILL NO. 547,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 32,  
HOUSE BILL NO. 63,  
HOUSE BILL NO. 78,  
HOUSE BILL NO. 106,  
HOUSE BILL NO. 111,  
HOUSE BILL NO. 136,  
SUBSTITUTE HOUSE BILL NO. 148,  
SUBSTITUTE HOUSE BILL NO. 187,  
SUBSTITUTE HOUSE BILL NO. 189,  
HOUSE BILL NO. 198,  
HOUSE BILL NO. 219,  
HOUSE BILL NO. 256,  
HOUSE BILL NO. 285,  
HOUSE BILL NO. 371,  
HOUSE BILL NO. 534,  
HOUSE BILL NO. 787.

## REPORTS OF STANDING COMMITTEES

April 11, 1983

HB 737 Prime Sponsor, Representative Rust: Establishing an advisory committee in the parks and recreation commission to study and develop a plan for the Milwaukeé Road. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Brække, Burns, Dellwo, Jacobsen, Lux and Van Dyken.



Voting nay: Representatives Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Clayton, Hankins, Lewis, Pruitt and J. Williams.

Referred to Committee on Ways & Means.

April 11, 1983

HB 1050 Prime Sponsor, Representative J. King: Relating to economic development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Halsan, Haugen, Powers, Schoon, Silver, Smitherman and Stratton.

Absent: Representatives B. Williams, Ranking Minority Chair; Addison, Appelwick, Ellis, Kaiser, Niemi, Padden, Schmidt, Tilly, Van Dyken, Walk and Wilson.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3007 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to sexual offenses. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, Locke, Schmidt, Tilly and Wang.

Absent: Representatives P. King, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3034 Prime Sponsor, Committee on Commerce & Labor: Modifying provisions relating to consumer warranties. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Every manufacturer of motor vehicles sold in this state and for which the manufacturer has made an express warranty shall maintain in this state sufficient service and repair facilities reasonably close to all areas in which its motor vehicles are sold to carry out the terms of the warranties or designate and authorize in this state as service and repair facilities independent repair or service facilities reasonably close to all areas in which its motor vehicles are sold to carry out the terms of the warranties. As a means of complying with this section, a manufacturer may enter into warranty service contracts with independent service and repair facilities.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Motor vehicle' means an automobile, truck, motorcycle, moped, or motor home, if the motor vehicle is used primarily for personal, noncommercial use.

(2) 'Nonconformity' means a failure to conform with an express warranty in a manner which substantially impairs the use, value, or safety of the item.

(3) 'Buyer' means the purchaser of a motor vehicle, any person to whom the motor vehicle is transferred during an express warranty applicable to the motor vehicle and any other person entitled to enforcement of the obligations of an express warranty by its terms.

(4) (a) 'Express warranty' means:

(i) A written statement arising out of a sale to the consumer of a motor vehicle pursuant to which the manufacturer, dealer, or retailer undertakes to preserve or maintain the utility or performance of the motor vehicle as provided in the warranty or provide compensation if there is a failure in utility or performance; or

(ii) In the event of any sample or model, that the whole of the goods conforms to such sample or model.

(b) It is not necessary to the creation of an express warranty that formal words such as 'warrant' or 'guarantee' be used, but if such words are used then an express warranty is created. An affirmation merely of the value of the vehicle or a statement purporting to be merely an opinion or commendation of the vehicle does not create a warranty.

(c) Statements or representations such as expressions of general policy concerning customer satisfaction which are not subject to any limitation do not create an express warranty.

NEW SECTION, Sec. 3. If a motor vehicle does not conform to all applicable express warranties and the nonconformity is not the result of misuse or abuse of the motor vehicle by the buyer, and the buyer reports in writing the nonconformity to the manufacturer, and its agent or authorized dealer during the term of the express warranties, the manufacturer, its agent, or its authorized dealer shall, within a reasonable period of time, begin to make such repairs as are necessary to conform the vehicle to such express warranties, notwithstanding the fact that such repairs are made after the expiration of such term or such one-year period. Unless the buyer agrees in writing to the contrary, the motor vehicle must be serviced or repaired so as to conform to the applicable express warranties within thirty days of the written notice of nonconformity. Delays caused by conditions beyond the control of the manufacturer, its agent, or its authorized representative shall serve to extend the thirty-day requirement. When such delay arises, the conforming services or repairs shall be rendered as soon as possible after termination of the conditions which gave rise to the delay.

NEW SECTION, Sec. 4. If the manufacturer or its representative or its authorized dealer is unable to service or repair the motor vehicle to conform to the applicable express warranties after a reasonable number of attempts, the manufacturer shall reimburse the buyer in an amount equal to the purchase price paid by the buyer, less that amount directly attributable to use by the buyer.

NEW SECTION, Sec. 5. It shall be presumed that a reasonable number of attempts have been undertaken to conform a motor vehicle to the applicable express warranties if during the term of such express warranties or during the period of one year following the date of original delivery of the motor vehicle to a buyer: (1) The same nonconformity has been subject to repair four or more times by the manufacturer or its agents; or (2) the vehicle is out of service by reason of repair for a cumulative total of more than thirty days since the delivery of the vehicle to the buyer. The thirty-day period includes each calendar day or portion thereof during which the service shop is open for business, but does not include periods during which repairs cannot be made due to conditions beyond the control of the service facility and does not include periods during which the buyer has been provided with a comparable replacement vehicle by the dealer or manufacturer.

NEW SECTION, Sec. 6. If a manufacturer has established an informal dispute resolution settlement procedure which substantially complies with the applicable provision of Title 16, Code of Federal Regulations, Part 703, as from time to time amended, the provisions of section 4 of this act concerning reimbursements do not apply unless the buyer has resorted to such procedure.

NEW SECTION, Sec. 7. The remedies provided under this chapter are cumulative and are in addition to any other remedies provided by law.

NEW SECTION, Sec. 8. Sections 1 through 7 of this act shall constitute a new chapter in Title 19 RCW.\*

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, Locke, Schmidt and Wang.

Voting nay: Representatives Cantu, Hastings and Tilly.

Absent: Representatives P. King, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3052 Prime Sponsor, Committee on Commerce & Labor: Revising elevator laws. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betrozoff, Brekke, Dellwo, Fisch, Fisher, Patrick, Sayan and Struthers.

Voting nay: Representative Smith.

Absent: Representatives Clayton, Ranking Minority Chair; Brekke and O'Brien.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3074 Prime Sponsor, Committee on Social & Health Services: Requiring licensure of occupational therapists. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

On page 12, line 30 strike "eighty-seven" and insert "fifty-three"

On page 13, line 1 strike section 21.

On page 1, line 3 after "RCW:" insert "and" and after "appropriation" strike " and declaring an emergency"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang and B. Williams.

Absent: Representatives G. Nelson and West.

Referred to Committee on Ways & Means.

April 11, 1983

SSB 3103 Prime Sponsor, Committee on Local Government: Providing for surprise audits of county treasuries. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Broback, Ebersole, Grimm and Todd.

Passed to Committee on Rules for second reading.

April 11, 1983

ESB 3106 Prime Sponsor, Senator Talmadge: Increasing penalties for vehicular homicide and vehicular assault. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, Schmidt and Tilly.

Absent: Representatives P. King, Lewis, Locke, G. Nelson and Wang.

Passed to Committee on Rules for second reading.

April 11, 1983

SB 3118 Prime Sponsor, Senator Talmadge: Modifying provisions relating to workers' compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Smith and Struthers.

Voting nay: Representative Chandler, Ranking Minority Vice Chair.

Absent: Representatives Clayton, Ranking Minority Chair; and O'Brien.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3127 Prime Sponsor, Committee on Judiciary: Modifying the distribution of industrial insurance awards and settlements. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 7 insert a new subsection as follows:

(4) In the case of an employer not qualifying as a self-insurer, the department shall make a retroactive adjustment to such employer's experience rating in which the third party claim

has been included to reflect that portion of the award or settlement which is reimbursed for compensation and benefits paid and, if the claim is open at the time of recovery, applied against further compensation or benefits to which the injured worker or beneficiary may be entitled."

On page 3, after line 5 insert a new subsection as follows:

"(4) In the case of an employer not qualifying as a self-insurer, the department shall make a retroactive adjustment to such employer's experience rating in which the third party claim has been included to reflect that portion of the award or settlement which is reimbursed for compensation and benefits paid and, if the claim is open at the time of recovery, applied against further compensation or benefits to which the injured worker or beneficiary may be entitled."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, Hastings, Locke, Schmidt, Tilly and Wang.

Voting nay: Representatives West, Ranking Minority Vice Chair; and Cantu.

Absent: Representatives P. King, Lewis, G. Nelson and Wang.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3152 Prime Sponsor, Committee on Energy & Utilities: Requiring the preparation of a long-range plan for the state leased land on the Hanford reservation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 18 after "develop" insert "subleasing"

Signed by Representatives D. Nelson, Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Jacobsen, Miller, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Locke, Martinis and Todd.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3178 Prime Sponsor, Committee on Local Government: Authorizing the late payment of taxes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:  
On page 2, after line 24 add a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 84.36 RCW a new section to read as follows:

All conservation futures on agricultural lands acquired pursuant to RCW 64.04.130 or 84.34.200 through 84.34.340, that are held by any nonprofit corporation or association, the primary purpose of which is conserving agricultural lands and preventing the conversion of such lands to nonagricultural uses, shall be exempt from ad valorem taxation if:

(1) The conservation futures are of an unlimited duration;

(2) The conservation futures are effectively restricted to preclude nonagricultural uses on such agricultural land; and

(3) The lands are classified as farm and agricultural lands under chapter 84.34 RCW: PROVIDED, That at such time as these property interests are not used for the purposes enumerated in RCW 84.34.210 and 64.04.130 the additional tax specified in subsection (3) shall be imposed."

On page 1, line 1 of the title strike "and"

On page 1, line 3 of the title after "84.56.010" insert "; and adding a new section to chapter 84.36 RCW"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole and Todd.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3181

Prime Sponsor, Committee on Judiciary: Modifying provisions relating to involuntary treatment. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 20, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 215, Laws of 1979 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 deteniun, may ((summon such person to appear at an evaluation and treatment facility for not more than a seventy-two hour evaiuation 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)), if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention. Before filing the petition, the county designated mental health professional must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility.~~

(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)) Whenever it appears, by petition for initial detention, to the satisfaction of a judge of the superior court that a person presents, as a result of a mental disorder, a likelihood of serious harm to others or himself, or is gravely disabled, and that the person has refused or failed to accept appropriate evaluation and treatment voluntarily, the judge may issue an order requiring the person to appear not less than twenty-four hours after service of the order at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period. The order shall state the address of the evaluation and treatment facility to which ((such)) the person is to report and ((the business address and phone number of the mental health professional designated by the county. The summons shall state)) whether the required seventy-two hour evaluation and treatment services may be delivered on an outpatient or inpatient basis and that if the person named in the ((summons)) order fails to appear at the evaluation and treatment facility at or before the date and time stated in the ((summons)) order, 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)) for evaluation and treatment. The order shall also designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.~~

(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)) order to appear 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)) of outpatient evaluation or admission to the evaluation and treatment facility. The person shall be permitted to remain in his home or other place of his choosing prior to the time of evaluation and shall be permitted to be accompanied by one or more of his relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation and, with the permission of the evaluation and treatment facility, the individual or individuals who accompany him may be present during the admission evaluation.~~

(d) If the person ((summoned)) ordered to appear does appear((s)) 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)) ordered to appear 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)) order 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.

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

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, Schmidt, Tilly and Wang.

Absent: Representatives P. King, Lewis, Locke and G. Nelson.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3259 Prime Sponsor, Committee on Energy & Utilities: Requiring executive boards of operating agencies to file reports with the public disclosure commission. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 16 after "commission," insert "each person appointed after the effective date of this 1983 act to"

On page 6, beginning on line 4 strike all of section 2 and renumber the remaining section consecutively.

Signed by Representatives Pruitt, Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Schoon, Sommers and Vander Stoep.

Voting nay: Representatives Barnes, Ranking Minority Chair; and Zellinsky.

Absent: Representative Tanner.

Passed to Committee on Rules for second reading.

April 11, 1983

ESB 3306 Prime Sponsor, Senator Goltz: Modifying the definition of resident student. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 23 after "student" strike all material down to and including "continuous" on line 26 and insert the following: based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during the fall term of 1982, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous"

Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers and Sutherland.

Absent: Representatives Locke and Tanner.

Passed to Committee on Rules for second reading.

April 11, 1983

ESSB 3308

Prime Sponsor, Committee on Financial Institutions: Requiring health insurance plans to provide benefits for home health care services. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause, and insert the following:

\*NEW SECTION, Sec. 1. There is added to chapter 48.21 RCW a new section to read as follows:

(1) Every insurer issuing or renewing group or blanket disability insurance policies governed by this chapter shall offer optional coverage for home health care and hospice care for persons who are homebound and would otherwise require hospitalization. Such optional coverage need only be offered in conjunction with a policy that provides payment for hospitalization as a part of health care coverage.

(2) Home health care and hospice care coverage offered under subsection (1) of this section shall conform to the following standards, limitations, and restrictions:

(a) The coverage may include reasonable deductibles and coinsurance provisions;

(b) The coverage should be structured to create incentives for the use of home health care and hospice care as an alternative to hospitalization;

(c) The coverage may contain provisions for utilization review and quality assurance;

(d) The coverage may require that home health agencies and hospice agencies have written treatment plans approved by a physician licensed under chapter 18.57 or 18.71 RCW, and may require such treatment plans to be reviewed at designated intervals;

(e) The coverage shall provide benefits for, and may restrict benefits to, services rendered by home health and hospice agencies certified by the department of social and health services;

(f) Hospice care coverage shall provide benefits for terminally ill patients for an initial period of care of not less than six months and may provide benefits for an additional six months of care in cases where the patient is facing imminent death or is entering remission if certified in writing by the attending physician;

(g) Home health care coverage shall provide benefits for a minimum of one hundred thirty health care visits per calendar year. However, a visit of any duration by an employee of a home health agency for the purpose of providing services under the plan of treatment constitutes one visit.

(3) The insurance commissioner shall adopt any rules necessary to implement this section.

(4) The requirements of this section shall not apply to contracts or policies governed by chapter 48.66 RCW.

NEW SECTION, Sec. 2. There is added to chapter 48.21A RCW a new section to read as follows:

(1) Every insurer issuing or renewing extended health insurance governed by this chapter shall offer optional coverage for home health care and hospice care for persons who are homebound and would otherwise require hospitalization. Such optional coverage need only be offered in conjunction with a policy that provides payment for hospitalization as a part of health care coverage.

(2) Home health care and hospice care coverage offered under subsection (1) of this section shall conform to the following standards, limitations, and restrictions:

(a) The coverage may include reasonable deductibles and coinsurance provisions;

(b) The coverage should be structured to create incentives for the use of home health care and hospice care as an alternative to hospitalization;

(c) The coverage may contain provisions for utilization review and quality assurance;

(d) The coverage may require that home health agencies and hospice agencies have written treatment plans approved by a physician licensed under chapter 18.57 or 18.71 RCW, and may require such treatment plans to be reviewed at designated intervals;

(e) The coverage shall provide benefits for, and may restrict benefits to, services rendered by home health and hospice agencies certified by the department of social and health services;

(f) Hospice care coverage shall provide benefits for terminally ill patients for an initial period of care of not less than six months and may provide benefits for an additional six months

of care in cases where the patient is facing imminent death or is entering remission if certified in writing by the attending physician;

(g) Home health care coverage shall provide benefits for a minimum of one hundred thirty health care visits per calendar year. However, a visit of any duration by an employee of a home health agency for the purpose of providing services under the plan of treatment constitutes one visit.

(3) The insurance commissioner shall adopt any rules necessary to implement this section.

(4) The requirements of this section shall not apply to contracts or policies governed by chapter 48.66 RCW.

NEW SECTION. Sec. 3. There is added to chapter 48.44 RCW a new section to read as follows:

(1) Every health care service contractor issuing or renewing a group health care service contract governed by this chapter shall offer optional coverage for home health care and hospice care for persons who are homebound and would otherwise require hospitalization. Such optional coverage need only be offered in conjunction with a policy that provides payment for hospitalization as a part of health care coverage.

(2) Home health care and hospice care coverage offered under subsection (1) of this section shall conform to the following standards, limitations, and restrictions:

(a) The coverage may include reasonable deductibles and coinsurance provisions;

(b) The coverage should be structured to create incentives for the use of home health care and hospice care as an alternative to hospitalization;

(c) The coverage may contain provisions for utilization review and quality assurance;

(d) The coverage may require that home health agencies and hospice agencies have written treatment plans approved by a physician licensed under chapter 18.57 or 18.71 RCW, and may require such treatment plans to be reviewed at designated intervals;

(e) The coverage shall provide benefits for, and may restrict benefits to, services rendered by home health and hospice agencies certified by the department of social and health services;

(f) Hospice care coverage shall provide benefits for terminally ill patients for an initial period of care of not less than six months and may provide benefits for an additional six months of care in cases where the patient is facing imminent death or is entering remission if certified in writing by the attending physician;

(g) Home health care coverage shall provide benefits for a minimum of one hundred thirty health care visits per calendar year. However, a visit of any duration by an employee of a home health agency for the purpose of providing services under the plan of treatment constitutes one visit.

(3) The insurance commissioner shall adopt any rules necessary to implement this section.

(4) The requirements of this section shall not apply to contracts or policies governed by chapter 48.66 RCW.

NEW SECTION. Sec. 4. The legislature finds that the cost of medical care in general and hospital care in particular has risen dramatically in recent years, and that in 1981, such costs rose faster than in any year since World War II. The purpose of sections 4 through 9 of this act is to support the provision of less expensive and more appropriate levels of care, home health care and hospice care, in order to avoid hospitalization or shorten hospital stays.

NEW SECTION. Sec. 5. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Hospice agency' means a private or public agency or organization that administers and provides hospice care and is certified by the department of social and health services as a hospice care agency.

(2) 'Hospice care' means care prescribed and supervised by the attending physician and provided by the hospice agency to the terminally ill in the patient's home, or in an inpatient hospice unit that meets the standards of section 7 of this act.

(3) 'Home health agency' means a private or public agency or organization that administers and provides home health care and is certified by the department of social and health services as a home health care agency.

(4) 'Home health care' means services, supplies, and medical equipment that meet the standards of section 6 of this act, prescribed and supervised by the attending physician, and provided through a home health agency and rendered to members in their residences when hospitalization would otherwise be required.

(5) 'Home health aide' means a person providing part-time or intermittent personal care, ambulation and exercise, household services essential to health care at home, assistance with medications ordinarily self-administered, reporting changes in patients' conditions and needs, and completing appropriate records and under the supervision of a registered nurse or a physical therapist, occupational therapist, or speech therapist.

(6) 'Plan of treatment' means a written plan of care established and periodically reviewed by a physician that describes home health or hospice care to be provided to a patient for palliation or treatment of illness or injury.



(7) 'Certification period' means the period of time for which the home health care or hospice care plan of treatment is written.

(8) 'Physician' means a physician licensed under chapter 18.57 or 18.71 RCW.

NEW SECTION, Sec. 6. (1) Home health care shall be provided by a home health agency and shall:

(a) Be delivered by a registered nurse, physical therapist, occupational therapist, speech therapist, or home health aide on a part-time or intermittent basis;

(b) Include, as applicable under the written plan, supplies and equipment such as:

(i) Drugs and medicines dispensed by or through the agency that are legally obtainable only upon a physician's written prescription, and insulin;

(ii) Artificial limbs or eyes, splints, trusses, braces, crutches, and other durable medical apparatus, and the rental of a wheelchair, hospital bed, iron lung, and other durable medical equipment required for treatment;

(iii) Supplies normally used for hospital inpatients and dispensed by the home health agency such as oxygen, catheters, needles, syringes, dressings, materials used in aseptic techniques, irrigation solutions, and intravenous fluids.

(2) The following services may be included when medically necessary, ordered by the attending physician, and included in the approved plan of treatment:

(a) Licensed practical nurses;

(b) Inhalation therapists;

(c) Social workers holding a master's degree;

(d) Ambulance service that is certified by the physician as necessary in the approved plan of treatment because of the patient's physical condition or for unexpected emergency situations.

(3) Services not included in home health care include:

(a) Nonmedical, custodial, or housekeeping services except by nurse aides or home health aides as ordered in the approved plan of treatment;

(b) 'Meals on Wheels' or similar food services;

(c) Nutritional guidance;

(d) Services performed by family members;

(e) Services not included in an approved plan of treatment;

(f) Supportive environmental materials such as handrails, ramps, telephones, air conditioners, and similar appliances and devices.

NEW SECTION, Sec. 7. (1) Hospice care shall be provided by a hospice agency.

(2) A written hospice care plan shall be approved by a physician and shall be reviewed at designated intervals.

(3) The following services shall be included when medically necessary, ordered by the attending physician, and included in the approved plan of treatment:

(a) Short-term care in an inpatient hospice unit;

(b) Care of the terminally ill in an individual's home on an outpatient basis as included in the approved plan of treatment;

(c) Respite care that is continuous care for a maximum of five continuous days per certification period.

NEW SECTION, Sec. 8. The department of social and health services shall adopt rules establishing standards for the certification of home health agencies and hospice agencies under this chapter. These standards shall be compatible with and at least as stringent as home health and hospice certification regulations established by the United States department of health and human services and hospice agency accreditation standards established by the joint commission on accreditation of hospitals.

NEW SECTION, Sec. 9. Nothing in this chapter affects chapter 70.38 RCW.

NEW SECTION, Sec. 10. Sections 4 through 9 of this act shall constitute a new chapter to be added to Title 70 RCW.

NEW SECTION, Sec. 11. This act shall take effect on July 1, 1984. The department of social and health services shall immediately take such steps as are necessary to insure that this act is implemented on its effective date."

In line 3 of the title, after "Title" strike everything through "41.05" on line 4, and insert "70"

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Dickie, Galloway, Garrett, Kreidler, Monohon, Vekich, Wang and West.

Voting nay: Representative Hankins.

Absent: Representatives Crane, Johnson and P. King.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3395 Prime Sponsor, Committee on Local Government: Modifying provisions relating to water supply operators. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charmley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Brough, Ranking Minority Vice Chair; Broback, Ebersole, Grimm, Smitherman and Todd.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3640 Prime Sponsor, Committee on Judiciary: Modifying the residential landlord-tenant act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19 before "A" insert "(1)"

On page 1, line 21 strike "(1)" and insert "((1)) (a)"

On page 1, line 28 strike "(2)" and insert "((2)) (b)"

On page 2, line 6 strike "(3)" and insert "((3)) (c)"

On page 2, line 14 strike "(4)" and insert "((4)) (d)"

On page 2, line 27 after "forfeiture:" insert "or"

On page 2, line 28 strike "(5)" and insert "((5)) (e)"

On page 2, line 33 strike "; or" and insert "((-or))."

On page 2, line 34 strike "(6) ((A person who)) When he" and insert "((6)) (2) A person who"

On page 2, line 36 strike "((who))" and insert "who"

On page 6, line 3 strike "or neglects" and insert "((or neglects))"

On page 11, after line 17 insert the following new subsection:

"(1) The remedies provided by this section are in addition to other remedies provided by this chapter."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 12, line 3 after "restitution" insert "without bond"

On page 12, line 17 strike "writ"

On page 12, line 31 after "statement" insert "signed and sworn under penalty of perjury"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, Locke, Schmidt, Tilly and Wang.

Absent: Representatives P. King, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 11, 1983

ESB 3644 Prime Sponsor, Senator Goltz: Exempting certain institutions offering continuing education credits from the educational services registration act. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, R. King, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers and Sutherland.

Absent: Representatives Allen, Crane, R. King, Locke, McDonald, McMullen, Miller and Tanner.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3646 Prime Sponsor, Committee on Institutions: Modifying the rights of juvenile offenders. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Ebersole, J. King, McClure, Niemi, Stratton, Wang, West and B. Williams.

Absent: Representatives Broback, G. Nelson and Padden.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3655 Prime Sponsor, Senator Shinpoch: Modifying provisions relating to podiatry. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang and B. Williams.

Absent: Representatives G. Nelson and West.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3741 Prime Sponsor, Committee on Financial Institutions: Modifying provisions relating to health insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "months" insert ", but not beyond the date the employee becomes covered by another employer's policy."

On page 2, line 19 after "months" insert ", but not beyond the date the employee becomes covered by another employer's policy."

On page 3, line 15 after "months" insert ", but not beyond the date the employee becomes covered by another employer's policy."

Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, Hankins, Johnson, P. King, Kreidler, Monohon, Vekich, Wang and West.

Passed to Committee on Rules for second reading.

April 12, 1983

E2SSB 3757 Prime Sponsor, Committee on Social & Health Services: Modifying provisions relating to nursing homes. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Ebersole, J. King, McClure, Niemi, Stratton, Wang, West and B. Williams.

Voting nay: Representative Ebersole.

Absent: Representatives Broback, G. Nelson and Padden.

Passed to Committee on Rules for second reading.

April 11, 1983

E2SSB 3768 Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to the public broadcasting commission. 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, Sec. 1. The Washington State Public Broadcasting Commission and its powers and duties shall terminate on June 30, 1984.

NEW SECTION, Sec. 2. The following acts or parts of acts, as now existing or hereafter amended, are each repealed effective June 30, 1985:

- (1) Section 2, chapter 123, Laws of 1980 and RCW 28A.91.100;
- (2) Section 3, chapter 123, Laws of 1980 and RCW 28A.91.110;
- (3) Section 4, chapter 123, Laws of 1980 and RCW 28A.91.120;
- (4) Section 5, chapter 123, Laws of 1980 and RCW 28A.91.130; and
- (5) Section 15, chapter 123, Laws of 1980 and RCW 28A.91.900.

NEW SECTION. Sec. 3. Section 14, chapter 123, Laws of 1980 and RCW 43.131.240 are each repealed.

NEW SECTION. Sec. 4. There is appropriated from the general fund to the public broadcasting commission for the fiscal year ending June 30, 1984, the sum of forty-nine thousand five hundred dollars, or so much thereof as may be necessary, to carry out the purposes of the commission.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "broadcasting;" strike the remainder of the title and insert "creating a new section; repealing section 2, chapter 123, Laws of 1980 and RCW 28A.91.100; repealing section 3, chapter 123, Laws of 1980 and RCW 28A.91.110; repealing section 4, chapter 123, Laws of 1980 and RCW 28A.91.120; repealing section 5, chapter 123, Laws of 1980 and RCW 28A.91.130; repealing section 15, chapter 123, Laws of 1980 and RCW 28A.91.900; repealing section 14, chapter 123, Laws of 1980 and RCW 43.131.240; making an appropriation; and declaring an emergency."

Signed by Representatives Galloway, Chair; P. King, Vice Chair; Schoon, Ranking Minority Vice Chair; Appelwick, Betzoff, Holland, Johnson, Long, Ristuben and Taylor.

Voting nay: Representatives Dickie, Ranking Minority Chair; Armstrong, Chandler, Egger, Haugen, Rust and Zellinsky.

Absent: Representatives Fuhrman and Heck.

Passed to Committee on Rules for second reading.

April 11, 1983

ESSB 3811 Prime Sponsor, Committee on Local Government: Revising the powers of housing authorities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.82.020, chapter 7, Laws of 1965 as last amended by section 1, chapter 187, Laws of 1979 ex. sess. and RCW 35.82.020 are each amended to read as follows:

The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(1) 'Authority' or 'Housing authority' shall mean any of the public corporations created by RCW 35.82.030.

(2) 'City' shall mean any city, town, or code city. 'County' shall mean any county in the state. 'The city' shall mean the particular city for which a particular housing authority is created. 'The county' shall mean the particular county for which a particular housing authority is created.

(3) 'Governing body' shall mean, in the case of a city, the city council or the commission and in the case of a county, the county legislative authority.

(4) 'Mayor' shall mean the mayor of the city or the officer thereof charged with the duties customarily imposed on the mayor or executive head of the city.

(5) 'Clerk' shall mean the clerk of the city or the clerk of the county legislative authority, as the case may be, or the officer charged with the duties customarily imposed on such clerk.

(6) 'Area of operation': (a) in the case of a housing authority of a city, shall include such city and the area within five miles from the territorial boundaries thereof: PROVIDED, That the area of operation of a housing authority of any city shall not include any area which lies within the territorial boundaries of some other city, as herein defined; (b) in the case of a housing authority of a county, shall include all of the county except that portion which lies within the territorial boundaries of any city as herein defined.

(7) 'Federal government' shall include the United States of America, the United States housing authority or any other agency or instrumentality, corporate or otherwise, of the United States of America.

(8) 'Slum' shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

(9) 'Housing project' shall mean any work or undertaking: (a) to demolish, clear or remove buildings from any slum area; such work or undertaking may embrace the adaptation of such

area to public purposes, including parks or other recreational or community purposes; or (b) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of low income; such work or undertaking may include the rehabilitation of dwellings owned by persons of low income, and also may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, welfare or other purposes; or (c) without limitation by implication, to provide decent, safe, and sanitary urban and rural dwellings, apartments, mobile home parks, or other living accommodations for senior citizens; such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, welfare, or other purposes; or (d) to accomplish a combination of the foregoing. The term 'housing project' also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

(10) 'Persons of low income' shall mean persons or families who lack the amount of income which is necessary (as determined by the authority undertaking the housing project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(11) 'Bonds' shall mean any bonds, notes, interim certificates, debentures, or other obligations issued by the authority pursuant to this chapter.

(12) 'Real property' shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(13) 'Obligee of the authority' or 'obligee' shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the authority.

(14) 'Mortgage loan' shall mean an interest bearing obligation secured by a mortgage.

(15) 'Mortgage' shall mean a mortgage deed, deed of trust or other instrument securing a mortgage loan and constituting a lien on real property held in fee simple, or on a leasehold under a lease having a remaining term at the time the mortgage is acquired of not less than the term for repayment of the mortgage loan secured by the mortgage, improved or to be improved by a housing project.

(16) 'Senior citizen' means a person age sixty-two or older who is determined by the authority to be poor or infirm but who is otherwise in some manner able to provide the authority with revenue which (together with all other available moneys, revenues, income, and receipts of the authority, from whatever sources derived) will be sufficient: (a) To pay, as the same become due, the principal and interest on bonds of the authority; (b) to meet the cost of, and to provide for, maintaining and operating projects (including the cost of insurance) and administrative expenses of the authority; and (c) to create (by not less than the six years immediately succeeding the issuance of any bonds) a reserve sufficient to meet the principal and interest payments which will be due on the bonds in any one year thereafter and to maintain such reserve.

(17) 'Commercial space' shall mean space which, because of its proximity to public streets, sidewalks, or other thoroughfares, is well suited for commercial or office use. Commercial space includes but is not limited to office as well as retail space.

Sec. 2, Section 35.82.070, chapter 7, Laws of 1965 as amended by section 2, chapter 274, Laws of 1977 ex. sess. and RCW 35.82.070 are each amended to read as follows:

An authority shall constitute a public body corporate and politic, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others herein granted:

(1) To sue and be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments, including but not limited to partnership agreements and joint venture agreements, necessary or convenient to the exercise of the powers of the authority; and to make and from time to time amend and repeal bylaws, rules and regulations, not inconsistent with this chapter, to carry into effect the powers and purposes of the authority.

(2) Within its area of operation: to prepare, carry out, acquire, lease and operate housing projects; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof; to agree to rent or sell dwellings forming part of the projects to or for persons of low income. Where an agreement or option is made to sell a dwelling to a person of low income, the authority may convey the dwelling to the person upon fulfillment of the agreement irrespective of whether the person is at the time of the conveyance

a person of low income. Leases, options, agreements, or conveyances may include such covenants as the authority deems appropriate to assure the achievement of the objectives of this chapter.

(3) To acquire, lease, rent, sell, or otherwise dispose of any commercial space located in buildings or structures containing a housing project or projects.

(4) To arrange or contract for the furnishing by any person or agency, public or private, of services, privileges, works, or facilities for, or in connection with, a housing project or the occupants thereof; and (notwithstanding anything to the contrary contained in this chapter or in any other provision of law) to include in any contract let in connection with a project, stipulations requiring that the contractor and any subcontractors comply with requirements as to minimum wages and maximum hours of labor, and comply with any conditions which the federal government may have attached to its financial aid of the project.

~~((4))~~ (5) To lease or rent any dwellings, houses, accommodations, lands, buildings, structures or facilities embraced in any housing project and (subject to the limitations contained in this chapter) to establish and revise the rents or charges therefor; to own or manage buildings containing a housing project or projects as well as commercial space or other dwelling units which do not constitute a housing project as that term is defined in this chapter: PROVIDED, That notwithstanding the provisions under subsection (1) of this section, dwelling units which constitute a housing project shall occupy at least thirty percent of the interior space of any individual building in the project and at least fifty percent of the interior space in the total project; to own, hold, and improve real or personal property; to purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or otherwise including financial assistance and other aid from the state or any public body, person or corporation, any real or personal property or any interest therein; to acquire by the exercise of the power of eminent domain any real property; to sell, lease, exchange, transfer, assign, pledge, or dispose of any real or personal property or any interest therein ~~((for any purpose upon the finding and declaration by the authority that the property is not needed for low income housing at that time));~~ to insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards; to procure or agree to the procurement of insurance or guarantees from the federal government of the payment of any bonds or parts thereof issued by an authority, including the power to pay premiums on any such insurance.

~~((5))~~ (6) To invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be canceled.

~~((6))~~ (7) Within its area of operation: to investigate into living, dwelling and housing conditions and into the means and methods of improving such conditions; to determine where slum areas exist or where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low income; to make studies and recommendations relating to the problem of clearing, replanning and reconstructing of slum areas, and the problem of providing dwelling accommodations for persons of low income, and to cooperate with the city, the county, the state or any political subdivision thereof in action taken in connection with such problems; and to engage in research, studies and experimentation on the subject of housing.

~~((7))~~ (8) Acting through one or more commissioners or other person or persons designated by the authority: to conduct examinations and investigations and to hear testimony and take proof under oath at public or private hearings on any matter material for its information; to administer oaths, issue subpoenas requiring the attendance of witnesses or the production of books and papers and to issue commissions for the examination of witnesses who are outside of the state or unable to attend before the authority, or excused from attendance; to make available to appropriate agencies (including those charged with the duty of abating or requiring the correction of nuisances or like conditions, or of demolishing unsafe or insanitary structures within its area of operation) its findings and recommendations with regard to any building or property where conditions exist which are dangerous to the public health, morals, safety or welfare.

~~((8))~~ (9) To exercise all or any part or combination of powers herein granted.

No provisions of law with respect to the acquisition, operation or disposition of property by other public bodies shall be applicable to an authority unless the legislature shall specifically so state.

~~((9))~~ (10) To agree (notwithstanding the limitation contained in RCW 35.82.210) to make such payments in lieu of taxes as the authority finds consistent with the achievement of the purposes of this chapter.

~~((10))~~ (11) To exercise the powers granted in this chapter within the boundaries of any city, town, or county not included in the area in which such housing authority is originally authorized to function: PROVIDED, HOWEVER, The governing or legislative body of such city, town, or county, as the case may be, adopts a resolution declaring that there is a need for the authority to function in such territory.

((+)) (12) To administer contracts for assistance payments to persons of low income in accordance with section 8 of the United States Housing Act of 1937, as amended by Title II, section 201 of the Housing and Community Development Act of 1974, P.L. 93-383.

((+2)) (13) To sell at public or private sale, with or without public bidding, for fair market value, any mortgage or other obligation held by the authority.

((+3)) (14) To the extent permitted under its contract with the holders of bonds, notes, and other obligations of the authority, to consent to any modification with respect to rate of interest, time and payment of any installment of principal or interest security, or any other term of any contract, mortgage, mortgage loan, mortgage loan commitment, contract or agreement of any kind to which the authority is a party.

((+4)) (15) To make loans to persons of low income ~~((incidental to))~~ for the purpose of rehabilitating or improving their dwellings or selling a dwelling to them or enabling them to purchase a dwelling, and to take such security therefor as is deemed necessary and prudent by the authority.

Sec. 3. Section 35.82.080, chapter 7, Laws of 1965 as amended by section 3, chapter 274, Laws of 1977 ex. sess. and RCW 35.82.080 are each amended to read as follows:

It is hereby declared to be the policy of this state that each housing authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals for dwelling accommodations at the lowest possible rates consistent with its providing decent, safe and sanitary dwelling accommodations, and that no housing authority shall construct or operate any such project for profit, or as a source of revenue to the city or the county. To this end, an authority shall fix the rentals for rental units for persons of low income in projects owned or leased by the authority at no higher rates than it shall find to be necessary in order to produce revenues which (together with all other available moneys, revenues, income and receipts of the authority from whatever sources derived) will be sufficient (1) to pay, as the same become due, the principal and interest on the bonds of the authority issued to finance the projects; (2) to meet the cost of, and to provide for, maintaining and operating the projects (including the cost of any insurance) and the administrative expenses of the authority; and (3) to create (during not less than the six years immediately succeeding its issuance of any such bonds) a reserve sufficient to meet the largest principal and interest payments which will be due on such bonds in any one year thereafter and to maintain such reserve. Nothing contained in this section shall be construed to limit the authorities' power to rent commercial space located in buildings containing housing projects at profitable rates and to use any profit realized from such rentals in carrying into effect the powers and purposes provided to housing authorities under this chapter.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Broback, Ebersole and Grimm.

Passed to Committee on Rules for second reading.

April 11, 1983

ESB 3858 Prime Sponsor, Senator Barr: Authorizing the annexation of areas outside cities and towns upon consent of the property owners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180 are each amended to read as follows:

City and town councils of second and third class cities and towns may by a majority vote annex new territory outside the city or town limits, whether contiguous or noncontiguous for park, cemetery, or other municipal purposes when ~~((such territory is owned by the city or town))~~ all owners of the real property in the new territory give their written consent to the annexation.

NEW SECTION. Sec. 2. There is added to chapter 35.13 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any city or town shall be incorporated into, and become part of, the city or town within whose boundaries the unincorporated area lies. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however,

shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular city or town is considered to lie wholly within the boundaries of a city or town.

NEW SECTION. Sec. 3. There is added to chapter 35.13 RCW a new section to read as follows:

A city or town shall not annex territory under RCW 35.10.211, 35.10.217, 35.13.015, 35.13.020, or 35.13.130 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing city's or town's boundaries. A city or town may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the city or town than the perimeter of the original figure. In addition, a city or town shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing city or town.

NEW SECTION. Sec. 4. There is added to chapter 35A.14 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any code city shall be incorporated into, and become part of, the code city within whose boundaries the unincorporated area lies. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular code city is considered to lie wholly within the boundaries of a code city.

NEW SECTION. Sec. 5. There is added to chapter 35A.14 RCW a new section to read as follows:

A code city shall not annex territory under RCW 35A.14.015, 35A.14.020, or 35A.14.120 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing code city's boundaries. A code city may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the code city than the perimeter of the original figure. In addition, a code city shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing code city.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, beginning on line 2 of the title, after "towns;" strike the remainder of the title and insert "amending section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180; adding new sections to chapter 35.13 RCW; adding new sections to chapter 35A.14 RCW; and declaring an emergency."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Ebersole, Grimm and Todd.

Passed to Committee on Rules for second reading.

April 11, 1983

ESSB 4015 Prime Sponsor, Committee on Local Government: Changing provisions relating to park and recreation service area levies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:  
On page 3, line 3 after "election" strike "the" and insert "either: (1) The"



On page 3, line 8 after "election" insert "; or (2) The number of electors voting on the proposition exceeds forty percent of the total votes cast in the taxing district in the last preceding general election"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Grimm, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Brough, Ranking Minority Vice Chair; Broback, Ebersole, Grimm and Todd.

Passed to Committee on Rules for second reading.

April 11, 1983

SB 4082 Prime Sponsor, Senator Granlund: Revising provisions relating to prisoners. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 strike "justice of the peace of the justice court" and insert "(~~justice of the peace of the justice court~~) judge of courts of limited jurisdictions"

On page 1, line 11 after "reduced" insert "by up to"

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, J. King, Niemi, Padden, Wang, West and B. Williams.

Voting nay: Representative Stratton.

Absent: Representatives Ballard, Ranking Minority Vice Chair; Ebersole, McClure, G. Nelson and Padden.

Passed to Committee on Rules for second reading.

April 11, 1983

ESSB 4092 Prime Sponsor, Committee on Financial Institutions: Establishing new reporting requirements for property and casualty insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chair; Zellinsky, Vice Chair; Crane, Galloway, Garrett, P. King, Kreidler, Monohon, Vekich and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Dickie, Hankins, Johnson and West.

Passed to Committee on Rules for second reading.

April 11, 1983

SJM 118 Prime Sponsor, Senator Goltz: Petitioning to have the matching local funds requirement for public television transmitters eliminated. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Burns, Chair; Jacobsen, Vice Chair; Prince, Ranking Minority Chair; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, R. King, McDonald, McMullen, Miller, D. Nelson, Powers, Struthers and Sutherland.

Absent: Representatives Crane, R. King, Locke, McDonald, Miller and Tanner.

Passed to Committee on Rules for second reading.

## MOTION

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-54, by Representative Stratton

WHEREAS, The trees of Washington State form a vital foundation of this state's economy and environment; and

WHEREAS, Washington's very name, the Evergreen State, describes how trees beautify our landscape, refresh our minds and bodies and nurture our state's wild-life; and

WHEREAS, Washington legislators twenty-five years ago established a special day of recognition for our state's important and renewable tree resources;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognizes April 13, 1983, as "Arbor Day" in Washington and urges citizens to join and support the many Arbor Day celebrations which will renew our commitment to protect and perpetuate our valuable tree resources.

Ms. Stratton moved adoption of the resolution. Representatives Stratton and Lux spoke in favor of the resolution, and it was adopted.

The House reverted to the seventh order of business.

## THIRD READING

ENGROSSED SENATE BILL NO. 3392 AS AMENDED BY THE HOUSE, by Senators McManus, Quigg and Bottiger

Modifying provisions on electrical utility installation.

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

Mr. D. Nelson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3392 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Locke - 1.

Excused: Representative Wilson - 1.

Engrossed Senate Bill No. 3392 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. 3380, by Committee on Social and Health Services (originally sponsored by Senators McManus, Talmadge, Deccio, Kiskaddon and Moore)

Permitting hearings when a decision is made to return residents of state residential schools to the community.

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

Ms. Haugen 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. 3380, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Locke - 1.

Excused: Representative Wilson - 1.

Engrossed Substitute Senate Bill No. 3380, having received the 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, SENATE BILL NO. 3412 was rereferred from the third reading calendar to Committee on Rules.

#### MESSAGE FROM THE SENATE

April 13, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3110,  
 SUBSTITUTE SENATE BILL NO. 3164,  
 SUBSTITUTE SENATE BILL NO. 3511,  
 SUBSTITUTE SENATE BILL NO. 3645,  
 SUBSTITUTE SENATE BILL NO. 4022,  
 SENATE BILL NO. 4205.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3110,  
 SUBSTITUTE SENATE BILL NO. 3164,  
 SUBSTITUTE SENATE BILL NO. 3511,  
 SUBSTITUTE SENATE BILL NO. 3645,  
 SUBSTITUTE SENATE BILL NO. 4022,  
 SENATE BILL NO. 4205.

#### MOTION

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

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3042 AS AMENDED BY THE HOUSE, by Committee on Education (originally sponsored by Senators Bottiger, McDermott, Goltz, Bauer, Vognild, Gaspard, Talmadge, Wojahn, Warnke, Lee and Rinehart)

Regulating labor relations in institutions of higher education.

The bill was read the second time.

Mr. Patrick moved adoption of the following amendments:

On page 2, line 13 after "supervisors," insert "employees who are tenured."

On page 6, line 4 after "who are" strike "tenured or"

On page 3, beginning on line 28 after "employer," strike all language through "College." on line 30 and insert:

"(8) 'Institution of higher education' means each of the state universities, regional universities, and The Evergreen State College."

Renumber the remaining subsections consecutively.

On page 14 beginning on line 34 strike all language through "28B.52.200." on page 15, line

Renumber the remaining sections consecutively.

On page 1, beginning on line 4 of the title strike all language through "28B.52.200;" on line 22.

Representatives Patrick, Prince and McDonald spoke in favor of the amendments, and Mr. R. King spoke against them.

Mr. Patrick spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Patrick to Engrossed Substitute Senate Bill No. 3042, and the amendments were not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Wilson - 1.

Mr. McDonald moved adoption of the following amendment:

On page 2, line 10 following "(1)" strike everything through "29B.16 RCW" on line 13 and insert "The term 'employee' shall mean any full-time member of the regular teaching and research faculty of the employer, but shall not include the chief executive and administrative officers of the institution of higher education, including the president, vice presidents, deans, and department chairpersons, their equivalents and principal assistants and associates, confidential employees, casual employees, supervisors or employees subject to chapter 28B.16 RCW."

Representatives McDonald, Prince, Dickie and Taylor spoke in favor of the amendment, and Representatives R. King and Charnley spoke against it.

Mr. McDonald spoke again in favor of the amendment, and Mr. R. King again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to page 2, line 10 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Wilson - 1.

#### MOTIONS

On motion of Mr. Heck, the House advanced to the eleventh order of business.

On motion of Mr. Heck, the House was recessed until 4:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 4:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Betzoff, R. King and Wilson, who were excused.

On motion of Mr. Heck, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

April 12, 1983

HB 440 Prime Sponsor, Representative Kaiser: Revising the regulation of agricultural commodity warehouses. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Agriculture be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and McDonald.

Passed to Committee on Rules for second reading.

April 12, 1983

HB 595 Prime Sponsor, Representative Ellis: Establishing the East Selah reregulating reservoir project. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3018 Prime Sponsor, Senator Thompson: Modifying provisions relating to the subdivision of land. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Ebersole, Hine, Isaacson, Mitchell, Ristubøen and Smitherman.

Voting nay: Representatives Charnley and Todd.

Absent: Representatives Allen, Egger and Grimm.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3054 Prime Sponsor, Committee on Commerce & Labor: Revising certification of plumbers. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, Patrick, Sayan, Smith and Struthers.

Absent: Representatives Clayton, Ranking Minority Chair; and O'Brien.

Passed to Committee on Rules for second reading.

April 11, 1983

ESSB 3055 Prime Sponsor, Committee on Commerce & Labor: Revising electrical construction laws. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 18, line 9 after "maintenance" insert ", of which two years shall be in industrial electrical installation"

On page 18, beginning on line 21 after "competency," strike all material down through "~~competency~~;" on line 24 and insert "Any applicant who is a graduate of a trade school program in the electrical construction trade that was established during 1946 (~~shall be~~) is eligible to take the examination for the certificate of competency."

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Smith and Struthers.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3066 Prime Sponsor, Committee on Natural Resources: Authorizing certain harbor lease moneys to be paid to towns. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Fiske, Haugen, Isaacson, Johnson, Martinis, McClure, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Isaacson and Miller.

Voting nay: Representatives Belcher, Isaacson, Locke and Miller.

Absent: Representatives McMullen and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3068 Prime Sponsor, Committee on Agriculture: Modifying provisions relating to the distribution of donated food to needy persons. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15 after "food" insert "free of charge"

On page 1, line 28 after "RCW" insert ";

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Holland, Moon and Prince.

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

Absent: Representatives Egger, Moon and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3122 Prime Sponsor, Committee on Transportation: Prohibiting issuance of drivers licenses to persons failing to meet certain vision standards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 36 after "simultaneously," insert "Any person whose visual acuity is at 20/200 or worse who has been issued a driver's license prior to July 1, 1983, shall continue to be eligible to renew a driver's license subject to the provisions of RCW 46.20.041."

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Mitchell, Patrick, Prince, Ristuben, Sanders, Schmidt, Smith, Waik and J. Williams.

Voting nay: Representatives Powers and Vekich.

Absent: Representatives Wilson, Ranking Minority Chair; and McMullen.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3140 Prime Sponsor, Senator Thompson: Modifying the number of required council members in code cities arising from a population change. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Allen, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSB 3154 Prime Sponsor, Committee on Natural Resources: Modifying provisions relating to construction of hydraulic works. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, Martinis, McClure, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich and B. Williams.

Absent: Representatives McMullen and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSB 3156 Prime Sponsor, Committee on Parks & Ecology: Establishing the Puget Sound water quality authority. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, line 3 strike all of section 7 and renumber the remaining section consecutively.

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representative Hankins.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSB 3206 Prime Sponsor, Committee on Local Government: Modifying provisions on open public meetings. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Voting nay: Representative Broback.

Absent: Representatives Allen, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3475 Prime Sponsor, Senator Owen: Modifying requirements for licenses to take crab. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, Martinis, McClure, Miller, Sanders, Sayan, Sommers, Sutherland, Vekich and B. Williams.

Voting nay: Representative Vander Stoep.

Absent: Representatives McMullen and Wilson.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 3480 Prime Sponsor, Committee on Commerce & Labor: Authorizing certain performers to elect industrial insurance coverage. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Brekke, Dellwo, Fisch, Fisher, Patrick, Smith and Struthers.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3522 Prime Sponsor, Committee on Local Government: Requiring county assessors to review property tax levies for correctness, validity, and legality. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Allen, Grimm, Hine and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3605 Prime Sponsor, Senator Goltz: Modifying provisions relating to state timber sale contracts. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Martinis, McClure, Miller, Sayan, Sommers, Sutherland, Vander Stoep and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Halsan, Vice Chair; and Sanders.

Voting nay: Representatives Halsan, Vice Chair; Locke, Sanders and B. Williams.

Absent: Representatives McMullen and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3614 Prime Sponsor, Committee on Natural Resources: Permitting the department of natural resources to exchange publicly-owned lands. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 before "For" insert "(1)"

On page 1, beginning on line 11 after "lands" strike all material through "involved" on line 13 and insert "~~((may, with the advice and approval of such state board, commission, committee, or agency exercising control over the disposal of the land involved)),~~ with the approval of the board of natural resources, may"



On page 1, beginning on line 15 after "value" strike all material through "lands" on line 17 and insert (~~(including other state lands, lands of the United States, county or municipal lands of any character, and privately owned lands))~~)

On page 1, beginning on line 17 after "lands," strike all material through "base." on line 21 and insert:

"(2) The commissioner of public lands, with the approval of the board of natural resources, may exchange state lands for lands of equal value owned by a county.

(3) Land exchanged under this section shall not be used to reduce the publicly owned forest land base."

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Johnson, Locke, Martinis, McClure, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich and B. Williams.

Absent: Representatives McMullen and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3664 Prime Sponsor, Committee on Parks & Ecology: Authorizing the use of funds for the protection of certain sole-source aquifers. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Lewis and Lux.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3812 Prime Sponsor, Committee on Local Government: Modifying provisions on fees for filing surveys, plats, etc. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell, Ristuben and Smitherman.

Voting nay: Representative Hine.

Absent: Representatives Allen, Grimm and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3866 Prime Sponsor, Committee on Agriculture: Modifying provisions on horticultural plants and facilities. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 8, add a new section as follows:

"Sec. 1. Section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270 are each amended to read as follows:

The provisions of this chapter relating to licensing shall not apply to persons making casual or isolated sales or for each place of business where gross sales do not exceed five hundred dollars per year, nor to any garden club or charitable nonprofit association conducting not more than three sales per year for not more than four consecutive days each of horticultural plants as defined in RCW 15.13.250 and which are grown by or donated to its members: PROVIDED, That such club or association shall apply to the director for a permit to conduct such sale. A two dollar fee shall be assessed for such permit.

All horticultural plants sold under such a permit issued by the director shall be subject to all the other provisions of this chapter except licensing as set forth herein."

Renumber the remaining sections consecutively.

On page 1, line 16, after "dollars" insert ", except there shall be no license fee for each place of business where gross sales do not exceed five hundred dollars per year"

On page 1, line 1 of the title, after "agriculture;" insert "amending section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270;"

Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Ballard, Dickie, Ebersole, Galloway, Holland, Moon and Prince.

Absent: Representatives Egger and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 4107 Prime Sponsor, Committee on Parks & Ecology: Revising procedures and penalties under the model litter control and recycling act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Clayton, Dellwo, Hankins, Jacobsen, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Absent: Representatives Lewis and Lux.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 4135 Prime Sponsor, Committee on Institutions: Authorizing the secretary of corrections to reimburse local governments from the institutional impact account. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, Broback, Ebersole, J. King, McClure, Niemi, Padden, Stratton, Wang and B. Williams.

Absent: Representatives G. Nelson and West.

Passed to Committee on Rules for second reading.

April 11, 1983

SSB 4137 Prime Sponsor, Committee on Institutions: Modifying provisions relating to adult corrections. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to relieve the department of corrections from unacceptable burdens of cost related to storage space and manpower in the preservation of inmate personal property if the property has been abandoned by the inmate and to enhance the security and safety of the institutions.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Secretary' means the secretary of the department of corrections or the secretary's designees.

(2) 'Personal property' or 'property' includes both corporeal and incorporeal personal property and includes among others contraband and money.

(3) 'Contraband' means all personal property including, but not limited to, alcoholic beverages and other items which a resident of a correctional institution may not have in the resident's possession, as defined in rules adopted by the secretary.

(4) 'Money' means all currency, script, personal checks, money orders, or other negotiable instruments.

(5) 'Owner' means the inmate, the inmate's legal representative, or any person claiming through or under the inmate entitled to title and possession of the property.

(6) 'Unclaimed' means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

(7) 'Inmate' means a person committed to the custody of the department of corrections or transferred from other states or the federal government.

(8) 'Institutions' means those facilities set forth in RCW 72.01.050(2) and all community residential programs under the department's jurisdiction operated pursuant to chapter 72.65 RCW.

(9) 'Department' means the department of corrections.

(10) 'Illegal items' means those items unlawful to be possessed.

(11) 'Nonprofit' has the meaning prescribed by state or federal law or rules.

**NEW SECTION.** Sec. 3. (1) All personal property, and any income or increment which has accrued thereon, held for the owner by an institution that has remained unclaimed for more than six months from the date the owner terminated without authorization from work training release, transferred to a different institution, or when the owner is unknown or deceased, from the date the property was placed in the custody of the institution, is presumed abandoned.

(2) All personal property, and any income or increment which has accrued thereon, the inmate owner of which has been placed on escape status is presumed abandoned and shall be held for three months by the institution from which the inmate escaped. If the inmate owner remains on escape status for three months or if no other person claims ownership within three months, the property shall be disposed of as set forth in this chapter.

(3) All illegal items owned by and in the possession of an inmate shall be confiscated and held by the institution to which the inmate is assigned. Such items shall be held as required for evidence for law enforcement authorities. Illegal items not retained for evidence shall be destroyed.

**NEW SECTION.** Sec. 4. (1) All personal property, other than money, presumed abandoned shall be destroyed unless, in the opinion of the secretary, the property may be used or has value to a charitable or nonprofit organization, in which case the property may be donated to the organization. A charitable or nonprofit organization does not have a claim nor shall the department or any employee thereof be held liable to any charitable or nonprofit organization for property which is destroyed rather than donated or for the donation of property to another charitable or nonprofit organization.

(2) Money presumed abandoned under this chapter shall be paid into the revolving fund set up in accordance with RCW 9.95.360.

(3) The department shall inventory all personal property prior to its destruction or donation.

(4) Before personal property is donated or destroyed, if the name and address of the owner thereof is known or if deceased, the address of the heirs as known, at least thirty days' notice of the donation or destruction of the personal property shall be given to the owner at the owner's residence or place of business or to some person of suitable age and discretion residing or employed therein. If the name or residence of the owner or the owner's heirs is not known, a notice of the action fixing the time and place thereof shall be published at least once in an official newspaper in the county at least thirty days prior to the date fixed for the action. The notice shall be signed by the secretary. The notice need not contain a description of property, but shall contain a general statement that the property is unclaimed personal property of inmates, specifying the institution at which the property is held. If the owner fails to reclaim the property prior to the time fixed in the notice, the property shall be donated or destroyed.

**NEW SECTION.** Sec. 5. This chapter does not apply if the inmate and the department have reached an agreement in writing regarding the disposition of the personal property.

**NEW SECTION.** Sec. 6. (1) The uniform disposition of unclaimed property act, chapter 63.28 RCW, does not apply to personal property in the possession of the department of corrections.

(2) Chapter 63.24 RCW, unclaimed property in hands of bailee, does not apply to personal property in the possession of the department of corrections.

Sec. 7. Section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102 are each amended to read as follows:

From and after July 1, 1973, any inmate employed in (~~institutional industries shall be eligible for the benefits provided by Title 51 RCW, as now or hereafter amended, relating to industrial insurance, with the exceptions herein provided:~~

~~No inmate as herein described, until released upon an order of parole by the state board of prison terms and paroles, or discharged from custody upon expiration of sentence, or discharged from custody by order of a court of appropriate jurisdiction, or his dependents or beneficiaries, shall be entitled to any payment for temporary disability or permanent total disability as provided for in RCW 51.32.090 or 51.32.060 respectively, as now or hereafter enacted. Any inmate who is either not paid any wages or paid a gratuity shall not be considered employed under this section)) classes I, II, and IV of institutional industries as defined in RCW 72.09.100 is eligible for industrial insurance benefits as provided by Title 51 RCW. However, eligibility for benefits for either the inmate or his dependents or beneficiaries for temporary disability or permanent total disability as provided in RCW 51.32.090 or 51.32.060, respectively,~~

shall not take effect until the inmate is released pursuant to an order of parole by the board of prison terms and paroles, or discharged from custody upon expiration of the sentence, or discharged from custody by order of a court of appropriate jurisdiction. Nothing in this section shall be construed to confer eligibility for any industrial insurance benefits to any inmate who is employed in class III or V of institutional industries as defined in RCW 72.09.100.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 63 RCW.

NEW SECTION. Sec. 9. There is added to chapter 72.09 RCW a new section to read as follows:

The secretary of corrections may permit a medium security inmate to participate in a supervised community work program under this chapter if the inmate is under the immediate supervision of an employee of the department of corrections and if the work program does not involve overnight stays outside of the institution where the inmate is incarcerated. The requisite immediate supervision shall be prescribed by the department by rule.

Sec. 10. Section 72.64.060, chapter 28, Laws of 1959 as last amended by section 269, chapter 141, Laws of 1979 and RCW 72.64.060 are each amended to read as follows:

Any department, division, bureau, commission, or other agency of the state of Washington or any agency of any political subdivision thereof or the federal government may use, or cause to be used, prisoners confined in state penal or correctional institutions to perform work necessary and proper, to be done by them at camps to be established pursuant to the authority granted by RCW 72.64.060 through 72.64.090 or in supervised community work programs authorized in section 9 of this 1983 act; PROVIDED, That such prisoners shall not be authorized to perform work on any public road, other than access roads to forestry lands unless they are under the immediate supervision of a department of corrections employee. The secretary may enter into contracts for the purposes of RCW 72.64.060 through 72.64.090 or the purposes of section 9 of this 1983 act.

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."

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102; amending section 72.64.060, chapter 28, Laws of 1959 as last amended by section 269, chapter 141, Laws of 1979 and RCW 72.64.060; adding a new section to chapter 72.09 RCW; and adding a new chapter to Title 63 RCW."

Signed by Representatives Kreidler, Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Braddock, J. King, Niemi, Padden, West and B. Williams.

Voting nay: Representatives Dellwo, Vice Chair; Stratton and Wang.

Absent: Representatives Ebersole, McClure and G. Nelson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 4153 Prime Sponsor, Senator Bender: Authorizing permanently unemployable veterans to have special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause, and insert the following:

"Sec. 1. Section 1, chapter 269, Laws of 1969 ex. sess. as amended by section 20, chapter 37, Laws of 1982 1st ex. sess. and RCW 41.04.005 are each amended to read as follows:

As used in RCW 41.04.005, 41.04.010, 41.16.220, and 41.20.050 'veteran' includes every person, who at the time he seeks the benefits of RCW 28B.40.361, 41.04.005, 41.04.010, 41.16.220, and 41.20.050((:)); (1) Has served in any branch of the armed forces of the United States between World War I and World War II or during((:

((+))) any period of war ((and such)); and (2) has received an honorable discharge or received a discharge for physical reasons with an honorable record. A 'period of war' ((shall)) includes World War I, World War II, the Korean conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by the congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the congress. The ((said)) 'Viet Nam era' ((shall)) means the period beginning August 5, 1964, and ending on ((such date as shall thereafter be determined by presidential proclamation or concurrent resolution of the congress; and in addition to this subsection, who, upon termination of said service has

((2) Received an honorable discharge; or

((3) Received a discharge for physical reasons with an honorable record; or

~~(4) Been released from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given) May 7, 1975.~~

Sec. 2, Section 1, chapter 178, Laws of 1949 as last amended by section 1, chapter 115, Laws of 1982 and RCW 73.04.110 are each amended to read as follows:

Any person who is a veteran as defined in RCW 41.04.005(~~(as now or hereafter amended);~~) who submits to the ~~((director))~~ department of licensing satisfactory proof ~~((that he or she has))~~ of a service-connected disability rating from the veterans administration ~~((or any branch of the armed forces of the United States))~~ and:

(1) Has ~~((the loss of or the loss of))~~ lost the use of both ~~((arms))~~ hands or ~~((legs or one arm and one leg or a loss or use of one arm or one leg that precludes locomotion without the use of or aid of braces, crutches, canes, a wheelchair, or a permanent prosthesis for the rated disability; he or she))~~ one foot;

(2) Was captured and incarcerated for more than twenty-nine days by an enemy of the United States during a period of ~~((conflict))~~ war with the United States; ~~((he or she))~~

(3) Has become blind in both eyes as the result of military service; or ~~((he or she))~~

(4) Is rated by the veterans administration ~~((as totally and permanently disabled due to service-connected conditions, shall be))~~ and is receiving service-connected compensation at the one hundred percent rate that is expected to exist for more than one year;

is entitled to ~~((have issued to him or her by the director of licensing general license plates))~~ regular or special license plates ~~((with))~~ issued by the department of licensing. The special license plates shall bear distinguishing marks, letters, or numerals indicating that the motor vehicle is owned by a disabled veteran or ~~((distinguishing marks, letters, or numerals indicating that the motor vehicle is owned by a))~~ former prisoner of war. This license shall be issued annually for one ~~((vehicle for))~~ personal use vehicle without ~~((the))~~ payment of any license fees or excise tax thereon. Whenever any person who has been issued license plates under the provisions of this section applies to the department for transfer of ~~((such))~~ the plates to a subsequently acquired motor vehicle, a transfer fee of five dollars shall be charged in addition to all other appropriate fees. The department may periodically verify the one hundred percent rate as provided in subsection (4) of this section.

Any person who has been issued free motor vehicle license plates under this section prior to ~~((March 31, 1982))~~ July 1, 1983, shall continue to be eligible for the annual free license plates.

For the purposes of this section, "blind" ~~((shall))~~ means ~~((that))~~ the definition of "blind" ~~((utilized))~~ used by the state of Washington in determining eligibility for financial assistance to the blind under Title 74 RCW.

Any unauthorized use of a special plate is a gross misdemeanor.

**NEW SECTION.** Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1983."

In line 3 of the title, after "41.04.005;" strike "and"

In line 5 of the title, after "73.04.110" and before the period, insert "; declaring an emergency; and providing an effective date"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich and Walk.

Absent: Representatives Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; and McMullen.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 4204

Prime Sponsor, Senator Wojahn: Permitting the state board of health to exist for two additional years. Reported by Committee on Social & Health Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature finds and declares that certain reforms in the structure of state government affecting the public health should be enacted in light of modern day needs. With regard to the board of health, constitutionally mandated in 1889 to oversee the health of the people, a great diversity of professional health interests should be recognized, including local public health and consumers; a greater emphasis on public health problems, including prevention, should be realized, to avoid the rising costs of high technology health care; and a more rational and efficient division of responsibilities between regulation and health policy and planning formulation should be reflected in the government. There is a further need to consolidate state health responsibilities in a single organization with the power to

provide oversight on state health responsibilities, identify urgent and long-term health problems affecting the health status of the people, coordinate local public health programs, and provide a public forum for the formulation of strategic state health policy.

The legislature further finds there is a need to make revisions in the health planning and certificate of need laws in order to assist the government in containing health costs more efficiently, while eliminating unnecessary and burdensome regulation impeding legitimate resource development.

Sec. 2. Section 1, chapter 161, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1980 and RCW 70.38.015 are each amended to read as follows:

~~((in consideration of the findings made and national health priorities declared by the congress in the National Health Planning and Resources Development Act of 1974, Public Law 93-641:))~~ It is declared to be the public policy of this state:

~~(1) That health planning ((for promoting, maintaining, and assuring a high level of)) to promote, maintain, and assure the health ((for)) of all citizens ((of)) in the state, ((and for the provision of)) to provide accessible health services, health manpower, health facilities, and other resources while controlling excessive increases in costs, and to recognize prevention as a high priority in health programs, is essential to the health, safety, and welfare of the people of the state. ((Such planning is necessary)) Health planning should be fostered on both a state-wide and regional basis and must maintain responsiveness to changing health and social needs and conditions. ((The marshaling of all health resources to assure the quality and availability of health services to every person must be the goal of such planning, which must likewise assure optimum efficiency, effectiveness, equity, coordination, and economy in development and implementation to reach that goal:)) Involvement in health planning from both consumers and providers throughout the state should be encouraged. Regional health planning under ((the provisions of)) this chapter and in a manner consistent with RCW 36.70.015 is declared to be a proper public purpose for the expenditure of funds of counties or other public entities interested in local and regional health planning;~~

~~(2) ((That the development and offering of new institutional health services should be accomplished in a manner which is orderly, timely, economical, and consistent with the effective development of necessary and adequate means of providing quality health care for persons to be served by such facilities without unnecessary duplication or fragmentation of such facilities;~~

~~(3)) That the development of health services and resources, including the construction, modernization, and conversion of health facilities, should be accomplished in a planned, orderly fashion, consistent with identified priorities and without unnecessary duplication or fragmentation;~~

~~((4)) (3) That the development and maintenance of adequate health care information ((and), statistics and projections of need for health facilities and services is essential to effective health planning and resources development ((be accomplished));~~

~~((5)) (4) That the ((strengthening of competitive forces in the health services industry, wherever competition and consumer choice can constructively serve to advance the purposes of quality assurance, cost-effectiveness, and access, should be implemented;~~

~~This chapter has been updated to reflect amendments to the National Health Planning and Resources Development Act of 1974, Public Law 93-641, by the Health Planning and Resources Development Amendments of 1979, Public Law 96-79)) development of nonregulatory approaches to health care cost containment should be considered, including the strengthening of price competition;~~

~~(5) That health planning should be concerned with financing, access, and quality, recognizing the close interrelationship of the three and emphasizing cost control of health services, including cost-effectiveness and cost-benefit analysis;~~

~~(6) That this chapter should be construed to effectuate this policy and to be consistent with requirements of the federal health planning and resources development laws.~~

Sec. 3. Section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 1, chapter 119, Laws of 1982 and RCW 70.38.025 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

~~(1) ('Annual implementation plan' means a description of objectives which will achieve goals of the health systems plan and specific priorities among the objectives. The annual implementation plan is for a one-year period and must be reviewed and amended as necessary on an annual basis.~~

~~(2)) 'Board of health' and 'board' mean((s)) the state board of health created pursuant to chapter 43.20 RCW.~~

~~((3)) (2) 'Capital expenditure' is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the~~

acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to certificate of need review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.

~~((4))~~ 'Council' means the state health coordinating council created in RCW 70.38.055 and described in Public Law 93-641.

~~((5))~~ (3) 'Department' means the state department of social and health services.

~~((6))~~ (4) 'Expenditure minimum' means, for the purposes of the certificate of need program, ~~((six hundred thousand))~~ one million dollars ~~((for the twelve-month period beginning with October 1979, and for each twelve-month period thereafter the figure in effect for the preceding twelve-month period, adjusted to reflect the change in the preceding twelve-month period in an index established by rules and regulations by the department of social and health services for the purpose of making such adjustment))~~ adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

~~((7))~~ (5) 'Federal law' means Public Law 93-641, as amended, or its successor.

(6) 'Health care facility' means hospice services, hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, kidney disease treatment centers, ambulatory surgical facilities, rehabilitation facilities, and home health agencies, and includes such facilities when owned and operated by the state or by a political subdivision or instrumentality of the state and such other facilities as required by ((Public Law 93-641)) federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; (c) whose rate reviews are waived by the state hospital commission; and (d) if not contrary to federal law as necessary to the receipt of federal funds by the state.

~~((8))~~ (7) 'Health maintenance organization' means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health Services Act; or

(b) (i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

~~((9))~~ (8) 'Health services' means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in ~~((Public Law 93-641))~~ federal law.

~~((10))~~ 'Health systems agency' means a public regional planning body or a private nonprofit corporation which is organized and operated in a manner that is consistent with the laws of the state of Washington and Public Law 93-641 and which is capable of performing each of the functions described in RCW 70.38.065 and is capable as determined by the secretary of the United States department of health and human services, upon recommendation of the governor or of the council, of performing each of the functions described in the federal law.

~~((11))~~ 'Health systems plan' means a detailed statement of goals and resources required to reach those goals as described in Public Law 93-641. Goals describe a healthful environment and health systems in the health service area which, when developed, will assure that quality health services will be available and accessible in a manner which assures continuity of care, at reasonable cost, for all residents of the area; are responsive to the unique needs and resources of the health service area; take into account national guidelines for health planning policy and are responsive to state-wide health needs as determined by the department. The health systems plan also describes institutional health services and such other services as described in Public Law 96-79 as needed to provide for the well-being of persons receiving care within the health service area. The health system plan shall describe the number and type of resources including facilities, personnel, medical equipment, and other resources required to meet the goals in the health system plan and shall state the extent to which existing health care facilities are in need of modernization or conversion and the extent to which new

facilities need to be constructed or acquired. The health system plan shall be developed in accordance with a format established by the council and shall be reviewed and amended as necessary but at least triennially.

(#2)) (9) 'Health service area' means a geographic region appropriate for effective health planning which includes a broad range of health services and a population of at least four hundred fifty thousand persons.

(10) 'Hospice' means any public or private agency, entity, center, institution, or distinct part thereof, which is certified as a provider of hospice services in the medicaid or medicare programs, or which provides a coordinated, interdisciplinary program of palliative home and inpatient care to individuals who are terminally ill and to their families.

(11) 'Institutional health services' means health services provided in or through health care facilities and entailing annual operating costs of at least ((two) five hundred ((fifty)) thousand dollars ((for the twelve-month period beginning with October 1979, and for each twelve-month period thereafter the figure in effect for the preceding twelve-month period, adjusted to reflect the change in the preceding twelve-month period in an index established by rules and regulations by the department of social and health services.

(13) 'Long-range health facility plan' means a document prepared by each hospital which contains a description of its plans for substantial changes in its facilities and services for three years) adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule; PROVIDED, That the threshold for hospice services and home health agency services shall be established by rule of the department.

((#4)) (12) 'Major medical equipment' means medical equipment which is used for the provision of medical and other health services and which costs in excess of ((four hundred thousand)) one million dollars, adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule; except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act;

((#5)) (13) 'Person' means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

((#6)) (14) 'Provider' generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be ((in accord with Public Law 93-641)) established by rule of the department, consistent with federal law.

((#7) 'Public Law 93-641', for the purposes of this chapter, refers to Titles XV and XVI of the Public Health Service Act as amended by the Health Planning and Resources Development Amendments of 1979 (Public Law 96-79).

(#8)) (15) 'Public health' means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.

(16) 'Regional health council' means a public regional planning body or a private non-profit corporation which is organized and operated in a manner that is consistent with the laws of the state and which is capable of performing each of the functions described in RCW 70.38-.085. A regional health council shall have a governing body for health planning which is composed of a majority (but not more than sixty percent of the members) of persons who are residents of the health service area served by the entity; who are consumers of health care; who are broadly representative of the social, economic, linguistic, and racial populations, and geographic areas of the health service area, and major purchasers of health care; and who are not, nor within the twelve months preceding appointment have been, providers of health care. The remainder of the members shall be residents of the health service area served by the agency who are providers of health care.

(17) 'Regional health plan' means a document which provides at least a statement of health goals and priorities for the health service area. In addition, it sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.

(18) 'State health plan' means a document((described in Public Law 96-79;)) developed ((by the department and the council)) in accordance with RCW 70.38.065.

Sec. 4. Section 3, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.035 are each amended to read as follows:

The department is designated(;) as the state health planning and development agency(;; as the sole and official agency of the state to administer and supervise the administration of the state responsibilities pursuant to The National Health Planning and Resources Development Act



of 1974, Public Law 93-641, and rules and regulations promulgated thereunder)). The department is designated as the agency of this state to accept, receive, retain, and administer federal funds made ~~((pursuant to the provisions of Public Law 93-641))~~ available for health planning and the certificate of need program. Nothing in this chapter shall be construed to affect the authority of the state hospital commission pursuant to chapter 70.39 RCW.

Sec. 5. Section 4, chapter 161, Laws of 1979 ex. sess. as amended by section 3, chapter 139, Laws of 1980 and RCW 70.38.045 are each amended to read as follows:

The department is authorized and empowered to:

(1) Exercise such duties and powers as are prescribed for state health planning and development agencies in ((Public Law 93-641, including but not limited to the following: (1) conduct health planning activities;)) federal law, consistent with the policy of this chapter;

(2) Assist the board of health in determining state-wide needs and conducting health planning activities, review the state health plan as developed by the board and submit the plans and recommendations as to approval or modification to the governor, and implement the state health plan ((and the plans of the health systems agencies within the state which relate to the government of the state, and determine state-wide health needs)) as approved by the governor. In implementing the state health plan, the department shall be assisted by such other agencies of state government as the governor may designate;

~~((2) Prepare and review at least triennially and revise as necessary a preliminary state health plan;))~~

(3) ~~((Assist the council in))~~ Accept recommendations from the board and assign, subject to the continuing approval of the board, an executive director, who shall be exempt from chapter 41.06 RCW, and provide such additional dedicated staffing assistance as necessary for the performance of its functions ((generally, in implementing the state health plan, the department shall be assisted by such other agencies of state government as the governor may designate)) to work under the direction and supervision of the director;

(4) Serve as the designated planning agency of the state for the purposes of section 1122 of the Social Security Act, if the department maintains an agreement with the secretary, United States department of health and human services pursuant to section 1122 of Public Law 92-603, and administer a state certificate of need program as provided in RCW 70.38.105, 70.38.115, and 70.38.125;

(5) After consideration of recommendations, if any, submitted by the ((health systems agencies)) designated regional health councils respecting proposed undertakings which are subject to certificate of need review under the provisions of this chapter, making findings as to the need for such undertakings;

(6) ~~((Review on a periodic basis, not less than every five years, at least those institutional and home health services being offered in the state with respect to which priority goals have been established in the state health plan and, after consideration of recommendations submitted by health systems agencies respecting the appropriateness of such services, make public its findings;~~

~~((7))~~ Coordinate and consult in the conduct of its authorized activities with the Washington state hospital commission, the ((council, the designated state mental health authority)) board, designated regional health councils, and ((such)) other state agencies designated by the governor;

~~((8) Prepare an inventory of the nonfederal health care facilities located in the state and evaluate on an ongoing basis the physical condition of such facilities;~~

~~((9) Determine the state-wide health needs of the state after providing reasonable opportunity for the submission of written recommendations from the health systems agencies and such agencies as shall be designated by the governor and after consulting with the council;))~~

(7) Consider the recommendations of the board, designated regional health councils, and the state health plan in development of its biennial budget; and

(8) Approve and deny applications for certificates of need.

Sec. 6. Section 6, chapter 161, Laws of 1979 ex. sess. as amended by section 5, chapter 139, Laws of 1980 and RCW 70.38.065 are each amended to read as follows:

The ~~((council))~~ board is authorized and empowered to:

(1) Exercise such duties and powers as are required for state-wide health coordinating councils in ((P.L. 93-641, including but not limited to the following: (1)) federal law.

(2) Establish, in consultation with the ((health systems agencies and the department;)) designated regional health councils, requirements for a uniform format ((for health systems plans; review and coordinate)) and content for materials to be submitted by regional health councils to assist in development of the state health plan, and develop at least ((triennially)) biennially the state health ((systems)) plan, ((- and review at least annually the annual implementation plan of each health systems agency and report to the secretary of health and human services its comments;

~~((2) Prepare, review at least triennially, and revise as necessary a state health plan which shall be made up of the health systems plans of the health systems agencies and which plan may, as found necessary by the state health coordinating council, contain revisions of such health systems plans to achieve their appropriate coordination or to deal more effectively with~~

state-wide health needs as determined by the department. The plan shall also describe the institutional health services needed to provide for the well-being of persons receiving care within the state, the number and type of resources required to meet the goals of the plan, and the extent to which existing health care facilities are in need of modernization, conversion, or closure and the extent to which new facilities need to be constructed or acquired. The state health plan, approved by the council, shall be the state health plan for the state for purposes of Public Law 93-641 after its approval by the governor:

(3) Review annually the budget of each health systems agency and report to the secretary of the United States department of health and human services its comments on such budget;

(4) Review applications submitted by the health systems agencies for planning and development grants, and report to the secretary of the United States department of health and human services its comments;

(5) Advise the department generally on the performance of its functions;

(6) The state health plan shall provide a statement of state health policies, goals, and priorities. In addition, it shall set forth the number, type, and distribution of health care facilities and services needed within the state. In developing the state health plan the board shall consult with the designated regional health councils and shall consider regional health plans.

(3) Submit the ~~((approved state))~~ board-adopted health plan to the secretary for review and comment and submission to the governor for adoption as the state health plan for the state. The governor may disapprove or modify the ~~((state health))~~ plan ~~((only if the governor determines the plan does not effectively meet the state-wide health needs that have been identified by the department))~~. The governor, in disapproving or modifying a state health plan, shall ~~((make public a detailed statement of the basis for the determination that the plan does not meet such needs and shall specify the changes in the plan which the governor determines are needed to meet such needs. The plan shall then be revised after public hearing in accordance with the governor's statement.~~

(7) Perform such duties in connection with the state health plan as may be required as a condition to the receipt of federal funds as described in Public Law 93-641; make public a written explanation of the actions taken. As approved by the governor, the plan shall be the state health plan.

Sec. 7. Section 8, chapter 161, Laws of 1979 ex. sess. as amended by section 6, chapter 139, Laws of 1980 and RCW 70.38.085 are each amended to read as follows:

~~((There shall be established in accordance with Public Law 93-641, and implementing regulations:))~~ The board shall establish health service areas within the state and ~~((health systems agencies))~~ designate regional health councils organized, composed, and established in accordance with ~~((such law))~~ this chapter and criteria established by the board, considering the resources available for such purpose.

Each ~~((health systems agency))~~ designated regional health council shall have as its primary responsibility the provision of effective health planning for its health service area and the promotion ~~((of the development within the area))~~ of health services, manpower, and facilities which meet identified needs ~~((;))~~ and reduce documented inefficiencies ~~((; and implement the health plans of the agencies which shall include all classes of health care practitioners))~~. To meet its primary responsibility, a ~~((health systems agency))~~ designated regional health council shall carry out ~~((such functions as are prescribed for health systems agencies in Public Law 93-641; including but not limited to))~~ the following functions:

(1) ~~((Assemble and analyze data concerning: The status and its determinants of the health of the residents of its health service area; the status of the health care delivery system in the area and the use of that system by the residents of the area; the effect which the area's health care delivery system has on the health of the residents of the area; the number, type, and location of the area's health resources including health services, manpower, and facilities; the patterns of utilization of the area's health resources; and the environmental and occupational exposure factors affecting immediate and long-term health conditions))~~ Exercise such duties, powers, and responsibilities as are prescribed for health systems agencies in federal law, consistent with the policy of this chapter.

(2) Identify local health problems and concerns and assemble and analyze health data and information consistent with the requirements of the board;

~~((Establish))~~ (3) Develop, consistent with the ~~((format))~~ criteria established by the ~~((council, a health systems plan))~~ board, other materials of assistance to the board in preparation of the state health plan;

~~((Establish, annually review, and amend as necessary an annual implementation plan which describes objectives which will achieve the goals of the health systems plan and priorities among the objectives;~~

(4) Develop and publish specific plans and projects for achieving the objectives of the annual implementation plan;

(5) (4) Review and make recommendations to the ~~((department))~~ board respecting the need for ~~((new institutional))~~ health services ~~((proposed to be offered or developed))~~ in the health service area of ~~((such health systems agency))~~ the council;

~~((6)) Review on a periodic basis, at least every five years, at least those institutional and home health services offered in the health service area of the agency and with respect to which priority goals have been established in the state health plan, and make recommendations to the department respecting the appropriateness of such services in the area; and~~

~~((7)) (5) Seek the assistance of individuals and public and private entities in the health service area, to the extent practicable (~~--in implementing the health systems plan and annual implementation plan~~); and~~

~~(6) Exercise such other duties and functions as may be established by the board or department to fulfill the intent and purposes of this chapter, which may include review, analysis, and recommendations on applications for certificates of need.~~

In addition, the regional health councils may establish, biennially review, and amend as necessary a regional health plan which provides at least a statement of health goals and priorities for the health service area and sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.

Sec. 8. Section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter 119, Laws of 1982 and RCW 70.38.105 are each amended to read as follows:

(1) The department is authorized and directed to implement the certificate of need program in this state pursuant to the provisions of this chapter.

(2) There shall be a state certificate of need program which is administered consistent with the ((provisions of Public Law 93-641)) requirements of federal law as necessary to the receipt of federal funds by the state.

(3) No person shall engage in any undertaking which is subject to certificate of need review under subsection (4) of this section without first having received from the department either a certificate of need or an exception granted in accordance with this chapter.

(4) The following shall be subject to certificate of need review under this chapter:

(a) The construction, development, or other establishment of a new health care facility;

(b) Any capital expenditure by or on behalf of a health care facility which substantially changes the services of the facility after January 1, 1981, provided that the substantial changes in services are specified by the department in rule;

(c) Any capital expenditure by or on behalf of a health care facility which exceeds the expenditure minimum as defined by RCW 70.38.025~~((6))~~. However, a capital expenditure which is not subject to certificate of need review under (a), (b), (d), (e), or (f) of this subsection and which is solely for any one or more of the following is not subject to certificate of need review except to the extent required by the federal government as a condition to receipt of federal assistance and does not substantially affect patient charges:

(i) Communications and parking facilities;

(ii) Mechanical, electrical, ventilation, heating, and air conditioning systems;

(iii) Energy conservation systems;

(iv) Repairs to, or the correction of, deficiencies in existing physical plant facilities which are necessary to maintain state licensure;

(v) Acquisition of equipment, including data processing equipment, which is not or will not be used in the direct provision of health services;

(vi) Construction which involves physical plant facilities, including administrative and support facilities, which are not or will not be used for the provision of health services;

(vii) Acquisition of land; and

(viii) Refinancing of existing debt;

(d) A change in bed capacity of a health care facility which increases the total number of licensed beds or redistributes beds among facility and service categories of acute care, skilled nursing, intermediate care, and boarding home care if the bed redistribution is to be effective for a period in excess of six months;

(e) Acquisition of major medical equipment:

(i) If the equipment will be owned by or located in a health care facility; or

(ii) If, after January 1, 1981, the equipment is not to be owned by or located in a health care facility, the department finds consistent with federal regulations the equipment will be used to provide services for hospital inpatients, or the person acquiring such equipment did not notify the department of the intent to acquire such equipment at least thirty days before entering into contractual arrangements for such acquisition;

(f) Any new institutional health services which are offered in or through a health care facility, and which were not offered on a regular basis by, in, or through such health care facility within the twelve-month period prior to the time such services would be offered; and

(g) Any expenditure by or on behalf of a health care facility in excess of the expenditure minimum made in preparation for any undertaking under subsection (4) of this section and any arrangement or commitment made for financing such undertaking. Expenditures of preparation shall include expenditures for architectural designs, plans, working drawings, and specifications. The department may issue certificates of need permitting predevelopment expenditures, only, without authorizing any subsequent undertaking with respect to which such predevelopment expenditures are made.

(5) No person may divide a project in order to avoid review requirements under any of the thresholds specified in this section.

Sec. 9. Section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115 are each amended to read as follows:

(1) Certificates of need shall be issued, denied, suspended, or revoked by the designee of the secretary of the department~~((or his designee.))~~ in accord with the provisions of this chapter and rules ~~((and regulations proposed by))~~ of the department ~~((and adopted by the board of health pursuant to this chapter. Rules and regulations shall))~~ which establish review procedures and criteria for the certificate of need program.

(2) Criteria for the review of certificate of need applications, except as provided in subsection (3) of this section for health maintenance organizations, shall include but not be limited to consideration of the following:

(a) The relationship of the health services being reviewed to the applicable health plans;

~~(b) ((The relationship of services reviewed to the long-range development plan, if any, of the persons providing or proposing such services;~~

~~(c))~~ The need that the population served or to be served by such services has for such services;

~~((d))~~ (c) The availability of less costly or more effective alternative methods of providing such services;

~~((e))~~ (d) The ~~((immediate and the long-range))~~ financial feasibility ~~((of the proposal as well as))~~ and the probable impact of the proposal on the cost of and charges for providing health services ~~((by the persons proposing the new institutional health service)),~~ including findings and recommendations of the Washington state hospital commission in the case of applications submitted by hospitals;

~~((f) The relationship of the services proposed to be provided to the existing health care system of the area in which such services are proposed to be provided;~~

~~((g))~~ (e) In the case of health services to be provided, (i) ~~((the availability of resources including health manpower, management personnel, and funds for capital and operating needs for the provision of the services. (ii))~~ the availability of alternative uses of ~~((such))~~ project resources for the provision of other health services, ~~((iii) the effect of the means proposed for the delivery of such services on the clinical needs of health professional training programs in the area in which such services are to be provided. (iv) the extent to which health professions schools in the area will have access to the services for training purposes if such services are to be available in a limited number of facilities. and (v))~~ (i) the extent to which such proposed services will be accessible to all residents of the area to be served~~((When an application is made by an osteopathic or allopathic facility for a certificate of need to construct, expand, or modernize a health care facility, acquire major medical equipment, or add services, the need for that construction, expansion, modernization, acquisition of equipment, or addition of services shall be considered on the basis of)), and (iii)~~ the need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients. The department shall consider the application in terms of its impact on existing and proposed institutional training programs for doctors of osteopathy and medicine at the student, internship, and residency training levels;

~~((h) Special needs and circumstances of those entities which provide a substantial portion of their services or resources, or both, to individuals not residing in the health service areas in which the entities are located or in adjacent health service areas;~~

~~(i) The special needs and circumstances of health maintenance organizations;~~

~~((j))~~ (f) In the case of a construction project, the costs and methods of the proposed construction, including the cost and methods of energy provision, and the probable impact of the construction project reviewed (i) on the cost of providing health services by the person proposing such construction project and (ii) on the cost and charges to the public of providing health services by other persons;

~~((k))~~ (g) The special needs and circumstances of osteopathic hospitals and nonallopathic services;

~~((l) The special circumstances of health service institutions and the need for conserving energy;~~

~~(m) The factors which affect the effect of competition on the supply of the health services being reviewed;~~

~~((n))~~ (h) Improvements or innovations in the financing and delivery of health services which foster ~~((competition))~~ cost containment and serve to promote quality assurance and cost-effectiveness;

~~((o))~~ (i) In the case of health services proposed to be provided, the efficiency and appropriateness of the use of existing services and facilities similar to those proposed; and

~~((p))~~ (j) In the case of existing services or facilities, the quality of care provided by such services or facilities in the past.

(3) A certificate of need application of a health maintenance organization or a health care facility which is controlled, directly or indirectly, by a health maintenance organization, shall

be approved by the department if the department finds ~~((in accordance with criteria prescribed by the secretary of the United States department of health and human services by regulation))~~:

(a) Approval of such application is required to meet the needs of the members of the health maintenance organization and of the new members which such organization can reasonably be expected to enroll; and

(b) The health maintenance organization is unable to provide, through services or facilities which can reasonably be expected to be available to the organization, its institutional health services in a reasonable and cost-effective manner which is consistent with the basic method of operation of the organization and which makes such services available on a long-term basis through physicians and other health professionals associated with it.

A health care facility (or any part thereof) or medical equipment with respect to which a certificate of need was issued under this subsection may not be sold or leased and a controlling interest in such facility or equipment or in a lease of such facility or equipment may not be acquired unless the department issues a certificate of need approving the sale, acquisition, or lease.

~~(4) (When a hospital has developed a long-range health facility plan, pursuant to RCW 70.36.145, and the proposed new institutional health service is consistent with such plan, an expedited review process shall be instituted by the department as it has been done since the enactment of chapter 70.36 RCW in 1971.~~

~~(5))~~ The decision of the department on a certificate of need application shall be consistent with the state health plan in effect, except in emergency circumstances which pose a threat to the public health. The department in making its final decision may issue a conditional certificate of need if it finds that the project is justified only under specific circumstances. The conditions shall directly relate to the project being reviewed. The conditions may be released if it can be substantiated that the conditions are no longer valid and the release of such conditions would be consistent with the purposes of this chapter.

~~((6))~~ (5) Criteria adopted for review in accordance with subsection (2) of this section may vary according to the purpose for which the particular review is being conducted or the type of health service reviewed.

~~((7))~~ (6) The department shall specify information to be required for certificate of need applications. Within fifteen days of receipt of the application, the department shall request additional information considered necessary to the application or start the review process. Applicants may decline to submit requested information through written notice to the department, in which case review starts on the date of receipt of the notice. Applications may be denied or limited because of failure to submit required and necessary information.

(7) Concurrent review is for the purpose of comparative analysis and evaluation of competing or similar projects in order to determine which of the projects may best meet identified needs. Categories of projects subject to concurrent review include at least new health care facilities, new services, and expansion of existing health care facilities. The department shall specify time periods for the submission of applications for certificates of need subject to concurrent review, which shall not exceed ninety days. Review of concurrent applications shall start fifteen days after the conclusion of the time period for submission of applications subject to concurrent review. Concurrent review periods shall be limited to one hundred fifty days, except as provided for in rules adopted by the department authorizing and limiting amendment during the course of the review, or for an unresolved pivotal issue declared by the department.

(8) Review periods for certificate of need applications other than those subject to concurrent review shall be limited to ninety days. Review periods may be extended up to thirty days if needed by a review agency, and for unresolved pivotal issues the department may extend up to an additional thirty days. A review may be extended in any case if the applicant agrees to the extension.

(9) The department or a designated regional health council shall conduct a public hearing on a certificate of need application if requested unless the review is expedited or subject to emergency review. The department by rule shall specify the period of time within which a public hearing must be requested and requirements related to public notice of the hearing, procedures, recordkeeping and related matters.

(10) Any applicant denied a certificate of need or whose certificate of need has been suspended or revoked shall be afforded an opportunity for administrative review in accordance with chapter 34.04 RCW and a hearing shall be held within one hundred twenty days of a request therefor. An administrative law judge shall review the decision of the secretary's designee and render a proposed decision for consideration by the secretary in accordance with chapter 34.12 RCW or remand the matter to the secretary's designee for further consideration. The secretary's final decision is subject to review by the superior court as provided in chapter 34.04 RCW.

(11) The department may establish procedures and criteria for reconsideration of decisions.

(12) An amended certificate of need shall be required for the following modifications of an approved project:

(a) A new service;

(b) An expansion of a service beyond that originally approved;

(c) An increase in bed capacity;

(d) A significant reduction in the scope of a project without a commensurate reduction in the cost of the project, or a cost increase (as represented in bids on a construction project or final cost estimates acceptable to the person to whom the certificate of need was issued) if the total of such increases exceeds twelve percent or fifty thousand dollars, whichever is greater, over the maximum capital expenditure approved. The review of reductions or cost increases shall be restricted to the continued conformance of the project with the review criteria pertaining to financial feasibility and cost containment.

~~((b))~~ (13) An application for a certificate of need for a capital expenditure which is determined by the department to be required to eliminate or prevent imminent safety hazards or correct violations of applicable licensure and accreditation standards shall be approved ~~(as specified in PL 93-641, section 1527(c))~~.

Sec. 10. Section 12, chapter 161, Laws of 1979 ex. sess. as amended by section 10, chapter 139, Laws of 1980 and RCW 70.38.125 are each amended to read as follows:

(1) A certificate of need shall be valid for two years: PROVIDED, That one six-month extension may be made if it can be substantiated that substantial and continuing progress toward commencement of the project has been made as defined by regulations to be adopted pursuant to this chapter.

(2) A project for which a certificate of need has been issued shall be commenced during the validity period for the certificate of need.

(3) The department, in cooperation with the ~~((health systems agencies established in the state under the provision of Public Law 93-641))~~ regional health councils, and the hospital commission~~(:)~~ in the case of hospital projects, shall monitor the costs and components of approved projects to assure conformance with certificates of need that have been issued. Rules and regulations adopted shall specify when changes in the cost or components of a project require reevaluation of the project. The department may require applicants to submit periodic progress reports on approved projects or other information as may be necessary to effectuate its monitoring responsibilities.

(4) The secretary of the department, in the case of a new health facility, shall not issue any license unless and until a prior certificate of need shall have been issued by the department for the offering or development of such new health facility.

(5) Any person who engages in any undertaking which requires certificate of need review ~~((under RCW 70.38.005(4))~~ without first having received from the department either a certificate of need or an exception granted in accordance with this chapter shall be liable to the state in an amount not to exceed one hundred dollars a day for each day of such unauthorized offering or development. Such amounts of money shall be recoverable in an action brought by the attorney general on behalf of the state in the superior court of any county in which the unauthorized undertaking occurred. Any amounts of money so recovered by the attorney general shall be deposited in the state general fund.

(6) The department may bring any action to enjoin a violation or the threatened violation of the provisions of this chapter or any rules and regulations adopted pursuant to this chapter, or may bring any legal proceeding authorized by law, including but not limited to the special proceedings authorized in Title 7 RCW, in the superior court in the county in which such violation occurs or is about to occur, or in the superior court of Thurston county.

Sec. 11. Section 13, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.135 are each amended to read as follows:

~~((+))~~ The secretary of the department shall have authority to:

~~((a))~~ (1) Provide when needed temporary or intermittent services of experts or consultants or organizations thereof, by contract, when such services are to be performed on a part time or fee-for-service basis; ~~((and~~

~~(b))~~ (2) Make or cause to be made such on-site surveys of health care or medical facilities as may be necessary to the development of the state health plan ~~((and state medical facilities plan))~~ and the administration of the certificate of need program~~(:)~~;

~~((2))~~ (3) Upon review of recommendations ~~((of the department))~~, if any, from the board of health ~~((shall have authority to))~~;

(a) Promulgate ~~((and enforce))~~ rules ~~((and regulations))~~ under which health care facilities providers doing business ~~((with))~~ within the state shall submit to the department such data related to health and health care as the department finds necessary to the performance of its functions under this chapter;

(b) Promulgate rules ~~((and regulations))~~ pertaining to the maintenance and operation of medical facilities which receive federal assistance under the provisions of Title XVI;

(c) Promulgate rules ~~((and regulations))~~ in implementation of the provisions of this chapter, including the establishment of procedures for public hearings for predecisions and post-decisions on applications for certificate of need;

(d) Promulgate rules providing circumstances and procedures of expedited certificate of need review if:

(i) An application is found consistent with the state health plan; and

(ii) There has not been a significant change in existing health facilities of the same type or in the need for such health facilities and services;

(4) Grant allocated state funds to regional health councils to fund not more than seventy-five percent of the costs of regional planning activities, excluding costs related to review of applications for certificates of need, provided for in this chapter or approved by the board; and

(5) Contract with and provide reasonable reimbursement for designated regional health councils to assist in determinations of certificates of need.

NEW SECTION. Sec. 12. The enactment of amendments to chapter 70.38 RCW by this 1983 act shall not have the effect of terminating or in any way modifying the validity of a certificate of need which was issued prior to the effective date of this 1983 act.

Sec. 13. Section 16, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.905 are each amended to read as follows:

In any case where the provisions of this chapter may directly conflict with ~~((provisions of Public Law 93-641 or any amendments thereto))~~ federal law, or regulations promulgated thereunder, the ~~((provisions of Public Law 93-641))~~ federal law shall supersede and be paramount as necessary to the receipt of federal funds by the state.

Sec. 14. Section 17, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.910 are each amended to read as follows:

If any provision of this ~~((act))~~ chapter or its application to any person or circumstance is held invalid, the remainder of the ~~((act))~~ chapter or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. There is added to chapter 70.38 RCW a new section to read as follows:

A certificate of need application which was submitted and declared complete, but upon which final action had not been taken prior to the effective date of this act, shall be reviewed and action taken based on chapter 70.38 RCW, as in effect prior to the effective date of this act, and the rules adopted thereunder.

Sec. 16. Section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030 are each amended to read as follows:

(1) The state board of health shall be composed of ~~((six))~~ sixteen members. These shall be the secretary or his designee and ~~((five))~~ fifteen other persons to be appointed by the governor ~~((including four persons experienced in matters of health and sanitation and one person representing the consumers of health care)).~~ The chairman shall be selected by the governor from among the ~~((five))~~ members appointed by ~~((him))~~ the governor and shall serve a one-year term.

(2) Of those members appointed by the governor, one-fifth shall be selected from among persons knowledgeable in health care practices in the state, one-fifth shall be selected from among those persons knowledgeable of the administration of health care institutions, one-fifth shall be selected from among those who are knowledgeable of the purchase of health care services, one-fifth shall be knowledgeable in local public health, provided that at least two members shall be elected county and city officials, and one-fifth shall be selected from persons who are knowledgeable regarding public, consumer, or labor issues, including senior citizens, and who are not representative of practitioners, institutions, or purchasers: PROVIDED, That a majority of the board shall be consumers and purchasers of health care and four members shall represent designated regional health councils from membership other than staff: PROVIDED FURTHER, That for the purposes of assuring an orderly transition of the new and combined responsibilities of the board, it is the intent of the legislature that the governor's appointments include a consideration of the current members of the board of health and state health coordinating council.

(3) The board shall also include as ex officio nonvoting members, the chairpersons of the house of representatives and senate committees on social and health services, the chairperson of the state hospital commission, and the directors of the divisions of health, mental health, and medical assistance of the department of social and health services, or their designees.

(4) Members of the board shall serve without compensation but shall be reimbursed for expenses as provided in RCW 43.03.050 and 43.03.060.

(5) The governor may stagger the terms of the members so that one-third thereof are appointed for an original term of one year, one-third for an original term of two years, and one-third for an original term of three years, with all subsequent appointments for terms of three years.

Sec. 17. Section 43.20.050, chapter 8, Laws of 1965 as last amended by section 49, chapter 141, Laws of 1979 and RCW 43.20.050 are each amended to read as follows:

((The state board of health shall have supervision of all matters relating to the preservation of the life and health of the people of the state.))

In order to protect public health, the ~~((state board of health))~~ department, in consultation with the state board of health, shall:

(1) Adopt rules ~~((and regulations))~~ for the protection of water supplies for domestic use, and such other uses as may affect the public health, and ~~((shall adopt standards and procedures))~~ governing the design, construction and operation of water supply, treatment, storage, and distribution facilities, as well as the quality of water delivered to the ultimate consumer;

(2) Adopt rules ~~((and regulations and standards))~~ for prevention, control, and abatement of health hazards and nuisances related to the disposal of wastes, solid and liquid, including but not limited to sewage, garbage, refuse, and other environmental contaminants; ~~((adopt standards and procedures))~~ governing the design, construction, and operation of sewage, garbage, refuse and other solid waste collection, treatment, and disposal facilities; and

(3) Adopt rules ~~((and regulations))~~ controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, cleanliness and space in all types of public facilities including but not limited to food service establishments, schools, institutions, recreational facilities and transient accommodations ~~((and in places of work))~~.

~~((It shall))~~ (4) Have supreme authority in matters of quarantine, and shall provide by rule ~~((and regulation))~~ procedures for the imposition and use of isolation and quarantine.

~~((The board shall promulgate))~~ (5) Adopt rules ~~((and regulations))~~ for the prevention and control of infectious and noninfectious diseases, including food and vector borne illness, and rules ~~((and regulations))~~ governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as admit of and may best be controlled by universal rule.

It may also enforce the public health laws of the state and the rules ~~((and regulations))~~ promulgated by it through the secretary of social and health services in local matters, when in its opinion an emergency exists and the local board of health has failed to act with sufficient promptness or efficiency, or is unable for reasons beyond its control to act, or when no local board has been established, and all expenses so incurred shall be paid upon demand of the secretary of social and health services by the local health department for which such services are rendered, out of moneys accruing to the credit of the municipality or the local health department in the current expense fund of the county.

All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall enforce all rules ~~((and regulations adopted by the state board of))~~ adopted by the department pursuant to this section for preservation of the public health. In the event of failure or refusal on the part of any member of such boards or any other official or person mentioned in this section to so act, he shall be subject to a fine of not less than fifty dollars, upon first conviction, and not less than one hundred dollars upon second conviction.

The ~~((board))~~ secretary shall make careful inquiry as to the cause of disease, especially when contagious, infectious, epidemic, or endemic, and take prompt action to control and suppress it.

NEW SECTION. Sec. 18. There is added to chapter 43.20 RCW a new section to read as follows:

The state board of health shall oversee all matters relating to the preservation of the life and health of the people of the state.

The board has the following powers and duties:

(1) It shall review state and local government responsibilities in preserving the health of the people and the governmental organization and fiscal structures necessary for accomplishing this.

(2) It shall determine what issues in the health care system should be given in-depth analysis for the state health plan each biennium.

(3) It shall prepare the state health plan in accordance with chapter 70.38 RCW.

(4) It shall give at least as much attention in the plan to strategies for preserving health and preventing illness and trauma as to treating illness and injury.

(5) It shall assist in coordinating and maintaining an emphasis on disease prevention and health promotion in state and local public health programs provided under the aegis of various state agencies.

(6) The board shall establish a local public health rules committee. The committee shall consist of the board's public health members and one member from each of the other named groups of the board. The committee shall develop any and all rules for locally funded and administered public health programs. The department shall have a duty to consult with the board and its committees as the department's rules are developed to implement, consistent with legislative intent, state public health laws affecting local public health programs. The department shall transmit to the board all such proposed rules at least ninety days prior to adoption of permanent rules pursuant to the administrative procedure act, chapter 34.04 RCW. The board is authorized to hold public hearings and submit its findings of fact, conclusions, and recommendations to the department, the governor, the joint administrative rules review committee of the senate and house of representatives and their standing legislative committees of reference. It is the intent of this section that rules implementing state public health programs be



developed and adopted in an atmosphere of harmony and cooperation to the end that the paramount interests of state health policy may be integrated with local public health programs and concerns.

(7) It shall establish criteria for and authorize regional health councils to participate in development of the state health plan.

(8) It shall have the authority, upon the recommendation of the local public health rules committee, to disapprove within ninety days of submittal pursuant to subsection (6) of this section, any rule implementing the state public health laws having a substantial adverse impact on locally funded and administered public health programs.

(9) It shall advise the secretary and may advise the governor and legislature on health policy and relative budget priorities of health programs.

(10) It shall act as a forum representative of all major health interests to develop and review major health policy for the state.

(11) Where feasible, the state board of health shall consult with the department of ecology in order that to the fullest extent, agencies concerned with the preservation of life and health and agencies concerned with protection of the environment shall integrate their efforts and endorse policies in common.

(12) It may designate such technical resource subcommittees and task forces as necessary to carry out its functions and responsibilities, including review of proposed rules. The chairman's appointments to these resource committees may include, subject to approval of the board, persons not members of the board, who shall be reimbursed for travel expenses and per diem as provided for members.

Sec. 19. Section 43.20.010, chapter 8, Laws of 1965 as last amended by section 46, chapter 141, Laws of 1979 and RCW 43.20A.600 are each amended to read as follows:

The secretary of social and health services shall:

(1) Exercise all the powers and perform all the duties prescribed by law with respect to public health and vital statistics;

(2) Investigate and study factors relating to the preservation, promotion, and improvement of the health of the people, the causes of morbidity and mortality, and the effects of the environment and other conditions upon the public health, and report his findings to the state board of health for such action as the board determines is necessary;

(3) Strictly enforce all laws and rules of the department for the protection of the public health and the improvement of sanitary conditions in the state ~~((and all rules, regulations, and orders of the state board of health));~~

(4) Investigate outbreaks and epidemics of disease that may occur and advise local health officers as to measures to be taken to prevent and control the same;

(5) Exercise general supervision over the work of all local health departments and establish uniform reporting systems by local health officers to the state department of social and health services;

(6) Have the same authority as local health officers, except that he shall not exercise such authority unless the local health officer fails or is unable to do so, or when in an emergency the safety of the public health demands it;

(7) Cause to be made from time to time, inspections of the sanitary and health conditions existing at the state institutions, require the governing authorities thereof to take such action as will conserve the health of all persons connected therewith, and report his findings to the governor;

(8) Take such measures as he deems necessary in order to promote the public health, to establish or participate in the establishment of health educational or training activities, and to provide funds for and to authorize the attendance and participation in such activities of employees of the state or local health departments and other individuals engaged in programs related to or part of the public health programs of the local health departments or the state department of social and health services. The secretary is also authorized to accept any funds from the federal government or any public or private agency made available for health education training purposes and to conform with such requirements as are necessary in order to receive such funds; ~~((and))~~

(9) Establish and maintain laboratory facilities and services as are necessary to carry out the responsibilities of the department; and

(10) Be authorized to provide grant-in-aid payments with state funds to assist in the cost of the general operation of local health departments in accordance with standards established by the board.

Sec. 20. Section 5, chapter 102, Laws of 1967 ex. sess. as amended by section 55, chapter 141, Laws of 1979 and RCW 43.20A.650 are each amended to read as follows:

The secretary of social and health services may bring an action to enjoin a violation or the threatened violation of any of the provisions of the public health laws of this state or any rules ~~((or regulation made by the state board of health or))~~ of the department of social and health services adopted pursuant to said laws, or may bring any legal proceeding authorized by law, including but not limited to the special proceedings authorized in Title 7 RCW, in the superior

court in the county in which such violation occurs or is about to occur, or in the superior court of Thurston county.

Sec. 21. Section 6, chapter 102, Laws of 1967 ex. sess. as amended by section 56, chapter 141, Laws of 1979 and RCW 43.20A.655 are each amended to read as follows:

Upon the request of a local health officer, the secretary of social and health services is hereby authorized and empowered to take legal action to enforce the public health laws and rules (~~(and regulations of the state board of health)~~) or local rules and regulations within the jurisdiction served by the local health department, and may institute any civil legal proceeding authorized by the laws of the state of Washington.

Sec. 22. Section 2, chapter 3, Laws of 1970 ex. sess. and RCW 9.02.070 are each amended to read as follows:

A pregnancy of a woman not quick with child and not more than four lunar months after conception may be lawfully terminated under RCW 9.02.060 through 9.02.090 only: (a) with her prior consent and, if married and residing with her husband or unmarried and under the age of eighteen years, with the prior consent of her husband or legal guardian, respectively, (b) if the woman has resided in this state for at least ninety days prior to the date of termination, and (c) in a hospital accredited by the Joint Commission on Accreditation of Hospitals or at a medical facility approved for that purpose by the (~~(state board of health)~~) department of social and health services, which facility meets standards prescribed by regulations to be issued by the (~~(state board of health)~~) department of social and health services for the safe and adequate care and treatment of patients: PROVIDED, That if a physician determines that termination is immediately necessary to meet the medical emergency the pregnancy may be terminated elsewhere. Any physician who violates this section or any regulation of the (~~(state board of health)~~) department of social and health services issued under authority of this section shall be guilty of a gross misdemeanor.

Sec. 23. Section 15.36.200, chapter 11, Laws of 1961 and RCW 15.36.200 are each amended to read as follows:

The water supply for the milk room and dairy barn shall be properly located, constructed, and operated, and shall be easily accessible, adequate, and of a safe sanitary quality according to standards approved by the (~~(state board of health)~~) department of social and health services.

Sec. 24. Section 15.36.355, chapter 11, Laws of 1961 and RCW 15.36.355 are each amended to read as follows:

The water supply shall be easily accessible, adequate, and of a safe sanitary quality according to standards approved by the (~~(state board of health)~~) department of social and health services.

Sec. 25. Section 1, chapter 72, Laws of 1971 and RCW 16.70.010 are each amended to read as follows:

The incidence of disease communicated to human beings by contact with pet animals has shown an increase in the past few years. The danger to human beings from such pets infected with disease communicable to humans has demonstrated the necessity for legislation to authorize the secretary (~~(of the department of social and health services and the state board of health)~~) to take such action as is necessary to control the sale, importation, movement, transfer, or possession of such animals where it becomes necessary in order to protect the public health and welfare.

Sec. 26. Section 2, chapter 72, Laws of 1971 and RCW 16.70.020 are each amended to read as follows:

The following words or phrases as used in this chapter shall have the following meanings unless the context indicates otherwise:

(1) 'Pet animals' means dogs (Canidae), cats (Felidae), monkeys and other similar primates, turtles, psittacine birds, skunks, or any other species of wild or domestic animals sold or retained for the purpose of being kept as a household pet.

(2) 'Secretary' means the secretary of the department of social and health services or his designee.

(3) 'Department' means the department of social and health services.

(4) (~~'Board'~~) means the Washington state board of health.

(~~5~~) 'Person' means an individual, group of individuals, partnership, corporation, firm, or association.

(~~(6)~~) (~~5~~) 'Quarantine' means the placing and restraining of any pet animal or animals by direction of the secretary, either within a certain described and designated enclosure or area within this state, or the restraining of any such pet animal or animals from entering this state.

Sec. 27. Section 4, chapter 72, Laws of 1971 and RCW 16.70.040 are each amended to read as follows:

The secretary, with the advice and concurrence of the director of the department of agriculture, shall be authorized to develop rules and regulations for proposed adoption by the (~~(board)~~) department relating to the importation, movement, sale, transfer, or possession of pet animals as defined herein which are reasonably necessary for the protection and welfare of the people of this state.

Sec. 28. Section 2, chapter 253, Laws of 1957 as amended by section 25, chapter 141, Laws of 1979 and RCW 18.20.020 are each amended to read as follows:

As used in this chapter:

(1) 'Aged person' means a person of the age sixty-five years or more, or a person of less than sixty-five years who by reason of infirmity requires domiciliary care.

(2) 'Boarding home' means any home or other institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof.

(3) 'Person' means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

(4) 'Secretary' means the secretary of social and health services.

(5) ~~((Board means the state board of health.~~

~~(6))~~ 'Department' means the state department of social and health services.

~~((7))~~ ~~(6)~~ 'Authorized department' means any city, county, city-county health department or health district authorized by the secretary of social and health services to carry out the provisions of this chapter.

Sec. 29. Section 4, chapter 253, Laws of 1957 and RCW 18.20.040 are each amended to read as follows:

An application for a license shall be made to the department or authorized department upon forms provided by either of said departments and shall contain such information as the department reasonably requires, which shall include affirmative evidence of ability to comply with such rules and regulations as are lawfully promulgated by the ~~((board))~~ department, in consultation with the state board of health.

Sec. 30. Section 6, chapter 253, Laws of 1957 and RCW 18.20.060 are each amended to read as follows:

The department or the department and authorized department jointly, as the case may be, after notice and opportunity for hearing to the applicant or license holder, is authorized to deny, suspend or revoke a license in any case in which it finds there has been a failure or refusal to comply with the requirements established under this chapter or the regulations promulgated pursuant thereto.

Notice of denial, suspension, or revocation shall be given by registered mail, or by personal service in the manner of service of summons in a civil action; which notice shall set forth the particular reasons for the proposed denial, suspension or revocation and shall fix a date not less than twenty days from the date of mailing or service, during which the applicant or licensee may in writing request a hearing on the denial, suspension, or revocation. If the applicant or licensee fails to request a hearing within that time, the department or the department and authorized department jointly may deny, suspend or revoke the license without further notice or action. The order of denial, suspension or revocation shall be mailed to the applicant or license holder by registered mail or personally served on him in the manner of service of summons in a civil action.

If the applicant or licensee requests a hearing within such time the department shall fix a time for the hearing and shall give the applicant or licensee or such person's attorney, written notice thereof.

The procedure governing hearings shall be in accordance with rules promulgated by the ~~((board))~~ department and such hearing shall be informal and summary, except that a record shall be kept of the testimony taken on behalf of the applicant or licensee and the department, which need not be transcribed unless an appeal is taken therefrom. The department shall render its decision within a reasonable time after the hearing and issue its order, which shall be served on the applicant or licensee or such person's attorney, and the order shall become final unless an appeal is taken therefrom.

Sec. 31. Section 9, chapter 253, Laws of 1957 as amended by section 3, chapter 189, Laws of 1971 ex. sess. and RCW 18.20.090 are each amended to read as follows:

The ~~((board))~~ department, in consultation with the state board of health, shall adopt, amend, and promulgate such rules, regulations, and standards with respect to all boarding homes and operators thereof to be licensed hereunder as may be designed to further the accomplishment of the purposes of this chapter in promoting safe and adequate care of individuals in boarding homes and the sanitary, hygienic and safe conditions of the boarding home in the interest of public health, safety, and welfare.

Sec. 32. Section 11, chapter 253, Laws of 1957 and RCW 18.20.110 are each amended to read as follows:

The department or authorized health department shall make or cause to be made at least a yearly inspection and investigation of all boarding homes. Every inspection may include an inspection of every part of the premises and an examination of all records (other than financial records), methods of administration, the general and special dietary and the stores and methods of supply. Following such inspection or inspections, written notice of any violation of this

law or the rules and regulations promulgated hereunder, shall be given the applicant or licensee and the department. The ~~((board))~~ department may prescribe by regulations that any licensee or applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit plans and specifications therefor to the department or to the authorized department for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

Sec. 33. Section 12, chapter 108, Laws of 1937 and RCW 18.39.160 are each amended to read as follows:

Every funeral director and every embalmer shall immediately report to the local health officer every contagious case on which he may be called. There shall be no public funeral of any contagious disease unless authorized by the ~~((director of the state board of health))~~ secretary of social and health services, in writing, before burial or disposal.

Sec. 34. Section 16, chapter 108, Laws of 1937 and RCW 18.39.170 are each amended to read as follows:

There shall be appointed by said director of licensing an agent whose title shall be 'inspector of funeral directors and embalmers of the state of Washington.' No person shall be eligible for such appointment unless, at the time of his appointment, he shall have been a duly licensed embalmer in the state of Washington, with a minimum experience of not less than five consecutive years both as an embalmer and as a funeral director in the state of Washington. Said inspector shall hold office during the pleasure of said director of licensing, and the duties of said inspector shall be, and he is hereby authorized, to enter the office, premises, establishment or place of business, where funeral directing or embalming is carried on for the purpose of inspecting said office, premises, establishment or place of business, and the licenses and registrations of embalmers, funeral directors and apprentices operating therein. Such inspector shall serve and execute any papers or process issued by the director of licensing under authority of this chapter, and perform any other duty or duties prescribed or ordered by the director of licensing. Said inspector shall at all times be under the supervision of said director of licensing and he may also assist the state health commissioner in enforcing the provisions of the law relating to health and such rules and regulations as shall have been made and promulgated by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health.

Sec. 35. Section 15, chapter 43, Laws of 1981 and RCW 18.39.215 are each amended to read as follows:

No licensed embalmer shall embalm a deceased body without first having obtained authorization from a family member or representative of the deceased.

Notwithstanding the above prohibition a licensee may embalm without such authority when after due diligence no authorized person can be contacted and embalming is in accordance with legal or accepted standards of care in the community, or the licensee has good reason to believe that the family wishes embalming. If embalming is performed under these circumstances, the licensee shall not be deemed to be in violation of the provisions of this section.

The funeral director or embalmer shall inform the family member or representative of the deceased that embalming is not required by state law, except ~~((that embalming is))~~ as required under certain conditions as determined by rule by the ((state board of health)) department of social and health services.

Sec. 36. Section 2, chapter 168, Laws of 1951 as amended by section 32, chapter 141, Laws of 1979 and RCW 18.46.010 are each amended to read as follows:

(1) 'Maternity home' means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: PROVIDED, HOWEVER, That this chapter shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(2) 'Person' means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

(3) 'Department' means the state department of social and health services.

~~((4) 'Board' means the state board of health.))~~

Sec. 37. Section 6, chapter 168, Laws of 1951 and RCW 18.46.050 are each amended to read as follows:

The department after notice and opportunity for hearing to the applicant or licensee is authorized to deny, suspend, or revoke a license in any case in which it finds that there has been failure or refusal to comply with the requirements established under this chapter.

Notice shall be effected by registered mail or by personal service setting forth the particular reasons for the proposed action and fixing a date not less than thirty days from the date of mailing or service at which time the applicant or licensee shall be given an opportunity for a prompt and fair hearing. On the basis of such hearing or upon default of the applicant or licensee, the department shall make a determination specifying its findings and conclusions. A copy of the determination shall be sent by registered mail or served personally upon the

applicant or licensee. The decision revoking, suspending, or denying the license or application shall become final thirty days after it is mailed or served, unless the applicant or licensee, within such thirty day period, appeals the decision.

The procedure governing hearings authorized by this section shall be in accordance with the rules promulgated by the ((board)) department. A full and complete record shall be kept of all proceedings, and all testimony shall be reported but need not be transcribed unless the decision is appealed. A copy or copies of the transcript may be obtained by any interested party on payment of the cost of preparing such copy or copies. Witnesses may be subpoenaed by either party.

Sec. 38. Section 7, chapter 168, Laws of 1951 and RCW 18.46.060 are each amended to read as follows:

The ((board)) department, after consultation with the state board of health, representatives of maternity home operators, state medical association, Washington Osteopathic Association, state nurses association, state hospital association, and any other representatives as the ((board)) department may deem necessary, shall adopt, amend, and promulgate such rules and regulations with respect to all maternity homes in the promotion of safe and adequate medical and nursing care of inmates in the maternity home and the sanitary, hygienic and safe condition of the maternity home in the interest of the health, safety and welfare of the people.

Sec. 39. Section 9, chapter 168, Laws of 1951 and RCW 18.46.080 are each amended to read as follows:

The department shall make or cause to be made an inspection and investigation of all maternity homes, and every inspection may include an inspection of every part of the premises. The department may make an examination of all records, methods of administration, the general and special dietary and the stores and methods of supply. The ((board)) department may prescribe by regulation that any licensee or applicant desiring to make specified types of alteration or addition to its facilities or to construct new facilities shall before commencing such alterations, addition, or new construction submit plans and specifications therefor to the department for preliminary inspection and approval or recommendations with respect to compliance with regulations and standards herein authorized. Necessary conferences and consultations may be provided.

Sec. 40. Section 12, chapter 57, Laws of 1970 ex. sess. as last amended by section 5, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.120 are each amended to read as follows:

The director, after any notice and hearing before the board which may be required by law, and upon the order of the board, shall, subject to any deferral or condition ordered, refuse to reregister or shall suspend or revoke an administrator's license, or issue a reprimand as directed by the board, as provided in this chapter when proof has been submitted to the board that:

(1) The licensee has committed any fraud or material misrepresentation or concealment in obtaining or maintaining the license.

(2) The license was obtained due to the mistake or inadvertence of the board or the director.

(3) The licensee has knowingly or repeatedly violated any of the provisions of this chapter or of the rules promulgated by the board in accordance with this chapter or authorized or directed another so to act.

(4) The licensee has knowingly or repeatedly violated rules promulgated by the department of social and health services ((or the state board of health)), in consultation with the state board of health, concerning patient care in a manner demonstrating a substantial disregard for patient health and safety.

(5) The licensee is unable to administer a nursing home with due regard for patient health and safety by reason of habitual, intemperate use of alcohol, controlled substances, or other chemicals or materials; or the licensee is similarly incapacitated by mental illness, insanity, mental disorder or some condition or situation requiring entry of an order for a guardianship, and such mental status or the need of a guardianship has been determined to exist by a court of competent jurisdiction: PROVIDED, That the board, when considering cases under this subsection, shall endeavor to encourage the recovery and rehabilitation of the administrator and the maintenance of the administrator's livelihood, but always subject to the primary objective of protecting patient health and safety.

(6) The licensee has committed any acts which, whether or not criminal prosecutions occur, constitute fraud, forgery, wrongful obtaining of funds, theft, larceny by trick, scheme or device, assault in the first, second or third degree, bribery or corrupt influence, or solicitation or conspiracy to commit any of said offenses: PROVIDED, That if some form of intent is required to render any such acts criminal such intent shall also be required to permit action against the licensee under this subsection, and liability under this subsection may be determined pursuant to the principles of liability set forth in RCW 9A.08.020.

(7) The licensee has been grossly negligent or committed gross misconduct in the administration of a nursing home.

(8) The licensee has participated in or has offered or agreed to participate in, any arrangement whereby any payment or rebate is given to any party in return for the referral of a patient to the facility the licensee administers, or for referral by such licensee of a patient to any party for rendition of professional services to such patient.

(9) The licensee or applicant has previously been refused a license as an administrator or had renewal thereof refused, or has had such a license suspended or revoked by any competent state, federal, or foreign authority: PROVIDED, That a suspension, revocation, refusal to issue or refusal to reregister a license under this subsection must be based upon a showing in the record of such previous proceedings which would constitute a proper basis for the action proposed under the provisions of this chapter, and the licensee or applicant shall, on request, have the opportunity to challenge the fairness of the previous proceedings or the correctness of the factual determinations involved.

Administrators whose licenses have been revoked, or to whom reregistration has been refused, may, on subsequent application be licensed, relicensed, or reregistered, according to such rules or regulations as may be prescribed by the board and according to standards prescribed by the board. Suspended licenses are automatically in force at the expiration of the period of suspension specified in the board's order, but must be reregistered in the normal course if they expire during the period of suspension.

Sec. 41. Section 6, chapter 117, Laws of 1943 and RCW 19.32.110 are each amended to read as follows:

~~((1))~~ No person afflicted with any contagious or infectious disease shall work or be permitted to work in or about any refrigerated locker, nor in the handling, dealing nor processing of any human food in connection therewith.

~~((2))~~ No person shall work or be permitted to work in or about any refrigerated locker in the handling, processing or dealing in any human food or any ingredient thereof without holding a certificate from a physician, duly accredited for that purpose by the state board of health, certifying that such person has been examined and found free from any contagious or infectious disease. The state board of health may fix a maximum fee, not exceeding two dollars which may be charged by a physician for such examination. Such certificate shall be effective for a period of six months and thereafter must be renewed following proper physical examination as aforesaid. Where such certificate is required and provided under municipal ordinance upon examination deemed adequate by the state board of health, certificates issued thereunder shall be sufficient under this chapter.

~~(3)~~ Any such certificate shall be revoked by the state board of health at any time the holder thereof is found, after proper physical examination, to be afflicted with any communicable or infectious disease. Refusal of any person employed in such premises to submit to proper and reasonable physical examination upon written demand by the state board of health or of the director of agriculture shall be cause for revocation of that person's health certificate.)

Sec. 42. Section 28A.31.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 32, Laws of 1971 and RCW 28A.31.010 are each amended to read as follows:

The ~~((state board of health))~~ department of social and health services, after consultation with the state board of health and the superintendent of public instruction, shall adopt reasonable rules and regulations regarding the presence of persons on or about any school premises who have, or who have been exposed to, contagious diseases deemed by the ~~((state board of health))~~ department of social and health services as dangerous to the public health. Such rules and regulations shall specify reasonable and precautionary procedures as to such presence and/or readmission of such persons and may include the requirement for a certificate from a licensed physician that there is no danger of contagion. The superintendent of public instruction shall print and distribute the rules and regulations of the ~~((state board of health))~~ department of social and health services above provided to appropriate school officials and personnel.

Sec. 43. Section 28A.31.030, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 32, Laws of 1971 and RCW 28A.31.030 are each amended to read as follows:

Every board of school directors shall have the power, and it shall be its duty to provide for and require screening for the visual and auditory acuity of all children attending schools in their districts to ascertain which if any of such children have defects sufficient to retard them in their studies. Auditory and visual screening shall be made in accordance with procedures and standards adopted by rule or regulation of the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health. Prior to the adoption or revision of such rules or regulations the ~~((state board of health))~~ department of social and health services shall seek the recommendations of the superintendent of public instruction regarding the administration of visual and auditory screening and the qualifications of persons competent to administer such screening.

Sec. 44. Section 1, chapter 46, Laws of 1973 and RCW 28A.31.050 are each amended to read as follows:

The superintendent of public instruction shall print and distribute to appropriate school officials the rules and regulations adopted by the ~~((state board of health))~~ department of social

and health services pursuant to RCW 28A.31.030 and the recommended records and forms to be used in making and reporting such screenings.

Sec. 45. Section 3, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.104 are each amended to read as follows:

The attendance of every child at every public and private school in the state and licensed day care center shall be conditioned upon the presentation within forty-five days of each child's first day of attendance at a particular school or center, of proof of either (1) full immunization, (2) the initiation of and compliance with a schedule of immunization, as required by rules of the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, or (3) a certificate of exemption as provided for in RCW 28A.31.106. The attendance at the school or the day care center during any subsequent school year of a child who has initiated a schedule of immunization shall be conditioned upon the presentation of proof of compliance with the schedule on the child's first day of attendance during the subsequent school year. Once proof of full immunization or proof of completion of an approved schedule has been presented, no further proof shall be required as a condition to attendance at the particular school or center.

Sec. 46. Section 4, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.106 are each amended to read as follows:

Any child shall be exempt in whole or in part from the immunization measures required by RCW 28A.31.100 through 28A.31.122 upon the presentation of any one or more of the following, on a form prescribed by the department of social and health services:

(1) A written certification signed by any physician licensed to practice medicine pursuant to chapter 18.71 or 18.57 RCW that a particular vaccine required by rule of the ~~((state board of health))~~ department of social and health services is, in his or her judgment, not advisable for the child; PROVIDED, That when it is determined that this particular vaccine is no longer contraindicated, the child will be required to have the vaccine;

(2) A written certification signed by any parent or legal guardian of the child or any adult in loco parentis to the child that the religious beliefs of the signator are contrary to the required immunization measures; and

(3) A written certification signed by any parent or legal guardian of the child or any adult in loco parentis to the child that the signator has either a philosophical or personal objection to the immunization of the child.

Sec. 47. Section 6, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.110 are each amended to read as follows:

The immunizations required by RCW 28A.31.100 through 28A.31.122 may be obtained from any private or public source desired; PROVIDED, That the immunization is administered and records are made in accordance with the regulations of the ~~((state board of health))~~ department of social and health services. Any person or organization administering immunizations shall furnish each person immunized, or his or her parent or legal guardian, or any adult in loco parentis to the child, with a written record of immunization given in a form prescribed by the ~~((state board of health))~~ department of social and health services.

Sec. 48. Section 9, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.116 are each amended to read as follows:

The ~~((state board of health))~~ department of social and health services shall adopt and is hereby empowered to adopt rules pursuant to chapter 34.04 RCW which establish the procedural and substantive requirements for full immunization and the form and substance of the proof thereof, to be required pursuant to RCW 28A.31.100 through 28A.31.122.

Sec. 49. Section 3, chapter 47, Laws of 1979 and RCW 28A.31.134 are each amended to read as follows:

The superintendent shall provide for and require the yearly examination of all children attending public schools in grades 5 through 8 in accordance with procedures and standards adopted by rule of the ~~((state board of health))~~ department of social and health services in cooperation with the state board of health and the superintendent of public instruction. The examination shall be made by a school physician, school nurse, or physical education instructor or by other school personnel. Proper training of the personnel in the screening process for scoliosis shall be provided by the superintendent.

Sec. 50. Section 5, chapter 47, Laws of 1979 and RCW 28A.31.138 are each amended to read as follows:

The superintendent shall print and distribute to appropriate school officials the rules adopted by the ~~((state board of health))~~ department of social and health services in cooperation with the superintendent of public instruction under RCW 28A.31.134 and the recommended records and forms to be used in making and reporting the screenings.

Sec. 51. Section 28A.59.180, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 158, Laws of 1982 and by section 11, chapter 191, Laws of 1982 and RCW 28A.59.180 are each reenacted and amended to read as follows:

Every board of directors of a school district of the first class, in addition to the general powers for directors enumerated in chapter 28A.58 RCW or elsewhere in this title, shall have the power:

(1) To employ for a term of not exceeding three years a superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation.

(2) To employ, and for cause dismiss one or more assistant superintendents and to define their duties and fix their compensation.

(3) To employ a business manager, attorneys, architects, inspectors of construction, superintendents of buildings and a superintendent of supplies, all of whom shall serve at the board's pleasure, and to prescribe their duties and fix their compensation.

(4) To employ, and for cause dismiss, supervisors of instruction and to define their duties and fix their compensation.

(5) To prescribe a course of study and a program of exercises which shall be consistent with the course of study prepared by the state board of education for the use of the common schools of this state.

(6) To, in addition to the minimum requirements imposed by Title 28A RCW, as now or hereafter amended, establish and maintain such grades and departments, including night, high, kindergarten, vocational training and, except as otherwise provided by law, industrial schools, and schools and departments for the education and training of any class or classes of handicapped youth, as in the judgment of the board, best shall promote the interests of education in the district.

(7) To determine the length of time over and above one hundred eighty days that school shall be maintained: PROVIDED, That for purposes of apportionment no district shall be credited with more than one hundred and eighty-three days' attendance in any school year; and to fix the time for annual opening and closing of schools and for the daily dismissal of pupils before the regular time for closing schools.

(8) To maintain a shop and repair department, and to employ, and for cause dismiss, a foreman and the necessary help for the maintenance and conduct thereof.

(9) To provide free textbooks and supplies for all children attending school, when so ordered by a vote of the electors; or if the free textbooks are not voted by the electors, to provide books for children of indigent parents, on the written statement of the city superintendent that the parents of such children are not able to purchase them.

(10) To require of the officers or employees of the district to give a bond for the honest performance of their duties in such penal sum as may be fixed by the board with good and sufficient surety, and to cause the premium for all bonds required of all such officers or employees to be paid by the district: PROVIDED, That the board may, by written policy, allow that such bonds may include a deductible proviso not to exceed two percent of the officer's or employee's annual salary.

(11) To prohibit all secret fraternities and sororities among the students in any of the schools of the said districts.

(12) To appoint a practicing physician, resident of the school district, who shall be known as the school district medical inspector, and whose duty it shall be to decide for the board of directors all questions of sanitation and health affecting the safety and welfare of the public schools of the district who shall serve at the board's pleasure; he or authorized deputies shall make monthly inspections of each school in the district and report the condition of the same to the board of education and ~~((board of health))~~ the department of social and health services: PROVIDED, That children shall not be required to submit to vaccination against the will of their parents or guardian.

Sec. 52. Section 35.67.030, chapter 7, Laws of 1965 and RCW 35.67.030 are each amended to read as follows:

Whenever the legislative body of any city or town, shall deem it advisable that such city or town shall purchase, acquire or construct any public utility mentioned in RCW 35.67.020, or make any additions and betterments thereto, or extensions thereof, such legislative body shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof as near as may be, and the same shall be submitted for ratification or rejection to the qualified voters of such city or town at a general or special election, except in the following cases where no submission shall be necessary:

(1) ~~((When the adoption of a system of sewerage or system for collection and disposal of refuse, and the construction and operation of same, has been required and ordered by the state board of health:~~

(2)) When no general indebtedness is to be incurred by such city or town in the acquiring, construction, maintenance or operation of such public utility(:); or

(2) When the work proposed is an addition or extension thereto or betterment thereof for which no general indebtedness is to be incurred by such city or town.

If a general indebtedness is to be incurred, the amount of such indebtedness and the terms thereof shall be included in the proposition submitted to the qualified voters as aforesaid and such proposition shall be adopted and assented to by a three-fifths majority of the qualified voters of such city or town voting at said election. Ten days' notice of such election shall be given in the newspaper doing the city or town printing, by publication in each issue of said paper during said time: PROVIDED, HOWEVER, That where the proposition to be submitted includes a proposed levy of taxes in excess of the levy to which the same is or may be limited



by statute or the Constitution of the state of Washington without a vote of the people, then the procedure to be followed in the holding of such election shall be as prescribed by such statutory or constitutional provision regulating the holding of special elections authorizing levies in excess of such limitation.

Sec. 53. Section 35.67.070, chapter 7, Laws of 1965 and RCW 35.67.070 are each amended to read as follows:

If the ~~((state board of health has ordered the adopting of and construction and operation of such system of sewerage or system for collection and disposal of refuse or the))~~ proposition has been adopted by vote of the people, who have authorized a general indebtedness therefor, general city or town bonds may be issued.

Sec. 54. Section 35.88.020, chapter 7, Laws of 1965 and RCW 35.88.020 are each amended to read as follows:

Every city and town may by ordinance prescribe what acts shall constitute offenses against the purity of its water supply and the punishment or penalties therefor and enforce them. The mayor of each city and town may appoint special policemen, with such compensation as the city or town may fix, who shall, after taking oath, have the powers of constables, and who may arrest with or without warrant any person committing, within the territory over which any city or town is given jurisdiction by this chapter, any offense declared by law or by ordinance, against the purity of the water supply, or which violate any rule or regulation lawfully promulgated by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, for the protection of the purity of such water supply. Every special policeman whose appointment is authorized herein may take any person arrested for any such offense or violation before any court having jurisdiction thereof to be proceeded with according to law. Every such special policeman shall, when on duty wear in plain view a badge or shield bearing the words 'special police' and the name of the city or town by which he has been appointed.

Sec. 55. Section 36.62.010, chapter 4, Laws of 1963 and RCW 36.62.010 are each amended to read as follows:

The board of county commissioners of any county may establish, provide, and maintain hospitals for the care and treatment of the indigent, sick, injured, and maternity cases, and for this purpose the board may:

(1) Purchase or lease real property therefor or use for this purpose lands already owned by the county providing such site is first approved by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health;

(2) Erect all necessary buildings, make all necessary improvements and repairs and alter any existing building for the use of said hospitals;

(3) Use county moneys, levy taxes, and issue bonds as authorized by law, to raise a sufficient amount of money to cover the cost of procuring the site, constructing and operating hospitals, and for the maintenance thereof and all other necessary and proper expenses;

(4) Appoint a board of trustees for said hospital;

(5) Accept and hold in trust for the county any grant of land, gift or bequest of money, or any donation for the benefit of the purposes of this chapter, and apply the same in accordance with the terms of the gift;

(6) Authorize said hospital to be a member of and maintain membership in any local, state, or national group or association organized and operated for the promotion of the public health and welfare or the advancement of the efficiency of hospital administration and in connection therewith to use tax funds for the payment of dues and fees.

For the purposes of this chapter the word 'hospital' shall include almshouses.

Sec. 56. Section 36.62.020, chapter 4, Laws of 1963 and RCW 36.62.020 are each amended to read as follows:

Plans for buildings constructed or provided for county hospitals must be approved in advance by the ~~((state board of health))~~ department of social and health services and the buildings shall be separate and apart from those designated as almshouses and county infirmaries.

Sec. 57. Section 22, chapter 304, Laws of 1981 and RCW 59.20.190 are each amended to read as follows:

The ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, shall adopt rules ~~((on or before January 1, 1982;))~~ setting health and sanitation standards for mobile home parks. Such rules shall be enforced by the city, county, city-county, or district health officer of the jurisdiction in which the mobile home park is located, upon notice of a violation to such health officer.

Sec. 58. Section 14, chapter 108, Laws of 1937 as amended by section 218, chapter 158, Laws of 1979 and RCW 68.08.230 are each amended to read as follows:

Whenever any dead human body shall have been in the lawful possession of any person, firm, corporation or association for a period of one year or more, or whenever the incinerated remains of any dead human body have been in the lawful possession of any person, firm, corporation or association for a period of two years or more, and the relatives of, or persons interested in, the deceased person shall fail, neglect or refuse for such periods of time, respectively,

to direct the disposition to be made of such body or remains, such body or remains may be disposed of by the person, firm, corporation or association having such lawful possession thereof, under and in accordance with such rules and regulations as may be made and promulgated by said director of licensing, not inconsistent with any statute of the state of Washington or rule or regulation prescribed by the ~~((state board of health))~~ department of social and health services.

Sec. 59. Section 1, chapter 197, Laws of 1957 and RCW 69.06.010 are each amended to read as follows:

It shall be unlawful for any person to be employed in the handling of unwrapped or unpackaged food unless he or she shall furnish and place on file with the person in charge of such establishment, a food and beverage service worker's permit, as prescribed by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health. Such permit shall be kept on file by the employer and open for inspection at all reasonable hours by authorized public health officials. Such permit shall be returned to the employee upon termination of employment. Permits shall be valid for two years from date of issuance, and each employee shall furnish the person in charge of said food handling establishments such permit biennially.

Sec. 60. Section 2, chapter 197, Laws of 1957 and RCW 69.06.020 are each amended to read as follows:

The permit provided in RCW 69.06.010 shall be valid in every city, town and county in the state, for the period for which it is issued, and no other health certificate shall be required of such employees by any municipal corporation or political subdivision of the state. The cost of the permit shall be uniform throughout the state and shall be in that amount set by the ~~((state board of health, not to exceed two dollars))~~ department of social and health services.

Sec. 61. Section 7, chapter 137, Laws of 1937 and RCW 69.12.070 are each amended to read as follows:

~~((1))~~ No person afflicted with any contagious or infectious disease shall work or be permitted to work or be employed in any bakery.

~~((2))~~ No person shall work or be permitted to work in any bakery in storing, preparing, mixing or handling any bakery product or any ingredient thereof without holding a certificate from a physician, duly accredited for that purpose by the state board of health, certifying that such person has been examined and found free from any contagious or infectious disease. The state board of health may fix a maximum fee, not exceeding one dollar, which may be charged by a physician for such examination. Such certificate shall be effective for a period of six months and thereafter must be renewed following proper physical examination as aforesaid. Where such certificate is required and provided under municipal ordinance upon examination deemed adequate by the state board of health, certificates issued thereunder shall be sufficient under this chapter.

~~(3)~~ Any such certificate shall be revoked by the state board of health at any time the holder thereof is found, after proper physical examination, to be afflicted with any communicable or infectious disease. Refusal of any person employed in a bakery to submit to proper and reasonable physical examination upon written demand of the state board of health or the director of agriculture shall be cause for revocation of that person's health certificate.))

Sec. 62. Section 3, chapter 144, Laws of 1955 and RCW 69.30.030 are each amended to read as follows:

The ~~((state board of health))~~ department of social and health services shall cause such investigations to be made as are necessary to determine reasonable requirements governing the sanitation of shellfish growing areas and shellfish plant facilities and operations, in order to protect public health and carry out the provisions of this chapter; and shall adopt such requirements as rules and regulations of the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health. Such rules and regulations may include reasonable sanitary requirements relative to the quality of shellfish growing waters and areas, boat and barge sanitation, building construction, water supply, sewage and waste water disposal, lighting and ventilation, insect and rodent control, shell disposal, garbage and waste disposal, cleanliness of establishment, the handling, storage, construction and maintenance of equipment, the handling, storage and refrigeration of shellfish and the identification of containers.

Sec. 63. Section 5, chapter 144, Laws of 1955 and RCW 69.30.050 are each amended to read as follows:

Shellfish growing areas, from which shellfish are removed for sale for human consumption shall be in a safe and sanitary condition, meeting the requirements of the ~~((state board of health))~~ department; and such shellfish growing areas shall be so certified by the department. Any person desiring to remove shellfish for sale for human consumption from a growing area in the state of Washington shall first apply to the department for a certificate of approval of the growing area. The department shall cause the shellfish growing area to be inspected and if the area meets the sanitary requirements of the ~~((state board of health))~~ department, the department shall issue a certificate of approval for that area. Such certificates shall be issued for a

period not to exceed twelve months and may be revoked at any time the area is found not to be in compliance with the sanitary requirements of the ~~((state board of health))~~ department.

Sec. 64. Section 6, chapter 144, Laws of 1955 and RCW 69.30.060 are each amended to read as follows:

No person shall cull, shuck, or pack shellfish in the state of Washington for sale for human consumption unless the establishment in which such operations are conducted has been certified by the department as meeting the requirements of the ~~((state board of health))~~ department. Any person desiring to cull, shuck, or pack shellfish within the state of Washington for sale for human consumption, shall apply to the department for a certificate of approval for the establishment in which such operations will be done. The department shall cause such establishment to be inspected, and if the establishment meets the sanitary requirements of the ~~((state board of health))~~ department, the department shall issue a certificate of approval. Such certificates of approval shall be issued for a period not to exceed twelve months, and may be revoked at any time the establishment or the operations are found not to be in compliance with the sanitary requirements of the ~~((state board of health))~~ department.

Sec. 65. Section 8, chapter 144, Laws of 1955 as amended by section 71, chapter 141, Laws of 1979 and RCW 69.30.080 are each amended to read as follows:

Any order issued by the department which denies or revokes a certificate of approval for a shellfish growing area or establishment shall be in writing and shall contain a statement of the grounds upon which said denial or revocation is based. A copy of the department's order shall be sent by registered mail to the person whose name appears on the certificate of approval or application therefor. Said order shall become final fifteen days after the date of mailing, provided the person aggrieved by such order does not, within ten days of the date of mailing of such order, apply in writing to the secretary for a fair hearing. Upon such application, the department shall fix a time for such hearing and shall give the person aggrieved a notice of the time fixed for such a hearing. The procedure governing hearings authorized by this section shall be in accordance with rules promulgated by the ~~((state board of health))~~ department of social and health services. The secretary shall render his decision affirming, modifying or setting aside the order of the department which decision in the absence of an appeal therefrom as provided by this chapter, shall become final fifteen days after the date of mailing.

Sec. 66. Section 10, chapter 51, Laws of 1967 ex. sess. as amended by section 79, chapter 141, Laws of 1979 and RCW 70.05.060 are each amended to read as follows:

Each local board of health shall have supervision over all matters pertaining to the preservation of the life and health of the people within its jurisdiction and shall:

(1) Enforce through the local health officer the public health statutes of the state and rules and regulations promulgated by the ~~((state board of health and the))~~ secretary of social and health services for the protection of the public health;

(2) Supervise the maintenance of all health and sanitary measures for the protection of the public health within its jurisdiction;

(3) Enact such local rules and regulations as are necessary in order to preserve, promote and improve the public health and provide for the enforcement thereof;

(4) Provide for the control and prevention of any dangerous, contagious or infectious disease within the jurisdiction of the local health department;

(5) Provide for the prevention, control and abatement of nuisances detrimental to the public health;

(6) Make such reports to the state board of health through the local health officer as the state board of health may require; and

(7) Establish fee schedules for issuing or renewing licenses or permits or for such other services as are authorized by the law and the rules and regulations of the ~~((state board of health))~~ department of social and health services: PROVIDED, That such fees for services shall not exceed the actual cost of providing any such services.

Sec. 67. Section 12, chapter 51, Laws of 1967 ex. sess. as amended by section 80, chapter 141, Laws of 1979 and RCW 70.05.070 are each amended to read as follows:

The local health officer shall:

(1) Enforce the public health statutes of the state, rules and regulations of ~~((the state board of health and))~~ the secretary of social and health services for public health protection, and all local health rules, regulations and ordinances within his jurisdiction;

(2) Take such action as is necessary to maintain health and sanitation supervision over the territory within his jurisdiction;

(3) Control and prevent the spread of any dangerous, contagious or infectious diseases that may occur within his jurisdiction;

(4) Inform the public as to the causes, nature, and prevention of disease and disability and the preservation, promotion and improvement of health within his jurisdiction;

(5) Prevent, control or abate nuisances which are detrimental to the public health;

(6) Attend all conferences called by the secretary of social and health services or his authorized representative;

(7) Collect such fees as are established by the ~~((state board of health))~~ department of social and health services or the local board of health for the issuance or renewal of licenses or permits or such other fees as may be authorized by law or by the rules and regulations of the ~~((state board of health))~~ department of social and health services.

(8) Take such measures as he deems necessary in order to promote the public health, to participate in the establishment of health educational or training activities, and to authorize the attendance of employees of the local health department or individuals engaged in community health programs related to or part of the programs of the local health department.

Sec. 68. Section 14, chapter 51, Laws of 1967 ex. sess. as amended by section 82, chapter 141, Laws of 1979 and RCW 70.05.090 are each amended to read as follows:

Whenever any physician shall attend any person sick with any dangerous contagious or infectious disease, or with any diseases required by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, to be reported, he shall, within twenty-four hours, give notice thereof to the local health officer within whose jurisdiction such sick person may then be or to the state department of social and health services in Olympia.

Sec. 69. Section 16, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.110 are each amended to read as follows:

It shall be the duty of the local board of health, health authorities or officials, and of physicians in localities where there are no local health authorities or officials, to report to the ~~((state board of health))~~ department of social and health services, promptly upon discovery thereof, the existence of any one of the following diseases which may come under their observation, to wit: Asiatic cholera, yellow fever, smallpox, scarlet fever, diphtheria, typhus, typhoid fever, bubonic plague or leprosy, and of such other contagious or infectious diseases as the ~~((state board))~~ department may from time to time specify.

Sec. 70. Section 17, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.120 are each amended to read as follows:

Any local health officer who shall refuse or neglect to obey or enforce the provisions of chapter 70.05 RCW and RCW 70.46.020 through 70.46.090 or the rules, regulations or orders of the ~~((state board of health))~~ department of social and health services or who shall refuse or neglect to make prompt and accurate reports to the state board of health or the department of social and health services, may be removed as local health officer by the ~~((state board of health))~~ department of social and health services and shall not again be reappointed except with the consent of the ~~((state board of health))~~ department of social and health services. Any person may complain to the state board of health or the department of social and health services concerning the failure of the local health officer to carry out the laws or the rules and regulations concerning public health, and the ~~((state board of health))~~ department of social and health services shall, if a preliminary investigation so warrants, call a hearing to determine whether the local health officer is guilty of the alleged acts. Such hearings shall be held pursuant to the provisions of chapter 34.04 RCW, and the rules and regulations of the ~~((state board of health))~~ department of social and health services adopted thereunder.

Any member of a local board of health who shall violate any of the provisions of chapter 70.05 RCW and RCW 70.46.020 through 70.46.090 or refuse or neglect to obey or enforce any of the rules, regulations or orders of the ~~((state board of health))~~ department of social and health services made for the prevention, suppression or control of any dangerous contagious or infectious disease or for the protection of the health of the people of this state, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than two hundred dollars. Any physician who shall refuse or neglect to report to the proper health officer within twelve hours after first attending any case of contagious or infectious disease or any diseases required by the ~~((state board of health))~~ department of social and health services to be reported or any case suspicious of being one of such diseases, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than two hundred dollars for each case that is not reported.

Any person violating any of the provisions of chapter 70.05 RCW and RCW 70.46.020 through 70.46.090 or violating or refusing or neglecting to obey any of the rules, regulations or orders made for the prevention, suppression and control of dangerous contagious and infectious diseases by the local board of health or local health officer or ~~((state board of health))~~ department of social and health services, or who shall leave any isolation hospital or quarantined house or place without the consent of the proper health officer or who evades or breaks quarantine or conceals a case of contagious or infectious disease or assists in evading or breaking any quarantine or concealing any case of contagious or infectious disease, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars or to imprisonment in the county jail not to exceed ninety days or to both fine and imprisonment.

Sec. 71. Section 22, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.150 are each amended to read as follows:

In addition to powers already granted them, any city, town, county, district or local health department may contract for either the sale or purchase of any or all health services from any

local health department: PROVIDED, That such contract shall require the approval of the ~~((state board of health))~~ department of social and health services.

Sec. 72. Section 3, chapter 114, Laws of 1919 and RCW 70.24.030 are each amended to read as follows:

Any person who shall be confined or imprisoned in any state, county, or city prison in the state and who may be reasonably suspected by the health officer of being infected with venereal disease shall be examined for and, if infected, treated for venereal diseases by the health authorities or their deputies who are licensed physicians. The prison authorities of any state, county, or city prison are directed to make available to the health authorities such portion of any state, county, or city prison as may be necessary for a clinic or hospital wherein all persons who may be confined or imprisoned in any such prison and who are infected with venereal disease, and all such persons who are suffering with venereal disease at the time of the expiration of their terms of imprisonment, and, in case no other suitable place for isolation or quarantine is available, such other persons as may be isolated or quarantined under the provisions of RCW 70.24.020, shall be isolated and treated at public expense until cured, or, in lieu of such isolation any of such persons may, in the discretion of ~~((the board of health))~~ a local or state health officer, be required to report for treatment to a licensed physician, or submit to treatment provided at public expense as provided in RCW 70.24.020. Nothing herein contained shall be construed to interfere with the service of any sentence imposed by a court as a punishment for the commission of crime.

Sec. 73. Section 4, chapter 114, Laws of 1919 and RCW 70.24.040 are each amended to read as follows:

~~The ((state board of health))~~ department of social and health services, in consultation with ~~the state board of health~~, is hereby empowered and directed to make such rules and regulations as shall in its judgment be necessary for the carrying out of the provisions of this ~~((act))~~ chapter, including rules and regulations providing for the control and treatment of persons isolated or quarantined under the provisions of RCW 70.24.020, and such other rules and regulations, not in conflict with provisions of this ~~((act))~~ chapter, concerning the control of venereal diseases, and concerning the care, treatment and quarantine of persons infected therewith, as it may from time to time deem advisable. All such rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by this ~~((act))~~ chapter, and shall have the force and effect of law: PROVIDED, That such regulations shall prescribe reasonable safeguards against the disclosure of the names of any such infected persons, who faithfully comply with the provisions of this ~~((act))~~ chapter and the lawful regulations of the ~~((state board of health))~~ department of social and health services, except to officers and physicians charged with the enforcement of this ~~((act))~~ chapter and such rules and regulations and any violation of such safeguarding regulations, shall be a gross misdemeanor.

Sec. 74. Section 6, chapter 114, Laws of 1919 and RCW 70.24.050 are each amended to read as follows:

Diagnosis in every instance must be confirmed by laboratory examinations in a laboratory approved by the ~~((state board of health))~~ secretary of social and health services before any person shall be isolated or committed to quarantine and before any person committed to quarantine shall be discharged therefrom.

Sec. 75. Section 8, chapter 114, Laws of 1919 and RCW 70.24.070 are each amended to read as follows:

For the purpose of carrying out the provisions of this ~~((act))~~ chapter, the ~~((state board of health))~~ department of social and health services shall have the power and authority, from time to time, to divide the state into such number of quarantine districts consisting of one or more counties or parts of counties or municipalities as it shall deem expedient, and to establish at such place or places as it shall deem necessary quarantine stations and clinics for the detention and treatment of persons found to be infected and to establish any such quarantine station and clinic in connection with any county or city jail, or in any hospital or other public or private institution having, or which may be provided with, such necessary detention, segregation, isolation, clinic and hospital facilities as may be required and prescribed by the board, and to enter into arrangements for the conduct of such quarantine stations and clinics with the public officials or persons, associations, or corporations in charge of or maintaining and operating such institutions.

Sec. 76. Section 5, chapter 114, Laws of 1919 and RCW 70.24.080 are each amended to read as follows:

Any person who shall violate any of the provisions of this ~~((act))~~ chapter or any lawful rule or regulation made by the ~~((state board of health))~~ department of social and health services pursuant to the authority herein granted, or who shall fail or refuse to obey any lawful order issued by any state, county or municipal health officer, pursuant to the authority granted in this ~~((act))~~ chapter, shall be deemed guilty of a gross misdemeanor.

Sec. 77. Section 6, chapter 54, Laws of 1967 and RCW 70.28.035 are each amended to read as follows:

In addition to the proceedings set forth in RCW 70.28.031, where a local health officer has reasonable cause to believe that an individual has tuberculosis as defined in the rules and

regulations of the ~~((state board of health))~~ department of social and health services, and the individual refuses to obey the order of the local health officer to appear for an initial examination or a follow-up examination, the health officer may apply to the superior court for an order requiring the individual to comply with the order of the local health officer.

Sec. 78. Section 5, chapter 71, Laws of 1899 as amended by section 3, chapter 54, Laws of 1967 and RCW 70.28.050 are each amended to read as follows:

It is hereby made the duty of every person having tuberculosis and of every one attending such person, and of the authorities of public and private institutions, hospitals or dispensaries, to observe and enforce the sanitary rules and regulations prescribed from time to time by the local boards of health and by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, for the prevention of the spread of pulmonary tuberculosis.

Sec. 79. Section 5, chapter 162, Laws of 1943 as last amended by section 22, chapter 277, Laws of 1979 and RCW 70.32.050 are each amended to read as follows:

All arrangements for hospital care, tuberculosis case finding and post hospital public health follow-up of known cases of tuberculosis of any county enumerated in RCW 70.33.040 shall be the responsibility of the local health officer and shall be carried out pursuant to rules and regulations adopted by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health.

Sec. 80. Section 1, chapter 267, Laws of 1955 as amended by section 106, chapter 141, Laws of 1979 and RCW 70.41.010 are each amended to read as follows:

The primary purpose of this chapter is to promote safe and adequate care of individuals in hospitals through the development, establishment and enforcement of minimum hospital standards for maintenance and operation. To accomplish these purposes, this chapter provides for:

(1) The licensing and inspection of hospitals;

(2) The establishment of a Washington state hospital advisory council;

(3) The establishment by the ~~((state board of health))~~ department of social and health services of standards, rules and regulations for the construction, maintenance and operation of hospitals;

(4) The enforcement ~~((by the Washington state department of social and health services))~~ of the standards, rules and regulations established by the ~~((board))~~ department.

Sec. 81. Section 3, chapter 267, Laws of 1955 as amended by section 9, chapter 189, Laws of 1971 ex. sess. and RCW 70.41.030 are each amended to read as follows:

The ~~((board))~~ department, in consultation with the state board of health, shall establish and adopt such minimum standards, rules and regulations pertaining to the construction, maintenance and operation of hospitals, and rescind, amend or modify such rules and regulations from time to time, as are necessary in the public interest, and particularly for the establishment and maintenance of standards of hospitalization required for the safe and adequate care and treatment of patients. ~~((All rules and regulations to become effective shall be filed with the office of the code reviser.))~~

The board shall advise and consult with the department in matters of policy affecting the administration of this chapter ~~((and shall conduct fair hearing procedures as provided in RCW 70.41.136)).~~

Sec. 82. Section 4, chapter 267, Laws of 1955 and RCW 70.41.040 are each amended to read as follows:

The enforcement of the provisions of this chapter and the standards, rules and regulations established hereunder ~~((by the board.))~~ shall be the responsibility of the department which shall cooperate with the joint commission on the accreditation of hospitals. The board shall advise on the employment of personnel and the personnel shall be under the merit system or its successor.

Sec. 83. Section 8, chapter 267, Laws of 1955 and RCW 70.41.080 are each amended to read as follows:

Standards for fire protection and the enforcement thereof, with respect to all hospitals to be licensed hereunder shall be the responsibility of the state fire marshal, who shall adopt ~~((after approval by the board.))~~ such recognized standards as may be applicable to hospitals for the protection of life against the cause and spread of fire and fire hazards. The department upon receipt of an application for a license, shall submit to the state fire marshal in writing, a request for an inspection, giving the applicant's name and the location of the premises to be licensed. Upon receipt of such a request, the state fire marshal or his deputy, shall make an inspection of the hospital to be licensed, and if it is found that the premises do not comply with the required safety standards and fire regulations as adopted pursuant to this chapter, he shall promptly make a written report to the hospital and to the department listing the corrective actions required and the time allowed for accomplishing such corrections. The applicant or licensee shall notify the state fire marshal upon completion of any corrections required by him, and the state fire marshal, or his deputy, shall make a reinspection of such premises. Whenever the hospital to be licensed meets with the approval of the state fire marshal, he shall submit to the department a written report approving the hospital with respect to fire protection, and such

report is required before a full license can be issued. The state fire marshal shall make or cause to be made inspections of such hospitals at least once a year.

In cities which have in force a comprehensive building code, the provisions of which are determined by the state fire marshal to be equal to the minimum standards of the state fire marshal's code for hospitals, the chief of the fire department, provided the latter is a paid chief of a paid fire department, shall make the inspection with the state fire marshal or his deputy and they shall jointly approve the premises before a full license can be issued.

Sec. 84. Section 11, chapter 267, Laws of 1955 as last amended by section 12, chapter 201, Laws of 1982 and RCW 70.41.110 are each amended to read as follows:

Upon receipt of an application for license and the license fee, the department shall issue a license or a provisional license if the applicant and the hospital facilities meet the requirements of this chapter and the standards, rules and regulations established by the ~~((board))~~ department. All licenses issued under the provisions of this chapter shall expire on a date to be set by the department: PROVIDED, That no license issued pursuant to this chapter shall exceed thirty-six months in duration. Each license shall be issued only for the premises and persons named in the application, and no license shall be transferable or assignable except with the written approval of the department. Licenses shall be posted in a conspicuous place on the licensed premises.

If there be a failure to comply with the provisions of this chapter or the standards, rules and regulations promulgated pursuant thereto, the department may in its discretion issue to an applicant for a license, or for the renewal of a license, a provisional license which will permit the operation of the hospital for a period to be determined by the department.

Sec. 85. Section 12, chapter 267, Laws of 1955 and RCW 70.41.120 are each amended to read as follows:

The department shall make or cause to be made at least yearly an inspection of all hospitals. Every inspection of a hospital may include an inspection of every part of the premises. The department may make an examination of all phases of the hospital operation necessary to determine compliance with the law and the standards, rules and regulations adopted thereunder. Any licensee or applicant desiring to make alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, comply with the regulations prescribed by the ~~((board))~~ department.

No hospital licensed pursuant to the provisions of this chapter shall be required to be inspected or licensed under other state laws or rules and regulations promulgated thereunder, or local ordinances, relative to hotels, restaurants, lodging houses, boarding houses, places of refreshment, nursing homes, maternity homes, or psychiatric hospitals.

Sec. 86. Section 13, chapter 267, Laws of 1955 and RCW 70.41.130 are each amended to read as follows:

The department is authorized to deny, suspend, or revoke a license or provisional license in the manner prescribed herein in any case in which it finds that there has been a failure or refusal to comply with the requirements of this chapter or the standards, rules and regulations established hereunder. The department shall issue an order to the applicant or licensee giving notice of any rejection, revocation, or suspension, which order shall become final thirty days after the date of mailing: PROVIDED, That the applicant or licensee does not within thirty days from the date of mailing of the department's order or rejection, revocation, or suspension of license, make written application ~~((to the board))~~ for a hearing, upon receipt of which the ~~((board))~~ department shall fix a time for such hearing and shall give the applicant or licensee a notice of the time fixed therefor. The procedure governing hearings authorized by this section shall be in accordance with ~~((rules promulgated by the board. The board shall render its decision affirming, modifying, or setting aside the order of the department which decision in the absence of an appeal therefrom as provided by this chapter, shall become final thirty days after the date of mailing))~~ the administrative procedure act, chapter 34.04 RCW.

Sec. 87. Section 18, chapter 267, Laws of 1955 and RCW 70.41.180 are each amended to read as follows:

Nothing contained in this chapter shall in any way authorize the board or department to establish standards, rules and regulations governing the professional services rendered by any physician.

Sec. 88. Section 1, chapter 175, Laws of 1975 1st ex. sess. and RCW 70.41.190 are each amended to read as follows:

Unless specified otherwise by the ~~((board))~~ department, a hospital shall retain and preserve all medical records which relate directly to the care and treatment of a patient for a period of no less than ten years following the most recent discharge of the patient; except the records of minors, which shall be retained and preserved for a period of no less than three years following attainment of the age of eighteen years, or ten years following such discharge, whichever is longer.

If a hospital ceases operations, it shall make immediate arrangements, as approved by the department, for preservation of its records.

The ~~((board))~~ department shall by regulation define the type of records and the information required to be included in the medical records to be retained and preserved under this section: which records may be retained in photographic form pursuant to chapter 5.46 RCW.

Sec. 89. Section 9, chapter 183, Laws of 1945 as amended by section 21, chapter 51, Laws of 1967 ex. sess. and RCW 70.46.090 are each amended to read as follows:

Any county or any city or town may withdraw from membership in said health district any time after it has been within the district for a period of two years, but no withdrawal shall be effective except at the end of the calendar year in which the county, city or town gives at least six months' notice of its intention to withdraw at the end of the calendar year. No withdrawal shall entitle any member to a refund of any moneys paid to the district nor relieve it of any obligations to pay to the district all sums for which it obligated itself due and owing by it to the district for the year at the end of which the withdrawal is to be effective: PROVIDED, That any county, city or town which withdraws from membership in said health district shall immediately establish a health department or provide health services which shall meet the standards for health services promulgated by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health: PROVIDED FURTHER, That no local health department shall be deemed to provide adequate public health services unless there is at least one full time professionally trained and qualified physician as set forth in RCW 70.05.050.

Sec. 90. Section 1, chapter 231, Laws of 1969 ex. sess. and RCW 70.54.110 are each amended to read as follows:

All new housing and new construction together with the land areas appurtenant thereto which shall be started on and after May 3, 1969, and is to be provided by employers, growers, management, or any other persons, for occupancy by workers or by workers and their dependents, in agriculture, shall comply with the rules and regulations of the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, pertaining to labor camps, filed with the office of the code reviser on November 20, 1968 and future amendments and revisions thereof.

Sec. 91. Section 3, chapter 83, Laws of 1907 as last amended by section 3, chapter 52, Laws of 1979 ex. sess. and RCW 70.58.020 are each amended to read as follows:

Under the direction and control of the state registrar, the health officer of each city of the first class shall be the local registrar in and for the primary registration district under his supervision as health officer and the health officer of each county and district health department shall be the local registrar in and for the registration area which he supervises as health officer and shall serve as such as long as he performs the registration duties as prescribed by law. He may be removed as local registrar of the registration area which he serves by the state ~~((board of health))~~ registrar upon ~~((his))~~ finding of evidence of neglect in the performance of his duties as such registrar. The state registrar shall appoint local registrars for those registration areas not included in the foregoing and also in areas where the state ~~((board of health))~~ registrar has removed the health officer from this position as registrar.

Each local registrar, subject to the approval of the state registrar, shall appoint in writing a sufficient number of deputy registrars to administer the laws relating to vital statistics, and shall certify the appointment of such deputies to the state registrar. Deputy registrars shall act in the case of absence, death, illness or disability of the local registrar, or such other conditions as may be deemed sufficient cause to require their services.

Sec. 92. Section 12, chapter 83, Laws of 1907 as last amended by section 8, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.080 are each amended to read as follows:

The attending physician or midwife shall file a certificate of birth, properly and completely filled out, giving all of the particulars required, with the local registrar of the district in which the birth occurred, within ten days after the birth. If there is no attending physician or midwife, the father or mother of the child, householder or owner of the premises, manager or superintendent of the public or private institution in which the birth occurred, shall notify the local registrar, within ten days after the birth, of the fact of the birth, and the local registrar shall secure the necessary information and signature to make a proper certificate of birth.

When an infant is found for whom no certificate of birth is known to be on file, a birth certificate shall be filed within the time and in the form prescribed by the ~~((state board of health))~~ department of social and health services.

When no putative father is named on a birth certificate of a child born to an unwed mother the mother may give any surname she so desires to her child but shall designate in space provided for father's name on the birth certificate 'None Named'.

Sec. 93. Section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 70.58.095 are each amended to read as follows:

The state registrar of vital statistics shall establish a new certificate of birth for a person born in this state when he receives a request that a new certificate be established and such evidence as required by regulation of the ~~((state board of health))~~ department of social and health services proving that such person has been acknowledged, or that a court of competent jurisdiction has determined the paternity of such person. When a new certificate of birth is established, the actual place and date of birth shall be shown. It shall be substituted for the



original certificate of birth. Thereafter, the original certificate and the evidence of paternity, or acknowledgment shall not be subject to inspection except upon order of a court of competent jurisdiction. If no certificate of birth is on file for the person for whom a new certificate is to be established under this section, a delayed registration of birth shall be filed with the state registrar of vital statistics as provided in RCW 70.58.120.

Sec. 94. Section 3, chapter 159, Laws of 1945 as last amended by section 14, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.180 are each amended to read as follows:

If the death occurred without medical attendance, the funeral director or person in charge of interment shall notify the coroner, or prosecuting attorney if there is no coroner in the county. If the circumstances suggest that the death or fetal death was caused by unlawful or unnatural causes or if there is no local health officer with jurisdiction, the coroner, or if none, the prosecuting attorney shall complete and sign the certification, noting upon the certificate that no physician was in attendance at the time of death. In case of any death without medical attendance in which there is no suspicion of death from unlawful or unnatural causes, the local health officer or his deputy, the coroner and if none, the prosecuting attorney, shall complete and sign the certification, noting upon the certificate that no physician was in attendance at the time of death, and noting the cause of death without the holding of an inquest or performing of an autopsy or post mortem, but from statements of relatives, persons in attendance during the last sickness, persons present at the time of death or other persons having adequate knowledge of the facts.

The cause of death, the manner and mode in which death occurred, as noted by the coroner or, if none, the prosecuting attorney or the health officer, and incorporated in the death certificate filed with the bureau of vital statistics of the ~~(board of health)~~ department of social and health services shall be the legally accepted manner and mode by which the deceased came to his or her death and shall be the legally accepted cause of death.

Sec. 95. Section 6, chapter 159, Laws of 1945 as last amended by section 2, chapter 162, Laws of 1979 ex. sess. and RCW 70.58.200 are each amended to read as follows:

The forms of birth, death, fetal death, marriage, and decrees of divorce, annulment, or separate maintenance certificates filed with the state registrar of vital statistics shall include the items required by the respective standard certificate as recommended by the federal agency responsible for national vital statistics, except that no information shall be required on the certificate of divorce relative to the date the couple separated or the number of children under eighteen years of age: PROVIDED, That none of the information contained in the confidential section of the forms of marriage, divorce, annulment or separate maintenance shall be required: PROVIDED FURTHER, That no information shall be required on the certificate of live birth relative to the education of the parents of the child. The ~~(Washington state board of health)~~ department of social and health services by regulation may require additional pertinent information relative to the birth and manner of delivery as it may deem necessary for statistical study. This information shall be placed in a confidential section of the birth certificate form and shall not be subject to the view of the public or for certification purposes except upon order of a court: PROVIDED, That the ~~(state board of health)~~ department of social and health services may eliminate from the forms any such items that it determines are not necessary for statistical study.

Sec. 96. Section 1, chapter 133, Laws of 1939 as last amended by section 2, chapter 101, Laws of 1979 ex. sess. and RCW 70.58.210 are each amended to read as follows:

(1) Whenever a decree of adoption has been entered declaring a child, born in the state of Washington, adopted in any court of competent jurisdiction in the state of Washington or any other state or any territory of the United States, a certified copy of the decree of adoption shall be recorded with the proper department of registration of births in the state of Washington and a certificate of birth shall issue upon request, bearing the new name of the child as shown in the decree of adoption, the names of the adoptive parents of the child and the age, sex, and date of birth of the child, but no reference in any birth certificate shall have reference to the adoption of the child. However, original registration of births shall remain a part of the record of the ~~(board of health)~~ department of social and health services.

(2) Whenever a decree of adoption has been entered declaring a child, born outside of the United States and its territories, adopted in any court of competent jurisdiction in the state of Washington, a certified copy of the decree of adoption together with evidence as to the child's birth date and birth place provided by the original birth certificate, or by a certified copy, extract, or translation thereof or by a certified copy of some other document essentially equivalent thereto, shall be recorded with the proper department of registration of births in the state of Washington. The records of the United States immigration and naturalization service or of the United States department of state are essentially equivalent to the birth certificate. A certificate of birth shall issue upon request, bearing the new name of the child as shown in the decree of adoption, the names of the adoptive parents of the child and the age, sex, and date of birth of the child, but no reference in any birth certificate shall have reference to the adoption of the child. Unless the court orders otherwise, the certificate of birth shall have the same overall appearance as the certificate which would have been issued if the adopted child had been born in the state of Washington.

A person born outside of the United States and its territories for whom a decree of adoption has been entered in a court of this state before September 1, 1979, may apply for a certificate of birth under this subsection by furnishing the proper department of registration of births with a certified copy of the decree of adoption together with the other evidence required by this subsection as to the date and place of birth. Upon receipt of the decree and evidence, a certificate of birth shall be issued in accordance with this subsection.

Sec. 97. Section 6, chapter 177, Laws of 1959 and RCW 70.58.350 are each amended to read as follows:

The ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, is authorized to make such rules and regulations as are necessary to carry out the purpose of RCW 70.58.300 through 70.58.350.

Sec. 98. Section 2, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.210 are each amended to read as follows:

The following terms whenever used or referred to in this chapter shall have the following respective meanings for the purposes of this chapter, except in those instances where the context clearly indicates otherwise:

(1) The term 'transient accommodation' shall mean any facility such as a hotel, motel, condominium, resort, or any other facility or place offering three or more lodging units to travelers and transient guests.

(2) The term 'person' shall mean any individual, firm, partnership, corporation, company, association or joint stock association, and the legal successor thereof.

(3) The term 'secretary' shall mean the secretary of the Washington state department of social and health services and any duly authorized representative thereof.

(4) ~~((The term 'board' shall mean the Washington state board of health.~~

(5)) The term 'department' shall mean the Washington state department of social and health services.

~~((6))~~ (5) The term 'lodging unit' shall mean one self-contained unit designated by number, letter or some other method of identification.

Sec. 99. Section 5, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.240 are each amended to read as follows:

The ~~((board))~~ department in consultation with the state board of health, shall promulgate such rules and regulations ~~((to be effective no sooner than February 1, 1972.))~~ as may be necessary to assure that each transient accommodation will be operated and maintained in a manner consistent with the health and welfare of the members of the public using such facilities. Such rules and regulations shall provide for adequate light, heat, ventilation, cleanliness, and sanitation and shall include provisions to assure adequate maintenance. All rules and regulations and amendments thereto shall be adopted in conformance with the provisions of chapter 34.04 RCW.

Sec. 100. Section 6, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.250 are each amended to read as follows:

The department is hereby granted and shall have and exercise, in addition to the powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this chapter, including but not limited to the power:

(1) To develop and adopt such rules and regulations ~~((for proposed adoption by the board))~~ as may be necessary to implement the purposes of this chapter;

(2) To enter and inspect at any reasonable time any transient accommodation and to make such investigations as are reasonably necessary to carry out the provisions of this chapter and any rules and regulations promulgated thereunder: PROVIDED, That no room or suite shall be entered for inspection unless said room or suite is not occupied by any patron or guest of the transient accommodation at the time of entry;

(3) To perform such other duties and employ such personnel as may be necessary to carry out the provisions of this chapter; and

(4) To administer and enforce the provisions of this chapter and the rules and regulations promulgated thereunder ~~((by the board)).~~

Sec. 101. Section 8, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.270 are each amended to read as follows:

Licenses issued under this chapter may be suspended or revoked upon the failure or refusal of the person operating a transient accommodation to comply with the provisions of this chapter, or of any rules and regulations adopted ~~((by the board))~~ hereunder. All such proceedings shall be governed by the provisions of chapter 34.04 RCW.

Sec. 102. Section 2, chapter 82, Laws of 1967 as amended by section 1, chapter 27, Laws of 1975-'76 2nd ex. sess. and RCW 70.83.020 are each amended to read as follows:

It shall be the duty of the department of social and health services to require screening tests of all newborn infants before they are discharged from the hospital for the detection of phenylketonuria and other heritable or metabolic disorders leading to mental retardation or physical defects as defined by the ~~((state board of health))~~ department of social and health services: PROVIDED, That no such tests shall be given to any newborn infant whose parents or

guardian object thereto on the grounds that such tests conflict with their religious tenets and practices.

Sec. 103. Section 3, chapter 82, Laws of 1967 as amended by section 113, chapter 141, Laws of 1979 and RCW 70.83.030 are each amended to read as follows:

Laboratories, attending physicians, hospital administrators, or other persons performing or requesting the performance of tests for phenylketonuria shall report to the department of social and health services all positive tests. The ~~((state board of health))~~ department of social and health services by rule and regulation shall, when it deems appropriate, require that positive tests for other heritable and metabolic disorders covered by this chapter be reported to the state department of social and health services by such persons or agencies requesting or performing such tests.

Sec. 104. Section 5, chapter 82, Laws of 1967 and RCW 70.83.050 are each amended to read as follows:

The ~~((state board of health))~~ department of social and health services, in consultation with the state board of health, shall adopt rules and regulations necessary to carry out the intent of this chapter.

Sec. 105. Section 23, chapter 302, Laws of 1971 ex. sess. as amended by section 1, chapter 123, Laws of 1972 ex. sess. and RCW 70.108.040 are each amended to read as follows:

Application for an outdoor music festival permit shall be in writing and filed with the clerk of the issuing authority wherein the festival is to be held. Said application shall be filed not less than ninety days prior to the first scheduled day of the festival and shall be accompanied with a permit fee in the amount of two thousand five hundred dollars. Said application shall include:

(1) The name of the person or other legal entity on behalf of whom said application is made: PROVIDED, That a natural person applying for such permit shall be eighteen years of age or older;

(2) A financial statement of the applicant;

(3) The nature of the business organization of the applicant;

(4) Names and addresses of all individuals or other entities having a ten percent or more proprietary interest in the festival;

(5) The principal place of business of applicant;

(6) A legal description of the land to be occupied, the name and address of the owner thereof, together with a document showing the consent of said owner to the issuance of a permit, if the land be owned by a person other than the applicant;

(7) The scheduled performances and program;

(8) Written confirmation from the local health officer that he has reviewed and approved plans for site and development in accordance with rules, regulations and standards adopted by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health. Such rules and regulations shall include criteria as to the following and such other matters as the ~~((state board of health))~~ department of social and health services deems necessary to protect the public's health:

(a) Submission of plans

(b) Site

(c) Water supply

(d) Sewage disposal

(e) Food preparation facilities

(f) Toilet facilities

(g) Solid waste

(h) Insect and rodent control

(i) Shelter

(j) Dust control

(k) Lighting

(l) Emergency medical facilities

(m) Emergency air evacuation

(n) Attendant physicians

(o) Communication systems

(9) A written confirmation from the appropriate law enforcement agency from the area where the outdoor music festival is to take place, showing that traffic control and crowd protection policing have been contracted for or otherwise provided by the applicant meeting the following conditions:

(a) One person for each two hundred persons reasonably expected to be in attendance at any time during the event for purposes of traffic and crowd control.

(b) The names and addresses of all traffic and crowd control personnel shall be provided to the appropriate law enforcement authority: PROVIDED, That not less than twenty percent of the traffic and crowd control personnel shall be commissioned police officers or deputy sheriffs: PROVIDED FURTHER, That on and after February 25, 1972 any commissioned police officer or deputy sheriff who is employed and compensated by the promoter of an outdoor music festival shall not be eligible and shall not receive any benefits whatsoever from any public pension or

disability plan of which he is a member for the time he is so employed or for any injuries received during the course of such employment.

(c) During the hours that the festival site shall be open to the public there shall be at least one regularly commissioned police officer employed by the jurisdiction wherein the festival site is located for every one thousand persons in attendance and said officer shall be on duty within the confines of the actual outdoor music festival site.

(d) All law enforcement personnel shall be charged with enforcing the provisions of this chapter and all existing statutes, ordinances and regulations.

(10) A written confirmation from the appropriate law enforcement authority that sufficient access roads are available for ingress and egress to the parking areas of the outdoor music festival site and that parking areas are available on the actual site of the festival or immediately adjacent thereto which are capable of accommodating one auto for every four persons in estimated attendance at the outdoor music festival site.

(11) A written confirmation from the department of natural resources, where applicable, and the office of the state fire marshal that all fire prevention requirements have been complied with.

(12) A written statement of the applicant that all state and local law enforcement officers, fire control officers and other necessary governmental personnel shall have free access to the site of the outdoor music festival.

(13) A statement that the applicant will abide by the provisions of this chapter.

(14) The verification of the applicant warranting the truth of the matters set forth in the application to the best of the applicant's knowledge, under the penalty of perjury.

Sec. 106. Section 5, chapter 142, Laws of 1977 ex. sess. and RCW 70.116.050 are each amended to read as follows:

(1) Each purveyor within the boundaries of a critical water supply service area shall develop a water system plan for the purveyor's future service area if such a plan has not already been developed: PROVIDED, That nonmunicipally owned public water systems are exempt from the planning requirements of this chapter, except for the establishment of service area boundaries if they: (a) Were in existence as of September 21, 1977; and (b) have no plans for water service beyond their existing service area, and (c) meet minimum quality and pressure design criteria established by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health: PROVIDED FURTHER, That if the county legislative authority permits a change in development that will increase the demand for water service of such a system beyond the existing system's ability to provide minimum water service, the purveyor shall develop a water system plan in accordance with this section. The establishment of future service area boundaries shall be in accordance with RCW 70.116.070.

(2) After the boundaries of a critical water supply service area have been established pursuant to RCW 70.116.040, the committee established in RCW 70.116.040 shall participate in the development of a coordinated water system plan for the designated area. Such a plan shall incorporate all water system plans developed pursuant to subsection (1) of this section. The plan shall provide for maximum integration and coordination of public water system facilities consistent with the protection and enhancement of the public health and well-being.

(3) Those portions of a critical water supply service area not yet served by a public water system shall have a coordinated water system plan developed by existing purveyors based upon permitted densities in county plans, ordinances, and/or growth policies for a minimum of five years beyond the date of establishment of the boundaries of the critical water supply service area.

(4) To insure that the plan incorporates the proper designs to protect public health, the secretary shall adopt regulations pursuant to chapter 34.04 RCW concerning the scope and content of coordinated water system plans, and shall ensure, as minimum requirements, that such plans:

(a) Are reviewed by the appropriate local governmental agency to insure that the plan is not inconsistent with the land use plans, shoreline master programs, and/or developmental policies of the general purpose local government or governments whose jurisdiction the water system plan affects.

(b) Recognize all water resource plans, water quality plans, and water pollution control plans which have been adopted by units of local, regional, and state government.

(c) Incorporate the fire protection standards developed pursuant to RCW 70.116.080.

(d) Identify the future service area boundaries of the public water system or systems included in the plan within the critical water supply service area.

(e) Identify feasible emergency inter-ties between adjacent purveyors.

(5) If a 'water general plan' for a critical water supply service area or portion thereof has been prepared pursuant to chapter 36.94 RCW and such a plan meets the requirements of subsections (1) and (4) of this section, such a plan shall constitute the coordinated water system plan for the applicable geographical area.

(6) Prior to the submission of a coordinated water system plan to the secretary for approval of the design of the proposed facilities pursuant to RCW 70.116.060, the plan shall be reviewed for consistency with subsection (4) of this section by the legislative authorities of the counties in

which the critical water supply service area is located. If within sixty days of receipt of the plan, the legislative authorities find any segment of a proposed service area of a purveyor's plan or any segment of the coordinated water system plan to be inconsistent with any current land use plans, shoreline master programs, and/or developmental policies of the general purpose local government or governments whose jurisdiction the water system plan affects, the secretary shall not approve that portion of the plan until the inconsistency is resolved between the local government and the purveyor. If no comments have been received from the legislative authorities within sixty days of receipt of the plan, the secretary may consider the plan for approval.

Sec. 107. Section 2, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.020 are each amended to read as follows:

As used in this chapter unless context requires another meaning:

(1) 'Board' means the board established pursuant to RCW 70.95B.070 which shall be known as the water and waste water operator certification board of examiners.

(2) 'Certificate' means a certificate of competency issued by the secretary stating that the operator has met the requirements for the specified operator classification of the certification program.

(3) 'Department' means the department of social and health services.

(4) 'Distribution system' means that portion of a public water supply system which stores, transmits, pumps and distributes water to consumers.

(5) 'Nationally recognized association of certification authorities' shall mean an organization which serves as an information center for certification activities, recommends minimum standards and guidelines for classification of potable water treatment plants, water distribution systems and waste water facilities and certification of operators, facilitates reciprocity between state programs and assists authorities in establishing new certification programs and updating existing ones.

(6) 'Operator' means an individual employed or appointed by any county, water district, municipality, public or private corporation, company, institution, person, or the state of Washington who is designated by the employing or appointing officials to operate or assist in the operation of a water purification plant or distribution system.

(7) 'Public water supply system' means any water supply system intended or used for human consumption or other domestic uses, including source, treatment, storage, transmission and distribution facilities where water is furnished to any community or group of individuals, or is made available to the public for human consumption or domestic use, but excluding all water supply systems serving one single family residence.

(8) 'Purification plant' means that portion of a public water supply system which treats or improves the physical, chemical or bacteriological quality of the system's water to bring the water into compliance with ~~((state board of health))~~ department of social and health services standards, in consultation with the state board of health.

(9) 'Secretary' means the secretary of the department of social and health services.

Sec. 108. Section 1, chapter 176, Laws of 1913 as last amended by section 1, chapter 240, Laws of 1927 and RCW 85.08.020 are each amended to read as follows:

Whenever four or more persons whose lands will be benefited thereby, desire to have improvements constructed for the drainage, sewerage or protection from overflow, or for any or all of said purposes, of any contiguous body of land situated in the same county, whether wholly or partly within or wholly without the limits of any incorporated city or town, proceedings for the construction of such improvements may be had as provided in this chapter: PROVIDED, That when such contiguous body of land is situated wholly within an incorporated city or town, such city or town may, through its council or other legislative body, have all of the powers and exercise all of the functions of a drainage district under this chapter, if and when it shall declare its right to do so hereunder by ordinance duly enacted.

Such city or town when it is beneficial or necessary for the purpose of an outlet for such sewerage or drainage to use any of the ditches or other improvements of an established drainage district, may purchase or contract for such use with such drainage district acting by and through its board of commissioners, such commissioners being hereby duly empowered so to do; or such city or town may acquire such rights by eminent domain in the manner now provided by law. The rights herein granted shall be in addition to and in aid of existing rights: PROVIDED, That no rights herein be granted any city or town until the same has been approved by the ~~((state board of health))~~ department of social and health services, in consultation with the state board of health.

NEW SECTION. Sec. 109. Nothing in this act shall be construed to affect the rule-making authority of local boards of health exercising responsibilities within the scope of their jurisdiction nor shall this act be construed to affect federal funds earmarked for local public health programs.

NEW SECTION. Sec. 110. The legislative budget committee shall cause to be conducted a program and fiscal review of this act in accordance with the appropriate criteria in the sunset act, chapter 43.131 RCW. Final reports shall be completed on or before January 1, 1987, and

transmitted to appropriate standing committees of the senate and house of representatives. This act shall terminate on June 30, 1988, unless otherwise reenacted by the legislature.

NEW SECTION, Sec. 111. The following acts or parts of acts are each repealed:

- (1) Section 6, chapter 117, Laws of 1943 and RCW 19.32.110;
- (2) Section 43.20.100, chapter 8, Laws of 1965, section 44, chapter 75, Laws of 1977 and RCW 43.20.100;
- (3) Section 43.20.140, chapter 8, Laws of 1965, section 58, chapter 141, Laws of 1979 and RCW 43.20.140;
- (4) Section 11, chapter 102, Laws of 1967 ex. sess. and RCW 43.20.200;
- (5) Section 12, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.140;
- (6) Section 16, chapter 190, Laws of 1939, section 1, chapter 30, Laws of 1961 and RCW 69.16.115;
- (7) Section 17, chapter 190, Laws of 1939, section 2, chapter 30, Laws of 1961 and RCW 69.16.120;
- (8) Section 16, chapter 112, Laws of 1939 and RCW 69.20.095;
- (9) Section 17, chapter 112, Laws of 1939 and RCW 69.20.100;
- (10) Section 5, chapter 161, Laws of 1979 ex. sess., section 4, chapter 139, Laws of 1980 and RCW 70.38.055;
- (11) Section 14, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.145;
- (12) Section 12, chapter 139, Laws of 1980 and RCW 70.38.911;
- (13) Section 14, chapter 267, Laws of 1955 and RCW 70.41.140;
- (14) Section 1, page 46, Laws of 1888 and RCW 70.16.010;
- (15) Section 2, page 46, Laws of 1888 and RCW 70.16.020;
- (16) Section 3, page 47, Laws of 1888 and RCW 70.16.030;
- (17) Section 4, page 47, Laws of 1888 and RCW 70.16.040;
- (18) Section 5, page 47, Laws of 1888 and RCW 70.16.050;
- (19) Section 6, page 47, Laws of 1888 and RCW 70.16.060;
- (20) Section 7, page 48, Laws of 1888 and RCW 70.16.070;
- (21) Section 8, page 48, Laws of 1888 and RCW 70.16.080;
- (22) Section 9, page 48, Laws of 1888 and RCW 70.16.090;
- (23) Section 10, page 49, Laws of 1888 and RCW 70.16.100;
- (24) Section 11, page 49, Laws of 1888 and RCW 70.16.110;
- (25) Section 2220, Code of 1881 and RCW 70.16.120;
- (26) Section 2221, Code of 1881 and RCW 70.16.130;
- (27) Section 2224, Code of 1881 and RCW 70.16.140;
- (28) Section 2222, Code of 1881 and RCW 70.16.150;
- (29) Section 2223, Code of 1881 and RCW 70.16.160;
- (30) Section 2225, Code of 1881 and RCW 70.16.170;
- (31) Section 2226, Code of 1881 and RCW 70.16.180;
- (32) Section 2227, Code of 1881 and RCW 70.16.190;
- (33) Section 2219, Code of 1881 and RCW 70.16.200;
- (34) Section 12, page 49, Laws of 1888 and RCW 70.20.010;
- (35) Section 13, page 49, Laws of 1888 and RCW 70.20.020;
- (36) Section 14, page 50, Laws of 1888, section 30, chapter 199, Laws of 1969 ex. sess. and RCW 70.20.030;
- (37) Section 2204, Code of 1881 and RCW 70.20.040;
- (38) Section 2205, Code of 1881 and RCW 70.20.050;
- (39) Section 2206, Code of 1881 and RCW 70.20.060;
- (40) Section 2207, Code of 1881 and RCW 70.20.070;
- (41) Section 2208, Code of 1881 and RCW 70.20.080;
- (42) Section 2209, Code of 1881 and RCW 70.20.090;
- (43) Section 2210, Code of 1881 and RCW 70.20.100;
- (44) Section 2211, Code of 1881 and RCW 70.20.110;
- (45) Section 2212, Code of 1881 and RCW 70.20.120;
- (46) Section 2213, Code of 1881 and RCW 70.20.130;
- (47) Section 2215, Code of 1881 and RCW 70.20.150;
- (48) Section 2216, Code of 1881 and RCW 70.20.160;
- (49) Section 2217, Code of 1881 and RCW 70.20.165;
- (50) Section 2218, Code of 1881 and RCW 70.20.170;
- (51) Section 1, chapter 48, Laws of 1901 and RCW 70.20.180;
- (52) Section 2, chapter 48, Laws of 1901 and RCW 70.20.185; and
- (53) Section 12, chapter 102, Laws of 1967 ex. sess., section 1, chapter 25, Laws of 1969 ex. sess. and RCW 70.01.010.

NEW SECTION, Sec. 112. The following acts or parts of acts are each repealed, effective June 30, 1983:

- (1) Section 33, chapter 99, Laws of 1979 and RCW 43.131.213; and
- (2) Section 75, chapter 99, Laws of 1979 and RCW 43.131.214.

NEW SECTION. Sec. 113. Section 112 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 June 30, 1983. The remainder of this act shall take effect October 1, 1983."

On page 1, line 1 of the title, strike everything after "health;" through "43.131.214." on line 3 and insert "amending section 1, chapter 161, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1980 and RCW 70.38.015; amending section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 1, chapter 119, Laws of 1982 and RCW 70.38.025; amending section 3, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.035; amending section 4, chapter 161, Laws of 1979 ex. sess. as amended by section 3, chapter 139, Laws of 1980 and RCW 70.38.045; amending section 6, chapter 161, Laws of 1979 ex. sess. as amended by section 5, chapter 139, Laws of 1980 and RCW 70.38.065; amending section 8, chapter 161, Laws of 1979 ex. sess. as amended by section 6, chapter 139, Laws of 1980 and RCW 70.38.085; amending section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter 119, Laws of 1982 and RCW 70.38.105; amending section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115; amending section 12, chapter 161, Laws of 1979 ex. sess. as amended by section 10, chapter 139, Laws of 1980 and RCW 70.38.125; amending section 13, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.135; amending section 16, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.905; amending section 17, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.910; amending section 43.20.030, chapter 8, Laws of 1965 as amended by section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030; amending section 43.20.050, chapter 8, Laws of 1965 as last amended by section 49, chapter 141, Laws of 1979 and RCW 43.20.050; amending section 43.20.010, chapter 8, Laws of 1965 as last amended by section 46, chapter 141, Laws of 1979 and RCW 43.20A.600; amending section 5, chapter 102, Laws of 1967 ex. sess. as amended by section 55, chapter 141, Laws of 1979 and RCW 43.20A.650; amending section 6, chapter 102, Laws of 1967 ex. sess. as amended by section 56, chapter 141, Laws of 1979 and RCW 43.20A.655; amending section 2, chapter 3, Laws of 1970 ex. sess. and RCW 9.02.070; amending section 15.36.200, chapter 11, Laws of 1961 and RCW 15.36.200; amending section 15.36.355, chapter 11, Laws of 1961 and RCW 15.36.355; amending section 1, chapter 72, Laws of 1971 and RCW 16.70.010; amending section 2, chapter 72, Laws of 1971 and RCW 16.70.020; amending section 4, chapter 72, Laws of 1971 and RCW 16.70.040; amending section 2, chapter 253, Laws of 1957 as amended by section 25, chapter 141, Laws of 1979 and RCW 18.20.020; amending section 4, chapter 253, Laws of 1957 and RCW 18.20.040; amending section 6, chapter 253, Laws of 1957 and RCW 18.20.060; amending section 9, chapter 253, Laws of 1957 as amended by section 3, chapter 189, Laws of 1971 ex. sess. and RCW 18.20.090; amending section 11, chapter 253, Laws of 1957 and RCW 18.20.110; amending section 12, chapter 108, Laws of 1937 and RCW 18.39.160; amending section 16, chapter 108, Laws of 1937 and RCW 18.39.170; amending section 15, chapter 43, Laws of 1981 and RCW 18.39.215; amending section 2, chapter 168, Laws of 1951 as amended by section 32, chapter 141, Laws of 1979 and RCW 18.46.010; amending section 6, chapter 168, Laws of 1951 and RCW 18.46.050; amending section 7, chapter 168, Laws of 1951 and RCW 18.46.060; amending section 9, chapter 168, Laws of 1951 and RCW 18.46.080; amending section 12, chapter 57, Laws of 1970 ex. sess. as last amended by section 5, chapter 243, Laws of 1977 ex. sess. and RCW 18.52.120; amending section 6, chapter 117, Laws of 1943 and RCW 19.32.110; amending section 28A.31.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 32, Laws of 1971 and RCW 28A.31.010; amending section 28A.31.030, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 32, Laws of 1971 and RCW 28A.31.030; amending section 1, chapter 46, Laws of 1973 and RCW 28A.31.050; amending section 3, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.104; amending section 4, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.106; amending section 6, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.110; amending section 9, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.116; amending section 3, chapter 47, Laws of 1979 and RCW 28A.31.134; amending section 5, chapter 47, Laws of 1979 and RCW 28A.31.138; reenacting and amending section 28A.59.180, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 158, Laws of 1982 and by section 11, chapter 191, Laws of 1982 and RCW 28A.59.180; amending section 35.67.030, chapter 7, Laws of 1965 and RCW 35.67.030; amending section 35.67.070, chapter 7, Laws of 1965 and RCW 35.67.070; amending section 35.88.020, chapter 7, Laws of 1965 and RCW 35.88.020; amending section 36.62.010, chapter 4, Laws of 1963 and RCW 36.62.010; amending section 36.62.020, chapter 4, Laws of 1963 and RCW 36.62.020; amending section 22, chapter 304, Laws of 1981 and RCW 59.20.190; amending section 14, chapter 108, Laws of 1937 as amended by section 218, chapter 158, Laws of 1979 and RCW 68.08.230; amending section 1, chapter 197, Laws of 1957 and RCW 69.06.010; amending section 2, chapter 197, Laws of 1957 and RCW 69.06.020; amending section 7, chapter 137, Laws of 1937 and RCW 69.12.070; amending section 3, chapter 144, Laws of 1955 and RCW 69.30.030; amending section 5, chapter 144, Laws of 1955 and RCW 69.30.050; amending section 6, chapter 144, Laws of 1955 and RCW 69.30.060; amending section 8, chapter 144, Laws of 1955 as amended by section 71, chapter 141, Laws of 1979 and RCW 69.30.080; amending section 10, chapter 51, Laws of 1967 ex. sess. as amended by section 79, chapter 141, Laws of 1979 and RCW 70.05.060; amending section 12, chapter 51, Laws of 1967 ex. sess. as amended by section

80, chapter 141, Laws of 1979 and RCW 70.05.070; amending section 14, chapter 51, Laws of 1967 ex. sess. as amended by section 82, chapter 141, Laws of 1979 and RCW 70.05.090; amending section 16, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.110; amending section 17, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.120; amending section 22, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.150; amending section 3, chapter 114, Laws of 1919 and RCW 70.24.030; amending section 4, chapter 114, Laws of 1919 and RCW 70.24.040; amending section 6, chapter 114, Laws of 1919 and RCW 70.24.050; amending section 8, chapter 114, Laws of 1919 and RCW 70.24.070; amending section 5, chapter 114, Laws of 1919 and RCW 70.24.080; amending section 6, chapter 54, Laws of 1967 and RCW 70.28.035; amending section 5, chapter 71, Laws of 1899 as amended by section 3, chapter 54, Laws of 1967 and RCW 70.28.050; amending section 5, chapter 162, Laws of 1943 as last amended by section 22, chapter 277, Laws of 1971 ex. sess. and RCW 70.32.050; amending section 1, chapter 267, Laws of 1955 as amended by section 106, chapter 141, Laws of 1979 and RCW 70.41.010; amending section 3, chapter 267, Laws of 1955 as amended by section 9, chapter 189, Laws of 1971 ex. sess. and RCW 70.41.030; amending section 4, chapter 267, Laws of 1955 and RCW 70.41.040; amending section 8, chapter 267, Laws of 1955 and RCW 70.41.080; amending section 11, chapter 267, Laws of 1955 as last amended by section 12, chapter 201, Laws of 1982 and RCW 70.41.110; amending section 12, chapter 267, Laws of 1955 and RCW 70.41.120; amending section 13, chapter 267, Laws of 1955 and RCW 70.41.130; amending section 18, chapter 267, Laws of 1955 and RCW 70.41.180; amending section 1, chapter 175, Laws of 1975 1st ex. sess. and RCW 70.41.190; amending section 9, chapter 183, Laws of 1945 as amended by section 21, chapter 51, Laws of 1967 ex. sess. and RCW 70.46.090; amending section 1, chapter 231, Laws of 1969 ex. sess. and RCW 70.54.110; amending section 3, chapter 83, Laws of 1907 as last amended by section 3, chapter 52, Laws of 1979 ex. sess. and RCW 70.58.020; amending section 12, chapter 83, Laws of 1907 as last amended by section 8, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.080; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 70.58.095; amending section 3, chapter 159, Laws of 1945 as last amended by section 14, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.180; amending section 6, chapter 159, Laws of 1945 as last amended by section 2, chapter 162, Laws of 1979 ex. sess. and RCW 70.58.200; amending section 1, chapter 133, Laws of 1939 as last amended by section 2, chapter 101, Laws of 1979 ex. sess. and RCW 70.58.210; amending section 6, chapter 177, Laws of 1959 and RCW 70.58.350; amending section 2, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.210; amending section 5, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.240; amending section 6, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.250; amending section 8, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.270; amending section 2, chapter 82, Laws of 1967 as amended by section 1, chapter 27, Laws of 1975-76 2nd ex. sess. and RCW 70.83.020; amending section 3, chapter 82, Laws of 1967 as amended by section 113, chapter 141, Laws of 1979 and RCW 70.83.030; amending section 5, chapter 82, Laws of 1967 and RCW 70.83.050; amending section 23, chapter 302, Laws of 1971 ex. sess. as amended by section 1, chapter 123, Laws of 1972 ex. sess. and RCW 70.108.040; amending section 5, chapter 142, Laws of 1977 ex. sess. and RCW 70.116.050; amending section 2, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.020; amending section 1, chapter 176, Laws of 1913 as last amended by section 1, chapter 240, Laws of 1927 and RCW 85.08.020; adding a new section to chapter 43.20 RCW; adding a new section to chapter 70.38 RCW; creating new sections; repealing section 6, chapter 117, Laws of 1943 and RCW 19.32.110; repealing section 43.20.100, chapter 8, Laws of 1965, section 44, chapter 75, Laws of 1977 and RCW 43.20.100; repealing section 43.20.140, chapter 8, Laws of 1965, section 58, chapter 141, Laws of 1979 and RCW 43.20.140; repealing section 11, chapter 102, Laws of 1967 ex. sess. and RCW 43.20.200; repealing section 12, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.140; section 16, chapter 190, Laws of 1939, section 1, chapter 30, Laws of 1961 and RCW 69.16.115; repealing section 17, chapter 190, Laws of 1939, section 2, chapter 30, Laws of 1961 and RCW 69.16.120; repealing section 16, chapter 112, Laws of 1939 and RCW 69.20.095; repealing section 17, chapter 112, Laws of 1939 and RCW 69.20.100; repealing section 5, chapter 161, Laws of 1979 ex. sess., section 4, chapter 139, Laws of 1980 and RCW 70.38.055; repealing section 14, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.145; repealing section 12, chapter 139, Laws of 1980 and RCW 70.38.911; repealing section 14, chapter 267, Laws of 1955 and RCW 70.41.140; repealing section 33, chapter 99, Laws of 1979 and RCW 43.131.213; repealing section 75, chapter 99, Laws of 1979 and RCW 43.131.214; repealing section 1, page 46, Laws of 1888 and RCW 70.16.010; repealing section 2, page 46, Laws of 1888 and RCW 70.16.020; repealing section 3, page 47, Laws of 1888 and RCW 70.16.030; repealing section 4, page 47, Laws of 1888 and RCW 70.16.040; repealing section 5, page 47, Laws of 1888 and RCW 70.16.050; repealing section 6, page 47, Laws of 1888 and RCW 70.16.060; repealing section 7, page 48, Laws of 1888 and RCW 70.16.070; repealing section 8, page 48, Laws of 1888 and RCW 70.16.080; repealing section 9, page 48, Laws of 1888 and RCW 70.16.090; repealing section 10, page 49, Laws of 1888 and RCW 70.16.100; repealing section 11, page 49, Laws of 1888 and RCW 70.16.110; repealing section 2220, Code of 1881 and RCW 70.16.120; repealing section 2221, Code of 1881 and RCW 70.16.130; repealing section 2224, Code of 1881 and RCW 70.16.140; repealing section 2222, Code of 1881 and RCW 70.16.150; repealing section 2223, Code of 1881 and RCW 70.16.160; repealing section 2225, Code of 1881



and RCW 70.16.170; repealing section 2226, Code of 1881 and RCW 70.16.180; repealing section 2227, Code of 1881 and RCW 70.16.190; repealing section 2219, Code of 1881 and RCW 70.16.200; repealing section 12, page 49, Laws of 1888 and RCW 70.20.010; repealing section 13, page 49, Laws of 1888 and RCW 70.20.020; repealing section 14, page 50, Laws of 1888, section 30, chapter 199, Laws of 1969 ex. sess. and RCW 70.20.030; repealing section 2204, Code of 1881 and RCW 70.20.040; repealing section 2205, Code of 1881 and RCW 70.20.050; repealing section 2206, Code of 1881 and RCW 70.20.060; repealing section 2207, Code of 1881 and RCW 70.20.070; repealing section 2208, Code of 1881 and RCW 70.20.080; repealing section 2209, Code of 1881 and RCW 70.20.090; repealing section 2210, Code of 1881 and RCW 70.20.100; repealing section 2211, Code of 1881 and RCW 70.20.110; repealing section 2212, Code of 1881 and RCW 70.20.120; repealing section 2213, Code of 1881 and RCW 70.20.130; repealing section 2215, Code of 1881 and RCW 70.20.150; repealing section 2216, Code of 1881 and RCW 70.20.160; repealing section 2217, Code of 1881 and RCW 70.20.165; repealing section 2218, Code of 1881 and RCW 70.20.170; repealing section 1, chapter 48, Laws of 1901 and RCW 70.20.180; repealing section 2, chapter 48, Laws of 1901 and RCW 70.20.185; repealing section 12, chapter 102, Laws of 1967 ex. sess., section 1, chapter 25, Laws of 1969 ex. sess. and RCW 70.01.010; providing effective dates; and declaring an emergency."

Signed by Representatives Kreidler, Chair; Dellwo, Vice Chair; Lewis, Ranking Minority Chair; Ballard, Ranking Minority Vice Chair; Broback, J. King, McClure, Niemi, and B. Williams.

Voting nay: Representatives Braddock, Ebersole, Padden, Stratton and Wang.

Absent: Representatives G. Nelson and West.

Passed to Committee on Rules for second reading.

April 12, 1983

SJM 110 Prime Sponsor, Senator Zimmerman: Requesting Congress to refrain from imposing further federal control over land in the Columbia River Gorge. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Isaacson, Johnson, Martinis, Sanders, Sayan, Sutherland, Vander Stoep and B. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Locke, McClure, Miller, Sommers and Vekich.

Voting nay: Representatives Belcher, Fiske, Haugen, Locke, McClure, Miller, Sommers and Vekich.

Absent: Representatives McMullen and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

SSJR 119 Prime Sponsor, Committee on Local Government: Providing the means for the payment of indebtedness on public improvements. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Charnley, Hine, Isaacson, Mitchell, Ristuben and Smitherman.

Absent: Representatives Allen, Egger and Grimm.

Passed to Committee on Rules for second reading.

## SECOND READING

ENGROSSED SENATE BILL NO. 3134, by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Extending the license fee on the use of certain special fuels in motor vehicles.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 74th Day, March 24, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3134 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Garrett, Moon - 2.

Absent: Representatives Miller, Stratton, Tanner - 3.

Excused: Representatives Betzoff, King R, Wilson - 3.

Engrossed Senate Bill No. 3134 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. 3165, by Senators Barr, Hansen, Patterson and Hayner

Extending state route 21 to Kahlotus.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Egger and Nealey spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3165, and the bill passed the House by the following vote: Yeas, 85; nays, 8; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Belcher, Charnley, Fisher, Locke, Moon, Rust, Sayan, Wang - 8.

Absent: Representatives Stratton, Tanner - 2.

Excused: Representatives Betzoff, King R, Wilson - 3.

Senate Bill No. 3165, having received the 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. 3255, by Senators Granlund, Craswell and Owen (by Department of Transportation request)

Extending penalties for evading toll facility payment to pedestrians as well as vehicles.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 1, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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. 3255 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 1; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brøkke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Stratton - 1.

Excused: Representatives Betrozoff, King R, Wilson - 3.

Senate Bill No. 3255 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. 3197, by Committee on Financial Institutions (originally sponsored by Senators Wojahn, Sellar, Moore and Woody)

Providing insurance coverage for reconstructive breast surgery resulting from a mastectomy.

The bill was read the second time.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 5 strike everything after the enacting clause and insert:

\*NEW SECTION. Sec. 1. There is added to chapter 48.20 RCW a new section to read as follows:

Each insurer delivering or issuing disability insurance contracts providing hospital and medical expenses and health care services in this state after the effective date of this act shall offer coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness or injury.

NEW SECTION. Sec. 2. There is added to chapter 48.21 RCW a new section to read as follows:

Each insurer issuing or renewing a group disability insurance contract which insures for hospital or medical care after the effective date of this act shall offer coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness or injury.

NEW SECTION. Sec. 3. There is added to chapter 48.44 RCW a new section to read as follows:

Each health care service contractor at the time a contract for health care is entered into or renewed after the effective date of this act shall offer to the person or persons to receive the care coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness or injury.

NEW SECTION. Sec. 4. There is added to chapter 48.46 RCW a new section to read as follows:

Coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness or injury shall be offered when any health care service plan is issued, amended, or renewed after the effective date of this act.

Mr. Barnes spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Barnes spoke again in favor of the amendment, and Representatives Wang, Sanders and Long spoke against it.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Ballard spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Lux, is it the intention of this legislation to provide reconstructive surgery for someone whose mastectomy was accomplished prior to the effective date of this act under a policy which did not include this benefit?"

Mr. Lux: "Yes, that's exactly what the intent of this legislation is."

Representatives Galloway and Sanders spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Sanders, I wonder if you have some comments in regard to retroactivity and your understanding of the work in committee on this bill?"

Mr. Sanders: "Yes, I do, Representative McDonald. This subject of retroactivity came up in the Financial Institutions and Insurance Committee and an amendment was offered, or proposed, in that committee, to make this legislation retroactive and after considerable discussion--you know how difficult it is for us to change policy in the future and to change history is almost impossible--and because of that, and because that would include women who had mastectomies twenty or thirty years ago, the amendment was, at the request of the prime sponsor in the Senate, withdrawn. It's my feeling that it is not the intent of this legislation to be retroactive for those persons who had mastectomies a considerable length of time ago. However, if a woman has had a recent mastectomy and would like to have reconstructive breast surgery, then this legislation would apply."

Representatives P. King and Schoon spoke in favor of the bill, and Mr. Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3197, and the bill passed the House by the following vote: Yeas, 88; nays, 7; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Armstrong, Barnes, Bond, Kreidler, Nealey, Van Dyken, Williams J - 7.

Excused: Representatives Betrozoff, King R, Wilson - 3.

Substitute Senate Bill No. 3197, having received the 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. 3282, by Senators Guess, Peterson and Hansen  
Enacting the Multistate Highway Transportation Agreement.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3282, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hanks, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Betzoff, King R, Wilson - 3.

Engrossed Senate Bill No. 3282, having received the 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. 3076, by Senators Peterson, Guess, Deccio and Rasmussen

Modifying requirements for weight distribution for garbage trucks.

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

#### SENATE AMENDMENTS TO HOUSE BILL

April 11, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 114 with the following amendments:

On page 1, line 2 of the engrossed bill, being page 1, line 2 of the printed bill after "RCW" insert "; and providing an expiration date"

On page 2, line 28 of the engrossed bill, being page 2, line 28 of the printed bill, strike the language beginning with "Fees" down to and including "RCW 80.24.020" and insert "The commission shall set the fees so that total fees collected will approximately equal the reasonable cost of supervising and regulating heat suppliers"

On page 3, line 27 of the engrossed bill, being page 3, line 25 of the printed bill, after the first "the" strike "cost to the public of" and insert "rates charged to customers for"

On page 3, after line 35 of the engrossed bill, being page 3, after line 33 of the printed bill, insert the following:

NEW SECTION, Sec. 9. This chapter expires July 1, 2003, but suppliers may continue to operate under this chapter for ten years from the date of issue of their first operating permit."

Renumber the remaining sections consecutively,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. D. Nelson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 114.

Representatives D. Nelson and Barrett spoke in favor of the motion, and it was carried.

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

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 114 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 114 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Betrozoff, King R, Wilson - 3.

Engrossed Substitute House Bill No. 114 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 297 with the following amendment:

Strike everything after the enacting clause, and insert the following:

**NEW SECTION.** Sec. 1. The following portions of the report to the legislature dated January 10, 1983, by the sentencing guidelines commission of the state of Washington and as set forth in sections 2 through 16 of this act are approved as modified by the legislature to take effect on July 1, 1984:

- (1) The sentencing guidelines contained in tables 1, 2, and 3 and in part V; and
- (2) The prosecuting standards for charging and plea dispositions contained in part VI.

**NEW SECTION.** Sec. 2.

TABLE 1  
Sentencing Grid

SERIOUSNESS SCORE	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
XIV	Life Sentence without Parole/Death Penalty									
XIII	23y4m 240- 320	24y4m 250- 333	25y4m 261- 347	26y4m 271- 361	27y4m 281- 374	28y4m 291- 388	30y4m 312- 416	32y10m 338- 450	36y 370- 493	40y 411- 548
XII	12y 123- 164	13y 134- 178	14y 144- 192	15y 154- 205	16y 165- 219	17y 175- 233	19y 195- 260	21y 216- 288	25y 257- 342	29y 298- 397
XI	6y 62- 82	6y9m 69- 92	7y6m 77- 102	8y3m 85- 113	9y 93- 123	9y9m 100- 133	12y6m 129- 171	13y6m 139- 185	15y6m 159- 212	17y6m 180- 240
X	5y 51- 68	5y6m 57- 75	6y 62- 82	6y6m 67- 89	7y 72- 96	7y6m 77- 102	9y6m 98- 130	10y6m 108- 144	12y6m 129- 171	14y6m 149- 198
IX	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	5y 51- 68	5y6m 57- 75	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144	12y6m 129- 171
VIII	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144

SERIOUSNESS SCORE	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
	15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
	20	27	34	41	48	54	75	89	102	116
VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
	12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
	14	20	27	34	41	48	61	75	89	102
V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
	6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
	12	14	17	20	29	43	54	68	82	96
IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
	3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
	9	12	14	17	20	29	43	57	70	84
III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
	1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
	3	8	12	12	16	22	29	43	57	68
II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
	0-90 Days	2-	3-	4-	12+-	14-	17-	22-	33-	43-
		6	9	12	14	18	22	29	43	57
I			3m	4m	5m	8m	13m	16m	20m	2y2m
	0-60 Days	0-90 Days	2-	2-	3-	4-	12+-	14-	17-	22-
			5	6	8	12	14	18	22	29

NOTE: Numbers in the first horizontal row of each seriousness category represent sentencing midpoints in years(y) and months(m). Numbers in the second and third rows represent presumptive sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

Additional time added to the presumptive sentence if the offender was armed with a deadly weapon as defined in this chapter:

24 months (Rape 1, Robbery 1, Kidnaping 1)

18 months (Burglary 1)

12 months (Assault 2, Escape 1, Kidnaping 2, Burglary 2 of a building other than a dwelling)

NEW SECTION, Sec. 3.

TABLE 2  
CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XIV	Aggravated Murder 1 (RCW 10.95.020)	
XIII	Murder 1 (RCW 9A.32.030)	
XII	Murder 2 (RCW 9A.32.050)	
XI	Assault 1 (RCW 9A.36.010)	
X	Kidnaping 1 (RCW 9A.40.020) Rape 1 (RCW 9A.44.040)	
IX	Robbery 1 (RCW 9A.56.200) Manslaughter 1 (RCW 9A.32.060) Statutory Rape 1 (RCW 9A.44.070)	
	VIII	Arson 1 (RCW 9A.48.020) Rape 2 (RCW 9A.44.050) Promoting Prostitution 1 (RCW 9A.88.070)
		VII
VI		
	V	
		IV

- Assault 2 (RCW 9A.36.020)
- Escape 1 (RCW 9A.76.110)
- Arson 2 (RCW 9A.48.030)
- Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
- Malicious Harassment (RCW 9A.36.080)
- Wilful Failure to Return from Furlough (RCW 72.66.060)
- Incest 1 (RCW 9A.64.020(1))
- III Rape 3 (RCW 9A.44.060)
- Statutory Rape 3 (RCW 9A.44.090)
- Incest 2 (RCW 9A.64.020(2))
- Extortion 2 (RCW 9A.56.130)
- Unlawful Imprisonment (RCW 9A.40.040)
- Assault 3 (RCW 9A.36.030)
- Promoting Prostitution 2 (RCW 9A.88.080)
- Introducing Contraband 2 (RCW 9A.76.150)
- Communicating with a Minor for Immoral Purposes (RCW 9A.44.110)
- Escape 2 (RCW 9A.76.120)
- Perjury 2 (RCW 9A.72.030)
- Intimidating a Public Servant (RCW 9A.76.180)
- Tampering with a Witness (RCW 9A.72.120)
- II Malicious Mischief 1 (RCW 9A.48.070)
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Theft 1 (RCW 9A.56.030)
- Theft of Livestock (RCW 9A.56.080)
- Welfare Fraud (RCW 74.08.055)
- Burglary 2 (RCW 9A.52.030)
- I Theft 2 (RCW 9A.56.040)
- Possession of Stolen Property 2 (RCW 9A.56.160)
- Forgery (RCW 9A.60.020)
- Auto Theft (Taking and Riding) (RCW 9A.56.070)
- Vehicle Prowl 1 (RCW 9A.52.095)
- Eluding a Police Vehicle (RCW 46.61.024)
- Malicious Mischief 2 (RCW 9A.48.080)
- Reckless Burning 1 (RCW 9A.48.040)
- Unlawful Issuance of Bank Checks (RCW 9A.56.060)

NEW SECTION, Sec. 4.

TABLE 3  
OFFENDER SCORE MATRIX  
Prior Adult Convictions

Current Offenses	Serious Violent	Burglary 1	Other Violent	Negligent Homicide	Escape
Serious Violent	3	2	2	1	1
Burglary 1	2	2	2	1	1
Other Violent	2	2	2	1	1
Negligent Homicide	0	0	0	1	0
Escape	0	0	0	0	1
Burglary 2	1	2	1	1	1
Other Non-Violent	1	1	1	1	1

  

Current Offenses	Burglary 2	Felony Hit-and-Run	Serious Traffic	Other Non-Violent
Serious Violent	1	1	0	1
Burglary 1	2	1	0	1
Other Violent	1	1	0	1
Negligent Homicide	0	1	1	0
Escape	0	0	0	0
Burglary 2	2	1	0	1
Other Non-Violent	1	1	0	1

  

Current Offenses	Serious Violent	Burglary 1	Other Violent	Negligent Homicide	Escape
Serious Violent	3	2	2	1/2	1/2
Burglary 1	2	2	2	1/2	1/2
Other Violent	2	2	2	1/2	1/2
Negligent Homicide	0	0	0	1/2	0
Escape	0	0	0	0	1/2
Burglary 2	1	2	1	1/2	1/2
Other Non-Violent	1	1	1	1/2	1/2



Current Offenses	Burglary 2	Felony Hit-and-Run	Serious Traffic	Other Non-Violent
Serious Violent	1/2	1/2	0	1/2
Burglary 1	1	1/2	0	1/2
Other Violent	1/2	1/2	0	1/2
Negligent Homicide	0	1/2	1/2	0
Escape	0	0	0	0
Burglary 2	1	1/2	0	1/2
Other Non-Violent	1/2	1/2	0	1/2

Definitions: Serious Violent: Murder 1, Murder 2, Assault 1, Kidnaping 1, Rape 1  
 Escape: Escape 1, Escape 2, Willful Failure to Return From Work Release or Furlough  
 Serious Traffic: Driving While Intoxicated, Actual Physical Control, Reckless Driving, Hit-and-Run

V. RECOMMENDED SENTENCING GUIDELINES

**NEW SECTION.** Sec. 5. The sentencing guidelines and prosecuting standards apply equally to offenders in all parts of the state, without discrimination as to any element that does not relate to the crime or the previous record of the defendant.

**NEW SECTION.** Sec. 6. OFFENSE SERIOUSNESS LEVEL. The offense seriousness level is determined by the offense of conviction. Felony offenses are divided into fourteen levels of seriousness, ranging from low (seriousness level I) to high (seriousness level XIV - see section 3 of this act (Table 2)).

**NEW SECTION.** Sec. 7. OFFENDER SCORE. The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are summarized in Table 3, section 4 of this act.

The offender score is computed in the following way:

(1) Include juvenile felony convictions if the offender was 15 or older at the time the offense was committed and the offender was 23 or less at the time the offense for which he or she is being sentenced was committed.

(2) If the present conviction is for Murder 1 or 2, Assault 1, Kidnaping 1, or Rape 1, count three points for prior adult and juvenile convictions for crimes in these categories.

(3) If the present conviction is for a violent offense (as defined in RCW 9.94A.110) and not covered in subsection (2) of this section, count two points for each prior adult and juvenile violent felony conviction and 1/2 point for each prior juvenile nonviolent felony conviction (rounding down for uneven scores).

(4) If the present conviction is for Burglary (1 or 2), count two points for each prior adult Burglary conviction. Count two points for each prior juvenile Burglary 1, and one point for each prior juvenile Burglary 2 conviction.

(5) If the present conviction is for a nonviolent offense (as defined in RCW 9.94A.110), count one point for each prior adult felony conviction and one point for each prior juvenile violent felony conviction and 1/2 point for each prior juvenile nonviolent felony (rounding down for uneven scores).

(6) If the present conviction is for escape, count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point (rounding down for uneven scores).

(7) If the present conviction is for Negligent Homicide, only count the following crimes as part of the offender score: Negligent Homicide, Felony Hit and Run (RCW 46.52.020(4)), Hit and Run (RCW 46.52.020(5)), Driving While Intoxicated (RCW 46.61.502), Actual Physical Control (RCW 46.61.504), Reckless Driving (RCW 46.61.500). Count each adult prior conviction as one point and each juvenile prior conviction as 1/2 point (rounding down for uneven scores).

(8) In the case of multiple prior convictions for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. The conviction for the most serious offense, using the seriousness levels to define most serious, is scored.

(9) Class A prior felony convictions are always included in the offender score. Class B prior felony convictions are not included if the offender has spent ten years in the community and has not been convicted of any felonies. Class C prior felony convictions and serious traffic convictions as defined in section 4 of this act are not included if the offender has spent five years in the community and has not been convicted of any felonies. This subsection applies to both adult and juvenile prior convictions.

The designation of out-of-state convictions shall be covered by the offense definitions and sentences provided by Washington law.

The offender score is the sum of points accrued under subsections (1) through (9) of this section.

**NEW SECTION.** Sec. 8. PRESUMPTIVE SENTENCE. The intersection of the column defined by the offender score and the row defined by the offense seriousness score determines the presumptive sentencing range (see section 2 of this act, (Table 1)). The judge may sentence anywhere within this range. Except in decisions concerning first-time, nonviolent offenders, any

sentence imposed by a sentencing judge which is outside the presumptive range is a departure from the guidelines, requires written reasons from the judge, and is reviewable on appeal.

In determining any sentence, the trial judge may use no more information than is admitted by the plea agreement, and admitted to or acknowledged at the time of sentencing. Acknowledgement includes not objecting to information stated in the presentence reports. Where the defendant disputes material facts, the judge must either not consider the fact or grant an evidentiary hearing on the point. The real facts shall be deemed proven at the evidentiary hearing by a preponderance of the evidence. Real facts which establish elements of a higher crime, a more serious crime, or additional crimes cannot be used to go outside the guidelines except upon stipulation.

**NEW SECTION, Sec. 9. ALTERNATIVE CONVERSIONS.** For sentences of nonviolent offenders for less than one year, the court shall consider and give priority to available alternatives to total confinement and shall justify its reasons if they are not used.

With the exception of the first-time offender, the judge shall establish the sentence in terms of total confinement. This sentence can be converted as follows: One day of partial confinement or eight hours of community service can replace one day of total confinement. The community service conversion is limited to 240 hours or 30 working days. In addition, the judge can impose up to one year of community supervision to ensure that the terms of the alternative sentence are met. Fines can be assessed according to the following formula:

Class A felonies	\$0 - 50,000
Class B felonies	\$0 - 20,000
Class C felonies	\$0 - 10,000

**NEW SECTION, Sec. 10. DEPARTURES FROM THE GUIDELINES.** The presumptive sentence shall be the midpoint of the standard range as established by the crime of conviction and any applicable enhancements. The sentencing court shall impose the presumptive sentence or other sentence within the indicated standard range that it determines to be appropriate. If the court finds that an exceptional sentence outside the standard range should be imposed in accordance with RCW 9.94A.120(2), the court may impose any sentence it deems appropriate within the statutory term. If the court sentences outside the standard range, it shall set forth its justification for doing so in written findings and conclusions, and any sentence outside the standard range shall be subject to review only as provided for in RCW 9.94A.210(4).

The following are illustrative factors which the court may consider in the exercise of its discretion to impose an exceptional sentence:

**Mitigating Circumstances**

(1) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(2) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(3) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(4) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(5) The defendant's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law, was significantly impaired (voluntary use of drugs or alcohol is excluded).

(6) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

**Aggravating Circumstances**

(1) The defendant's conduct during the commission of the offense manifested deliberate cruelty to the victim.

(2) The defendant knew or should have known that the victim of the offense was particularly vulnerable or incapable of resistance due to extreme youth, advanced age, disability, or ill health.

(3) The offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(a) The offense involved multiple victims or multiple incidents per victim;

(b) The offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(c) The offense involved a high degree of sophistication or planning or occurred over a lengthy period of time;

(d) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the offense.

(4) The offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify an offense as a major VUCSA:

(a) The offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so; or

(b) The offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use; or

(c) The offense involved the manufacture of controlled substances for use by other parties; or

(d) The offender possessed a firearm during the commission of the offense; or

(e) The circumstances of the offense reveal the offender to have occupied a high position in the drug distribution hierarchy; or

(f) The offense involved a high degree of sophistication or planning or occurred over a lengthy period of time or involved a broad geographic area of disbursement; or

(g) The offender used his or her position or status to facilitate the commission of the offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional).

The above considerations are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

**NEW SECTION. Sec. 11. CONSECUTIVE/CONCURRENT SENTENCES.** (1) Whenever a person is convicted of two or more offenses, at least one of which is a violent offense, and the offenses arise out of separate and distinct criminal transactions, the sentences imposed shall run consecutively; provided that under this section, the presumptive sentence only for the most serious offense shall be determined by using the offender's actual criminal history score whereas the presumptive sentences for all other offenses shall be determined by using a criminal history score of zero.

(2) Whenever a person while under sentence of felony commits another felony and is sentenced to another term of imprisonment, the latter term shall not begin until expiration of all prior terms.

(3) Whenever a person is convicted of two or more offenses, and either: (a) All of the offenses are nonviolent and they arise out of separate and distinct criminal transactions; or (b) at least one of the offenses is a violent offense but they all arise out of the same criminal transaction, the sentences imposed shall run concurrently; provided that the presumptive sentence for the most serious offense shall be enhanced by counting all other current offenses as prior offenses for purposes of calculating the criminal history score.

(4) Whenever a person is convicted of two or more nonviolent offenses which all arise out of the same criminal transaction, the sentences imposed shall run concurrently.

**NEW SECTION. Sec. 12. CONVICTIONS FOR ATTEMPTS OR CONSPIRACIES.** For persons convicted of attempted offenses or conspiracies to commit an offense, the presumptive sentence is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the conviction, and multiplying the range by 75 percent.

**NEW SECTION. Sec. 13. PRESUMPTIVE RANGES THAT EXCEED THE STATUTORY MAXIMUM.** If the presumptive sentence duration given in the sentencing grid exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence.

#### VI. RECOMMENDED PROSECUTING STANDARDS FOR CHARGING AND PLEA DISPOSITIONS

**NEW SECTION. Sec. 14. INTRODUCTION.** These standards are intended solely for the guidance of prosecutors in the State of Washington. They are not intended to, do not and may not be relied upon to create a right or benefit, substantive or procedural, enforceable at law by a party in litigation with the state.

**NEW SECTION. Sec. 15. EVIDENTIARY SUFFICIENCY.** (1) Decision not to prosecute.  
**STANDARD:** A Prosecuting Attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

#### GUIDELINE/COMMENTARY:

##### Examples

The following are examples of reasons not to prosecute which could satisfy the standard.

(a) Contrary to Legislative Intent - It may be proper to decline to charge where the application of criminal sanctions would be clearly contrary to the intent of the legislature in enacting the particular statute.

(b) Antiquated Statute - It may be proper to decline to charge where the statute in question is antiquated in that:

(i) It has not been enforced for many years; and

(ii) Most members of society act as if it were no longer in existence; and

(iii) It serves no deterrent or protective purpose in today's society; and

(iv) The statute has not been recently reconsidered by the legislature.

This reason is not to be construed as the basis for declining cases because the law in question is unpopular or because it is difficult to enforce.

(c) De Minimus Violation - It may be proper to decline to charge where the violation of law is only technical or insubstantial and where no public interest or deterrent purpose would be served by prosecution.

(d) Confinement on Other Charges - It may be proper to decline to charge because the accused has been sentenced on another charge to a lengthy period of confinement; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iii) Conviction of the new offense would not serve any significant deterrent purpose.

(e) Pending Conviction on Another Charge - It may be proper to decline to charge because the accused is facing a pending prosecution in the same or another county; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) Conviction in the pending prosecution is imminent;

(iii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iv) Conviction of the new offense would not serve any significant deterrent purpose.

(f) High Disproportionate Cost of Prosecution - It may be proper to decline to charge where the cost of locating or transporting, or the burden on, prosecution witnesses is highly disproportionate to the importance of prosecuting the offense in question. This reason should be limited to minor cases and should not be relied upon in serious cases.

(g) Improper Motives of Complainant - It may be proper to decline charges because the motives of the complainant are improper and prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

(h) Immunity - It may be proper to decline to charge where immunity is to be given to an accused in order to prosecute another where the accused's information or testimony will reasonably lead to the conviction of others who are responsible for more serious criminal conduct or who represent a greater danger to the public interest.

(i) Victim Request - It may be proper to decline to charge because the victim requests that no criminal charges be filed and the case involves the following crimes or situations:

(1) Assault cases where the victim has suffered little or no injury;

(ii) Crimes against property, not involving violence, where no major loss was suffered;

(iii) Where doing so would not jeopardize the safety of society.

Care should be taken to insure that the victim's request is freely made and is not the product of threats or pressure by the accused.

The presence of these factors may also justify the decision to dismiss a prosecution which has been commenced.

Notification

The prosecutor is encouraged to notify the victim, when practical, and the law enforcement personnel, of the decision not to prosecute.

(2) Decision to prosecute.

STANDARD:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact-finder.

Crimes against property/other crimes will be filed if the admissible evidence is of such convincing force as to make it probable that a reasonable and objective fact-finder would convict after hearing all the admissible evidence and the most plausible defense that could be raised.

See Table 13 for the crimes within these categories.

TABLE 13

CATEGORIZATION OF CRIMES FOR PROSECUTING STANDARDS

CRIMES AGAINST PERSONS

Aggravated Murder

1st Degree Murder

2nd Degree Murder

1st Degree Kidnaping

1st Degree Assault

1st Degree Rape

1st Degree Robbery

1st Degree Statutory Rape

1st Degree Arson

2nd Degree Kidnaping

2nd Degree Assault

2nd Degree Rape

2nd Degree Robbery

1st Degree Burglary  
 1st Degree Manslaughter  
 2nd Degree Manslaughter  
 1st Degree Extortion  
 Indecent Liberties  
 2nd Degree Statutory Rape  
 Incest  
 Negligent Homicide  
 3rd Degree Rape  
 3rd Degree Statutory Rape  
 2nd Degree Extortion  
 1st Degree Promoting Prostitution  
 Intimidating a Juror  
 Communication with a Minor  
 Intimidating a Witness  
 Intimidating A Public Servant  
 Bomb Threat (if against person)  
 3rd Degree Assault  
 Unlawful Imprisonment  
 Promoting a Suicide Attempt  
 Riot (if against person)

**CRIMES AGAINST PROPERTY/OTHER CRIMES**

2nd Degree Arson  
 1st Degree Escape  
 2nd Degree Burglary  
 1st Degree Theft  
 1st Degree Perjury  
 1st Degree Introducing Contraband  
 1st Degree Possession of Stolen Property  
 Bribery  
 Bribing a Witness  
 Bribe received by a Witness  
 Bomb Threat (if against property)  
 1st Degree Malicious Mischief  
 2nd Degree Theft  
 2nd Degree Escape  
 2nd Degree Introducing Contraband  
 2nd Degree Possession of Stolen Property  
 2nd Degree Malicious Mischief  
 1st Degree Reckless Burning  
 Taking a Motor Vehicle without Authorization  
 Forgery  
 Welfare Fraud  
 2nd Degree Perjury  
 2nd Degree Promoting Prostitution  
 Tampering with a Witness  
 Trading in Public Office  
 Trading in Special Influence  
 Receiving/Granting Unlawful Compensation  
 Bigamy  
 Eluding a Police Vehicle  
 Willful Failure to Return from Furlough  
 Riot (if against property)  
 Thefts of Livestock  
**ALL OTHER UNCLASSIFIED FELONIES**  
 Selection of Charges/Degree of Charge

(1) The prosecutor should file charges which adequately describe the nature of defendant's conduct. Other offenses may be charged only if they are necessary to ensure that the charges:

(a) Will significantly enhance the strength of the state's case at trial; or  
 (b) Will result in restitution to all victims.

(2) The prosecutor should not overcharge to obtain a guilty plea. Overcharging includes:

(a) Charging a higher degree;  
 (b) Charging additional counts.

This standard is intended to direct prosecutors to charge those crimes which demonstrate the nature and seriousness of a defendant's criminal conduct, but to decline to charge crimes which are not necessary to such an indication. Crimes which do not merge as a matter of law, but which arise from the same course of conduct, do not all have to be charged.

**GUIDELINES/COMMENTARY:****Police Investigation**

A prosecuting attorney is dependent upon law enforcement agencies to conduct the necessary factual investigation which must precede the decision to prosecute. The prosecuting attorney shall ensure that a thorough factual investigation has been conducted before a decision to prosecute is made. In ordinary circumstances the investigation should include the following:

- (1) The interviewing of all material witnesses, together with the obtaining of written statements whenever possible;
- (2) The completion of necessary laboratory tests; and
- (3) The obtaining, in accordance with constitutional requirements, of the suspect's version of the events.

If the initial investigation is incomplete, a prosecuting attorney should insist upon further investigation before a decision to prosecute is made, and specify what the investigation needs to include.

**Exceptions**

In certain situations, a prosecuting attorney may authorize filing of a criminal complaint before the investigation is complete if:

- (1) Probable cause exists to believe the suspect is guilty; and
- (2) The suspect presents a danger to the community or is likely to flee if not apprehended;

or

- (3) The arrest of the suspect is necessary to complete the investigation of the crime.

In the event that the exception to the standard is applied, the prosecuting attorney shall obtain a commitment from the law enforcement agency involved to complete the investigation in a timely manner. If the subsequent investigation does not produce sufficient evidence to meet the normal charging standard, the complaint should be dismissed.

**Investigation Techniques**

The prosecutor should be fully advised of the investigatory techniques that were used in the case investigation including:

- (1) Polygraph testing;
- (2) Hypnosis;
- (3) Electronic surveillance;
- (4) Use of informants.

**Pre-Filing Discussions with Defendant**

Discussions with the defendant or his/her representative regarding the selection or disposition of charges may occur prior to the filing of charges, and potential agreements can be reached.

**NEW SECTION. Sec. 16. PLEA DISPOSITIONS.**

**STANDARD:** (1) Except as provided in subsection (2) of this section, a defendant will normally be expected to plead guilty to the charge or charges which adequately describe the nature of his or her criminal conduct or go to trial.

(2) In certain circumstances, a plea agreement with a defendant in exchange for a plea of guilty to a charge or charges that may not fully describe the nature of his or her criminal conduct may be necessary and in the public interest. Such situations may include the following:

- (a) Evidentiary problems which make conviction on the original charges doubtful;
- (b) The defendant's willingness to cooperate in the investigation or prosecution of others whose criminal conduct is more serious or represents a greater public threat;
- (c) A request by the victim when it is not the result of pressure from the defendant;
- (d) The discovery of facts which mitigate the seriousness of the defendant's conduct;
- (e) The correction of errors in the initial charging decision;
- (f) The defendant's history with respect to criminal activity;
- (g) The nature and seriousness of the offense or offenses charged;
- (h) The probable effect on witnesses.

**NEW SECTION. Sec. 17. SENTENCE RECOMMENDATIONS.****STANDARD:**

The prosecutor may reach an agreement regarding sentence recommendations.

The prosecutor shall not agree to withhold relevant information from the court concerning the plea agreement.

**NEW SECTION. Sec. 18. Sections 1 through 17 of this act shall be added to chapter 9.94A RCW.\***

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

**MOTION**

Mr. Armstrong moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 297.

Representatives Armstrong and Padden spoke in favor of the motion, and it was carried.

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

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 297 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 297 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 5; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J. and Mr. Speaker - 90.

Voting nay: Representatives Chandler, Dickie, Smith, Smitherman, Zellinsky - 5.

Excused: Representatives Betzoff, King R., Wilson - 3.

Engrossed Substitute House Bill No. 297 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 25 with the following amendments:

In line 2 of the title after "51." strike "\_\_\_\_\_" and insert "41.020"

In line 3 of the title after "51." strike "\_\_\_\_\_" and insert "41.040"

In line 4 of the title after "51." strike "\_\_\_\_\_" and insert "41.060"

On page 1, line 7 after "51." strike "\_\_\_\_\_" and insert "41.030"

On page 1, line 24 after "51." strike "\_\_\_\_\_" and insert "41.040"

On page 2, line 29 after "51." strike "\_\_\_\_\_" and insert "41.060"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to Engrossed House Bill No. 25.

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

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 25 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 25 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B., Williams J., Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Betzoff, King R., Wilson - 3.

Engrossed House Bill No. 25 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, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 102 with the following amendments:

On page 1, line 9 after "benefit" insert "otherwise eligible"

On page 1, line 10, after "1983" insert ", provided that claims shall not be reopened solely for vocational rehabilitation purposes"

On page 3, after line 11 insert the following"

"NEW SECTION. Sec. 5. If any provisions of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to House Bill No. 102.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 102 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 102 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Berozoff, King R, Wilson - 3.

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

SECOND READING

Representative R. King appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3299, by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn)

Modifying definition of personal leases.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, April 8, 1983.)

Mr. Tanner moved adoption of the committee amendment to page 6, line 8.

Representatives Tanner and Sanders spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Sanders spoke again in favor of the amendment, and it was adopted.

Mr. Tanner moved adoption of the committee amendment to page 6, lines 14 and 15.



Representatives Tanner, Sanders and Ballard spoke in favor of the amendment, and Representatives Lux and Moon spoke against it.

The committee amendment was adopted.

Mr. Tanner moved adoption of the committee amendment to page 9, line 5.

Representatives Tanner and Sanders spoke in favor of the amendment, and Representatives Lux and Moon spoke against it.

The amendment was adopted.

On motion of Mr. Tanner, the committee amendment to page 9, line 10 was adopted.

Mr. Lux moved adoption of the following amendment by Representatives Lux and D. Nelson:

On page 6, line 8 after "lease" insert "entered into after June 30, 1983, bearing an interest rate less than 20 percent per annum."

Representatives Lux and Halsan spoke in favor of the amendment, and Representatives Zellinsky, Wang, Broback, Ballard, Schoon and Padden spoke against it.

Mr. Lux spoke again in favor of the amendment.

The amendment was not adopted.

Substitute Senate Bill No. 3299 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 3009, by Senators Williams and Moore

Modifying provisions relating to the use of deadly weapons.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3009, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dello, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Berozoff, Wilson - 2.

Senate Bill No. 3009, having received the 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. 3174, by Committee on Ways & Means (originally sponsored by Senators McDermott, Peterson, Bottiger, Hemstad and Zimmerman)

Modifying provisions concerning the Washington state patrol retirement system.

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

#### MESSAGE FROM THE SENATE

April 13, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 32,  
 HOUSE BILL NO. 63,  
 HOUSE BILL NO. 78,  
 HOUSE BILL NO. 106,  
 HOUSE BILL NO. 111,  
 HOUSE BILL NO. 136,  
 SUBSTITUTE HOUSE BILL NO. 148,  
 SUBSTITUTE HOUSE BILL NO. 187,  
 SUBSTITUTE HOUSE BILL NO. 189,  
 HOUSE BILL NO. 198,  
 HOUSE BILL NO. 219,  
 HOUSE BILL NO. 256,  
 HOUSE BILL NO. 274,  
 HOUSE BILL NO. 275,  
 HOUSE BILL NO. 285,  
 HOUSE BILL NO. 312,  
 SUBSTITUTE HOUSE BILL NO. 366,  
 HOUSE BILL NO. 371,  
 HOUSE BILL NO. 413,  
 HOUSE BILL NO. 534,  
 SUBSTITUTE HOUSE BILL NO. 547,  
 HOUSE BILL NO. 787,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3266, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, Talmadge, Bender, Thompson, Moore, Bauer, Woody and Hurley)

Modifying provisions of the WPPSS board.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, April 8, 1983.)

Mr. D. Nelson moved adoption of the committee amendments and spoke against them.

The committee amendments were not adopted.

Mr. Barnes moved adoption of the following amendments by Representatives Barnes, Long, D. Nelson and Isaacson:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 43.52.290, chapter 8, Laws of 1965 as last amended by section 5, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.290 are each amended to read as follows:

Members of the board of directors of an operating agency shall be paid the sum of fifty dollars per day as compensation for each day or major part thereof devoted to the business of the operating agency, together with their traveling and other necessary expenses. Such member may, regardless of any charter or other provision to the contrary, be an officer or employee holding another public position and, if he be such other public officer or employee, he shall be paid by the operating agency such amount as will, together with the compensation for such other public position equal the sum of fifty dollars per day. The common law doctrine of incompatibility of offices is hereby voided as it applies to persons sitting on the board of directors or the executive board of an operating agency and holding an elective or appointive position on a public utility district commission or municipal legislative authority or being an employee of a public utility district or municipality.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in

the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the ((per diem)) compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374((--in which case per diem compensation to any member shall not exceed ten thousand dollars in any year)).

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, terminate, or decommission any power plants, works, and facilities except that once the board of directors has made a final decision regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components;

(b) Election of members to ((and)), removal from, and establishment of salaries for the elected members of the executive board under RCW 43.52.374(1)(a); and

(c) Selection and appointment of three outside directors as provided in RCW 43.52.374(1)(b).

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, including but not limited to the authority to sell any power plant, works, and facilities are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. as amended by section 3, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Five members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the five members of the executive board elected from among the members of the board of directors so as to reflect the member public utility districts' and cities' participation in the joint operating agency's projects. Members elected to the executive board from the board of directors are ineligible for continued membership on the executive board if they cease to be members of the board of directors. The board of directors may also provide by rule for the removal of a member of the executive board, except for the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board. Members elected to the executive board from the board of directors shall receive a salary from the operating agency at a rate set by the board of directors.

(b) Six members of the executive board shall be outside directors. Three shall be selected and appointed by the board of directors, and three shall be selected and appointed by the governor and confirmed by the senate. All outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the board of directors and the governor shall each appoint one outside director to serve a two-year term, one outside director to serve a three-year term, and one outside director to serve a four-year term. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive ((per diem compensation and)) travel expenses on the same basis as the five members elected from the board of directors. The outside directors shall also receive a salary from the operating agency as fixed by the governor;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) The governor may remove outside directors from the executive board for incompetency, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this subsection, misconduct shall include, but not be limited to, nonfeasance and misfeasance.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall elect from its members a chairman, vice chairman, and secretary, who shall serve at the pleasure of the executive board. The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business which, for the executive board and any subgroup thereof, shall comply with the Open Public Meetings Act, Chapter 42.30 RCW, including reasonable opportunity for public input.

All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on April 20, 1982, to which the provisions of this section are applicable:

(a) The board of directors shall elect five members to the executive board no later than sixty days after April 20, 1982; and

(b) The board of directors and the governor shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than sixty days after April 20, 1982, and the powers and duties prescribed in this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

In addition members of the executive board who are utility employees shall not be fired, forced to resign, or demoted from their utility jobs for decisions they make while carrying out their duties as members of the executive board involving the exercise of judgment and discretion.

On page 1, line 1 of the title after "agencies;" strike the remainder of the title and insert "amending section 43.52.290, chapter 8, Laws of 1965 as last amended by section 5, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.290; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.370; and amending section 2, chapter 3, Laws of 1981 1st ex. sess. as amended by section 3, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.374."

Representatives Barnes, D. Nelson, Miller and Isaacson spoke in favor of the amendments, and they were adopted.

The bill as amended by the House was passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Heck, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

April 12, 1983

HB 406 Prime Sponsor, Representative Grimm: Modifying provisions relating to expenditures by state agencies. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and McDonald.

Passed to Committee on Rules for second reading.

April 12, 1983

HB 712 Prime Sponsor, Representative Wang: Providing for the funding of a hazardous waste program. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hine, J. King, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Bond, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

April 12, 1983

2SSB 3085 Prime Sponsor, Committee on Commerce & Labor: Modifying provisions on unemployment compensation. Reported by Committee on Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 9 strike all material through "(3)" on line 12 and insert the following:

~~"(2) (Additional benefits are payable to otherwise eligible persons who have exhausted extended benefits on their most recent claim after July 1, 1983:~~

~~(3))"~~

On page 6, line 5 after "50.44.010" insert "and 50.44.030"

Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick, Sayan and Smith.

Voting nay: Representatives Clayton, Ranking Minority Chair; Betzoff and Struthers.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3098 Prime Sponsor, Committee on Local Government: Providing for filling county freeholder vacancies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 36.32 RCW a new section to read as follows:

Vacancies in the position of county freeholder shall be filled with a person qualified for the position who is appointed by majority action of the remaining county freeholders."

On page 1, line 1 of the title after "and" strike the remainder of the title and insert "adding a new section to chapter 36.32 RCW."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Allen, Grimm and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3128 Prime Sponsor, Senator Talmadge: Modifying conditions under which attorneys fees and costs may be awarded in condemnation proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt and Wang.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3132 Prime Sponsor, Senator Talmadge: Providing for damages and attorney fees when mortgagees fail to release mortgage upon satisfaction. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt and Wang.

Voting nay: Representatives Hastings and G. Nelson.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3142 Prime Sponsor, Senator Thompson: Modifying financial disclosure requirements for public treasurers. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15 after "treasurer" strike "held" and insert "or, in the case of a county, a member of the county finance committee, held during the reporting period"

On page 1, line 19 after "treasurer" strike "had" and insert "or, in the case of a county, a member of the county finance committee, held during the reporting period"

On page 1, line 29 after "filed" insert "either"

On page 2, line 1 after "42.17.240" insert "or separately."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Schoon, Tanner and Vander Stoep.

Absent: Representatives Patrick, Sommers and Zellinsky.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3185 Prime Sponsor, Senator Talmadge: Extending the term of jurisdiction for courts of limited jurisdiction. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking

Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt and Wang.

Absent: Representatives Locke and Tilly.

Passed to Committee on Rules for second reading.

April 12, 1983

E2SSB 3230 Prime Sponsor, Committee on Ways & Means: Establishing the office of minority and women's business enterprises. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Johnson, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Voting nay: Representatives J. Williams, Ranking Minority Vice Chair; Bond, Nealey and Taylor.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3238 Prime Sponsor, Senator Zimmerman: Changing the planning and community affairs agency to the office of community programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Johnson, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver and Taylor.

Absent: Representatives Bond, Lux and Vekich.

Passed to Committee on Rules for second reading.

April 12, 1983

E2SSB 3245 Prime Sponsor, Committee on Ways & Means: Establishing the housing finance commission. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Sec. 1. DECLARATION OF PUBLIC POLICIES—PURPOSE.** It is declared to be the public policy of the state and a recognized governmental function to assist in making affordable and decent housing available throughout the state and by so doing to contribute to the general welfare. Decent housing for the people of our state is a most important public concern. Interest rates and construction costs have made it impossible for many Washington citizens to purchase their own homes. Older people, disabled persons, and low and moderate income families often cannot afford to rent decent housing. There exists throughout the state a serious shortage of safe, sanitary and energy efficient housing available at prices within the financial means of our citizens. General economic development within the state is also impeded by a lack of affordable housing. The state's economy, which is dependent on the timber, wood products, and construction industries, has been damaged by inadequate investment in housing construction and rehabilitation. The result has been high unemployment and economic hardship affecting the prosperity of all the people of the state, particularly those in the wood products industry.

It is the purpose of this chapter to establish a state housing finance commission to act as a financial conduit which, without using public funds or lending the credit of the state or local government, can issue nonrecourse revenue bonds and participate in federal, state, and local housing programs and thereby make additional funds available at affordable rates to help provide housing throughout the state. It is also a primary purpose of this chapter to encourage the use of Washington state forest products in residential construction. This chapter is enacted to accomplish these and related purposes and shall be liberally construed to carry out its purposes and objectives.

**NEW SECTION, Sec. 2. DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Bonds' means the bonds, notes, or other evidences of indebtedness of the commission, the interest paid on which may or may not qualify for tax exemption.

(2) 'Code' means the federal internal revenue code of 1954, as now or hereafter amended, and the regulations and rulings promulgated thereunder.

(3) 'Commission' means the Washington state housing finance commission or any board, body, commission, department, or officer succeeding to the principal functions thereof or to whom the powers conferred upon the commission shall be given by law.

(4) 'Costs of housing' means all costs related to the development, design, acquisition, construction, reconstruction, leasing, rehabilitation, and other improvements of housing, as determined by the commission.

(5) 'Eligible person' means a person or family eligible in accordance with standards promulgated by the commission. Such persons shall include those persons whose income is insufficient to obtain at a reasonable cost, without financial assistance, decent, safe, and sanitary housing in the area in which the person or family resides, and may include such other persons whom the commission determines to be eligible.

(6) 'Housing' means specific new, existing, or improved residential dwellings within this state or dwellings to be constructed within this state. The term includes land, buildings, and manufactured dwellings, and improvements, furnishings, and equipment, and such other nonhousing facilities, furnishings, equipment, and costs as may be incidental or appurtenant thereto if in the judgment of the commission the facilities, furnishings, equipment and costs are an integral part of the project. Housing may consist of single-family or multifamily dwellings in one or more structures located on contiguous or noncontiguous parcels or any combination thereof. Improvements may include such equipment and materials as are appropriate to accomplish energy efficiency within a dwelling. The term also includes a dwelling constructed by a person who occupies and owns the dwelling.

(7) 'Mortgage' means a mortgage, mortgage deed, deed of trust, security agreement, or other instrument securing a mortgage loan and constituting a lien on or security interest in housing. The property may be held in fee simple or on a leasehold under a lease having a remaining term, at the time the mortgage is acquired, of not less than the term of repayment of the mortgage loan secured by the mortgage. The property may also be housing which is evidenced by an interest in a cooperative association or corporation if ownership of the interest entitles the owner of the interest to occupancy of a dwelling owned by the association or corporation.

(8) 'Mortgage lender' means any of the following entities which customarily provide service or otherwise aid in the financing of housing and which are approved as a mortgage lender by the commission: A bank, trust company, savings bank, national banking association, savings and loan association, building and loan association, mortgage banker, mortgage company, credit union, life insurance company, or any other financial institution, governmental agency, municipal corporation, or any holding company for any of the entities specified in this subsection.

(9) 'Mortgage loan' means an interest-bearing loan or a participation therein, made to a borrower, for the purpose of financing the costs of housing, evidenced by a promissory note, and which may or may not be secured (a) under a mortgage agreement, (b) under any other security agreement, regardless of whether the collateral is personal or real property, or (c) by insurance or a loan guarantee of a third party. However, an unsecured loan shall not be considered a mortgage loan under this definition unless the amount of the loan is under two thousand five hundred dollars.

**NEW SECTION, Sec. 3. BONDS NOT DEBT OF STATE.** Bonds issued under this chapter shall be issued in the name of the commission. The bonds shall not be obligations of the state of Washington and shall be obligations only of the commission payable from the special fund or funds created by the commission for their payment. Such funds shall not be or constitute public moneys or funds of the state of Washington but at all times shall be kept segregated and set apart from other funds.

Bonds issued under this chapter shall contain a recital on their face to the effect that payment of the principal of, interest on, and prepayment premium, if any, on the bonds, shall be a valid claim only as against the special fund or funds relating thereto, that neither the faith and credit nor the taxing power of the state or any municipal corporation, subdivision, or agency of the state, other than the commission as set forth in this chapter, is pledged to the payment of the principal of, interest on, and prepayment premium, if any, on the bonds.

Contracts entered into by the commission shall be entered into in the name of the commission and not in the name of the state of Washington. The obligations of the commission under the contracts shall be obligations only of the commission and are not in any way obligations of the state of Washington.

**NEW SECTION, Sec. 4. COMMISSION CREATED.** (1) There is hereby established a public body corporate and politic, with perpetual corporate succession, to be known as the Washington state housing finance commission. The commission is an instrumentality of the state exercising essential government functions and, for purposes of the code, acts as a constituted authority on behalf of the state when it issues bonds pursuant to this chapter. The commission is a 'public body' within the meaning of RCW 39.53.010.

(2) The commission shall consist of the following voting members:



- (a) The state treasurer, ex officio;
- (b) The director of the planning and community affairs agency, ex officio;
- (c) An elected local government official, ex officio, with experience in local housing programs, who shall be appointed by the governor with the consent of the senate;
- (d) A representative of housing consumer interests, appointed by the governor with the consent of the senate;
- (e) A representative of labor interests, appointed by the governor, with the consent of the senate, after consultation with representatives of organized labor;
- (f) A representative of low-income persons, appointed by the governor with the consent of the senate;
- (g) Five members of the public appointed by the governor, with the consent of the senate, on the basis of geographic distribution and their expertise in housing, real estate, finance, energy efficiency, or construction, one of whom shall be appointed by the governor as chair of the commission and who shall serve on the commission and as chair of the commission at the pleasure of the governor.

The term of the persons appointed by the governor, other than the chair, shall be four years from the date of their appointment, except that the terms of three of the initial appointees shall be for two years from the date of their appointment. The governor shall designate the appointees who will serve the two-year terms. An appointee may be removed by the governor for cause pursuant to RCW 43.06.070 and 43.06.080. The governor shall fill any vacancy in an appointed position by appointment for the remainder of the unexpired term. If the planning and community affairs agency is abolished, the resulting vacancy shall be filled by a state official who shall be appointed to the commission by the governor. If this official occupies an office or position for which senate confirmation is not required, then his appointment to the commission shall be subject to the consent of the senate. The members of the commission shall serve without compensation, but may be reimbursed, solely from the funds of the commission, for expenses incurred in the discharge of their duties under this chapter, subject to the provisions of RCW 43.03.050 and 43.03.060. A majority of the commission constitutes a quorum. Designees shall be appointed in such manner and shall exercise such powers as are specified by the rules of the commission.

(3) The commission may adopt an official seal and may select from its membership a vice chair, a secretary, and a treasurer. The commission shall establish rules concerning its exercise of the powers authorized by this chapter. The rules shall be adopted in conformance with chapter 34.04 RCW.

**NEW SECTION, Sec. 5. HOUSING FINANCING POWERS.** (1) In addition to other powers and duties prescribed in this chapter, and in furtherance of the purposes of this chapter to provide decent, safe, sanitary, and affordable housing for eligible persons, the commission is empowered to:

- (a) Issue bonds in accordance with this chapter: PROVIDED, HOWEVER, That this power to issue bonds shall cease to exist on June 30, 1986, unless extended by law for an additional fixed period of time;
- (b) Invest in, purchase, or make commitments to purchase or take assignments from mortgage lenders of mortgages or mortgage loans;
- (c) Make loans to or deposits with mortgage lenders for the purpose of making mortgage loans; and
- (d) Participate fully in federal and other governmental programs and to take such actions as are necessary and consistent with this chapter to secure to itself and the people of the state the benefits of those programs and to meet their requirements, including such actions as the commission considers appropriate in order to have the interest payments on its bonds and other obligations treated as tax exempt under the code.

(2) The commission shall establish eligibility standards for eligible persons, considering at least the following factors:

- (a) Income;
- (b) Family size;
- (c) Cost, condition and energy efficiency of available residential housing;
- (d) Availability of decent, safe, and sanitary housing;
- (e) Age or infirmity; and
- (f) Applicable federal, state, and local requirements.

**NEW SECTION, Sec. 6. NO POWER OF EMINENT DOMAIN OR TAXATION.** The commission does not have the power of eminent domain and the commission does not have the power to levy any taxes of any kind.

**NEW SECTION, Sec. 7. HOUSING FINANCE PLAN.** The commission shall adopt a general plan of housing finance objectives to be implemented by the commission during the period of the plan. The commission shall adopt a plan no later than December 15, 1983. The commission may exercise the powers authorized under this chapter prior to the adoption of the initial plan. In developing the plan, the commission shall consider and set objectives for:

- (1) The use of funds for single-family and multifamily housing;

(2) The use of funds for new construction, rehabilitation, including refinancing of existing debt, and home purchases;

(3) The housing needs of low-income and moderate-income persons and families, and of elderly or mentally or physically handicapped persons;

(4) The use of funds in coordination with federal, state, and local housing programs for low-income persons;

(5) The use of funds in urban, rural, suburban, and special areas of the state;

(6) The use of financing assistance to stabilize and upgrade declining urban neighborhoods;

(7) The use of financing assistance for economically depressed areas, areas of minority concentration, reservations, and in mortgage-deficient areas;

(8) The geographical distribution of bond proceeds so that the benefits of the housing programs provided under this chapter will be available to address demand on a fair basis throughout the state;

(9) The use of financing assistance for implementation of cost-effective energy efficiency measures in dwellings.

The plan shall include an estimate of the amount of bonds the commission will issue during the term of the plan and how bond proceeds will be expended.

The plan shall be adopted by resolution of the commission following at least one public hearing thereon, notice of which shall be made by mailing to the clerk of the governing body of each county and by publication in the Washington State Register no more than forty and no less than twenty days prior to the hearing. A draft of the plan shall be made available not less than thirty days prior to any such public hearing. At least every two years, the commission shall report to the legislature regarding implementation of the plan.

Prior to December 31, 1983, the commission shall submit the plan to the chief clerk of the house and secretary of the senate for transmittal to and review by the appropriate standing committees. The commission may periodically update the plan. Proposed changes of the plan shall be submitted to the chief clerk of the house and secretary of the senate for transmittal to and review by the appropriate standing committees. This submittal of proposed changes shall occur at least fourteen days before final adoption of the changes by the commission.

The commission shall adopt rules designed to result in the use of bond proceeds in a manner consistent with the plan. These rules shall be adopted and in full force and effect by February 1, 1984. The commission may periodically update its rules.

The commission is not required to adopt a plan or rules for the use of the proceeds of bonds issued prior to February, 1984. This section is designed to deal only with the use of bond proceeds and nothing in this section shall be construed as a limitation on the commission's authority to issue bonds.

**NEW SECTION. Sec. 8. GENERAL POWERS.** In addition to other powers and duties specified in this chapter, the commission may:

(1) Establish in resolutions relating to any issuance of bonds, or in any financing documents relating to such issuance, such standards and requirements applicable to the purchase of mortgages and mortgage loans or the making of loans to mortgage lenders as the commission deems necessary or desirable, including but not limited to: (a) The time within which mortgage lenders must make commitments and disbursements for mortgages or mortgage loans; (b) the location and other characteristics of single-family housing or multifamily housing to be financed by mortgages and mortgage loans; (c) the terms and conditions of mortgages and mortgage loans to be acquired; (d) the amounts and types of insurance coverage required on mortgages, mortgage loans, and bonds; (e) the representations and warranties of mortgage lenders confirming compliance with such standards and requirements; (f) restrictions as to interest rate and other terms of mortgages or mortgage loans or the return realized therefrom by mortgage lenders; (g) the type and amount of collateral security to be provided to assure repayment of any loans from the commission and to assure repayment of bonds; and (h) any other matters related to the purchase of mortgages or mortgage loans or the making of loans to lending institutions as shall be deemed relevant by the commission;

(2) Sue and be sued in its own name;

(3) Make and execute contracts and all other instruments necessary or convenient for the exercise of its purposes or powers, including but not limited to contracts or agreements for the origination, servicing, and administration of mortgages or mortgage loans, and the borrowing of money;

(4) Procure such insurance, including but not limited to insurance: (a) Against any loss in connection with its property and other assets, including but not limited to mortgages or mortgage loans, in such amounts and from such insurers as the commission deems desirable, and (b) to indemnify members of the commission for acts done in the course of their duties;

(5) Provide for the investment of any funds, including funds held in reserve, not required for immediate disbursement, and provide for the selection of investments;

(6) Fix, revise, and collect fees and charges in connection with the investigation and financing of housing or in connection with assignments, contracts, purchases of mortgages or

mortgage loans, or any other actions permitted under this chapter or by the commission; and receive grants and contributions;

(7) Make such expenditures as are appropriate for paying the administrative costs of the commission and for carrying out the provisions of this chapter. These expenditures may be made only from funds consisting of the commission's receipts from fees and charges, grants and contributions, the proceeds of bonds issued by the commission, and other revenues; these expenditures shall not be made from funds of the state of Washington;

(8) Establish such special funds, and controls on deposits to and disbursements from them, as it finds convenient for the implementation of this chapter;

(9) Conduct such investigations and feasibility studies as it deems appropriate;

(10) Proceed with foreclosure actions or accept deeds in lieu of foreclosure together with the assignments of leases and rentals incidental thereto. Any properties acquired by the commission through such actions shall be sold as soon as practicable through persons licensed under chapter 18.85 RCW or at public auction, or by transfer to a public agency. In preparation for the disposition of the properties, the commission may own, lease, clear, construct, reconstruct, rehabilitate, repair, maintain, manage, operate, assign, or encumber the properties;

(11) Take assignments of leases and rentals;

(12) Subject to any provisions of the commission's contracts with the holders of obligations of the commission, consent to any modification with respect to rate of interest, time, and payment of any installment of principal or interest or any other term of any contract, mortgage, mortgage loan, mortgage loan commitment, contract, or agreement of any kind;

(13) Subject to provisions of the commission's contracts with the holders of bonds, permit the reduction of rental or carrying charges to persons unable to pay the regular rent or schedule of charges if, by reason of other income of the commission or by reason of payment by any department, agency, or instrumentality of the United States or of this state, the reduction can be made without jeopardizing the economic stability of the housing being financed;

(14) Sell, at public or private sale, with or without public bidding, any mortgage, mortgage loan, or other instrument or asset held by the commission;

(15) Employ, contract with, or engage engineers, architects, attorneys, financial advisors, bond underwriters, mortgage lenders, mortgage administrators, housing construction or financing experts, other technical or professional assistants, and such other personnel as are necessary. The commission may delegate to the appropriate persons the power to execute legal instruments on its behalf;

(16) Receive contributions or grants from any source unless otherwise prohibited;

(17) Delegate any of its powers and duties if consistent with the purposes of this chapter;

(18) Exercise any other power reasonably required to implement the purposes of this chapter.

**NEW SECTION. Sec. 9.** (1) The commission shall adopt written policies to provide for the selection of bond counsel. The policies shall provide for the creation and maintenance of a roster of attorneys whom the commission believes possess the requisite special expertise and professional standing to provide bond counsel opinions which would be accepted by the underwriters, bondholders, and other members of the financial community, and which would be in furtherance of the public interest in obtaining the lowest possible interest rates on the bonds issued by the commission. Any attorney may apply to have his or her name placed on the roster, but may not be placed on the roster unless the attorney demonstrates to the commission's satisfaction that the attorney would issue the kind of opinions required by this section.

(2) Prior to selecting an attorney or attorneys to provide bond counsel services, the commission shall provide all attorneys on the roster with a notice of its intentions to select bond counsel and shall invite each of them to submit to the commission his or her fee schedule for providing bond counsel services. The commission shall have wide discretion in selecting the attorney or attorneys it considers to be most appropriate to provide the services, but in the exercise of this discretion the commission shall consider all submitted fee schedules and the public interest in achieving issuance of bonds on terms most favorable to the commission. At least once every two calendar years, the commission shall select anew an attorney or attorneys to serve as bond counsel. However, the commission may retain an attorney for longer than two years when necessary to complete work on a particular bond issue. An attorney previously retained may be selected again but only after the commission has provided other attorneys on the roster with an opportunity to be selected and has made the fee schedule review required under this subsection. In addition to or as an alternative to retaining counsel for a period of time, the commission may appoint an attorney to serve as counsel in respect to only a particular bond issue or issues.

**NEW SECTION. Sec. 10.** (1) The commission shall adopt written policies to provide for the selection of underwriters. The policies shall provide for the creation of a roster of underwriters whom the commission believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing the commission's bonds at the lowest possible costs. Any underwriter may apply

to have its name placed on the roster, but may not be placed on the roster unless it demonstrates to the commission's satisfaction that it meets the requirements of this section.

(2) Whenever the commission decides that it needs the services of an underwriter, it shall provide all underwriters on the roster with a notice of its intentions and shall invite each of them to submit to the commission an itemization of its fees and other charges for providing underwriting services on the issue. The itemization shall be by categories designed by the commission. The commission shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the commission shall consider the underwriter's fees and other charges and the public interest in achieving issuance of bonds on terms most favorable to the commission.

**NEW SECTION, Sec. 11.** The legislature recognizes that the demand for mortgage loans for nonrental single family housing will probably greatly exceed the supply of bond proceeds available to satisfy the demand. Therefore, the commission shall adopt rules providing procedures to assure that the bond proceeds available for that kind of housing shall be made available to qualified mortgagors in a fair and equitable manner.

**NEW SECTION, Sec. 12.** The commission is encouraged to adopt policies which will assure that bondholders will be protected against the failure to make mortgage payments financed under this chapter. Such policies may require, among other things, mortgage insurance.

**NEW SECTION, Sec. 13. RULES FOR ENERGY EFFICIENCY.** The commission shall adopt rules providing for financing assistance to implement cost-effective energy efficiency improvements.

**NEW SECTION, Sec. 14. BOND ISSUES—TERMS—ISSUANCE—PURCHASE, ETC.** (1) The commission's bonds shall bear such date or dates, mature at such time or times, be in such denominations, be in such form, be registered or registerable in such manner, be made transferable, exchangeable, and interchangeable, be payable in such medium of payment, at such place or places, be subject to such terms of redemption, bear such fixed or variable rate or rates of interest, be payable at such time or times, and be sold in such manner and at such price or prices, as the commission determines. The bonds shall be executed by the chair, by either its duly elected secretary or its treasurer, and by the trustee or paying agent if the commission determines to use a trustee or paying agent for the bonds. Execution of the bonds may be by manual or facsimile signature.

(2) The bonds of the commission shall be subject to such terms, conditions, covenants, and protective provisions as are found necessary or desirable by the commission, including, but not limited to, pledges of the commission's assets, setting aside of reserves, limitations on additional forms of indebtedness, and the mortgaging of all or any part of the commission's real or personal property, then owned or thereafter acquired, and other provisions the commission finds are necessary or desirable for the security of bond holders.

(3) Any security interest created in the unexpended bond proceeds and in the special funds created by the commission shall be immediately valid and binding against such moneys and any securities in which such moneys may be invested without commission or trustee possession thereof, and the security interest shall be prior to any party having any competing claim in such moneys or securities, without filing or recording pursuant to chapter 62A.9 RCW and regardless of whether the party has notice of the security interest.

(4) When issuing bonds, the commission may provide for the future issuance of additional bonds or parity debt on a parity with outstanding bonds, and the terms and conditions of their issuance. The commission may refund or advance refund any bond of the commission in accordance with chapter 39.53 RCW or issue bonds with a subordinate lien against the fund or funds securing outstanding bonds.

(5) The chair of the state finance committee or the chair's designee shall be notified in advance of the issuance of bonds by the commission in order to promote the orderly offering of obligations in the financial markets.

(6) The members of the commission and any person executing the bonds are not liable personally on the indebtedness or subject to any personal liability or accountability by reason of the issuance thereof.

(7) The commission may, out of any fund available therefor, purchase its bonds in the open market.

**NEW SECTION, Sec. 15. DEBT LIMITATION.** The total amount of outstanding indebtedness of the commission may not exceed one billion dollars at any time.

**NEW SECTION, Sec. 16. BOND ISSUES—DISPOSITION OF PROCEEDS—SPECIAL FUND.** Proceeds from the sale of all bonds issued under this chapter received by the commission shall be deposited forthwith by the commission in any trust company, savings bank, savings and loan association, or bank having the powers of a trust company within or without the state, in a special fund or funds established for the particular purposes for which the bonds were issued and sold, which money shall not be funds of the state of Washington. Such fund or funds shall at all times be segregated and set apart from all other funds and held in trust for the purposes for which such bonds were issued as determined by the commission. Money other than bond sale proceeds received by the commission for these same purposes, such as private contributions or grants from the federal government, may be deposited in such fund or funds. Proceeds received from the sale of the bonds may also be used to defray the expenses of the commission

in connection with and incidental to the issuance and sale of bonds, as well as expenses for studies, surveys, estimates, plans, inspections, and examinations of or incidental to the purposes for which the bonds were issued, and other costs advanced therefor by third parties or by the commission. In lieu of the commission receiving and handling these moneys in the manner outlined in this section, the commission may appoint trustees, depositaries, paying agents, and other financial institutions within or without the state to perform the functions outlined and to receive, hold, disburse, invest, and reinvest such funds on its behalf and for the protection of the bondholders.

NEW SECTION, Sec. 17. BOND ISSUES—SPECIAL TRUST FUND—PAYMENTS—STATUS—ADMINISTRATION OF FUND. All revenues received by the commission including funds received from contributions or grants or in any other form to pay principal of and interest on bonds or for other bond requirements such as reserves shall be deposited by the commission in any trust company, savings bank, savings and loan association, or bank having the powers of a trust company within or without the state, to the credit of a special trust fund or funds. The commission may establish a bond fund or funds, and a reserve, sinking fund and other accounts therein, for payment of principal and interest and for other special requirements of the bonds as determined by the commission. In lieu of the commission receiving and handling these moneys as outlined in this section, the commission may appoint trustees, depositaries, paying agents, and other financial institutions to perform the functions outlined and to receive, hold, disburse, invest, and reinvest such funds on its behalf and for the protection of the bondholders. Such revenues and funds, whether received and held by the commission or by others on its behalf, shall not be or constitute public funds of the state of Washington but at all times shall be kept segregated and apart from all other funds.

NEW SECTION, Sec. 18. LEGAL INVESTMENTS. Bonds issued under this chapter are hereby made securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies in their commercial departments, savings banks, cooperative banks, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in obligations of the state may properly and legally invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivisions of the state for any purpose for which the deposit of bonds and other obligations of the state are now or may hereafter be authorized by law.

NEW SECTION, Sec. 19. INTERNAL REVENUE CODE. For purposes of the code:

(1) The legislature reserves the right at any time to alter or change the structure, organization, programs, or activities of the commission and to terminate the commission, so long as the action does not impair any outstanding contracts entered into by the commission;

(2) Any net earnings of the commission beyond that necessary to retire its bonds and to carry out the purposes of this chapter shall not inure to the benefit of any person other than the state;

(3) Upon dissolution of the commission, title to all of its remaining property shall vest in the state;

(4) The commission constitutes the only housing finance agency of the state of Washington; and

(5) In order to take advantage of the maximum amount of tax exempt bonds for housing financing available pursuant to the code, the state ceiling for each of the calendar years 1983 and 1984 shall be allocated in accordance with the following formula:

(a) Eighty percent of the state ceiling shall be allocated to the commission and twenty percent shall be allocated to the other issuing authorities in the state.

(b) The allocation to the issuing authorities other than the commission shall be distributed to such issuing authorities in amounts as determined following public notice by the planning and community affairs agency, or its successor, pursuant to rules promulgated by it. The distribution shall be in response to applications received from such issuing authorities and shall be based on the following factors: (i) The amount of housing to be made available by such applicant; (ii) the population within the jurisdiction of the applicant; (iii) coordination with other applicable federal and state housing programs; (iv) the likelihood of implementing the proposed financing during that year; and (v) consistency with the plan of the commission. On or before February 1 of each year, the planning and community affairs agency shall distribute the state ceiling allocation among such issuing authorities and any unused portion shall be added to the allocation of the commission. However, for calendar year 1983, the distribution shall be made on or before September 1, 1983. After 1983 each issuing authority other than the commission shall confirm its allocation distribution by providing to the planning and community affairs agency no later than June 1 a copy of an executed bond purchase contract or alternative documentation deemed sufficient by the commission to evidence the reasonable likelihood of the allocation distribution being fully used. Any portion of such allocation not so confirmed shall be added to the allocation of the commission on July 1. Prior to July 1, the commission shall provide written notice of the allocation decrease to the affected issuing

authority. The reallocation shall not limit the authority of the commission to assign a portion of its allocation pursuant to subsection (5)(c) of this section.

(c) The commission may assign a portion of its allocation to another issuing agency.

(d) For calendar year 1983, the allocations to issuing authorities, other than the commission, shall include bonds issued by the authorities during the first six months of 1983. However, the planning and community affairs agency, or its successor, shall adopt rules to ensure that the total amount of bonds issued by the authorities during the six-month period does not exceed their twenty percent share and that the total amount of bonds issued by any single issuing authority during such period does not exceed twenty-five million dollars.

NEW SECTION. Sec. 20. If any part of this chapter is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this chapter is hereby declared to be inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this chapter in its application to the agencies concerned. The rules under this chapter shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 21. ANNUAL FISCAL AUDIT. The commission shall select an accounting firm to perform an annual fiscal audit. The audit shall be performed by an independent certified public accountant in accordance with generally accepted auditing standards. The results of the audit shall be made available to the governor and the legislature.

NEW SECTION. Sec. 22. CONSTRUCTION. This chapter, being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect the purposes thereof.

NEW SECTION. Sec. 23. CAPTIONS NOT PART OF LAW. As used in this chapter and sections 24 and 25 of this act, section captions constitute no part of the law.

NEW SECTION. Sec. 24. There is added to chapter 82.04 RCW a new section to read as follows:

BUSINESS AND OCCUPATION TAX EXEMPTION. This chapter does not apply to income received by the state housing finance commission under chapter 43.\_\_\_\_ RCW (sections 1 through 23 of this act).

NEW SECTION. Sec. 25. There is added to chapter 84.36 RCW a new section to read as follows:

PROPERTY TAX EXEMPTION. The real and personal property of the state housing finance commission established by chapter 43.\_\_\_\_ RCW (sections 1 through 23 of this act) are exempt from taxation.

Sec. 26. Section 9, chapter 10, Laws of 1982 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 chief administrative law judge, the director of financial management, the director 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 each member of the state board for community college education, data processing authority, forest practices board, forest practices appeals board, gambling commission, game commission, higher education personnel board, transportation commission, horse racing commission, human rights commission, board of industrial insurance appeals, liquor control board, interagency committee for outdoor recreation, parks and recreation commission, personnel board, personnel appeals 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, state housing finance commission, and the utilities and transportation commission, shall after January 1st and before 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, 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; 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 the person reporting by the governmental entity for which such person serves as an elected 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 official holds any 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 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.

Sec. 27. Section 4, chapter 95, Laws of 1895 as last amended by section 1, chapter 167, Laws of 1979 ex. sess. and RCW 4.92.040 are each amended to read as follows:

(1) No execution shall issue against the state on any judgment.

(2) Whenever a final judgment against the state shall have been obtained in an action on a claim arising out of tortious conduct, the clerk shall make and furnish to the director of financial management a duly certified copy of said judgment and the same shall be paid out of the tort claims revolving fund.

(3) Whenever a final judgment against the state shall have been obtained in any other action, the clerk of the court shall make and furnish to the director of financial management a duly certified copy of such judgment; the director of financial management shall thereupon audit the amount of damages and costs therein awarded, and the same shall be paid from appropriations specifically provided for such purposes by law.

(4) On and after September 21, 1977, all claims made to the legislature against the state of Washington for money or property, shall be accompanied by a statement of the facts on which such claim is based and such evidence as the claimant intends to offer in support of the claim and shall be filed with the director of financial management who shall retain the same as a record. All claims of five hundred dollars or less shall be approved or rejected by the director of financial management and if approved shall be paid from appropriations specifically provided for such purpose by law. Such decision, if adverse to the claimant in whole or part, shall not preclude claimant from seeking relief from the legislature: 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. For all claims over five hundred dollars, the director of financial management shall recommend to the legislature whether such claim should be approved or rejected. The legislative committees to whom such claims are referred shall make a transcript or statement of the substance of the evidence given in support of such a claim. If the legislature approves a claim the same shall be paid from appropriations specifically provided for such purpose by law.

(5) Subsections (3) and (4) of this section do not apply to judgments or claims against the state housing finance commission created under chapter 43.-- RCW (sections 1 through 23 of this 1983 act).

NEW SECTION. Sec. 28. There is added to chapter 43.21C RCW a new section to read as follows:

This chapter does not apply to the development or adoption of the plan required to be developed and adopted under chapter 43.\_\_\_\_ RCW (sections 1 through 23 of this act).

NEW SECTION. Sec. 29. Sections 1 through 23 of this act shall constitute a new chapter in Title 43 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.

NEW SECTION. Sec. 31. (1) Except as provided in subsection (2) of this section, 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.

(2) Section 10 of this act shall take effect on July 1, 1984."

On page 1, line 6 of the title, after "43.21C RCW;" insert "providing an effective date;"



Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver and Vekich.

Voting nay: Representative Bond.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3256

Prime Sponsor, Committee on Energy & Utilities: Permitting public entities involved in the generation, sale, or distribution of energy to provide energy conservation analyses and financing assistance for their customers. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 239, Laws of 1979 ex. sess. and RCW 35.92.355 are each amended to read as follows:

The ~~cost-effective~~ conservation of energy in all forms and by every possible means is ~~((found and declared to be))~~ a public purpose of highest priority. The legislature further finds ~~((and declares))~~ that all municipal corporations, quasi municipal corporations, and other political subdivisions of the state which are engaged in the ~~((generation;))~~ sale~~((;))~~ or distribution of energy should be granted the authority to develop and carry out programs which will conserve resources, reduce waste, and encourage more ~~cost-effective and~~ efficient use of energy by ~~((consumers))~~ individuals, associations, companies, or corporations.

In order to establish the most effective state-wide program for energy conservation, the legislature ~~((hereby))~~ encourages any company, corporation, or association engaged in selling or furnishing utility services to assist ~~((their))~~ its customers in the acquisition and installation of materials and equipment, for compensation or otherwise, for the conservation or more efficient use of energy.

Sec. 2. Section 2, chapter 239, Laws of 1979 ex. sess. and RCW 35.92.360 are each amended to read as follows:

Any city or town engaged in the ~~((generation;))~~ sale~~((;))~~ or distribution of energy is ~~((hereby))~~ authorized, within limits established by the Constitution of the state of Washington, to assist ~~((the owners of residential structures))~~ individuals, associations, companies, or corporations in financing the acquisition and installation of materials and equipment, for compensation or otherwise, for the conservation or more efficient use of energy ~~((in such structures pursuant to))~~ under an energy conservation plan adopted by the city or town if the cost per unit of energy saved or produced by the use of ~~((such))~~ these materials and equipment is less than the incremental system cost ~~((per unit of energy produced by the next least costly new energy resource))~~ of generating, transmitting, and distributing electricity from the lowest cost alternative new source of supply which the city or town could acquire to meet future demands. Except where otherwise authorized, ~~((such))~~ assistance shall be limited to:

(1) ~~((Providing an inspection of the residential structure, either directly or through one or more inspectors under contract, to determine and inform the owner of the estimated cost of purchasing and installing conservation materials and equipment for which financial assistance will be approved and the estimated life cycle savings in energy costs that are likely to result from the installation of such materials or equipment;~~

(2) ~~Providing a list of businesses 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 businesses 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 business and shall be installed by a private business or the owner;~~

(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 one hundred twenty months in length;))~~ Providing an energy conservation analysis to the customer, either directly or through one or more consultants under contract. The analysis may include estimates of the purchase, installation, operation, and maintenance costs and other relevant information regarding characteristics of conservation materials and equipment, anticipated reductions in energy use, and associated reduction in energy costs, and recommendations on desirable energy conservation investments and practices;

(2) Arranging or providing financing for the purchase and installation of conservation materials and equipment which the city or town determines to be appropriate and to meet the requirements of this section. These materials and equipment shall be purchased from a private business and shall be installed by a private business or the customer. Financing may be secured by a lien against the structure benefited, by a performance bond, or by other methods provided under the uniform commercial code, Title 62A RCW. Loans shall not exceed one hundred twenty months in length;

(3) Arranging or coordinating the installation of materials and equipment by a private contractor whose bid is acceptable to the customer and to the city or town;

(4) Inspecting the work performed to verify proper installation of the materials and equipment; and

(5) When a city or town recommends financing measures which directly affect a system using another source of fuel, a copy of the recommendation shall be provided to the last known supplier of fuel for that system at the same time it is supplied to the customer.

Sec. 3, Section 3, chapter 239, Laws of 1979 ex. sess. and RCW 54.16.280 are each amended to read as follows:

Any district is ~~((hereby))~~ authorized, within limits established by the Constitution of the state of Washington, to assist ~~((the owners of residential structures))~~ individuals, associations, companies, or corporations in financing the acquisition and installation of materials and equipment, for compensation or otherwise, for the conservation or more efficient use of energy ~~((in such structures pursuant to))~~ under an energy conservation plan adopted by the district if the cost per unit of energy saved or produced by the use of ~~((such))~~ these materials and equipment is less than the incremental system cost ~~((per unit of energy produced by the next least costly new energy resource))~~ of generating, transmitting, and distributing electricity from the lowest cost alternative new source of supply which the district could acquire to meet future demands. Except where otherwise authorized, ~~((such))~~ assistance shall be limited to:

(1) ((Providing an inspection of the residential structure, either directly or through one or more inspectors under contract, to determine and inform the owner of the estimated cost of purchasing and installing conservation materials and equipment for which financial assistance will be approved and the estimated life cycle savings in energy costs that are likely to result from the installation of such materials or equipment;

(2) Providing a list of businesses who sell and install such materials and equipment within or in close proximity to the service area of the district, each of which businesses 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 business and shall be installed by a private business or the owner.

(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 one hundred twenty months in length;)) Providing an energy conservation analysis to the customer, either directly or through one or more consultants under contract. The analysis may include estimates of the purchase, installation, operation, and maintenance costs and other relevant information regarding characteristics of conservation materials and equipment, anticipated reductions in energy use, and associated reduction in energy costs, and recommendations on desirable energy conservation investments and practices;

(2) Arranging or providing financing for the purchase and installation of conservation materials and equipment which the district determines to be appropriate and to meet the requirements of this section. These materials and equipment shall be purchased from a private business and shall be installed by a private business or the customer. Financing may be secured by a lien against the structure benefited, by a performance bond, or by other methods provided under the uniform commercial code, Title 62A RCW. Loans shall not exceed one hundred twenty months in length;

(3) Arranging or coordinating the installation of materials and equipment by a private contractor whose bid is acceptable to the customer and to the district;

(4) Inspecting the work performed to verify proper installation of the materials and equipment; and

(5) When a district recommends financing measures which directly affect a system using another source of fuel, a copy of the recommendation shall be provided to the last known supplier of fuel for that system at the same time it is supplied to the customer.

NEW SECTION, Sec. 4. This act shall expire January 1, 2005.

NEW SECTION, Sec. 5. This 1983 act shall take effect on the same date as the proposed amendment to Article VIII of the state Constitution, authorizing the use of public moneys or credit to promote conservation or more efficient use of energy, is validly submitted and is

approved and ratified by the voters at a general election held in November, 1983. If the proposed amendment is not so approved and ratified, this 1983 act shall be null and void in its entirety."

On page 1, line 1 of the title, after "measures;" strike the remainder of the title and insert "amending section 1, chapter 239, Laws of 1979 ex. sess. and RCW 35.92.355; amending section 2, chapter 239, Laws of 1979 ex. sess. and RCW 35.92.360; amending section 3, chapter 239, Laws of 1979 ex. sess. and RCW 54.16.280; creating a new section; and providing an expiration date."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Gallagher, Hastings, Jacobsen, Locke, Martinis, Nealey, Pruitt and Sutherland.

Voting nay: Representatives Fuhrman and Moon.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3376 Prime Sponsor, Senator Talmadge: Modifying provisions relating to the salary of the administrator for the courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12 after "power," strike all material down to and including "He" on line 13, and insert "(~~He shall not be over the age of sixty years at the time of his appointment. He~~) The administrator"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke and G. Nelson.

Voting nay: Representative Schmidt.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3393 Prime Sponsor, Senator Talmadge: Permitting judges to belong to the National Guard. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, D. Nelson, O'Brien, Sayan, Silver and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives J. Williams, Ranking Minority Vice Chair; Nealey and Taylor.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3426 Prime Sponsor, Senator Talmadge: Modifying provisions relating to the homestead. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson and Schmidt.

Absent: Representative Tilly.

Passed to Committee on Rules for second reading.

April 13, 1983

ESB 3449 Prime Sponsor, Senator Woody: Restricting statements in the candidate's pamphlet to those about the candidate. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 8 after "(1)" strike all material through "herself," on line 9

On page 1, line 13 after "congress." insert "Statements referring to an opponent are prohibited."

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Jacobsen, Long, Schoon, Sommers, Tanner and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Fisher and Vander Stoep.

Voting nay: Representatives Fisher, Patrick and Vander Stoep.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3490 Prime Sponsor, Committee on Local Government: Changing the procedures for appointing the local health officer in counties with home rule charters. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 17, insert the following:

"NEW SECTION, Sec. 5. There is added to chapter 70.05 RCW a new section to read as follows:

Each city or town which is part of a county health department established under chapter 70.05 RCW or a combined city-county health department established under chapter 70.08 RCW, or is purchasing health services from a health department under a contract authorized by RCW 70.05.150 or 70.08.090, shall pay such sums to support the operations of such department as are agreed upon by the city or town and the jurisdiction operating the department, in accordance with guidelines established by the department of social and health services in consultation with the state board of health which specify those services or types of services that cities, towns, and counties must provide, and those services which are optional. If no agreement can be reached between the jurisdiction operating the health department and such city or town following a reasonable period of good faith negotiations, including mediation where appropriate, the matter shall be resolved by a board of arbitrators which shall be convened at the request of either party. The board of arbitrators shall consist of a representative of the jurisdiction operating the health department, a representative from the city or town involved, and a third representative appointed by the other two representatives. If no agreement can be reached regarding the third representative, the third representative shall be appointed by a judge of the superior court of the county of the jurisdiction operating the department. The determination by the board of arbitrators of the amount to be paid by the city or town shall be binding on all parties. The cost, if any, of the representative appointed by each party shall be borne by that party. The cost, if any, of the third representative shall be shared equally by both parties.

NEW SECTION, Sec. 6. There is added to chapter 70.05 RCW a new section to read as follows:

All expenses incurred by the state or county in carrying out the provisions of chapters 70.05 and 70.08 RCW, any other public health law, or the rules enacted under such laws by the state department of social and health services or the state board of health shall be paid by the city or town by which or on whose behalf such expenses were incurred. The local health officer shall certify the amount agreed upon or determined by arbitration under section 5 of this act which remains unpaid by each city or town to the fiscal or warrant issuing officer of such city or town.

If the certified expense is not paid by the city or town within thirty days after the end of the fiscal year, the local health officer shall certify the amount due to the auditor of the county in which the city or town is situated, who shall promptly issue a warrant on the county treasurer payable out of the current expense fund of the county, or in accordance with the procedures of the fiscal agent of the combined city-county health department. Any sums paid in this manner shall be reimbursed by the county auditor out of the money due the city or town at the next monthly settlement or settlements of the collection of taxes and until the certified amount is satisfied and shall be transferred to the county's current expense fund or to the fiscal agent of the combined city-county health department."

On page 1, line 6 of the title, after "70.05.053;" strike "and"

On page 1, line 8 of the title, after "70.05.080" insert "; and adding new sections to chapter 70.05 RCW"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell, Ristuben and Smitherman.

Voting nay: Representative Hine.

Absent: Representatives Allen, Grimm and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3507 Prime Sponsor, Senator Hurley: Modifying provisions relating to gubernatorial appointments. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7 beginning with "shall" strike the remainder of the sentence and insert "~~(shall)~~ may not continue to serve ~~(unless)~~ if rejected by a vote of the senate."

On page 1, line 8 after "senate" strike all material down to and including "session" on line 12 and insert "may serve without confirmation but only for a period beginning on the date of his or her appointment and ending on the thirtieth day after final adjournment of the next regular session convened after the appointee has served twelve months."

Signed by Representatives Walk, Chair; Niemi, Vice Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Johnson, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Voting nay: Representative Hankins, Ranking Minority Chair.

Absent: Representatives Bond and Lux.

Passed to Committee on Rules for second reading.

April 11, 1983

ESB 3537 Prime Sponsor, Senator Vognild: Requiring notice to firefighters of the presence of guard animals. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Chandler, Ranking Minority Vice Chair; Betzoff, Brække, Fisch, Fisher, O'Brien and Patrick.

Voting nay: Representatives Clayton, Ranking Minority Chair; Smith and Struthers.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3595 Prime Sponsor, Committee on State Government: Authorizing the department of veterans affairs to contract with veterans' organizations for services. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24 strike "fifty" and insert "forty-nine"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Bond, Johnson, Kaiser, R. King, Lux, Nealey, O'Brien, Sayan, Silver, Taylor and Vekich.

Voting nay: Representative Belcher.

Absent: Representatives Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Johnson, R. King and D. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3622 Prime Sponsor, Committee on State Government: Creating the legislative facilities committee to provide legislative control over legislative buildings. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 4, beginning on line 13 after "created." strike all material down through "section." on line 22 and insert:

"The committee shall be composed of the members of the executive committee on rules of the house of representatives and the committee on facilities and operations of the senate.

The powers of the committee are subject to the following limitations: (1) The majority vote of the committee shall be necessary for any decision of the committee relating to the legislative building and such vote shall include the affirmative votes of both a majority of the senators on the committee and a majority of the representatives on the committee. (2) Any decision relating to any other building shall be made by a majority vote of all the members on the committee from that house occupying one-half or more of the building. For purposes of any decision made under item (2), the committee shall be considered to be composed only of the members from that house occupying one-half or more of the building."

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Bond, Johnson, Kaiser, Nealey, Silver and Vekich.

Voting nay: Representative Belcher.

Absent: Representatives R. King, Nealey, D. Nelson, O'Brien, Sayan, Taylor and Vekich.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3642 Prime Sponsor, Committee on Judiciary: Modifying provisions on charitable solicitations. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 7, starting on line 1 strike all of subsection (5) and insert the following:

"(5) A solicitation history of the organization including:

(a) The number of solicitation campaigns over the past three years;

(b) The total amount of money applied to the costs of the solicitations over the past three years;

(c) The total amount of money dispersed for charitable purposes over the past three years;

(d) The number of solicitation campaigns reported under subsection (5)(a) of this section for which the organization used a professional fund raiser; and"

On page 10, line 14 after "(d)" strike "The" and insert "Upon request, the"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3742 Prime Sponsor, Committee on Judiciary: Modifying provisions relating to precinct committeemen. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass. Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Schoon, Sommers, Tanner and Vander Stoep.

Absent: Representatives Patrick and Zellinsky.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3760 Prime Sponsor, Senator Vognild: Modifying provisions relating to local economic development. Reported by Committee on Commerce & Economic development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Walk.

Voting nay: Representatives Addison, Padden and Van Dyken.

Absent: Representatives Brough and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3843 Prime Sponsor, Senator Bluechel: Establishing a Washington state board on geographic names. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21 after "(3)" strike "The president of the Washington state historical society" and insert "The chairperson of the Washington state heritage council created by 1983 law"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3846 Prime Sponsor, Senator Talmadge: Providing for the redemption of vehicles impounded by cities and towns. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause, and insert the following:

"Sec. 1. Section 7, chapter 42, Laws of 1969 ex. sess. as last amended by section 12, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.111 are each amended to read as follows:

(1) A registered disposer shall take custody of any vehicle or hulk placed in his custody by a law enforcement officer pursuant to RCW 46.61.565 or 46.52.180 and shall remove the vehicle or hulk to the established place of business of the registered disposer where the vehicle or hulk shall be stored, and the registered disposer shall have a lien upon the vehicle or hulk for services provided in the towing and storage of the vehicle or hulk, unless the impoundment is determined to have been invalid. However the lien does not apply to personal property in or upon the vehicle which personal property is not permanently attached to or is not an integral part of the vehicle. The registered disposer shall also have a claim against the last registered owner of the vehicle or hulk for services provided in the towing and storage of the vehicle or hulk, not to exceed the sum of two hundred dollars, unless the removal is determined to be invalid. A registered owner who has complied with RCW 46.52.104 in the transfer of ownership of the vehicle or hulk shall be relieved of liability under this section.

(2) Within twenty-four hours after receiving custody of the vehicle or hulk from the law enforcement officer, the registered disposer shall give notice of his custody to the department of licensing and the Washington state patrol. If a vehicle impounded from private property pursuant to this chapter is in the custody of a registered disposer and remains unclaimed after seventy-two hours, the registered disposer shall without undue delay give notice of his custody to the department. The department shall supply the last known names and addresses of registered and legal owners of the vehicle(s) as the names and addresses appear on the records of the department to the registered disposer on request without charge in those cases where the information was not given to the registered disposer by the law enforcement officer.

(3) Within three days after receiving the names and addresses of the owners from the department or the law enforcement officer, the registered disposer shall send a notice to the registered and legal owners of the vehicle to the last known addresses of the owners as the addresses appear on the records of the department by certified or registered mail, return receipt requested. The notice shall contain a description of the vehicle or hulk including its license number and vehicle identification number and shall state the amount due the registered disposer for services in the towing and storage of the vehicle or hulk and the time and place of public sale if the amount remains unpaid or if possession of the vehicle is not otherwise regained pursuant to RCW 46.52.200. The notice shall not be sent if the registered owner has regained possession of the vehicle pursuant to RCW 46.52.200. If the vehicle is sold pursuant

to this chapter, a copy of the notice with proof of mailing shall be retained in the registered disposer's files and available for inspection for a period of three years from the date of sale.

(4) The failure of the registered disposer to comply with the time limits provided in this chapter shall limit the accumulation of storage charges to five days except where delay is unavoidable. The providing of incorrect or incomplete identifying information to the department in the abandoned vehicle report shall be considered a failure to comply with these time limits if correct information is available.

(5) Impounded vehicles shall be redeemed only by the legal or registered owner, a person authorized by the registered owner, or one who has purchased a vehicle from the registered owner, who produces proof of ownership or authorization and signs a receipt therefor.

(6) Any person redeeming an impounded vehicle shall pay to the towing contractor the costs of impoundment before redeeming the vehicle. However, the county, city, or town with jurisdiction over the impoundment may authorize release before payment of the towing or impoundment fees if the owner requests a hearing as to the propriety of the impoundment. The towing contractor shall accept cash, major bank credit cards, certified bank drafts, money orders, and personal checks drawn on in-state banks in payment for these costs. If such a personal check is offered in payment, the person offering the check may be required to show evidence of his or her identity by two pieces of identification which may include a driver's license, Washington state identification card issued by the department of licensing, other credit cards, or similar forms of identification. If the contractor has reasonable cause to believe the tendered check is uncollectible under standards adopted by the county, city, or town with jurisdiction over the impoundment, acceptance of the check may be refused. If the vehicle was impounded at the direction of a law enforcement officer and any personal check or promissory note is subsequently not paid or is dishonored, the towing firm shall be reimbursed the amount of the check or note by the municipality directing the impoundment.

Sec. 2. Section 1, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.118 are each amended to read as follows:

Any person having possession or control of real property who finds an abandoned vehicle or abandoned vehicle hulk as defined in RCW 46.52.102 standing upon that property is authorized to have ~~((such))~~ the vehicle or hulk removed by a person properly registered pursuant to RCW 46.52.108. ~~((Such))~~ The vehicle shall be disposed of in accordance with the procedure prescribed in RCW ~~((46.52.111 and 46.52.112))~~ 46.52.1194 and section 4 of this act.

A vehicle trespassing on family residential private property or posted private property as defined in RCW 46.52.119 or 46.52.1192 without the consent of the property owner may be impounded immediately in accordance with the procedures set forth in this chapter.

Sec. 3. Section 4, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.1194 are each amended to read as follows:

(1) Any towing firm removing vehicles from private property pursuant to RCW 46.52.118, 46.52.119, or 46.52.1192 shall:

(a) File with the department a detailed schedule of all fees charged incident to the removal and storage of vehicles pursuant to RCW 46.52.119 or 46.52.1192;

(b) Post a copy of the schedule of fees on file with the department in a prominent place at the business location where vehicles are released from storage;

(c) Maintain personnel able and authorized to arrange for the release of any vehicle to its owner on a twenty-four hour basis;

(d) After removing a vehicle from private property pursuant to RCW 46.52.118, 46.52.119, or 46.52.1192, report the fact of removal together with the license number, vehicle identification number, make, year, and place of impoundment to the law enforcement agency with jurisdiction over the place of impoundment, which agency shall maintain a log of such reports(~~(: PROVIDED, That))~~). The law enforcement agency to which the report was made shall provide the name and address of the registered and legal owner, as may appear on the records of the department, to the towing firm removing a vehicle under RCW 46.52.118 through 46.52.1198. The reporting required in this subsection shall include an immediate radio or telephone call to, and a written notification, within twenty-four hours, to such local law enforcement agency;

(e) If any vehicle removed pursuant to RCW 46.52.118, 46.52.119, or 46.52.1192 remains unclaimed after twenty-four hours, send to the registered and legal owner of the vehicle by the end of the next business day a notice by certified mail, return receipt requested(~~(:))~~; (i) Advising that person of the name, location, and twenty-four hour telephone number of the person, tow truck operator, or operator of any storage facility who is empowered or authorized to return custody of any such towed, removed, or impounded motor vehicle(~~(: The notification shall also contain))~~; (ii) providing an estimate of the costs of towing, storage, or other services rendered during the course of removing, impounding, or storing any such motor vehicle(~~(: For the purpose of sending such notice, the law enforcement agency to which the report was made shall provide the name and address of the registered owner, as it appears on the records of the department, to the towing firm removing a vehicle under the provisions of RCW 46.52.118 through 46.52.1198. PROVIDED, That in the event))~~; (iii) containing notice of right of redemption and opportunity for a hearing conducted pursuant to section 4 of this act; and (iv)



announcing that the vehicle will be sold at public auction pursuant to RCW 46.52.112 if not reclaimed within fifteen days of mailing of this notice.

(2) If such certified letter has been refused or returned to the sender unclaimed, the notification to the law enforcement agency as provided in subsection (1)(d) of this section shall constitute actual notice to the registered and legal owner(~~(-PROVIDED FURTHER. That))~~).

(3) The towing company shall give to each person who seeks to redeem an impounded vehicle written notice of right of redemption and opportunity for a hearing, which notice shall be accompanied by a form to be used for requesting a hearing, and a copy of the tow and storage receipt. The towing company shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

(4) The effect of other laws notwithstanding, the costs of towing, storage, or other services rendered during the course of removing, impounding, or storing any such motor vehicle shall not constitute a lien upon the legal ownership of ~~((such))~~ the motor vehicle until forty-eight hours after the notice as provided in this ~~((subsection))~~ section has been received by the local law enforcement agency or owner of the vehicle, at which time the lien may be enforced as otherwise provided by law for the enforcement of towing or storage liens or liens generally(~~(-AND PROVIDED FURTHER. That))~~).

(5) If the towing firm assesses a fee according to the miles a vehicle is towed, the lien shall be, and the towing firm shall attempt to recover, no more than the fees that would accrue for towing to the nearest storage location of any towing firm.

~~((2))~~ (6) A failure to comply with the provisions of this section or section 4 of this act in regard to any vehicle waives the lien on that vehicle, constitutes a bar to recovery of the charges accrued on that vehicle, and is grounds for the suspension or revocation of the registration of any towing firm registered under RCW 46.52.108 to dispose of the abandoned vehicle(~~(-PROVIDED That))~~). However, no storage charges ~~((shall))~~ accrue in any event until written notice as provided in this section ~~((shall have))~~ has been received by the local law enforcement agency or owner of the vehicle.

NEW SECTION. Sec. 4. There is added to chapter 46.52 RCW a new section to read as follows:

(1) Unclaimed vehicles impounded by registered disposers pursuant to RCW 46.52.118, 46.52.119, or 46.52.1192 shall be redeemed only under the following circumstances:

(a) Only the registered owner, a person authorized by the registered owner, or one who has purchased a vehicle from the registered owner, who produces proof of ownership or written authorization and signs a receipt therefor, or the legal owner, may redeem an impounded vehicle.

(b) An unclaimed vehicle subject to sale may be redeemed pursuant to RCW 46.52.1196, or by posting a sufficient bond to cover accrued impoundment, towing, and storage charges. The bond shall be held in trust by the registered disposer pending the outcome of a hearing.

(2) Any person seeking to redeem an impounded vehicle under this section has a right to a hearing in the district court for the jurisdiction in which the vehicle was impounded to contest the validity of the impoundment or the amount of towing and storage charges. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the district court within ten days of the date the notification provided for in RCW 46.52.1194 was mailed or delivered. If the hearing request is not received by the district court within the ten-day period, the right to a hearing is waived and the legal and registered owners shall be liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the district court shall proceed to hear and determine the validity of the impoundment.

(3)(a) The district court, within five days after the request for a hearing, shall notify the registered disposer and the registered and legal owner of the motor vehicle in writing of the hearing date and time.

(b) At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the impoundment, towing, or storage fees charged were not proper.

(c) At the conclusion of the hearing, the district court shall determine whether the impoundment, towing, or storage fees charged were proper.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs and the expenses of the hearing shall be assessed against the person or persons requesting the hearing.

(e) If the impoundment is determined to be invalid, then the registered and legal owners of the vehicle shall bear no impoundment, towing, or storage costs, and any bond or other security shall be returned or discharged as appropriate.

(4) Any unclaimed vehicle not redeemed within fifteen days of mailing of the notice required by RCW 46.52.1194 shall be sold at public auction in accordance with all the provisions and subject to all the conditions of RCW 46.52.112.

Sec. 5. Section 5, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.1196 are each amended to read as follows:

(1) Any towing firm removing a vehicle(s) from private property pursuant to RCW 46.52.118, 46.52.119, or 46.52.1192 shall release ~~((such))~~ the vehicle to the owner, operator, driver, or authorized designee thereof upon the presentation to any person having custody of ~~((such))~~ the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such motor vehicle ~~((such))~~. Commercially reasonable tender ~~((to))~~ shall include, without limitation, cash, personal checks drawn on local banks with proper identification, and valid and appropriate credit cards ~~((PROVIDED HOWEVER, THAT))~~. The towing company may refuse to accept such personal check or promissory note if it has reasonable grounds to believe the check or note will not be paid. Any person who stops payment on a personal check with intent to defraud a towing firm ~~((which))~~ that has provided a service pursuant to this section ~~((:))~~ or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees ~~((PROVIDED FURTHER, THAT EVERY TOWING FIRM PROVIDING SERVICE PURSUANT TO THIS SECTION SHALL POST A TRUE COPY OF THIS SECTION IN A CONSPICUOUS PLACE UPON ITS BUSINESS PREMISES: PROVIDED FURTHER, THAT))~~.

(2) If the owner, operator, driver, or authorized designee thereof ~~((shall))~~ provides adequate proof of his financial responsibility, employment, and residence in the community to any person having custody of any towed, removed, impounded, or stored motor vehicle, ~~((then))~~ the motor vehicle shall be released without payment ~~((:))~~ with the understanding that such costs shall be paid within thirty days, or shall be recoverable through an action by law.

(3) A towing firm providing service under this section shall post a true copy of this section in a conspicuous place upon its business premises.

Sec. 6. Section 2, chapter 111, Laws of 1971 ex. sess. as last amended by section 19, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.150 are each amended to read as follows:

Notwithstanding any other provision of law, any law enforcement officer having jurisdiction or any person authorized by the director of licensing shall inspect and may authorize the disposal of an abandoned junk motor vehicle. The officer or authorized person shall record the make of such motor vehicle ~~((:))~~ and the serial number or vehicle identification number, if available, and shall also detail the damage or missing equipment to verify that the value of ~~((such))~~ the abandoned junk vehicle is equivalent only to the value of the scrap metal ~~((therein; only))~~ in it.

An abandoned junk motor vehicle is subject to the provisions of RCW 46.52.1194 and section 4 of this act.

Any surplus moneys arising from the disposal of abandoned junk motor vehicle shall be deposited in the county general fund.

Sec. 7. Section 4, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.190 are each amended to read as follows:

(1) When a vehicle or hulk is impounded pursuant to RCW 46.61.565 or 46.52.180, the governmental agency at whose direction the impoundment was effected shall, within twenty-four hours after the impoundment, mail notification of the impoundment to the last registered owner and the legal owner of the vehicle as shown on the records of the department or as otherwise reasonably ascertainable. The notification shall contain a certificate of mailing and shall inform the registered and legal owners of the impoundment, redemption procedures, and opportunity for a hearing to contest the basis for the impoundment. The notice need not be mailed if the vehicle is redeemed prior to the mailing of the notice or if the registered owner and the legal owner are not reasonably ascertainable.

Upon impoundment of a vehicle pursuant to this section, the law enforcement officer shall also provide the registered disposer with the name and address of the last registered owner and legal owner of the vehicle as may be shown by the records of the department or as otherwise reasonably ascertainable.

(2) The notification provided for in this section shall inform the registered and legal owners that any hearing request shall be directed to the district court for the justice court district in which the vehicle was impounded and shall be accompanied by a form to be ~~((utilized))~~ used for the purpose of requesting a hearing. Any request for a hearing pursuant to this section shall be made in writing on the form provided for that purpose and must be received by the district court within ten days of the date the notification provided for in this section was mailed. If the hearing request is not received by the district court within the ten-day period, the right to a hearing is waived and the registered and legal owners shall be liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the district court shall proceed to hear and determine the validity of the impoundment.

(3) If the registered or legal owner timely requests a hearing provided for by this section and prevails at the hearing, the unit of government under whose jurisdiction the impoundment was effected shall be liable for any towing, storage, or other impoundment charges permitted under this chapter.

(4) Removal and storage of a vehicle or hulk under RCW 46.52.170 through 46.52.190 or under RCW 46.61.565 shall be at the ~~((owner's))~~ registered and legal owners' expense, except as provided in RCW 46.52.104, 46.52.106, and subsection (3) of this section.

(5) The department may adopt rules providing that the owner's vehicle license will not be renewed or a new vehicle license issued to the owner unless any outstanding removal and storage charges are paid.

Sec. 8. Section 5, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.200 are each amended to read as follows:

When a vehicle or hulk is impounded pursuant to RCW 46.52.170 through 46.52.190 or 46.61.565 and the registered or legal owner has made a timely request for a hearing, the registered or legal owner may regain possession of the vehicle pending the outcome of the hearing by posting a sufficient ((cash)) bond to cover accrued impoundment, towing, and storage charges to be held in trust by the registered disposer ((or such other security as the department may by rule require)).

**NEW SECTION.** Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title, after "vehicles;" strike "and"

In line 3 of the title, after "46.52.111" and before the period, insert "; amending section 1, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.118; amending section 4, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.1194; amending section 5, chapter 281, Laws of 1975 1st ex. sess. and RCW 46.52.1196; amending section 2, chapter 111, Laws of 1971 ex. sess. as last amended by section 19, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.150; amending section 4, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.190; amending section 5, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.200; adding a new section to chapter 46.52 RCW; and declaring an emergency"

Signed by Representatives Martinis, Chair; Sutherland, Vice Chair, Western Wa; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Hankins, Mitchell, Patrick, Ristuben, Schmidt, Smith, Vekich, Walk and J. Williams.

Voting nay: Representatives Betzoff, Ranking Minority Vice Chair; and Garrett.

Absent: Representatives Wilson, Ranking Minority Chair; Gallagher and Prince.

Passed to Committee on Rules for second reading.

April 13, 1983

SB 3857 Prime Sponsor, Senator Talmadge: Exempting used cars sold by a dealer from emission control testing. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 2 after "(d)" insert "Motor vehicles fueled exclusively by propane, compressed natural gas, liquid petroleum gas, or other gaseous fuels, unless it is determined that federal sanctions will be imposed as a result of this exemption;"

Renumber the remaining subsections consecutively.

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Betzoff, Ranking Minority Vice Chair; Barrett, Burns, Fisch, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Vekich, Walk and J. Williams.

Voting nay: Charnley, Clayton and Fisher.

Absent: Representative Wilson, Ranking Minority Chair.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3880 Prime Sponsor, Committee on Education: Continuing the sick leave buy back program for school employees. Reported by Committee on Labor

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Belcher, Vice Chair; Betzoff, Brekke, Dellwo, Fisch, Fisher, O'Brien, Patrick and Soyano.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Ranking Minority Chair; Chandler, Ranking Minority Vice Chair; Smith and Struthers.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3783 Prime Sponsor, Committee on Agriculture: Specifying conditions for the issuance of water permits for certain hydroelectric projects. Reported by Committee on Agriculture

MAJORITY recommendation: Do pass. Signed by Representatives Kaiser, Chair; Ellis, Vice Chair; Smith, Ranking Minority Chair; Nealey, Ranking Minority Vice Chair; Dickie, Moon and Prince.

Voting nay: Representatives Galloway and Holland.

Absent: Representatives Egger and Todd.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3984 Prime Sponsor, Committee on Judiciary: Clarifying recall procedures. Reported by Committee on Constitution, Elections & Ethics

MAJORITY recommendation: Do pass with the following amendments:

On page 3 line 20 after "encompasses" strike "a part of" and insert "an area in"

On page 3, line 36 after "resides" insert "and shall petition the superior court to approve the synopsis and to determine the sufficiency of the charges"

On page 4, line 2 after "follows:" strike all material through "synopsis." on line 8 and insert:

"Within fifteen days after receiving the petition, the superior court shall have conducted a hearing on and shall have determined, without cost to any party, (1) whether or not the acts stated in the charge are acts of malfeasance or misfeasance while in office, or a violation of the oath of office; and (2) the adequacy of the ballot synopsis."

On page 8, beginning on line 19 after "rule" strike all material through "RCW," and insert "for canvassing initiative petitions under RCW 29.79.200."

On page 8, line 21 after "employed" strike ", and no" and insert ", No"

On page 11, beginning on line 23 after "recall," strike all material through "RCW," on line 25.

Signed by Representatives Pruitt, Chair; Fisch, Vice Chair; Barnes, Ranking Minority Chair; Miller, Ranking Minority Vice Chair; Fisher, Jacobsen, Long, Patrick, Schoon, Sommers, Tanner and Vander Stoep.

Absent: Representatives Patrick and Zellinsky.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSB 4101 Prime Sponsor, Committee on Ways & Means: Revising provisions relating to disposition of proceeds from parimutuel machines. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, strike all of section 2.

On page 1, line 2 of the title after "RCW 67.16.170" strike all material down to and including "67.16 RCW" on line 3.

Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Waik.

Voting nay: Representatives Padden and Van Dyken.

Absent: Representative Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSB 4202 Prime Sponsor, Senator Talmadge: Changing the Washington state patrol disciplinary process. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; Belcher, Kaiser, R. King, Lux, D. Nelson, Sayan and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives J. Williams, Ranking Minority Vice Chair; Bond, Johnson, Nealey, O'Brien, Silver and Taylor.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 4245 Prime Sponsor, Committee on Parks & Ecology: Revising provisions relating to hazardous waste management. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 70.105 RCW a new section to read as follows:

The legislature hereby declares that:

(1) The health and welfare of the people of the state depend on clean and pure environmental resources unaffected by hazardous waste contamination. Management and regulation of hazardous waste disposal should encourage practices which result in the least amount of waste being produced. Towards that end, the legislature finds that the following priorities in the management of hazardous waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
- (b) Waste recycling;
- (c) Physical, chemical, and biological treatment;
- (d) Incineration;
- (e) Solidification/stabilization treatment;
- (f) Landfill.

(2) As used in this section:

(a) 'Waste reduction' means reducing waste so that hazardous byproducts are not produced;

(b) 'Waste recycling' means reusing waste materials and extracting valuable materials from a waste stream;

(c) 'Physical, chemical, and biological treatment' means processing the waste to render it completely innocuous, produce a recyclable byproduct, reduce toxicity, or substantially reduce the volume of material requiring disposal;

(d) 'Incineration' means reducing the volume or toxicity of wastes by use of an enclosed device using controlled flame combustion;

(e) 'Solidification/stabilization treatment' means the use of encapsulation techniques to solidify wastes and make them less permeable or leachable; and

(f) 'Landfill' means a disposal facility, or part of a facility, at which waste is placed in or on land and which is not a land treatment facility, surface impoundment, or injection well.

NEW SECTION, Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

The department after notice and public hearing shall:

(1) Conduct studies of the state's dangerous and extremely hazardous wastes to determine the best management practices for categories of waste for the priority waste management methods established in section 1 (b) through (f) of this act, with due consideration in the course of the study to sound environmental management and available technology. After conducting the studies, the department shall prepare new rules or modify existing rules as appropriate to promote implementation of the priorities established in section 1 (b) through (f) of this act for management practices which assure use of sound environmental management techniques and available technology. The preliminary studies shall be completed by July 1, 1985, and the rules shall be adopted by July 1, 1986.

(2) Conduct additional studies on policy direction (such as fee incentives, disposal bans, etc.) that will help achieve the goals of waste reduction for specific categories of waste. The studies shall be completed by July 1, 1987. The solid waste advisory committee shall review the studies and make recommendations regarding these policy options that could be used to encourage reduction of dangerous and extremely hazardous wastes. The review and recommendations shall be submitted to the legislature by January 1, 1988.

NEW SECTION, Sec. 3. There is added to chapter 70.105 RCW a new section to read as follows:

Consistent with the purposes of sections 1 and 2 of this act, the department is authorized to promote the priority waste management methods listed in section 1 of this act by establishing or assisting in the establishment of: (1) Consultative services which, in conjunction with any

business or industry requesting such service, study and recommend alternative waste management practices; and (2) technical assistance, such as a toll-free telephone service, to persons interested in waste management alternatives. Any person receiving such service or assistance may, in accordance with state law, request confidential treatment of information about their manufacturing or business practices.

NEW SECTION. Sec. 4. There is added to chapter 70.105 RCW a new section to read as follows:

All fines and penalties collected under this chapter shall be deposited in the waste management account, which is hereby created in the state general fund. Moneys in the account shall be expended exclusively by the department of ecology for the purposes of providing technical services under RCW 70.105.100(3), subject to legislative appropriation.

NEW SECTION. Sec. 5. (1) There is appropriated to the department of ecology from the waste management account in the general fund for the biennium ending June 30, 1985, the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purposes of RCW 70.105.100(3).

(2) There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of two hundred thousand dollars, or so much thereof as may be necessary, for the purposes of section 2 of this act. If a hazardous waste control and elimination account is created in the general fund by the 1983 legislature, the appropriation in this subsection shall be made from that account."

On page 1, line 1 of the title, after "wastes;" strike the remainder of the title and insert "-adding new sections to chapter 70.105 RCW; and making appropriations."

Signed by Representatives Rust, Chair; Fisher, Vice Chair; Patrick, Ranking Minority Chair; Brekke, Burns, Dellwo, Jacobsen, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representatives Clayton and Hankins.

Absent: Representatives Allen, Ranking Minority Vice Chair; Lewis and Lux.

Passed to Committee on Rules for second reading.

April 12, 1983

SJM 121 Prime Sponsor, Senator Metcalf: Urging the President and Congress to repeal the Federal Reserve Act. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "follows:" strike all material to and including "and" on line 29.

Signed by Representatives Lux, Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Dickie, Garrett, Hankins, P. King, Wang and West.

Voting nay: Representatives Crane, Galloway, Kreidler and Vekich.

Absent: Representatives Lux, Chair; Zellinsky, Vice Chair; and Johnson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSCR 113 Prime Sponsor, Committee on State Government: Providing for a legislative study of government reorganization. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10 strike "nominate" and insert "appoint"

On page 1, line 14 strike "nominate" and insert "appoint"

On page 1, line 18 after "within" strike "thirty" and insert "ten"

On page 1, line 19 strike "adoption of this resolution" and insert "submission to the legislature and the governor of the report of the cost control task force created by 1983 law"

On page 1, line 20 after "held" strike "within sixty days of the adoption of this resolution" and insert "no later than twenty days thereafter"

On page 1, line 28 after "to" insert "facilitate the implementation of recommendations made by the cost control task force created by 1983 law, to audit the implementation of such recommendations, to submit a report of its audit to the legislature prior to December 31, 1984, and to further"

Signed by Representatives Walk, Chair; Niemi, Vice Chair; Hankins, Ranking Minority Chair; J. Williams, Ranking Minority Vice Chair; Belcher, Bond, Johnson, Kaiser, R. King, Lux, Nealey, D. Nelson, O'Brien, Sayan, Silver, Taylor and Vekich.

Absent: Representative Johnson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3006 Prime Sponsor, Committee on Parks & Ecology: Revising the state environmental policy act. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Clayton, Hankins, Jacobsen, Lewis, Van Dyken and J. Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Rust, Chair; Brekke, Burns, Dellwo, Lux and Pruitt.

Voting nay: Representatives Rust, Chair; Fisher, Vice Chair; Brekke, Burns, Dellwo, Lux and Pruitt.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3022 Prime Sponsor, Committee on Judiciary: Clarifying the Crime Victim Compensation Act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 5 after "committed a" strike "criminal act," and insert "~~((criminal act))~~ crime"

On page 2, line 11 after "the" strike "criminal act" and insert "~~((criminal act))~~ crime"

On page 3, after line 10 insert the following:

"Before a county program is submitted to the department for approval, it shall be submitted to each city with a population of more than three hundred fifty thousand in the county for review and comment. The department will determine if the county's proposed comprehensive plan uniformly meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Addison, Cantu, Hastings, Lewis, Locke and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3057 Prime Sponsor, Committee on Judiciary: Modifying the liability of building fire safety personnel. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 strike "with or" and insert "~~((with or))~~"

On page 1, line 9 after "compensation," insert "or with compensation but whose primary employment is not in these positions."

On page 1, line 20 after "plan" insert "approved by the municipal fire department"

On page 2, after line 3 insert the following new subsection:

"(4) Nothing in this section shall be construed to limit the liability of a building owner or operator for the negligent acts or omissions of a building warden, fire safety director, or member of the building staff fire fighting force."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Hastings, Lewis, G. Nelson, Schmidt and Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Dellwo, Ellis, Halsan, P. King and Locke.

Voting nay: Representatives Padden, Ranking Minority Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke and Wang.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSB 3101 Prime Sponsor, Committee on Commerce & Labor: Modifying provisions relating to the state liquor control board. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 30 after "~~which issued;~~)" insert "(a) At the time of the original issuance of a class H license, the board shall prorate the license fee charged to the new licensee according to the number of calendar quarters, or portion thereof, remaining until the first renewal of that license is required.

(b)\*

Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, Smitherman and Walk.

Voting nay: Representatives Padden, Stratton and Van Dyken.

Absent: Representatives Haugen and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 3114 Prime Sponsor, Senator Vognild: Modifying provisions relating to gambling. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 14, line 13 after "organization" insert ", which does not discriminate in full membership on the basis of sex and race, and"

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Barrett, Braddock, Brough, Ellis, Halsan, Haugen, Niemi, Schmidt, Silver, Smitherman, Stratton and Walk.

Voting nay: Representatives B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Ebersole, Kaiser, Padden, Powers, Schoon, Tilly and Van Dyken.

Absent: Representative Wilson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESB 3131 Prime Sponsor, Senator Talmadge: Defining costs which may be awarded to a prevailing party in civil actions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 strike "his" and insert "~~(his)~~ the prevailing party's"

On page 1, line 19 after "records," insert "which are admitted into evidence at trial in superior or district court."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Cantu, Crane, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, G. Nelson, Schmidt, Tilly and Wang.

Passed to Committee on Rules for second reading.



April 12, 1983

**SB 3182** Prime Sponsor, Senator Bottiger: Modifying provisions relating to financial institutions. Reported by Committee on Financial Institutions & Insurance

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

Strike everything after the enacting clause, and insert the following:

**\*NEW SECTION.** Sec. 1. There is added to chapter 30.04 RCW a new section to read as follows:

A bank or trust company may purchase for its own account shares of stock of a bank or a holding company that owns or controls a bank if the stock of the bank or company is owned exclusively, except to the extent directly qualifying shares are required by law, by depository institutions and the bank or company and all subsidiaries thereof are engaged exclusively in providing services for other depository institutions and their officers, directors, and employees. In no event may the total amount of such stock held by a bank or trust company in any bank or bank holding company exceed at any time ten percent of its capital stock and paid-in and unimpaired surplus, and in no event may the purchase of such stock result in a bank or trust company acquiring more than twenty-five percent of any class of voting securities of such bank or company. Such a bank or bank holding company shall be called a 'banker's bank.'

**NEW SECTION.** Sec. 2. There is added to chapter 30.04 RCW a new section to read as follows:

Sales of federal reserve funds with a maturity of one business day or under a continuing contract are not 'loans or obligations' or 'liabilities' for the purposes of the loan limits established by RCW 30.04.110. However, sales of federal reserve funds with a maturity of more than one business day are subject to those limits.

For the purposes of this section, 'sale of federal reserve funds' means any transaction among depository institutions involving the disposal of immediately available funds resulting from credits to deposit balances at federal reserve banks or from credits to new or existing deposit balances due from a correspondent depository institution.

Sec. 3. Section 30.04.060, chapter 33, Laws of 1955 as amended by section 6, chapter 196, Laws of 1982 and RCW 30.04.060 are each amended to read as follows:

The supervisor, the deputy supervisor, or a bank examiner, without previous notice, shall visit each bank and each trust company at least once in each year, and oftener if necessary, for the purpose of making a full investigation into the condition of such corporation, and for that purpose they are hereby empowered to administer oaths and to examine under oath any director, officer, employee, or agent of such corporation. ~~((Said))~~ The supervisor may make such other full or partial examinations as deemed necessary and may examine any bank holding company that owns any portion of a bank or trust company chartered by the state of Washington and obtain reports of condition for any bank holding company that owns any portion of a bank or trust company chartered by the state of Washington. The supervisor may visit and examine into the affairs of any nonpublicly held corporation in which the bank, trust company, or bank holding company has an investment or any publicly held corporation the capital stock of which is controlled by the bank, trust company, or bank holding company; may appraise and revalue such corporations' investments and securities; and shall have full access to all the books, records, papers, securities, correspondence, bank accounts, and other papers of such corporations for such purposes. The supervisor may, in his or her discretion, accept in lieu of the examinations required in this section the examinations required under the terms of the federal reserve act for banks which are, or may become, members of a federal reserve bank or the deposits of which are insured by the Federal Deposit Insurance Corporation. Any willful false swearing in any examination ~~((shall be))~~ is perjury.

Sec. 4. Section 30.04.110, chapter 33, Laws of 1955 as amended by section 1, chapter 136, Laws of 1969 and RCW 30.04.110 are each amended to read as follows:

The total liability to any bank or trust company of any person for money borrowed, including in the liabilities of a firm or association the liabilities of the several members thereof, shall not at any time exceed ~~((fifteen))~~ twenty percent of the capital and surplus of such bank or trust company; but the discount of bills of exchange drawn in good faith against actually existing values and the discount of commercial or business paper of solvent parties, actually owned by the person negotiating the same, shall not be considered as money borrowed by him: PROVIDED, That loans secured by collateral security having an ascertained market value of at least fifteen percent more than the amount of the loans secured, shall not be limited by this section.

Loans or obligations shall not be subject under this section to any limitation based upon such capital and surplus to the extent that they are secured or covered by guaranties, or by commitments or agreements to take over or to purchase the same, made by any federal reserve bank or by the United States or any department, bureau, board, commission or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States.

For the purposes of this section, 'capital' includes capital notes or debentures issued under chapter 30.36 RCW.

Sec. 5. Section 2, chapter 194, Laws of 1963 and RCW 30.04.128 are each amended to read as follows:

Any state bank or trust company, stock savings bank, or mutual savings bank may invest in the capital stock of banking service corporations ~~((organized for the purpose of performing or providing mechanical, clerical, or record keeping services for two or more banks))~~. The total amount which any such bank may invest in the shares of such corporations may not exceed in the case of a bank or trust company or stock savings bank, ten percent of its paid in or unimpaired capital and unimpaired surplus, or in the case of a mutual savings bank, ten percent of its guaranty fund. Such a bank service corporation may not engage in any activity other than ~~((the performance of services for banks))~~ those permitted by the bank service corporation act, 12 U.S.C. Sec. 1861, et seq., as amended by P.L. 97-320, and in effect on the effective date of this 1983 act. The performance of any service, and any records maintained by any such corporation for a bank, shall be subject to regulation and examination by the supervisor and appropriate federal agencies to the same extent as if such services or records were being performed or maintained by the bank on its own premises.

Sec. 6. Section 30.04.140, chapter 33, Laws of 1955 as amended by section 2, chapter 133, Laws of 1967 and RCW 30.04.140 are each amended to read as follows:

No bank or trust company shall pledge or hypothecate any of its securities or assets to any depositor, ~~((or creditor.))~~ except that it may qualify as depository for United States deposits, postal savings funds or other public funds, or funds held in trust and deposited by any public officer by virtue of his office, or funds held by the United States or the state of Washington, or any officer thereof in trust, or for funds of corporations owned or controlled by the United States, and may give such security for such deposits as are required by law or by the officer making the same; and it may give security to its trust department for deposits with itself which represent trust funds invested in savings accounts or which represent fiduciary funds awaiting investment or distribution~~((PROVIDED: That any bank or trust company may borrow, for temporary purposes, not to exceed in the aggregate amount the paid-in capital and surplus thereof, and may pledge as security therefor assets of such corporation, not exceeding one and one-half times the amount borrowed))~~.

Sec. 7. Section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160 are each amended to read as follows:

~~((When it shall appear to the supervisor that any bank or trust company is habitually borrowing for the purpose of reloaning, he may require such corporation to pay off such borrowed money. Nothing herein shall prevent any bank or trust company from rediscounting in good faith and indorsing any of its negotiable notes, but all such moneys borrowed and all such rediscounts shall at all times show on its books and in its reports. No certificates of deposit shall be issued for the purpose of borrowing money.))~~ No officer of any bank or trust company shall issue the note of such corporation for money borrowed or rediscount any of its notes except when authorized by resolution of its board of directors or by an authorized committee thereof. Violation of any provision of RCW 30.04.140 or 30.04.150 or of this section shall constitute a felony.

Sec. 8. Section 7, chapter 136, Laws of 1969 and RCW 30.04.215 are each amended to read as follows:

In addition to all powers ~~((previously))~~ enumerated by this title, and those necessarily implied therefrom, a bank may engage in other business ~~((activity. PROVIDED: That))~~ activities that have been determined by the board of governors of the federal reserve system or by the United States Congress to be closely related to the business of banking, as of the effective date of this 1983 act. At least thirty days before investment in corporations or other entities under this chapter, notification by letter shall be made to the supervisor in accordance with such terms and conditions as the supervisor might establish by rule. A bank~~((which))~~ that desires to perform an activity ~~((which))~~ that is not expressly authorized by ~~((the powers enumerated in))~~ this section~~((:))~~ shall first apply to the supervisor for authorization to conduct such activity. Within thirty days of the receipt of this application, the supervisor shall determine whether the activity is ~~((and appropriate adjunct))~~ closely related to the business of banking, whether the public convenience and advantage will be promoted, whether the activity is apt to create an unsafe or unsound practice by the bank and whether the applicant is capable of performing such an activity. If the supervisor finds the activity to be ~~((an appropriate adjunct))~~ closely related to the business of banking and the bank is otherwise qualified, he shall forthwith inform the applicant that the activity is authorized. If the supervisor determines that such activity is not ~~((an appropriate adjunct))~~ closely related to the business of banking or the bank is not otherwise qualified, he shall forthwith inform the applicant. The applicant shall have the right to appeal from an unfavorable determination in accordance with the procedures of the Administrative Procedure Act, chapter 34.04 RCW~~((as now or hereafter amended))~~. In determining whether a particular activity is ~~((an appropriate adjunct))~~ closely related to the business of banking, the supervisor shall be guided by ~~((whether national banks under federal laws and administrative regulations and rulings have the authority to perform such activity))~~ the rulings of the board of

governors of the federal reserve system in making determinations in connection with the powers exercisable by bank holding companies, and the activities performed by other commercial banks or their holding companies. Any activity which may be performed by a bank, except the taking of deposits, may be performed by a corporation, all of the outstanding stock of which is owned by the bank. A bank shall not invest a sum greater than twenty-five percent of its capital and surplus in the capital stock of corporations organized to perform activities authorized by this section.

Sec. 9. Section 30.04.230, chapter 33, Laws of 1955 as last amended by section 7, chapter 196, Laws of 1982 and RCW 30.04.230 are each amended to read as follows:

(1) A corporation or association organized under the laws of this state or licensed to transact business in the state, other than a bank or trust company, may acquire any or all shares of stock of any bank, trust company, or national banking association. Nothing in this section shall be construed to prohibit the merger, consolidation, or reorganization of a bank or trust company in accordance with this title( ~~or to permit a~~).

(2) ~~Unless the terms of this section are complied with, an out-of-state bank holding company (the operations of which are principally conducted outside this state to) shall not acquire more than five percent of the shares of the voting stock or all or substantially all of the assets of a bank, trust company, or national banking association the principal operations of which are conducted within this state.~~

(3) As used in this section a 'bank holding company' means a company that is a bank holding company as defined by the Bank Holding Company Act of 1956, as amended (12 U.S.C. Sec. 1941 et seq.). An 'out-of-state bank holding company' is a bank holding company that principally conducts its operations outside this state, as measured by total deposits held or controlled by its bank subsidiaries on the date on which it became a holding company. A 'domestic bank holding company' is a bank holding company that principally conducts its operations within this state, as measured by total deposits held or controlled by its bank subsidiaries on the date on which it became a bank holding company.

(4) Any such acquisition referred to under subsection (2) of this section by an out-of-state bank holding company requires the express written approval of the supervisor of banking. Approval shall not be granted unless and until the following conditions are met:

(a) An out-of-state bank holding company desiring to make an acquisition referred to under subsection (2) of this section and the bank, trust company, national banking association, or domestic bank holding company parent thereof, if any, proposed to be acquired shall file an application in writing with the supervisor of banking and pay an investigation fee of five thousand dollars to the supervisor of banking. The application shall contain such information as the supervisor of banking may prescribe by rule as necessary or appropriate for the purpose of making a determination under this section. The application and supporting information and all examination reports and information obtained by the supervisor and the supervisor's staff in conducting its investigation shall be confidential and privileged and not subject to public disclosure under chapter 42.17 RCW. The application and information may be disclosed to federal bank regulatory agencies and to officials empowered to investigate criminal charges, subject to legal process, valid search warrant, or subpoena. In any civil action in which such application or information is sought to be discovered or used as evidence, any party may, upon notice to the supervisor and other parties, petition for an in camera review. The court may permit discovery and introduction of only those portions that are relevant and otherwise unobtainable by the requesting party. The application and information shall be discoverable in any judicial action challenging the approval of an acquisition by the supervisor as arbitrary and capricious or unlawful.

(b) The supervisor of banking shall find that:

(i) The bank, trust company, or national banking association that is proposed to be acquired or the domestic bank holding company controlling such bank, trust company, or national banking association is in such a liquidity or financial condition as to be in danger of closing, failing, or insolvency. In making any such determination the supervisor shall be guided by the criteria developed by the federal regulatory agencies with respect to emergency acquisitions under the provisions of 12 U.S.C. Sec. 1828(c);

(ii) There is no state bank, trust company, or national banking association doing business in the state of Washington or domestic bank holding company with sufficient resources willing to acquire the entire bank, trust company, or national banking association on at least as favorable terms as the out-of-state bank holding company is willing to acquire it;

(iii) The applicant out-of-state bank holding company has provided all information and documents requested by the supervisor in relation to the application; and

(iv) The applicant out-of-state bank holding company has demonstrated an acceptable record of meeting the credit needs of its entire community, including low and moderate income neighborhoods, consistent with the safe and sound operation of such institution.

(c) The supervisor shall consider:

(i) The financial institution structure of this state; and

(ii) The convenience and needs of the public of this state.

(5) Nothing in this section may be construed to prohibit, limit, restrict, or subject to further regulation the ownership by a bank of the stock of a bank service corporation or a banker's bank.

NEW SECTION. Sec. 10. Section 30.04.150, chapter 33, Laws of 1955 and RCW 30.04.150 are each repealed.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 241, Laws of 1981 and RCW 43.19.095; and

(2) Section 2, chapter 241, Laws of 1981 and RCW 43.19.112.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Sections 1 through 10 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."

In line 1 of the title, after "institutions;" strike the remainder of the title and insert "amending section 30.04.060, chapter 33, Laws of 1955 as amended by section 6, chapter 196, Laws of 1982 and RCW 30.04.060; amending section 30.04.110, chapter 33, Laws of 1955 as amended by section 1, chapter 136, Laws of 1969 and RCW 30.04.110; amending section 2, chapter 194, Laws of 1963 and RCW 30.04.128; amending section 30.04.140, chapter 33, Laws of 1955 as amended by section 2, chapter 133, Laws of 1967 and RCW 30.04.140; amending section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160; amending section 7, chapter 136, Laws of 1969 and RCW 30.04.215; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 7, chapter 196, Laws of 1982 and RCW 30.04.230; adding new sections to chapter 30.04 RCW; repealing section 30.04.150, chapter 33, Laws of 1955 and RCW 30.04.150; repealing section 1, chapter 241, Laws of 1981 and RCW 43.19.095; repealing section 2, chapter 241, Laws of 1981 and RCW 43.19.112; and declaring an emergency."

Signed by Representatives Lux, Chair; Sanders, Ranking Minority Chair; Cantu, Crane, Dickie, Galloway, Garrett, Hankins, P. King, Vekich, Wang and West.

Voting nay: Representatives Broback, Ranking Minority Vice Chair; Ballard and Kreidler.

Absent: Representatives Zellinsky, Vice Chair; Johnson and Monohon.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3194 Prime Sponsor, Committee on Transportation: Authorizes department to destroy vehicle license renewal applications upon entering the information contained on them into the computer system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 11, line 12 after "certificate" insert ", except that a husband or wife or both jointly may make and execute powers of attorney for such conveyance or encumbrance"

Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Betrozoff, Ranking Minority Vice Chair; Barrett, Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Garrett, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, 642 Sanders, Smith, Vekich, Walk and J. Williams.

Absent: Representatives Wilson, Ranking Minority Chair; and Sanders.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3217 Prime Sponsor, Committee on Natural Resources: Prohibiting commercial salmon fishing in waters connected to the Columbia river below Bonneville dam. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 22 insert a new subsection to read as follows:

"(3) The director may authorize commercial net fishing for salmon in the tributaries and sloughs from September 1 to November 30: PROVIDED, That the time, areas and level of effort are regulated in order to maximize the recreational fishing opportunity while minimizing

excess returns of fish to hatcheries. The director shall not authorize commercial net fishing if a significant catch of steelhead would occur."

Signed by Representatives Halsan, Vice Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Locke, Martinis, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich and B. Williams.

Voting nay: Representative Stratton, Chair.

Absent: Representatives Fuhrman, Ranking Minority Vice Chair; Isaacson, Johnson, McClure and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3225 Prime Sponsor, Committee on Energy & Utilities: Regulating district heating system services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 21 strike subsection (1) and insert "(1) Biomass materials" means organic materials that are primarily waste materials and the conversion or use of such materials can be used to generate heat directly"

On page 1, line 28 after "earth" insert a period and strike the remainder of the section.

On page 2, line 4 after "to" strike the remainder of the subsection and insert ": (a) Generators of waste heat; (b) geothermal wells or springs; (c) combustion of biomass materials; or (d) collection of solar heat."

On page 4, beginning on line 9 strike section 9 entirely.

Renumber the remaining sections consecutively.

On page 1, line 2 of the title after "services," insert "and" and after "RCW" strike all material through "date" on line 3.

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Bond, Fiske, Fuhrman, Gallagher, Hastings, Jacobsen, Martinis, Moon, Nealey, Pruitt and Sutherland.

Absent: Representatives Locke and Miller.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3253 Prime Sponsor, Committee on Judiciary: Requiring law enforcement officers to take certain abused children into custody. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 2 after "circumstances," strike all material down to and including "child" on line 4 and insert "The court shall establish conditions for the return of the child. If the state can show failure to comply with the condition for remedying the circumstances which form the basis of the shelter care order, the court may continue the placement of the child in shelter care or placement with another suitable person."

On page 5, line 1 after "shall" insert "not"

On page 5, line 3 after "section" strike all material down to and including "exist," on line 5 and insert "((still exists)) does not exist. If the state can show failure to comply with the condition for remedying the circumstances which form the basis of the shelter care order, the court may continue the placement of the child in shelter care or placement with another suitable person."

On page 6, line 23 strike all of subsection (3).

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Dellwo, Ellis, Halsan, P. King, Schmidt, Tilly and Wang.

Absent: Representatives Addison, Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3273 Prime Sponsor, Committee on Energy & Utilities: Establishing the Washington radioactive waste commission. Reported by Committee on Energy & Utilities

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

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION, Sec. 1.** The legislature finds that the safe transporting, handling, storage, or otherwise caring for radioactive wastes is required to protect the health, safety, and welfare of the citizens of the state of Washington. It is the purpose of this chapter to establish authority for the state to exercise appropriate oversight and care for the safe management and disposal of radioactive wastes; to consult with the federal government and other states on interim or permanent storage of these radioactive wastes; and to carry out the state responsibilities under the federal nuclear waste policy act of 1982.

**NEW SECTION, Sec. 2.** The department of ecology is herein designated as the state agency to carry out the authority and responsibility set forth in this chapter, including state participation in the federal nuclear waste policy act of 1982 and the federal low-level radioactive waste policy act of 1980. The department may receive federal financial assistance for carrying out radioactive waste management activities, including assistance for monitoring and evaluating the program of repository exploration and siting undertaken by the federal government.

The department shall submit a written report at least semiannually to the governor and to each member of the legislature on the radioactive waste program, its progress in carrying out its responsibilities, and any recommendations for legislative or administrative action that will improve the state's management and control activity in maximizing public health and safety.

**NEW SECTION, Sec. 3.** All departments, agencies, and officers of this state and its subdivisions shall cooperate with the department in the furtherance of any of its activities pursuant to this chapter.

**NEW SECTION, Sec. 4.** There is hereby created a nuclear waste policy and review board to assist the department in carrying out its responsibilities under this chapter. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of the department or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, four members of the state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party. Legislative members shall be ex officio nonvoting members of the council and shall serve while members of the legislature, at the pleasure of the appointing officer. The board shall be responsible for identifying and reviewing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the department in carrying out its duties under this chapter; assisting the department in determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the governor to effectively evaluate federal actions; reviewing the activities of advisory and technical committees created by the governor; advising the director on the need for additional advisory and technical committees; and assisting the department to participate in the consultation and concurrence process provided for in the federal waste management act of 1982 and the low-level waste policy act of 1980 and to monitor and comment on decisions of the northwest interstate compact committee on low-level radioactive waste management.

Nonlegislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120.

**NEW SECTION, Sec. 5.** (1) An advisory council is hereby established of not less than fifteen members appointed by the governor to provide advice, counsel, and recommendations to the department on all aspects of the radioactive waste management program. The council shall particularly advise the department on maximizing opportunities for public involvement in the program, soliciting public input, and assisting in the need for wide understanding of the issues involved in nuclear waste management. The governor shall appoint the chairman of the advisory council who shall also serve as chairman of the waste policy and review board. Members of the council shall be selected from all areas of the state and shall include a broad range of citizens, representatives of local governments, Indian tribes, and representatives of such other interests as the governor determines will best further the purposes of this chapter. Terms of council members shall not exceed two years and they shall continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members may be reappointed. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 6. The department may establish such additional advisory and technical committees as it deems necessary.

**NEW SECTION.** Sec. 7. The department is authorized to adopt such rules as are necessary to carry out its responsibilities under this chapter and chapter 43.145 RCW.

**NEW SECTION.** Sec. 8. The following powers, duties and functions are hereby transferred to the department of ecology:

(1) All powers, duties, and functions authorized to be performed by the department of social and health services and its secretary by chapter 70.121 RCW.

(2) All powers, duties, and functions authorized to be performed by the department of social and health services and its secretary by chapter 70.98 RCW, including those relating to agreements now existing, or hereinafter entered into, with the United States operating under authority of the Atomic Energy Act of 1954, as amended.

The departments of ecology and social and health services are empowered to enter into agreements that provide for the administration by the department of social and health services of the functions transferred by subsection (2) of this section as they pertain to the programs, formerly vested in the department of social and health services, including, but not limited to, the licensing and regulation of radiation producing devices and radioactive materials now administered by the licensing program, materials compliance program, x-ray compliance program, and x-ray projects program of said department.

The powers, duties, and functions of the board of health relating to the programs transferred in subsections (1) and (2) of this section are transferred to the department of ecology.

The designation of state radiation control agency under RCW 70.98.050 is transferred to the department of ecology.

**NEW SECTION.** Sec. 9. The director of ecology shall, in addition to the powers and duties otherwise imposed by law, have the following special powers and duties:

(1) To fulfill the responsibilities of the state under the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington. The department of ecology may sublease to private or public entities all or a portion of the land for specific purposes or activities which are determined, after public hearing, to be in consonance with the terms of the lease and in the best interests of the citizens of the state consistent with any criteria that may be developed as a requirement by the legislature;

(2) To assume the responsibilities of the state under the perpetual care agreement between the state of Washington and the federal government executed July 29, 1965. In order to finance perpetual surveillance and maintenance under the agreement, the department of ecology shall impose and collect fees from parties holding radioactive materials for waste management purposes. The fees shall be established by rule adopted under chapter 34.04 RCW and shall be at a total charge of not less than the prevailing rates at similar sites in the nation or the amount determined by the state radiation control agency to be necessary to defray the estimated liability of the state, whichever is greater. All such fees, when received by the department of ecology, shall be transmitted to the state treasurer, who shall act as custodian. The treasurer shall place the money in a special account which may be designated the 'perpetual maintenance account.' Appropriations are required to permit expenditures and payment of obligations from this account, and the condition of the account and its administration shall be reported biennially to the legislature by the director. Moneys in the perpetual maintenance account shall be invested by the state investment board in the same manner as other state moneys. Any interest accruing as a result of investment shall accrue to the perpetual maintenance account. Additional moneys specifically appropriated by the legislature or received from any public or private source may be placed in the perpetual maintenance account. The perpetual maintenance account shall be used exclusively for surveillance and maintenance costs, or for otherwise satisfying surveillance and maintenance obligations; and

(3) To assure maintenance of such insurance coverage by state licensees, lessees, or sub-lessees as will adequately, in the opinion of the director, protect the citizens of the state against nuclear accidents or incidents that may occur on privately or state-controlled nuclear facilities.

**NEW SECTION.** Sec. 10. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of social and health services and pertaining to powers, duties, and functions transferred by section 8 of this act shall be delivered to the custody of the department of ecology. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out the powers, duties, and functions transferred by section 8 of this act shall be made available to the department of ecology. All funds, credits, or other assets held in connection with powers, duties, and functions transferred by section 8 of this act shall be assigned to the department of ecology.

Any appropriations made to the department of social and health services for the purpose of carrying out the powers, duties, and functions transferred by section 8 of this act shall, on the effective date of this act, be transferred and credited to the department of ecology.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the

powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

**NEW SECTION.** Sec. 11. All employees of the department of social and health services engaged in the performance of the powers, functions, and duties transferred by section 8 of this act are transferred to the jurisdiction of the department of ecology. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of ecology to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

**NEW SECTION.** Sec. 12. All rules and all pending business before the department of social and health services pertaining to the powers, functions, and duties transferred by section 8 of this act shall be continued and acted upon by the department of ecology. All existing contracts and obligations shall remain in full force and shall be performed by the department of ecology.

**NEW SECTION.** Sec. 13. The transfer of the powers, duties, functions, and personnel of the department of social and health services pertaining to the powers, functions, and duties transferred by section 8 of this act shall not affect the validity of any act performed by such employee prior to the effective date of this act.

**NEW SECTION.** Sec. 14. If apportionments of budgeted funds are required because of the transfers directed by sections 10 through 13 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

**NEW SECTION.** Sec. 15. Nothing contained in sections 10 through 14 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

Sec. 16. Section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030 are each amended to read as follows:

(1) 'Byproduct material' means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

(2) 'Ionizing radiation' means gamma rays and x-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other ((nuclear)) subatomic particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

(3) (a) 'General license' means a license effective pursuant to regulations promulgated by the state radiation control agency, without the filing of an application, to transfer, acquire, own, possess, or use quantities of, or devices or equipment utilizing, byproduct, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

(b) 'Specific license' means a license, issued after application to use, manufacture, produce, transfer, receive, acquire, own, or possess quantities of, or devices or equipment utilizing byproduct, source, special nuclear materials, or other radioactive materials occurring naturally or produced artificially.

(4) 'Person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Atomic Energy Commission, or any successor thereto, and other than federal government agencies licensed by the United States Atomic Energy Commission, or any successor thereto.

(5) (~~'Source material' means (a) uranium, thorium, or any other material which the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such; or (b) ores containing one or more of the foregoing materials, in such concentration as the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material in such concentration to be source material)~~ 'Source material' means (a) uranium, thorium, or any other material which is determined by the United States Nuclear Regulatory Commission or its successor pursuant to the provisions of section 61 of the United States Atomic Energy Act of 1954, as amended (42 U.S.C. Sec. 209) to be source material; or (b) ores containing one or more of the foregoing materials, in such concentration as the commission may by regulation determine from time to time.

(6) (~~'Special nuclear material' means (a) plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor declares by order to be special nuclear material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such, but does not include source material; or (b) any material artificially enriched by any of the foregoing, but does not include source material)~~ 'Special nuclear material' means (a) plutonium, uranium enriched in the isotope 233



or in the isotope 235, and any other material which the United States Nuclear Regulatory Commission or its successor, pursuant to the provisions of section 51 of the United States Atomic Energy Act of 1954, as amended (42 U.S.C. Sec. 2071), determines to be special nuclear material, but does not include source material; or (b) any material artificially enriched by any of the foregoing, but does not include source material.

(7) 'Registration' means registration with the state department of ~~((social and health services))~~ ecology by any person possessing a source of ionizing radiation in accordance with rules, regulations and standards adopted by the department of ~~((social and health services))~~ ecology.

(8) 'Radiation source' means any type of device or substance which is capable of producing or emitting ionizing radiation.

Sec. 17. Section 5, chapter 207, Laws of 1961 as last amended by section 10, chapter 189, Laws of 1971 ex. sess. and RCW 70.98.050 are each amended to read as follows:

(1) The department of ~~((social and health services))~~ ecology is designated as the state radiation control agency, hereinafter referred to as the agency, and shall be the state agency having sole responsibility for administration of the regulatory, licensing and radiation control provisions of this chapter.

(2) The ~~((secretary of social and health services))~~ director of ecology shall be director of the agency, hereinafter referred to as the ~~((secretary))~~ director, who shall perform the functions vested in the agency pursuant to the provisions of this chapter.

(3) The agency shall appoint a state radiological control officer, and in accordance with the laws of the state, fix his compensation and prescribe his powers and duties.

(4) The agency shall for the protection of the occupational and public health and safety:

(a) Develop programs for evaluation of hazards associated with use of ionizing radiation;

(b) Develop programs with due regard for compatibility with federal programs for regulation of byproduct, source, and special nuclear materials;

(c) Formulate, adopt, promulgate, and repeal codes, rules and regulations relating to control of sources of ionizing radiation;

(d) Advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, political subdivisions, and with groups concerned with control of sources of ionizing radiation;

(e) Have the authority to accept and administer loans, grants, or other funds or gifts, conditional or otherwise, in furtherance of its functions, from the federal government and from other sources, public or private;

(f) Encourage, participate in, or conduct studies, investigations, training, research, and demonstrations relating to control of sources of ionizing radiation;

(g) Collect and disseminate information relating to control of sources of ionizing radiation; including:

(i) Maintenance of a file of all license applications, issuances, denials, amendments, transfers, renewals, modifications, suspensions, and revocations;

(ii) Maintenance of a file of registrants possessing sources of ionizing radiation requiring registration under the provisions of this chapter and any administrative or judicial action pertaining thereto; and

(iii) Maintenance of a file of all rules and regulations relating to regulation of sources of ionizing radiation, pending or promulgated, and proceedings thereon.

(h) In connection with any contested case as defined by RCW 34.04.010 or any other administrative proceedings as provided for in this chapter, have the power to issue subpoenas in order to compel the attendance of necessary witnesses and/or the production of records or documents.

Sec. 18. Section 2, chapter 110, Laws of 1979 ex. sess. as amended by section 1, chapter 78, Laws of 1982 and RCW 70.121.020 are each amended to read as follows:

Unless the context clearly requires a different meaning, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of ~~((social and health services))~~ ecology.

(2) '~~((Secretary))~~ Director' means the ~~((secretary of social and health services))~~ director of ecology.

(3) 'Site' means the restricted area as defined by the United States nuclear regulatory commission.

(4) 'Tailings' means the residue remaining after extraction of uranium or thorium from the ore whether or not the residue is left in piles, but shall not include ore bodies nor ore stock piles.

(5) 'License' means a radioactive materials license issued under chapter 70.98 RCW and the rules adopted under chapter 70.98 RCW.

(6) 'Termination of license' means the cancellation of the license after permanent cessation of operations. Temporary interruptions or suspensions of production due to economic or other conditions are not a permanent cessation of operations.

(7) 'Milling' means grinding, cutting, working, or concentrating ore which has been extracted from the earth by mechanical (conventional) or chemical (in situ) processes.

Sec. 19. Section 3, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.030 are each amended to read as follows:

(1) Any person who proposes to operate a uranium or thorium mill within the state of Washington after January 1, 1980, shall obtain a license from the department to mill thorium and uranium. The period of the license shall be determined by the ((secretary)) director and shall be initially valid for not more than two years and renewable thereafter for periods of not more than five years. No license may be granted unless:

(a) The owner or operator of the mill submits to the department a plan for reclamation and disposal of tailings and for decommissioning the site that conforms to the criteria and standards then in effect for the protection of the public safety and health; and

(b) The owner of the mill agrees to transfer or revert to the appropriate state or federal agency upon termination of the license all lands, buildings, and grounds, and any interests therein, necessary to fulfill the purposes of this chapter except where the lands are held in trust for or are owned by any Indian tribe.

(2) Any person operating a uranium or thorium mill on January 1, 1980, shall, at the time of application for renewal of his license to mill thorium or uranium, comply with the following conditions for continued operation of the mill:

(a) The owner or operator of the mill shall submit to the department a plan for reclamation and disposal of tailings and for decommissioning the site that conforms to the criteria and standards then in effect for the protection of the public safety and health; and

(b) The owner of the mill shall agree to transfer or revert to the appropriate state or federal agency upon termination of the license all lands, buildings, and grounds, and any interests therein, necessary to fulfill the purposes of this chapter except where the lands are held in trust for or are owned by any Indian tribe.

(3) The department shall, after public notice and opportunity for written comment, hold a public hearing to consider the adequacy of the proposed plan to protect the safety and health of the public required by subsections (1) and (2) of this section. The proceedings shall be recorded and transcribed. The public hearing shall provide the opportunity for cross-examination by both the department and the person proposing the plan required under this section. The department shall make a written determination as to the licensing of the mill which is based upon the findings included in the determination and upon the evidence presented during the public comment period. The determination is subject to judicial review. If a declaration of nonsignificance is issued for a license renewal application under rules adopted under chapter 43.21C RCW, the public hearing is not required.

(4) The department shall set a schedule of license and amendment fees predicated on the cost of reviewing the license application and of monitoring for compliance with the conditions of the license. A permit for construction of a uranium or thorium mill may be granted by the secretary prior to licensing.

Sec. 20. Section 4, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.040 are each amended to read as follows:

The ((secretary)) director or his representative shall monitor the operations of the mill for compliance with the conditions of the license by the owner or operator. The mill owner or operator shall be responsible for compliance, both during the lifetime of the facility and at shutdown, including but not limited to such requirements as fencing and posting the site; contouring, covering, and stabilizing the pile; and for decommissioning the facility.

Sec. 21. Section 10, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.100 are each amended to read as follows:

The ((secretary)) director or the ((secretary's)) director's duly authorized representative shall require the posting of a bond by licensees to be used exclusively to provide funds in the event of abandonment, default, or other inability of the licensee to meet the requirements of the department. The ((secretary)) director may establish bonding requirements by classes of licensees and by range of monetary amounts. In establishing these requirements, the ((secretary)) director shall consider the potential for contamination, injury, cost of disposal, and reclamation of the property.

Sec. 22. Section 11, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.110 are each amended to read as follows:

A bond shall be accepted by the department if it is a bond issued by a fidelity or surety company admitted to do business in the state of Washington, a personal bond secured by such collateral as the ((secretary)) director deems satisfactory, or a cash bond.

Sec. 23. Section 13, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.130 are each amended to read as follows:

All state, local, or other governmental agencies, or subdivisions thereof, are exempt from the bonding requirements of this chapter. The ((secretary)) director may by rule exempt classes of licensees from the bonding requirements of this chapter when the ((secretary)) director finds that the exemption will not result in a significant risk to the public health and safety.

**NEW SECTION.** Sec. 24. The rules of strict construction do not apply to this act and it shall be liberally construed in order to carry out the objective for which it is designed, in accordance

with the legislative intent to give the department of ecology the maximum possible freedom in carrying the provisions of this act into effect.

**NEW SECTION, Sec. 25.** 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 with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. 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. 26.** 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. 27.** Section 12, chapter 295, Laws of 1981 and RCW 43.21F.075 are each repealed.

**NEW SECTION, Sec. 28.** Sections 1 through 8 of this act shall constitute a new chapter in Title 43 RCW. The transfer of functions and responsibilities directed in section 8 of this act shall be effected only after a thorough study of state agency organization for the preservation and promotion of environmental quality and public health and safety. The governor is directed to conduct this study, adhering to the provisions of the open public meetings act, chapter 42.30 RCW. The study shall be completed and a report made to the legislature by January 15, 1984.

**NEW SECTION, Sec. 29.** 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, except that sections 8 and 10 through 23 of this act shall take effect July 1, 1984."

On page 1, line 1 of the title, after "waste;" strike the remainder of the title and insert "amending section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030; amending section 5, chapter 207, Laws of 1961 as last amended by section 10, chapter 189, Laws of 1971 ex. sess. and RCW 70.98.050; amending section 2, chapter 110, Laws of 1979 ex. sess. as amended by section 1, chapter 78, Laws of 1982 and RCW 70.121.020; amending section 3, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.030; amending section 4, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.040; amending section 10, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.100; amending section 11, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.110; amending section 13, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.130; adding a new chapter to Title 43 RCW; creating new sections; repealing section 12, chapter 295, Laws of 1981 and RCW 43.21F.075; providing an effective date; and declaring an emergency."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Armstrong, Barnes, Jacobsen, Miller, Moon, Pruitt and Sutherland.

Voting nay: Representatives Bond, Gallagher and Nealey.

Absent: Representatives Armstrong, Fiske, Fuhrman, Hastings, Locke and Martinis.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3382 Prime Sponsor, Committee on Judiciary: Requiring intensive alcoholism treatment for persons convicted of driving while intoxicated who have serious alcohol problems. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 10 strike "(1)"

On page 5, after line 18 strike all material down to and including "act." on line 22.

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Hastings and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3387 Prime Sponsor, Committee on Judiciary: Penalizing interference with the lawful custody of a child. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 after "interference" insert "in the second degree"

On page 1, line 10 before "has" insert "or she"

On page 1, line 10 before "takes" insert "or she"

On page 1, line 14 after "interference" insert "in the second degree"

On page 1, line 17 after "guilty of" strike everything through "if a" on line 18 and insert "custodial interference in the first degree if the"

On page 1, line 20 strike "such child" and insert "a child less than eighteen years of age"

On page 2, line 12 after "(4)" strike everything through "old" on line 13 and insert "custodial interference in the first degree"

Signed by Representatives Armstrong, Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Voting nay: Representatives McMullen, Vice Chair; Padden, Ranking Minority Chair; and West, Ranking Minority Vice Chair.

Absent: Representatives Addison, Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

SB 3413 Prime Sponsor, Senator Hughes: Modifying provisions relating to non-resident camping fee surcharges at state parks. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Allen, Ranking Minority Vice Chair; Burns, Clayton, Dellwo, Hankins, Lewis, Van Dyken and J. Williams.

Voting nay: Representatives Fisher, Vice Chair; Patrick, Ranking Minority Chair; and Jacobsen.

Absent: Representatives Lux and Pruitt.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3433 Prime Sponsor, Committee on Financial Institutions: Creating the Washington higher education facilities authority to provide financing to private nonprofit higher education institutions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

On page 10, after line 22, insert the following:

"(9) At no time shall the total outstanding bonded indebtedness of the authority exceed five hundred million dollars."

On page 13, after line 3, insert the following:

"NEW SECTION. Sec. 12. The authority shall adopt rules to assure that the 'prevailing rate of wage,' as defined in RCW 39.12.010, is paid on any construction financed under this chapter."

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 13, after line 3, insert the following:

"NEW SECTION. Sec. 12. (1) The authority shall adopt written policies to provide for the selection of bond counsel. The policies shall provide for the creation and maintenance of a roster of attorneys whom the authority believes possess the requisite special expertise and professional standing to provide bond counsel opinions which would be accepted by the underwriters, bondholders and other members of the financial community, and which would be in furtherance of the public interest in obtaining the lowest possible interest rates on the bonds issued by the authority. Any attorney may apply to have his or her name placed on the roster, but may not be placed on the roster unless the attorney demonstrates to the authority's satisfaction that the attorney would issue the kind of opinions required by this section.

(2) Prior to selecting an attorney or attorneys to provide bond counsel services, the authority shall provide all attorneys on the roster with a notice of its intentions to select bond counsel and shall invite each of them to submit to the authority his or her fee schedule for providing bond counsel services. The authority shall have wide discretion in selecting the attorney or attorneys it considers to be most appropriate to provide the services, but in the exercise of this discretion the authority shall consider all submitted fee schedules and the public interest in achieving issuance of bonds on terms most favorable to the authority. At least once every two

calendar years, the authority shall select anew an attorney or attorneys to serve as bond counsel. However, the authority may retain an attorney for longer than two years when necessary to complete work on a particular bond issue. An attorney previously retained may be selected again but only after the authority has provided other attorneys on the roster with an opportunity to be selected and has made the fee schedule review required under this subsection. As an alternative to retaining counsel for a period of time, the authority may appoint an attorney to serve as counsel in respect to only a particular bond issue or issues."

Remember the remaining sections consecutively and correct any internal references accordingly.

On page 13, after line 3, insert the following:

**"NEW SECTION.** Sec. 12. (1) The authority shall adopt written policies to provide for the selection of underwriters. The policies shall provide for the creation of a roster of underwriters who the authority believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing the authority's bonds at the lowest possible costs. Any underwriter may apply to have its name placed on the roster, but may not be placed on the roster unless it demonstrates to the authority's satisfaction that it meets the requirements of this section.

(2) Whenever the authority decides that it needs the services of an underwriter, it shall provide all underwriters on the roster with a notice of its intentions and shall invite each of them to submit to the authority an itemization of its fees and other charges for providing underwriting services on the issue. The itemization shall be by categories designed by the authority. The authority shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the authority shall consider the underwriter's fees and other charges and the public interest in achieving issuance of bonds on terms most favorable to the authority. The authority may adopt rules setting forth conditions under which an institution of higher education may be permitted to exercise the notice and selection procedures set forth in this subsection. These rules shall require the institution to comply with the provisions of this subsection as if it were the authority and to obtain the authority's prior approval of the selection of an underwriter."

Remember the remaining sections consecutively and correct any internal references accordingly.

Signed by Representatives Lux, Chair; Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Crane, Dickie, Galloway, Garrett, P. King, Kreidler, Vekich, Wang and West.

Voting nay: Representative Hankins.

Absent: Representatives Zellinsky, Vice Chair; Johnson and Monohon.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 3434 Prime Sponsor, Committee on Commerce & Labor: Modifying definition of "member" for gambling enforcement purposes. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 12, line 15 after "winnings" insert ", taxes, license fees,"

On page 17, line 20 after "subsection" insert "; PROVIDED FURTHER, That a voluntary contribution to defray club expenses averaging no more than one dollar per player per hour may be made by the players in a social dice game with a record of such contributions to be maintained by the organization for a period of three years"

On page 18, line 32 after "organization" insert ", which does not discriminate in full membership on the basis of sex and race, and"

On page 19 after line 3 insert:

**"NEW SECTION.** Sec. 4. There is added to chapter 9.46 RCW a new section to read as follows:

The legislative budget committee shall conduct a study to determine the unmet need for services to compulsive gamblers, the types of services which are effective in addressing their unique problems, and recommendations for legislative and administrative initiatives which should be pursued to address the problem of compulsive gambling. The report shall be transmitted to the appropriate standing committees no later than January 1, 1984."

On page 1, line 5 of the title after "RCW 9.46.110" insert "; and adding a new section to chapter 9.46 RCW"

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis,

Halsan, Haugen, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton and Walk.

Voting nay: Representatives Williams, Ranking Minority Chair; Kaiser, Tilly and Van Dyken.

Absent: Representative Wilson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESB 3442 Prime Sponsor, Senator Talmadge: Providing a procedure for agreed dissolution. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 50, Laws of 1949 and RCW 26.12.010 are each amended to read as follows:

Each superior court shall exercise the jurisdiction conferred by this chapter and while sitting in the exercise of such jurisdiction shall be known and referred to as the 'family court.' A family law proceeding under this chapter is any proceeding under this title or any proceeding in which the family court is requested to adjudicate or enforce the rights of the parties or their children regarding the determination or modification of child custody, visitation, or support, or the distribution of property or obligations.

Sec. 2. Section 9, chapter 50, Laws of 1949 and RCW 26.12.090 are each amended to read as follows:

Whenever any controversy exists between ~~((spouses))~~ parties which may result in the dissolution ~~((or annulment))~~ of the marriage, declaration of invalidity, or the disruption of the household, and there is any minor child of the ~~((spouses))~~ parties or of either of them whose welfare might be affected thereby, the family court shall have jurisdiction over the controversy and over the parties thereto and all persons having any relation to the controversy as provided in this chapter.

Sec. 3. Section 10, chapter 50, Laws of 1949 and RCW 26.12.100 are each amended to read as follows:

Prior to the filing of ~~((any action for divorce, annulment or separate maintenance))~~ a family law proceeding, either ~~((spouse or both spouses))~~ party may file in the family court a petition invoking the jurisdiction of the court for the purpose of preserving the marriage by effecting a reconciliation between the parties or for amicable settlement of the controversy between the ~~((spouses))~~ parties so as to avoid further litigation over the issue involved. In any case where ~~((an action for divorce, annulment or separate maintenance))~~ a family law proceeding shall have been filed, either party thereto may by petition filed therein have the cause transferred to the family court for proceedings in the same manner as though action had been instituted in the family court in the first instance.

Sec. 4. Section 12, chapter 50, Laws of 1949 and RCW 26.12.120 are each amended to read as follows:

The petition shall:

(1) Briefly allege that a controversy exists between the ~~((spouses))~~ parties and request the aid of the family court to effect a reconciliation or an amicable settlement of the controversy;

(2) State the name and age of each minor child whose welfare may be affected by the controversy;

(3) State the name and address of the petitioner or petitioners;

(4) If the petition is presented by one ~~((spouse))~~ party only, name the other ~~((spouse))~~ party as respondent and state the address of that ~~((spouse))~~ party;

(5) Name any other person who has any relation to the controversy and state the address of the person if known to the petitioner; and

(6) State such other information as the court may by rule require.

Sec. 5. Section 17, chapter 50, Laws of 1949 as amended by section 2, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.170 are each amended to read as follows:

The hearing shall be conducted informally as a conference or series of conferences to effect the reconciliation of the ~~((spouses))~~ parties or an amicable adjustment or settlement of the issues of the controversy. To facilitate and promote the purposes of this chapter, the court may order or recommend the aid of physicians, psychiatrists, or other specialists or may recommend the aid of the pastor or director of any religious denomination to which the parties may belong. Such aid, however, shall be at the expense of the parties involved and shall not be at the expense of the court or of the county unless the board of county commissioners shall specifically authorize such aid.

If the court has reasonable cause to believe that a child of the parties has suffered abuse or neglect it may file a report with the proper law enforcement agency or the department of social and health services as provided in RCW 26.44.040. Upon receipt of such a report the law

enforcement agency or the department of social and health services will conduct an investigation into the cause and extent of the abuse or neglect. The findings of the investigation may be made available to the court if ordered by the court as provided in RCW 42.17.310(3). The findings shall be restricted to the issue of abuse and neglect and shall not be considered custody investigations.

Sec. 6. Section 18, chapter 50, Laws of 1949 and RCW 26.12.180 are each amended to read as follows:

At or after hearing, the court may make such orders in respect to the conduct of the ~~((spouses))~~ parties and the subject matter of the controversy as the court deems necessary to preserve the marriage or to implement ~~((the reconciliation of the spouses, but in no event shall such orders be effective for more than thirty days from the filing of the petition, unless the parties mutually consent to an extension of such time))~~ an amicable settlement of the issues in controversy.

Sec. 7. Section 19, chapter 50, Laws of 1949 and RCW 26.12.190 are each amended to read as follows:

(1) During the period of thirty days after filing a petition for conciliation no ~~((action for divorce, annulment or separate maintenance))~~ family law proceeding shall be filed by either ~~((spouse))~~ party and further proceedings in ~~((an action))~~ a family law proceeding then pending in the superior court shall be stayed and the case transferred to the family court ~~((PROVIDED))~~. The family court shall have full power in all pending cases to make, alter, modify and enforce all temporary orders, orders for custody of children, possession of property, attorneys' fees, suit money or costs as may appear just and equitable~~((:)).~~

(2) If, after the expiration of such thirty day period or the formal conclusion of the proceedings for conciliation, the controversy between the ~~((spouses, in the meantime not having))~~ parties has not been terminated, either ~~((spouse))~~ party may apply for ~~((divorce, annulment of marriage, or separate maintenance))~~ further relief by filing in the clerk's office additional pleadings ~~((complying with the requirements relating to divorce, annulment of marriage, or separate maintenance, respectively))~~ or by asking that the pending case be set for trial ~~((and))~~. The family court ~~((shall have))~~ has full jurisdiction to hear, try, and determine ~~((such action for divorce, annulment of marriage, or separate maintenance))~~ family law proceedings under the laws relating thereto, and to retain jurisdiction of the case for further hearings on decrees or orders to be made therein.

(3) The conciliation provisions of this chapter may be used ~~((in regard to post-divorce problems))~~ concerning support, visitation, contempt, or for modification based on changed conditions ~~((in the discretion of the family court))~~ or for other problems between the parties related to the family law proceeding.

~~((The family court may retain jurisdiction in any proceedings for a longer period than thirty days upon good cause appearing therefor on its own motion for further conciliation or upon application of either of the spouses, but in no event shall retain jurisdiction more than ninety days without the written consent of both spouses filed with the court.))~~

(4) Except as specifically so provided nothing in this chapter shall be construed to repeal, nullify or change the law and procedure relating to ~~((divorce, annulment or separate maintenance, and))~~ family law proceedings. The family court shall, when application for relief is made under this chapter, apply ~~((such laws))~~ provisions governing family law proceedings in the same manner as if the action had been brought thereunder in the superior court, save that the conciliation procedures of the family court shall be applied so far as appropriate to arrive at an amicable settlement of all issues in controversy.

Sec. 8. Section 20, chapter 50, Laws of 1949 and RCW 26.12.200 are each amended to read as follows:

Whenever ~~((any action for divorce, annulment of marriage or separate maintenance))~~ a family law proceeding is filed in the superior court and it appears to the court at any time during the pendency of the action that there is any minor child of ~~((the spouses or of))~~ either ~~((of them))~~ party whose welfare may be affected by the dissolution ~~((or annulment))~~ of the marriage, declaration of invalidity, or the disruption of the household, the case may be transferred to the family court for proceedings for reconciliation of the ~~((spouses))~~ parties or amicable settlement of issues in controversy in accordance with the provisions of this chapter.

Sec. 9. Section 21, chapter 50, Laws of 1949 and RCW 26.12.210 are each amended to read as follows:

Whenever application is made to the family court ~~((for conciliation proceedings in respect to a controversy between spouses or a contested action for divorce, annulment or separate maintenance)),~~ but there is no minor child whose welfare might be affected by the results of the controversy, ~~((and it appears to the court upon recommendation of counsel or otherwise that reconciliation of the spouses or amicable adjustment of the controversy can probably be achieved, and that the work of the court in cases involving children will not be seriously impeded by acceptance of the case, the court may accept and dispose of the case in the same manner as similar cases involving the welfare of children are disposed of, in the event of such application and acceptance.))~~ the court shall have the same jurisdiction over the controversy and the parties thereto or having any relation thereto that it has under this chapter in similar

cases involving the welfare of children. The court shall accept jurisdiction under this section only upon a finding by the court that the acceptance of the case will not seriously impede the work of the court in cases involving children."

On page 1, line 1 of the title after "relations;" strike the remainder of the title and insert "amending section 1, chapter 50, Laws of 1949 and RCW 26.12.010; amending section 9, chapter 50, Laws of 1949 and RCW 26.12.090; amending section 10, chapter 50, Laws of 1949 and RCW 26.12.100; amending section 12, chapter 50, Laws of 1949 and RCW 26.12.120; amending section 17, chapter 50, Laws of 1949 as amended by section 2, chapter 151, Laws of 1971 ex. sess. and RCW 26.12.170; amending section 18, chapter 50, Laws of 1949 and RCW 26.12.180; amending section 19, chapter 50, Laws of 1949 and RCW 26.12.190; amending section 20, chapter 50, Laws of 1949 and RCW 26.12.200; and amending section 21, chapter 50, Laws of 1949 and RCW 26.12.210."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Dellwo, Ellis, Halsan, Hastings, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Voting nay: Representatives Cantu, Crane and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3494 Prime Sponsor, Committee on Judiciary: Modifying the enforcement of judgments in small claims court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Addison, Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESB 3501 Prime Sponsor, Senator Talmadge: Providing interpreters in legal proceedings for non-English-speaking persons. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt and Wang.

Absent: Representatives Addison, Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3616 Prime Sponsor, Committee on Parks & Ecology: Modifying provisions governing air pollution emissions. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Clayton, Dellwo, Lewis, Lux, Pruitt, Van Dyken and J. Williams.

Voting nay: Representatives Patrick, Ranking Minority Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Hankins and Jacobsen.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3637 Prime Sponsor, Committee on Local Government: Modifying provisions relating to declaratory judgments of bond issues. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:



On page 1, line 3 of the title after "7.25.020" strike everything down to and including "emergency" on line 4 of the title.

On page 2, line 16 strike all of section 3.

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Crane, Dellwo, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Addison, Cantu, Ellis, Hastings, Lewis, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

April 13, 1983

SB 3763 Prime Sponsor, Senator Fuller: Modifying the income reporting requirements for guardians. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Addison, Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 13, 1983

SSB 3766 Prime Sponsor, Committee on Judiciary: Prohibiting the use of choke holds by law enforcement and correctional officers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Cantu, Hastings and G. Nelson.

Voting nay: Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Hastings, G. Nelson, Schmidt and Tilly.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3817 Prime Sponsor, Committee on Judiciary: Restricting body searches by law enforcement agencies. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. There is added to chapter 10.79 RCW a new section to read as follows:

(1) No person may be subjected to a strip search by or at the direction of a law enforcement agency unless there is probable cause to believe the person is concealing on his or her body evidence of a crime, contraband, fruits of a crime, things otherwise criminally possessed, weapons or other things by means of which a crime has been committed or reasonably appears about to be committed.

With respect to strip searches, this section shall not apply to:

(a) A person arrested or detained for the following:

(i) A violent offense identified in RCW 9.94A.030 or as hereafter amended;

(ii) An offense involving a controlled substance or a legend drug;

(iii) An offense, other than carrying a concealed weapon without a permit, involving the use of a deadly weapon;

(iv) A violation of probation, parole, or terms of release; or

(v) Pursuant to an arrest warrant issued by a court where bail exceeds one thousand dollars or the court has refused bail;

(b) A person who has voluntarily given informed written consent to a strip search;

(c) A person who has been detained for at least six hours since being booked into the holding, detention, or local correctional facility; or

(d) A person whose conduct poses a danger to himself, herself, or others within the holding, detention, or local correctional facility.

(2) No person may be subjected to a body cavity search by or at the direction of a law enforcement agency unless a search warrant is issued pursuant to superior court criminal rules.

(3) Nothing in this section may be construed as precluding or preventing the administration of medical care to persons requiring immediate medical care or requesting medical care.

(4) As used in this section:

(a) 'Strip search' means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of his or her genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

(b) 'Body cavity search' means the touching or probing of a person's body cavity, whether or not there is actual penetration of the body cavity.

(c) 'Body cavity' means the stomach or rectum of a person and the vagina of a female person.

(5) Before any body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search when appropriate, and a thorough clothing search, must be used to search for and seize any evidence of a crime, contraband, fruits of crime, things otherwise criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed. No body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the law enforcement agency.

(6) No law enforcement officer may seek a warrant for a body cavity search without first obtaining specific authorization for the body cavity search from the ranking shift supervisor of the law enforcement authority. Authorization for the body cavity search may be obtained electronically: PROVIDED, That such electronic authorization shall be reduced to writing by the law enforcement officer seeking the authorization and signed by the ranking supervisor as soon as possible thereafter.

(7) Persons conducting a strip search shall not touch the person being searched except as reasonably necessary to effectuate the strip search of the person.

(8) No body cavity search may be conducted except pursuant to a valid search warrant specifically authorizing a body cavity search and issued pursuant to superior court criminal rules. No such warrant shall be issued unless an application in support of the request for a warrant allowing the search has been submitted to the court passing on the request stating with specificity the type of search being requested, the person upon whom the search is to be performed and the factors constituting the probable cause justifying the search. The identity of any person supplying information justifying the search shall be kept confidential except to the extent a court determines that disclosure of the informer's identity is relevant and helpful to a defendant in a criminal trial or is essential to a fair determination of a cause. The application shall further state with specificity why the methods of search required under subsection (5) of this section do not meet the safety, security, or evidentiary concerns of the law enforcement agency.

(9) Any body cavity search must be performed under sanitary conditions and conducted by a physician, registered nurse, or physician's assistant, licensed to practice in this state, who is trained in the proper medical process and the potential health problems associated with a body cavity search. No health professional authorized by this subsection to conduct a body cavity search shall be held liable in any civil action if the search is conducted in a manner that meets the standards and requirements of RCW 4.24.290 and 7.70.040.

(10) A strip search other than a strip search conducted pursuant to subsection (19) of this section, or body cavity search, as well as presearch undressing or postsearch dressing, shall occur at a location made private from the observation of persons not physically conducting the search. A strip search or body cavity search shall be performed or observed only by persons of the same sex as the person being searched, except for licensed medical professionals as required by subsection (9) of this section.

(11) Except as provided in subsection (12) of this section, no person may be present or observe during the search unless the person is necessary to conduct the search or to insure the safety of those persons conducting the search.

(12) Nothing in this section prohibits a person upon whom a body cavity search is to be performed from having a readily available person of his or her choosing present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(13) A law enforcement officer requesting a body cavity search shall prepare and sign a follow-up report regarding the body cavity search. The follow-up report shall include:

(a) A copy of the written authorization required under subsection (6) of this section;

(b) A copy of the warrant and application required under subsections (2) and (8) of this section;

(c) The name and sex of all persons conducting or observing the search;

(d) The time, date, place, and description of the search; and

(e) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the law enforcement agency's records. A copy of the report shall be given to the person subjected to the search upon that person's release from custody.

(14) Except for subsections (7), (9), and (10) of this section, this section does not apply to a person who remains in custody after a first court appearance.

(15) A person who suffers damage or harm as a result of a violation of this section may bring a civil action to recover actual damages sustained by him or her. The court may, in its discretion, award equitable relief as it deems necessary. Proper costs, including reasonable attorneys' fees, shall be awarded to plaintiffs prevailing under this section.

(16) This section shall not be construed as limiting any constitutional, common law or statutory right of any person regarding any action for damages or injunctive relief, or as precluding the prosecution under another provision of law of any law enforcement officer or other person who has violated this section.

(17) 'Law enforcement agency' and 'law enforcement officer' include local departments of corrections created pursuant to RCW 70.48.090(3) and employees thereof.

(18) This section shall not be interpreted as expanding or diminishing the authority of a law enforcement officer with respect to searches incident to arrest or investigatory stop in public.

(19) A strip search of a person housed in a holding, detention, or local correctional facility to search for and seize a weapon may be conducted absent probable cause to believe the person is in fact concealing a weapon on his or her person if there arises a specific threat to institutional security which reasonably requires such a search or if all persons in the facility are being searched for the discovery of weapons or contraband.

(20) Any holding, detention, or local correctional facility which cannot fully comply with the requirements of subsection (1) of this section due to the lack of physical facilities shall so certify to the corrections standards board, detailing each reason preventing compliance. Upon verification of the reasons given, the corrections standards board may temporarily exempt compliance with the requirements of subsection (1) of this section until such date as it deems appropriate, consistent with the intent of this section. No period of exemption shall extend beyond July 1, 1984. Any holding, detention, or local correctional facility granted a temporary exemption under this subsection shall implement the requirements of subsection (1) of this section to the extent feasible and shall promulgate rules and procedures limiting the use of strip searches and implementing the intent of this section.

**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.

**NEW SECTION, Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1983."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Cantu and Hastings.

Voting nay: Representatives Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Cantu, Hastings, G. Nelson and Tilly.

Passed to Committee on Rules for second reading.

April 13, 1983

ESSB 3856 Prime Sponsor, Committee on Judiciary: Changing provisions relating to criminal law. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070 are each amended to read as follows:

(1) A person is guilty of malicious mischief in the first degree if he knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding one thousand five hundred dollars; ((or))

(b) Causes an interruption or impairment of service rendered to the public by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication; or

(c) Causes an impairment of the safety, efficiency, or operation of an aircraft by physically damaging or tampering with the aircraft or aircraft equipment, fuel, lubricant, or parts.

(2) Malicious mischief in the first degree is a class B felony."

On page 1, beginning on line 1 of the title, after "crimes," strike the remainder of the title and insert "and amending section 9A.48.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.48.070."

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Addison, Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 12, 1983

SB 3985 Prime Sponsor, Senator Vognild: Repealing provisions relating to special taxes on coin-operated devices. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly, Van Dyken and Walk.

Absent: Representative Haugen.

Referred to Committee on Ways & Means.

April 13, 1983

ESSB 4019 Prime Sponsor, Committee on Natural Resources: Providing procedures for extinguishing claims to mineral interests. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 9 after "located" insert ", and a copy shall be sent to the surface owner"

On page 2, line 19 after "county" strike "auditor or"

On page 2, line 21 after "county" insert "property tax"

On page 2, beginning on line 22 strike "county auditor or"

On page 3, line 19 after "filing" strike all material through "the surface owner" on line 21

On page 3, line 23 after "interests" insert "or to those mineral interests resulting from land exchanges between public and private owners"

Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Belcher, Haugen, Locke, Martinis, McMullen, Sanders, Sayan, Sommers, Sutherland and Vekich.

Voting nay: Representatives Mitchell, Ranking Minority Chair; and Miller.

Absent: Representatives Fuhrman, Ranking Minority Vice Chair; Fiske, Isaacson, Johnson, McClure, Vander Stoep, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 4066 Prime Sponsor, Committee on Financial Institutions: Revising certain powers and duties of consumer finance companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause, and insert the following:

"Sec. 1. Section 13, chapter 208, Laws of 1941 as last amended by section 3, chapter 18, Laws of 1979 and RCW 31.08.160 are each amended to read as follows:

(1) Every licensee hereunder may lend any sum of money not to exceed two thousand five hundred dollars in amount and may charge, contract for, and receive thereon charges at a rate not exceeding two and one-half percent per month on that part of the unpaid principal balance of any loan not in excess of five hundred dollars, one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of five hundred dollars and not in excess of one thousand dollars, and one percent per month on any remainder of such unpaid principal balance.

(2) Charges on loans made under this chapter shall not be paid, deducted, discounted, or received in advance, or compounded, but the rate of charge authorized by this section may

be precomputed as provided in subsection (3) of this section. Charges on loans made under this chapter, except as permitted by subsection (3) hereof, (a) shall be computed and paid only as a percentage per month of the unpaid principal balance or portions thereof, and (b) shall be so expressed in every obligation signed by the borrower. For the purpose of this section a month shall be that period of time from any date in a month to the corresponding date in the next month and if there is no such corresponding date then to the last day of the next month; and a day shall be considered one-thirtieth of a month when computation is made for a fraction of a month.

(3) When the loan contract requires repayment in substantially equal and consecutive monthly installments of principal and charges combined, the charges may be precomputed at the monthly rate on scheduled unpaid principal balances according to the terms of the contract and added to the principal of the loan. Every payment may be applied to the combined total of principal and precomputed charge until the contract is fully paid. The acceptance or payment of charges on loans made under the provisions of this subsection shall not be deemed to constitute payment, deduction, or receipt thereof in advance nor compounding under subsection (2) above. Such precomputed charge shall be subject to the following adjustments:

(a) The portion of the precomputed charge applicable to any particular monthly installment period shall bear the same ratio to the total precomputed charge, excluding any adjustment made under paragraph (f) of this subsection, as the balance scheduled to be outstanding during that monthly period bears to the sum of all monthly balances scheduled originally by the contract of loan.

(b) If the loan contract is prepaid in full by cash, a new loan, refinancing, or otherwise before the final installment date, the portion of the precomputed charge applicable to the full installment periods following the installment date nearest the date of such prepayment shall be rebated. In computing any required rebate, any prepayment made on or before the fifteenth day following an installment date shall be deemed to have been made on the installment date preceding such prepayment. If prepayment in full occurs before the first installment date an additional rebate of one-thirtieth of the portion of the precomputed charge applicable to a first installment period of one month shall be made for each day from the date of such prepayment to the first scheduled installment date. If judgment is obtained before the final installment date, the contract balance shall be reduced by the rebate of precomputed charge which would be required for prepayment in full as of the date judgment is obtained.

(c) If the payment date of all wholly unpaid installments on which no default charge has been collected is deferred one or more full months and the contract so provides, the licensee may charge and collect a deferment charge. Such deferment charge shall not exceed the portion of the precomputed charge applicable under the original contract of loan to the first month of the deferment period multiplied by the number of months in said period. The deferment period is the month or months in which no scheduled payment has been made or in which no payment is to be required by reason of the deferment. In computing any default charge, or required rebate, the portion of the precomputed charge applicable to each deferred balance and installment period following the deferment period and prior to the deferred maturity shall remain the same as that applicable to such balances and periods under the original contract of loan. Such charge may be collected at the time of deferment or at any time thereafter. If a loan is prepaid in full during a deferment period, the borrower shall receive, in addition to the rebate required under paragraph (b) of this subsection, a rebate of that portion of the deferment charge applicable to any unexpired months of the deferment period.

(d) If the payment in full of any scheduled installment is in default more than seven days and the contract so provides, the licensee may charge and collect a default charge not exceeding five percent of the unpaid amount of the installment or five dollars, whichever is less. Said charge may not be collected more than once for the same default and may be collected when such default occurs or any time thereafter. If such default charge is deducted from any payment received after default occurs and such deduction results in the default of a subsequent installment, no charge may be made for the resulting default.

(e) If two or more full installments are in default for one full month or more at any installment date and if the contract so provides, the licensee may reduce the contract balance by the rebate which would be required for prepayment in full on such installment date. Thereafter, charges may be received at the agreed rate computed on actual unpaid balances of the contract for the time outstanding until the contract is fully paid. Charges so collected shall be in lieu of any deferment or default charges which otherwise would accrue on the contract after such installment date.

(f) A licensee and borrower may agree that the first installment due date may be not more than fifteen days more than one month and the amount of such installment may be increased by one-thirtieth of the portion of the precomputed charge applicable to a first installment of one month for each extra day.

(4) No licensee shall induce or permit any borrower to split up or divide any loan, nor induce or permit any person, nor any husband or wife jointly or severally, to become obligated, directly or contingently or both, under more than one contract of loan at the same time.

for the purpose or with the result of obtaining a higher rate of charge than would otherwise be permitted by this section. If part or all of the consideration for a loan contract is the unpaid principal balance of a prior loan with the same licensee, then the principal amount payable under such loan contract shall not include any unpaid charges on the prior loan, except charges which have accrued within sixty days before the making of such loan contract and may include the balance of a precomputed contract which remains after giving the rebate required by subsection (3) hereof.

(5) No licensee shall directly or indirectly charge, contract for, or receive any charges or fees except charges authorized by this chapter, the reasonable actual costs paid by the licensee to foreclose, repossess or otherwise realize on the security, reasonable attorney fees and court costs incurred by the licensee and the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for the transferring of title or for filing, recording, or releasing in any public office, any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter. If any payment on a loan is made by check and payment of that check is refused because there was no account or due to insufficient funds, the licensee may contract for and receive a charge in an amount authorized under rule by the supervisor of banking. A bona fide error in the calculation of charges or in the recording of such charges in any statement or receipt delivered to the borrower or in the licensee's records shall not be deemed to be a violation of this chapter if the licensee corrects the error.

Sec. 2. Section 14, chapter 208, Laws of 1941 as amended by section 6, chapter 212, Laws of 1959 and RCW 31.08.170 are each amended to read as follows:

It shall be the duty of every licensee to:

(1) Deliver to the borrower or anyone thereof, if several, at the time any loan is made under this chapter, a statement ~~((upon which there shall be printed in the English language a copy of subsections (1) and (5) of RCW 31.08.160.))~~ showing in clear and distinct terms the ~~((principal))~~ amount ~~((of the loan excluding charges))~~ financed, the date of the loan, the agreed schedule of payments, the nature of the security, if any, for the loan, the name and address of the licensee, and the ~~((agreed rate of))~~ finance charges. ~~((When charges are precomputed, the statement shall show the amount of the precomputed charge and shall contain a copy of paragraphs (a) and (b) of subsection (3) of RCW 31.08.160.))~~ The licensee shall provide to the borrower at the time the loan is made a copy of RCW 31.08.160.

(2) Give to the party making any payment a plain and complete receipt for each payment made on account of any such loan at the time such payment is made, or a periodic statement at least once each forty-five days showing such payment, specifying the amount applied to charges and the amount, if any, applied to principal, and stating the unpaid principal balance, if any, of such loan; a receipt shall be given at the time any cash payment is made: PROVIDED, That if the charges were precomputed the receipt or statement need not be itemized, and no receipt or statement shall be required where payment is made by check or money order and the full amount of such check or money order is applied to the loan: PROVIDED FURTHER, That when a default or delinquent charge is collected, a receipt or statement shall be given showing the amount applied to the loan and the amount applied to the default or delinquent charge:

(3) Permit payment to be made in advance in any amount on any such loan at any time during regular business hours, but the licensee may apply such payment first to all charges at the agreed rate up to the date of such payment: PROVIDED, That when charges are precomputed such payment shall be equal to one or more full scheduled installments:

(4) Upon payment of the loan in full, mark indelibly every obligation signed by the borrower with the word 'paid' or 'canceled' and release any mortgage and restore all notes and collateral which no longer secures a loan and to which the borrower may be lawfully entitled: PROVIDED, HOWEVER, That in case any such document or obligation is in custodia legis these requirements shall not be applicable; and

(5) Obtain from the borrower prior to making the loan a statement signed by the borrower setting forth the borrower's then current financial condition ~~((and containing a statement that the borrower recognizes))~~ and describing the penalties and defenses resulting from giving false ~~((statement of))~~ financial ~~((condition))~~ information, all on a form approved by the supervisor. A copy of the statement ~~((required to))~~ shall be delivered to the borrower when the loan is made ~~((shall be acknowledged in writing by the licensee and the borrower, and a copy thereof shall be retained by the licensee)).~~

Signed by Representatives Sanders, Ranking Minority Chair; Broback, Ranking Minority Vice Chair; Ballard, Cantu, Dickie, Galloway, Garrett, Hankins, Kreidler, Wang and West.

MINORITY recommendation: Do not pass. Signed by Representatives Lux, Chair; Crane, P. King and Vekich.

Absent: Representatives Zellinsky, Vice Chair; Johnson and Monohon.

Passed to Committee on Rules for second reading.

April 12, 1983

SSB 4090 Prime Sponsor, Committee on Commerce & Labor: Strengthening the regulation of pawn brokers. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8 strike "age" and insert "~~(age)~~ date of birth"

On page 2, after line 10 insert:

"(4) The serial number from a license or identification card issued by a state or federal government that contains a photograph of the person with whom the transaction is made;"

Renumber the remaining subsections consecutively.

On page 2, line 16 beginning with "which" strike everything down to and including "case" on line 17 and insert "including any and all serial numbers and model numbers, the name of the maker ((which in the case of watches shall contain the name of the maker and the number of both the works and the case))"

On page 2, beginning on line 28 insert:

"The book or record shall be maintained at the place of business of the pawn broker or second-hand dealer for at least three years from the date of the most recent entry."

Signed by Representatives Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Walk.

Voting nay: Representatives J. King, Chair; and Van Dyken.

Absent: Representative Wilson.

Passed to Committee on Rules for second reading.

April 13, 1983

ESB 4110 Prime Sponsor, Senator Vognild: Modifying various provisions regarding cemeteries. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 27 strike "sixty-five" and insert "fifty"

On page 4, line 5 strike "~~(fifty)~~ sixty-five" and insert "fifty"

Signed by Representatives Armstrong, Chair; McMullen, Vice Chair; Padden, Ranking Minority Chair; West, Ranking Minority Vice Chair; Addison, Appelwick, Crane, Dellwo, Ellis, Halsan, P. King, Lewis, Locke, Schmidt, Tilly and Wang.

Absent: Representatives Cantu, Hastings, Lewis and G. Nelson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESB 4145 Prime Sponsor, Senator Owen: Defining financial interest with respect to alcoholic beverage manufacturers, importers, and wholesalers. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Braddock, Brough, Ebersole, Ellis, Halsan, Niemi, Padden, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton and Tilly.

Voting nay: Representatives B. Williams, Ranking Minority Chair; Barrett, Kaiser, Van Dyken and Walk.

Absent: Representatives Haugen and Wilson.

Passed to Committee on Rules for second reading.

April 13, 1983

SB 4156 Prime Sponsor, Senator Bender: Granting free fishing licenses to wheelchair-confined persons. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Stratton, Chair; Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Belcher, Haugen, Martinis, Miller, Sanders, Sayan, Sommers, Sutherland and Vekich.

Absent: Representatives Fuhrman, Ranking Minority Vice Chair; Fiske, Isaacson, Johnson, Locke, McClure, McMullen, Vander Stoep, B. Williams and Wilson.

Passed to Committee on Rules for second reading.

April 12, 1983

ESSJR 112 Prime Sponsor, Committee on Energy & Utilities: Allowing the state to provide financing for energy conservation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 6 strike all material down to and including "2005" on line 22 and insert ", section 10 of the Constitution of the state of Washington to read as follows:

Article VIII, Section 10. Notwithstanding the provisions of sections 5 and 7 of this Article, until January 1, ~~((1990))~~ 2005 any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy ~~((to assist the owners of residential structures in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures)), or lend its credit financed by the issuance of debt instruments secured solely by revenues, to provide financing to individuals, associations, companies, or corporations to be used for the purposes of conserving energy. Additionally, and also until January 1, 2005, the state may lend its credit as authorized by the legislature to provide financing to individuals, associations, companies, or corporations to be used for the purposes of conserving energy. Except as provided in section 7 of this Article, an appropriate charge back to the recipient shall be made for such extension of public moneys or credit and the same ~~((shall))~~ may be a lien against the ~~((resident))~~ structure or equipment benefited, or against such other adequate security as specified by implementing legislation that the legislature is hereby authorized to enact.~~

Activities authorized by this section are deemed to be for a public purpose.

Except as to ~~((contracts entered into))~~ bonds and loans issued prior ~~((thereto, this amendment to the state Constitution shall be null and void as of January 1, 1990 and shall have no further force or effect after that date))~~ to January 1, 2005, this section shall expire on January 1, 2005"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Armstrong, Gallagher, Jacobsen, Locke, Martinis, Moon, Pruitt and Sutherland.

MINORITY recommendation: Do not pass. Signed by Representatives Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Barnes, Bond, Fiske, Fuhrman, Hastings, Miller and Nealey.

Absent: Representative Miller.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:00 a.m., Thursday, April 14, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## NINETY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 14, 1983

The House was called to order at 9:00 a.m. by the Speaker (Mr. Charnley presiding). The Clerk called the roll and all members were present except Representatives Appelwick and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nicki Smith and Dean Logan. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 13, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3211, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3383, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3516, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3993, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3042, by Committee on Education (originally sponsored by Senators Bottiger, McDermott, Goltz, Bauer, Vognild, Gaspard, Talmadge, Wojahn, Warnke, Lee and Rinehart)

Regulating labor relations in institutions of higher education.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 94th Day, April 13, 1983.)

Mr. McDonald moved adoption of the following amendment:

On page 2, line 23 following "(3)" strike everything through "employee" on line 30 and insert "Casual employee" means any individual working 'on call' or working in assignments of a limited scope or of a short term or transitory nature so as to indicate that the individual does not share a community of interest with other employees of the institution or lacks an expectancy of continued employment. Medical residents and graduate students serving in graduate student service appointments are casual employees within the meaning of this section"

Mr. McDonald spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. McDonald spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to page 2, line 23 of Engrossed Substitute Senate Bill No. 3042, and the

amendment was not adopted by the following vote: Yeas, 46; nays, 46; absent, 4; excused, 2.

Voting yea: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Crane, Dickie, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 46.

Voting nay: Representatives Allen, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Stratton, Sutherland, Tanner, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 46.

Absent: Representatives Clayton, Lewis, McClure, Todd - 4.

Excused: Representatives Appelwick, Wilson - 2.

Mr. Vander Stoep moved adoption of the following amendment by Representatives Vander Stoep and Prince:

On page 3, line 6 following "(5)" strike everything through "bargaining" on line 22 and insert:

"The terms 'collective bargaining' and 'bargaining' mean the performance of the mutual obligation of the representatives of the employer and the exclusive bargaining representative to meet at reasonable times early in the college or university budget-making process to bargain in good faith in an effort to reach agreement with respect to the wages, hours, and other terms and conditions of employment. The terms wages, hours and other terms and conditions of employment shall not include:

(a) Consideration of the merits, necessity or organization of any service, activity, or program established by law or action of the trustees or regents or the administration;

(b) The amount of any fees which are not a term or condition of employment;

(c) Admission requirements for students, conditions for the award of certificates and degrees to students, and the content and supervision of courses, curricula, and research programs;

(d) Procedures and policies to be used for the appointment, promotion, and tenure of educational employees, the procedures to be used for the evaluation of educational employees, and the procedures for processing grievances of educational employees concerning such matters;

(e) Service and activity fees as defined in RCW 28B.15.041.

A written contract incorporating any agreements reached shall be executed if requested by either party. The obligation to bargain does not compel either party to agree to a proposal or to make a concession"

Mr. Vander Stoep moved adoption of the following amendment to the amendment:

On page 1 of the amendment following subsection (e) insert a new subsection as follows:

"(f) Merit pay provision."

Representatives Vander Stoep, Prince, McDonald, Miller, Barnes and Taylor spoke in favor of the amendment to the amendment, and Representatives R. King and Sayan spoke against it.

Mr. R. King again opposed the amendment to the amendment, and Mr. Taylor again spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to the amendment to Engrossed Substitute Senate Bill No. 3042, and the amendment to the amendment was not adopted by the following vote: Yeas, 46; nays, 48; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 46.

Voting nay: Representatives Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

Absent: Representatives Lewis, McClure - 2.

Excused: Representatives Appelwick, Wilson - 2.

The Speaker (Mr. Charnley presiding) stated the question before the House to be the amendment to page 3, line 6.

Representative Appelwick appeared at the bar of the House.

Representatives Vander Stoep and Patrick spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Vander Stoep and Prince to page 3, line 6 of Engrossed Substitute Senate Bill No. 3042, and the amendment was adopted by the following vote: Yeas, 52; nays, 43; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J, Kreidler, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 52.

Voting nay: Representatives Appelwick, Belcher, Brekke, Burns, Charnley, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 43.

Absent: Representatives Lewis, McClure - 2.

Excused: Representative Wilson - 1.

Mr. Patrick moved adoption of the following amendments:

On page 3, beginning on line 28 after "employer." strike all language through "College." on line 30 and insert:

"(8) 'Institution of higher education' means each of the state universities, regional universities, and The Evergreen State College."

Renumber the remaining subsections consecutively.

On page 14, beginning on line 34 strike all language through "28B.52.200." on page 15, line 25.

Renumber the remaining sections consecutively.

Mr. Patrick spoke in favor of the amendments, and Mr. R. King spoke against them.

Mr. Patrick spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Ballard moved adoption of the following amendment by Representative Betzoff:

On page 5, line 31 following "Sec. 6." strike everything through "education" on page 6, line 6 and insert: "The commission shall determine the appropriate unit for bargaining upon receiving proper application for certification as an exclusive bargaining representative or upon petition for change of unit definition by the employer or any employee organization and after hearing upon reasonable notice. In order to foster meaningful collective bargaining, bargaining units must be structured in such a way as to avoid fragmentation. All faculty shall be included in the same bargaining unit at each institution of higher education"

Representatives Ballard and Miller spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Ballard spoke again in favor of the amendment, and Mr. R. King again spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Betzoff to page 5, line 31 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Wilson - 1.

Mr. Patrick moved adoption of the following amendment:

On page 9, line 32, after "Sec. 10," strike all language through "strike," on line 33 and insert the following:

"(1) It is unlawful for any employee or any employee organization, directly or indirectly, to induce, instigate, encourage, authorize, ratify, or participate in a strike or work stoppage.

(2) It is unlawful for any employer to authorize, consent to, or condone a strike or work stoppage; or to conduct a lockout; or to pay or agree to pay any employee for any day in which the employee participates in a strike or work stoppage; or to pay or agree to pay any increase in compensation or benefits to any employee in response to or as a result of any strike or work stoppage or any act that violates subsection (1) of this section. It is unlawful for any representative of an employer to authorize, ratify, or participate in any violation of this subsection. Nothing in this subsection prevents new or renewed bargaining and agreement within the scope of negotiations as defined by this chapter, at any time. No collective bargaining agreement provision regarding suspension or modification of any court-ordered penalty provided in this section is binding on the courts.

(3) In the event of any violation or imminently threatened violation of subsection (1) or (2) of this section, any citizen domiciled within the jurisdictional boundaries of the state may petition the superior court for Thurston county for an injunction restraining the violation or imminently threatened violation. Rules of civil procedure regarding injunctions apply to the action. However, the court shall grant a temporary injunction if it appears to the court that a violation has occurred or is imminently threatened; the plaintiff need not show that the violation or threatened violation would greatly or irreparably injure him or her; and no bond may be required of the plaintiff unless the court determines that a bond is necessary in the public interest. Failure to comply with any temporary or permanent injunction granted under this section constitutes a punishable contempt. The punishment shall not exceed ten thousand dollars for an employee organization or an employer, for each day during which the failure to comply continues, or imprisonment in a county jail for officials thereof not exceeding six months, or both such fine and imprisonment. The punishment for an employee found to be in contempt shall be as provided in chapter 7.20 RCW. An individual or an employee organization which makes an active good faith effort to comply fully with the injunction shall not be deemed to be in contempt."

Representatives Patrick and Struthers spoke in favor of the amendment, and Mr. R. King spoke against it.

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

Representatives McDonald and Taylor spoke in favor of the amendment, and Mr. Patrick spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patrick to page 9, line 32 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 46.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Excused: Representative Wilson - 1.

Mr. Vander Stoep moved adoption of the following amendment:

On page 10, line 31 following "(2)" strike everything through "faith" on line 35 and insert "No agreement reached pursuant to the provisions of this act which require legislative action

or appropriation by the legislature shall be effective unless and until such an action or allocation has been taken or made. Following execution of an agreement, the employer and the exclusive representative shall seek appropriate legislative action actively and in good faith. Should the legislature or the governor fail to fully fund the agreement or to take the requisite action, the entire agreement shall be referred back to the parties for further negotiation: PROVIDED HOWEVER, That the parties may agree that provisions of the agreement which are nonbudgetary or do not require funding or other legislative action may take effect whether or not the requests submitted to the legislature are approved"

Representatives Vander Stoep, Prince, Patrick and McDonald spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment, and it was adopted.

Mr. Prince moved adoption of the following amendment by Representatives Prince and Vander Stoep:

On page 14 after line 33 insert the following:

"NEW SECTION. SEC. 21. In order to insure that due consideration is given to student concerns about matters which become subject to negotiations under this act which may affect students and their rights, the employer shall provide for attendance of and discussions by student representatives at meetings between the employer and the exclusive bargaining representatives held in the course of good faith bargaining pursuant to this act. The president of the associated student association, where present at each institution, and the president of the graduate and professional student association, where present at each institution may each designate one of the student representatives: PROVIDED, That the student representatives however designated, shall not have authority to condition approval of an agreement between the employer and the exclusive bargaining representative."

Renumber the remaining sections consecutively.

Representatives Prince, Isaacson, Dickie, Patrick and Vander Stoep spoke in favor of the amendment, and Representatives R. King and Sayan spoke against it.

Mr. Prince spoke again in favor of the amendment, and Mr. R. King again opposed it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and Vander Stoep to page 14 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 45.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Wilson - 1.

Mr. Taylor moved adoption of the following amendment:

On page 15, following line 25 insert:

"(12) Section 28B.20.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.200."

Mr. Taylor spoke in favor of the amendment.

#### POINT OF ORDER

Mr. R. King: "Mr. Speaker, I'd like a ruling about whether or not this amendment is beyond the scope and object of this bill. This bill has to do with collective bargaining and the processes and procedures for, and the amendment would strike language in another section that has been on the books for a long time that deals with the internal governments of the universities."

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, our rules provide that once the argument has begun then the timeliness is not there. Representative King's arguments are out of order as far as scope and object because the argument had already commenced."

## SPEAKER'S RULING (MR. CHARNLEY PRESIDING)

The Speaker (Mr. Charnley presiding): "Representative Taylor had started his remarks on the amendment and your point is well taken. Representative McDonald."

Mr. Taylor continued his remarks in favor of the amendment, and Mr. R. King spoke against it.

Mr. Taylor spoke again in favor of the amendment.

The Speaker (Mr. Charnley presiding) called on Mr. O'Brien to preside.

## POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Taylor, as I read the RCW sections that you provided with your amendment, which say the faculty shall have charge of the immediate government of the institution, does that mean that they are part of the management of the university?"

Mr. Taylor: "In my opinion, without question, when it says they shall have charge of the immediate government of the institution, that means they are part of the people who are in charge. Yes, they have administrative decisions to make."

Mr. Isaacson: "Then if we don't pass this amendment, what we would be doing is passing a law or a bill that would, in essence, permit the faculty to bargain with themselves to make those decisions with respect to their broadening positions?"

Mr. Taylor: "Yes, that's kind of like playing a ball game against yourself and you're the referee too. You make the proposal over here and then you move to the other side of the table, so you have government and then you have labor."

Mr. Isaacson spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taylor to page 15 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Wilson - 1.

Mr. McDonald moved adoption of the following amendment:

On page 15, following line 27 insert a new section as follows:

**"NEW SECTION.** Sec. 23. There is hereby appropriated from the state general fund to the public employment relations commission the sum of seven million two hundred thousand dollars for such purposes and under such limitations as set forth below:

(1) An amount not to exceed eight hundred thousand dollars to the public employment relations commission to administer this act.

(2) An amount not to exceed one million four hundred thousand dollars to the Washington State University for certification of elections.

(3) An amount not to exceed one million two hundred thousand dollars to the University of Washington for certification of elections."

(4) An amount not to exceed eight hundred thousand dollars to each of the following regional universities: Eastern, Western and Central Universities for certification of elections.

(5) An amount not to exceed four hundred thousand dollars to The Evergreen State College for certification of elections."

Renumber the remaining sections consecutively.

Mr. McDonald spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. McDonald spoke again in favor of the amendment.

Mr. Isaacson moved adoption of the following amendment to the McDonald amendment:

On line 3 of the amendment strike "seven" and insert "six"

Mr. Isaacson spoke in favor of the amendment to the amendment, and Mr. R. King spoke against it.

The amendment to the amendment was not adopted.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to page 15, line 27 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 33; nays, 62; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Clayton, Dickie, Hankins, Hastings, Isaacson, Johnson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Williams B, Williams J - 33.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 62.

Absent: Representatives Fiske, Holland - 2.

Excused: Representative Wilson - 1.

Mr. G. Nelson moved adoption of the following amendment:

On page 15 of the amendment, after line 27, insert the following:

"NEW SECTION, Sec. 20. The following acts or parts of acts are each repealed:

- (1) Section 32, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.850;
- (2) Section 33, chapter 283, Laws of 1969 ex. sess., section 3, chapter 5, Laws of 1970 ex. sess., section 1, chapter 33, Laws of 1974 ex. sess., section 1, chapter 112, Laws of 1975 1st ex. sess. and RCW 28B.50.851;
- (3) Section 34, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.852;
- (4) Section 35, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.855;
- (5) Section 36, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.856;
- (6) Section 37, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.857;
- (7) Section 38, chapter 283, Laws of 1969 ex. sess., section 7, chapter 282, Laws of 1977 ex. sess. and RCW 28B.50.860;
- (8) Section 39, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.861;
- (9) Section 40, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.862;
- (10) Section 41, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.863;
- (11) Section 42, chapter 283, Laws of 1969 ex. sess., section 24, chapter 62, Laws of 1973 and RCW 28B.50.864;
- (12) Section 43, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.867;
- (13) Section 44, chapter 283, Laws of 1969 ex. sess., section 4, chapter 5, Laws of 1970 ex. sess. and RCW 28B.50.868;
- (14) Section 45, chapter 283, Laws of 1969 ex. sess., section 2, chapter 33, Laws of 1974 ex. sess. and RCW 28B.50.869; and
- (15) Section 1, chapter 282, Laws of 1977 ex. sess. and RCW 28B.50.870."

Renumber the remaining sections consecutively.

On page 28, line 24 of the title amendment after "RCW;" insert "repealing section 32, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.850; repealing section 33, chapter 283, Laws of 1969 ex. sess., section 3, chapter 5, Laws of 1970 ex. sess., section 1, chapter 33, Laws of 1974 ex. sess., section 1, chapter 112, Laws of 1975 1st ex. sess. and RCW 28B.50.851; repealing section 34, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.852; repealing section 35, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.855; repealing section 36, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.856; repealing section 37, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.857; repealing section 38, chapter 283, Laws of 1969 ex. sess., section 7, chapter 282, Laws of

1977 ex. sess. and RCW 28B.50.860; repealing section 39, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.861; repealing section 40, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.862; repealing section 41, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.863; repealing section 42, chapter 283, Laws of 1969 ex. sess., section 24, chapter 62, Laws of 1973 and RCW 28B.50.864; repealing section 43, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.867; repealing section 44, chapter 283, Laws of 1969 ex. sess., section 4, chapter 5, Laws of 1970 ex. sess. and RCW 28B.50.868; repealing section 45, chapter 283, Laws of 1969 ex. sess., section 2, chapter 33, Laws of 1974 ex. sess. and RCW 28B.50.869; and repealing section 1, chapter 282, Laws of 1977 ex. sess. and RCW 28B.50.870."

#### POINT OF ORDER

Mr. R. King: "Mr. Speaker, I believe this amendment is beyond the scope and object of the bill that's before the body."

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

The Speaker (Mr. O'Brien presiding): "Representative King, your point of order appears to be well taken. Substitute Senate Bill 3042 is a comprehensive higher education labor relations bill, and the amendment deals with the complete removal of tenure procedures in the community college systems. It is beyond the scope and object of the bill."

Mr. Isaacson moved adoption of the following amendment:  
On page 4, line 30 strike "may" and insert "shall"

Mr. Isaacson spoke in favor of the amendment, and Mr. R. King spoke against it.

#### POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative King, if I understand your arguments correctly, what we're saying in section 4 is that these provisions are not mandatory even under a union security provision as stated on line 32. Is that correct?"

Mr. R. King: "If they have a union security provision then they would be required to do that, but if they don't have a union security provision, then they would not. If we leave it the way it is it would depend upon whether or not that particular kind of union security provision were bargained, but if you put the word 'shall' in there—I guess the word 'shall' doesn't make sense because the union security provision is a bargainable item and not mandated. If it were mandated then they would use the word 'shall.'"

Mr. Isaacson spoke again in favor of the amendment, and Mr. R. King spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 4, line 30 strike "except to the extent that employees may" and insert ". Faculty employees shall not"

Mr. Barnes spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Barnes spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 4, line 30 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 40; nays, 56; absent, 1; excused, 1.

Voting yea: Representatives Ballard, Barnes, Betzozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 40.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick,



Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Absent: Representative Barrett - 1.

Excused: Representative Wilson - 1.

Mr. Prince moved adoption of the following amendment by Representatives Prince and Betrozoff:

On page 11, line 17 following "(3)" strike everything through "purposes" on line 22 and insert "Any collective bargaining agreement may provide for the increase of any wages, salaries, and other benefits during the term of such agreement or the term of any individual employee contracts covering employees in the bargaining unit, if the employer receives, by increased legislative appropriation, additional moneys for such purposes"

Mr. Prince spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Prince spoke again in favor of the amendment, and Mr. McDonald also spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and Betrozoff to page 11, line 17 of Engrossed Substitute Senate Bill No. 3042, and the amendment was adopted by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Addison, Ailen, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kreidler, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 45.

Excused: Representative Wilson - 1.

#### MOTION

On motion of Mr. Wang, the House was recessed until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Wilson, who was excused.

#### MESSAGE FROM THE SENATE

April 14, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3211,  
SUBSTITUTE SENATE BILL NO. 3380,  
SENATE BILL NO. 3383,  
SUBSTITUTE SENATE BILL NO. 3516,  
SENATE BILL NO. 3993,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3211,  
SUBSTITUTE SENATE BILL NO. 3380,  
SENATE BILL NO. 3383,  
SUBSTITUTE SENATE BILL NO. 3516,  
SENATE BILL NO. 3993.

## SECOND READING

ENGGROSSED SUBSTITUTE SENATE BILL NO. 3042:

The House resumed consideration of the bill on second reading.

Mr. Prince moved adoption of the following amendment by Representatives Prince and Dickie:

On page 13, following line 22 insert:

**"NEW SECTION.** Sec. 17. Any bargaining session between an employer and an exclusive bargaining representative shall be considered a meeting of a governing body of a public agency subject to the provisions of chapter 42.30 RCW."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Prince, Dickie and Patrick spoke in favor of the amendment, and Representatives R. King and Sayan spoke against it.

Mr. Prince spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and Dickie to page 13 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Absent: Representatives Brekke, Mitchell - 2.

Excused: Representative Wilson - 1.

Mr. Chandler moved adoption of the following amendment:

On page 14, line 34 strike section 21 and insert:

**"NEW SECTION.** Sec. 21. There is added to chapter 28B.52 RCW a new section to read as follows:

This chapter shall not apply to any state institution of higher education at which employees are represented by an exclusive bargaining representative certified pursuant to sections 5 and 6 of this act."

Mr. Chandler spoke in favor of the amendment, and Mr. R. King spoke against it.

The amendment was not adopted.

## MOTION FOR RECONSIDERATION

Mr. Dellwo, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment to page 3, line 6 by Representatives Vander Stoep and Prince was adopted.

## POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I would like you to rule whether or not there has been intervening business in this particular area that would not permit a reconsideration of this amendment."

## SPEAKER'S RULING

The Speaker: "The Speaker is not aware of any such action."

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, there has been intervening business. There have been numerous amendments acted upon. So if you are going to rule, I think you have to rule with that information in mind."

## SPEAKER'S RULING

The Speaker: "There has been no action, Representative McDonald, which affects or has any consequence on the floor amendment."

Representatives Dellwo and R. King spoke in favor of the motion, and Mr. Vander Stoep spoke against it.

## ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendment by Representatives Vander Stoep and Prince to Engrossed Substitute Senate Bill No. 3042 was adopted, and the motion was carried by the following vote: Yeas, 54; nays, 42; absent, 1; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 42.

Absent: Representative Mitchell - 1.

Excused: Representative Wilson - 1.

The Speaker stated the question before the House to be reconsideration of the amendment by Representatives Vander Stoep and Prince to page 3, line 6.

Mr. Locke moved adoption of the following amendment by Representatives Locke, Sommers and Kreidler to the amendment:

Strike subsection (d) of the amendment and renumber the remaining subsections accordingly.

Mr. Locke spoke in favor of the amendment to the amendment, and Mr. McDonald spoke against it.

The amendment to the amendment was not adopted.

Mr. Vander Stoep spoke in favor of reconsideration of the amendment, and Mr. R. King spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representatives Vander Stoep and Prince to page 3, line 6 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Mitchell - 1.

Excused: Representative Wilson - 1.

## MOTION FOR RECONSIDERATION

Ms. Allen, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendment by Representative McDonald to page 2, line 23 was not adopted.

Representatives Allen and McDonald spoke in favor of the motion, and Mr. R. King 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 McDonald to page 3, line 23 of Engrossed Substitute Senate Bill No. 3042 was not adopted, and the motion was carried by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kreidler, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 51.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 46.

Excused: Representative Wilson - 1.

The Speaker stated the question before the House to be reconsideration of the amendment by Representative McDonald to page 3, line 23.

Mr. McDonald spoke in favor of the amendment, and Mr. R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representative McDonald to page 3, line 23 of Engrossed Substitute Senate Bill No. 3042, and the amendment was adopted by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kreidler, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 54.

Voting nay: Representatives Appelwick, Belcher, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 43.

Excused: Representative Wilson - 1.

Mr. G. Nelson moved adoption of the following amendment:

On page 2, following line 6 insert a new section:

\*NEW SECTION, Sec. 3. There is added to chapter 28B.50 RCW a new section which reads as follows:

Any employee who becomes tenured after the effective date of this act in a state institution of higher education shall lose their tenured status if represented by an employee organization for the purposes of collective bargaining.\*

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives G. Nelson and McDonald spoke in favor of the amendment, and Representatives R. King, Sayan and Charnley spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll adoption of the amendment by Representative G. Nelson to page 2 of Engrossed Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Wilson - 1.

Engrossed Substitute Senate Bill No. 3042 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3087, by Committee on Commerce and Labor (originally sponsored by Senators Vognild, Moore, Bottiger, Shinpoch, Talmadge, Hughes and McManus)

Authorizing payment of shared work unemployment insurance.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, April 8, 1983.)

On motion of Mr. R. King, the committee amendments to page 2, line 26; page 2, line 29 and page 7, line 13 were adopted.

Mr. R. King moved adoption of the committee amendments striking "shared" and inserting "reduced."

Mr. R. King spoke against adoption of the amendments, and Mr. Struthers spoke in favor of them.

The committee amendments were not adopted.

Mr. Clayton moved adoption of the following amendment:

On page 6, line 22 after "Sec. 11," strike everything through "charged." on line 24 and insert "Contribution paying employers participating in a 'reduced work plan' approved by the commissioner shall finance benefits paid under that plan by making payments in lieu of contributions under the same terms and conditions as described in RCW 50.44.060. Benefits paid under the reduced work plan and financed in this manner shall not be charged to the experience rating account of such employer. The commissioner shall adopt rules necessary to carry out the intent of this section."

Representatives Clayton and Smith spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Clayton spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clayton to page 6, line 22 of Substitute Senate Bill No. 3087, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Wilson - 1.

Mr. Clayton moved adoption of the following amendment:

On page 7, line 19 after "effect" strike "with the weeks beginning after July 31, 1983" and insert "only when contribution paying employers are making contributions in accordance with an experience rating plan providing for variable contribution rates"

Representatives Clayton and Schmidt spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. Clayton spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Van Dyken moved adoption of the following amendment:

On page 7, after line 13 insert the following new section:

**"NEW SECTION.** Sec. 14. Beginning January 1, 1984, the contributions rate for any employer who has participated in the reduced work compensation program shall be adjusted to reflect the cost of reduced work benefits paid to that employer's employees. The department shall adopt rules to implement this section."

Renumber the remaining section consecutively.

Representatives Van Dyken, Silver and McDonald spoke in favor of the amendment, and Mr. R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to page 7 of Substitute Senate Bill No. 3087, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Wilson - 1.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and McDonald:

On page 1, strike everything after line 12 and insert:

**"NEW SECTION.** Sec. 2. There is hereby created the temporary committee on unemployment insurance for workers whose hours have been reduced which shall consist of eight members; four appointed by the speaker of the House, two from each caucus, and four appointed by the president of the Senate, two from each caucus. This temporary committee shall study the intent and objectives of ESSB 3087 and shall issue a report to the speaker of the House and the president of the Senate no later than January 1, 1984."

Ms. Schmidt spoke in favor of the amendment, and Mr. J. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Schmidt and McDonald to Substitute Senate Bill No. 3087, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Wilson - 1.

Substitute Senate Bill No. 3087 as amended by the House was passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Heck, the House was recessed until 7:00 p.m.

## EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Addison, Bond, Hastings, Miller, G. Nelson, Padden, West and Wilson, who were excused.

## MESSAGE FROM THE SENATE

April 13, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 16.  
 ENGROSSED HOUSE BILL NO. 35.  
 REENGROSSED HOUSE BILL NO. 36.  
 SUBSTITUTE HOUSE BILL NO. 37.  
 HOUSE BILL NO. 87.  
 HOUSE BILL NO. 112.  
 SUBSTITUTE HOUSE BILL NO. 118.  
 ENGROSSED HOUSE BILL NO. 175.  
 SUBSTITUTE HOUSE BILL NO. 241.  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 263.  
 SUBSTITUTE HOUSE BILL NO. 323.  
 SUBSTITUTE HOUSE BILL NO. 409.  
 HOUSE BILL NO. 430.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 16.  
 HOUSE BILL NO. 35.  
 HOUSE BILL NO. 36.  
 SUBSTITUTE HOUSE BILL NO. 37.  
 HOUSE BILL NO. 87.  
 HOUSE BILL NO. 112.  
 SUBSTITUTE HOUSE BILL NO. 118.  
 HOUSE BILL NO. 175.  
 SUBSTITUTE HOUSE BILL NO. 241.  
 SUBSTITUTE HOUSE BILL NO. 263.  
 SUBSTITUTE HOUSE BILL NO. 323.  
 SUBSTITUTE HOUSE BILL NO. 409.  
 HOUSE BILL NO. 430.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3088, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Moore, Wojahn, Deccio, Newhouse, Patterson, Barr, Bauer and Williams)

Continuing state regulations of cosmetology.

The bill was read the second time.

On motion of Ms. Galloway, the following amendments by Representatives Galloway and Tanner were adopted:

On page 5, after line 9, strike all material down through line 15 and insert the following:

"(5) A 'student' is any person 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, who receives any phase of cosmetology instruction with or without tuition, fee, or cost, and who does not receive any wage or commission~~) attends a duly licensed cosmetology school and receives any phase of cosmetology

instruction with or without tuition, fee, or cost and who does not receive any wage or commission and submits proof of graduation from an accredited high school or a certificate of educational competence or an equivalent education as determined by the director whose determination shall be conclusive upon application for examination for a cosmetologist license."

On page 6, after line 26, strike all material down through line 28 and insert the following:

"(No hours may be credited to any such special student unless he or she graduates from high school) Hours shall be credited to a special student provided the student graduates from an accredited high school or receives a certificate of educational competence prior to applying for the cosmetology license examination."

#### MOTION

On motion of Mr. Heck, further consideration of Engrossed Substitute Senate Bill No. 3088 was deferred, and the bill was ordered placed on the second reading calendar following Senate Bill No. 3084.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3081, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Moore, Wojahn, Deccio, Newhouse, Barr, Bauer, McCaslin and Williams)

Continuing state regulations of barbering.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Tanner, Taylor and Tilly spoke in favor of passage of the bill, and Representatives Locke, B. Williams and Ballard spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3081, and the bill passed the House by the following vote: Yeas, 84; nays, 6; excused, 8.

Voting yea: Representatives Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Armstrong, King J, Kreidler, Patrick, Sommers, Williams B - 6.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Substitute Senate Bill No. 3081, having received the 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. 4103, by Senators Bauer, Kiskaddon and Bender

Revising the requirements for teachers' contact hours.

The bill was read the second time. Committee on Education recommendation: Majority, do pass with the following amendment:

On page 3, line 15 after "that" strike "direct contact hours" and insert "compliance with the direct contact hour requirement"

On motion of Ms. Galloway, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Galloway spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4103 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.



Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Senate Bill No. 4103 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. 3172, by Senators Guess and Peterson

Providing for the license revocation of motorists convicted of eluding police.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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. 3172, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Senate Bill No. 3172, having received the 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. 3097, by Senator Sellar

Increasing certain collection fees pertaining to motor vehicles.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3097, and the bill passed the House by the following vote: Yeas, 87; nays, 3; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Dellwo, Garrett, Moon - 3.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Senate Bill No. 3097, having received the 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. 3991, by Senators Conner, Peterson and Bottiger  
Establishing procedures for reducing and ending tolls on the Hood Canal Bridge.

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

ENGROSSED SENATE BILL NO. 3588, by Senators Goltz and Lee (by Secretary of State request)

Authorizing the state archivist to adopt rules and set technical standards.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3588, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Senate Bill No. 3588, having received the 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. 3203, by Senators Peterson, Bender, Haley, Hemstad, Talmadge and Deccio (by Legislative Transportation Committee request)

Requiring child restraints in motor vehicles.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass with the following amendments:

On page 1, line 24 after "section" strike "shall" and insert "may"

On page 1, line 26 after "section" strike "shall" and insert "may"

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Martinis, Charnley, Betzoff, Tilly and Ballard spoke in favor of passage of the bill, and Mr. Fuhrman spoke against it.

Representatives Charnley and Martinis spoke again in favor of the bill, and Mr. Fuhrman now spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3203 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure,

McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Senate Bill No. 3203 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. 3364, by Senators Gaspard, Talmadge, Williams, Moore, Fleming, Craswell and Lee

Permitting school employees to request a postponement of a hearing of layoffs due to a reduction in force.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Galloway spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3364, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Senate Bill No. 3364, having received the 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. 3084, by Senators Thompson and Sellar

Modifying procedures for local government review board procedures.

The bill was read the second time.

Mr. Barrett moved adoption of the following amendment by Representatives Bond and Barrett:

On page 2, after line 3 insert the following:

\*Sec. 2, Section 7, chapter 10, Laws of 1982 and RCW 36.93.090 are each amended to read as follows:

Whenever any of the following described actions are proposed in a county in which a board has been established, the initiators of the action shall file within one hundred eighty days a notice of intention with the board, which may review any such proposed actions pertaining to:

(1) The creation, dissolution, incorporation, disincorporation, consolidation, or change in the boundary of any city, town, or special purpose district, except that a board may not review the dissolution or disincorporation of a special purpose district which was dissolved or disincorporated pursuant to the provisions of chapter 36.96 RCW and the board shall not review any change in the boundary of a special purpose district or service district unless a conflict exists between the other special purpose districts or between the other service districts; or

(2) The assumption by any city or town of all or part of the assets, facilities, or indebtedness of a special purpose district which lies partially within such city or town; or

(3) If there is a conflict with another water district, the establishment of or change in the boundaries of a mutual water and sewer system or separate sewer system by a water district pursuant to RCW 57.08.065 or chapter 57.40 RCW, as now or hereafter amended; or

(4) If there is a conflict with another sewer district, the establishment of or change in the boundaries of a mutual sewer and water system or separate water system by a sewer district pursuant to RCW 56.20.015 or chapter 56.36 RCW, as now or hereafter amended.(-or

(5) ~~The extension of permanent water or sewer service outside of its existing corporate boundaries by a city, town, or special purpose district).~~

Mr. Barrett spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Barrett yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Barrett, could you tell me whether or not the amendment would apply to a general purpose district? That is, if a county or a city felt they had a conflict with the boundaries, or a proposed boundary change, of a special purpose district, would the boundary review board jurisdiction then be invoked, or would your amendment preclude them from being involved?"

Mr. Barrett: "The amendment as written, and in my layman's interpretation of what we have to have written, would be that there must be a dispute between two special districts--two fire districts, two water districts--before the boundary review board could be brought in. In the case you mentioned, where a county official, for example, or maybe a county board inserts itself, unless it has an ordinance that allows it to or unless it has jurisdictional superiority over the establishment of the boundaries--in many cases county commissioners have authority that is not being taken away here--but what it says is that the boundary review board will not have automatic authority to review every boundary of such a district when there is no dispute."

Representatives Van Dyken and Moon spoke against the amendment.

The amendment was not adopted.

Mr. J. Williams moved adoption of the following amendment:

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

**\*NEW SECTION.** Sec. 2. There is added to chapter 36.93 RCW a new section to read as follows:

Actions of a boundary review board shall not constitute cause to remove from a county its exclusive jurisdiction to enforce its adopted comprehensive land use plans, zoning ordinances, subdivision and short subdivision controls, binding site plan controls, building codes, and other land use regulations in all unincorporated areas of the county."

Mr. J. Williams spoke in favor of the amendment, and Mr. Moon spoke against it.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Van Dyken spoke in favor of passage of the bill.

#### ROLL CALL.

The Clerk called the roll on the final passage of Senate Bill No. 3084, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Senate Bill No. 3084, having received the 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. 3088: The House resumed consideration of the bill on second reading.

Mr. Patrick moved adoption of the following amendment:

On page 13, following line 11 insert:

"Sec. 10, Section 2, chapter 180, Laws of 1951 as last amended by section 21, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.18.050 are each amended as follows:

An operator's license shall be issued to a student who: (1) Is of the age of eighteen years or over; (2) is of good moral character and temperate habits; (3) has graduated from an accredited high school or the equivalent thereof as determined by the director whose determination shall be conclusive: PROVIDED, That this subdivision shall not apply to those holding a valid operator's license or attending a recognized cosmetology school prior to the effective date of this amendatory section but such persons shall be subject to the law in existence prior to the effective date of this amendatory section; (4) is a citizen of the United States or declared his intention to become a citizen; (5) has completed a course of training of not less than two thousand hours in a recognized cosmetology school, such training not to exceed eight hours in any one day; and (6) who has satisfactorily passed the hairdressing and cosmetology examination in this state: PROVIDED, That the director shall permit students to challenge the state examination provided under subsection (6) of this section after completion of fifteen hundred hours in a recognized cosmetology school. Such students who receive a passing grade as defined in RCW 18.18.110 shall be entitled to a license as an operator."

Representatives Patrick, Brough, B. Williams, Ballard and Tilly spoke in favor of the amendment, and Representatives Tanner, Haugen, Barrett, J. King and Egger spoke against it.

Representative Patrick spoke again in favor of the amendment, and Representatives Haugen and Tanner again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patrick to Engrossed Substitute Senate Bill No. 3088, and the amendment was not adopted by the following vote: Yeas, 32; nays, 58; excused, 8.

Voting yea: Representatives Allen, Ballard, Betzoff, Brough, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Garrett, Hankins, Holland, Johnson, Kreidler, Long, McDonald, Nealey, Patrick, Prince, Sanders, Schoon, Silver, Smith, Sommers, Struthers, Tilly, Van Dyken, Vander Stoep, Walk, Williams B, Williams J - 32.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Cantu, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Lewis, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Stratton, Sutherland, Tanner, Taylor, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Tanner spoke in favor of the bill, and Mr. B. Williams spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3088 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 10; excused, 8.

Voting yea: Representatives Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Armstrong, Fuhrman, King J, Kreidler, McDonald, Nealey, Prince, Sommers, Van Dyken, Williams B - 10.

Excused: Representatives Addison, Bond, Hastings, Miller, Nelson G, Padden, West, Wilson - 8.

Engrossed Substitute Senate Bill No. 3088 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. 3363, by Senators Moore, Newhouse, Hansen and Thompson  
Amending procedures for the selection of port district treasurers.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 1, beginning on line 12 strike "fifty" and insert "one hundred"

On motion of Mr. Moon, the committee amendment was adopted.

On motion of Mr. Moon, the following amendment was adopted:

On page 1, line 17 after "district" insert: PROVIDED, That any port district which was authorized by the county treasurer to appoint its own treasurer prior to the effective date of this 1983 act, may continue to appoint its own treasurer"

Senate Bill No. 3363 as amended by the House was passed to Committee on Rules for third reading.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3161, by Committee on Local Government (originally sponsored by Senators Granlund, Zimmerman and Thompson)

Authorizing service districts for authorized county and road district facilities and improvements.

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

SUBSTITUTE SENATE BILL NO. 3151, by Committee on Local Government (originally sponsored by Senators Thompson, Hayner, Bauer and Barr)

Modifying the provision which limits the hiring of attorneys by counties.

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

#### MOTION

On motion of Mr. Heck, the House was adjourned until 9:00 a.m., Friday, April 15, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 15, 1983

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Grimm, Hankins, Isaacson, Lewis and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marci Johnson and Johan Forsvlad. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 13, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3244,  
SUBSTITUTE SENATE BILL NO. 3504,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 4055,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 4251,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 14, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 153,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 309,  
ENGROSSED HOUSE BILL NO. 817,  
HOUSE JOINT MEMORIAL NO. 32,  
SECOND SUBSTITUTE SENATE BILL NO. 3272,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 14, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 122,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HCR 17 by Representatives Dellwo, O'Brien, Addison, Stratton, Wang, Locke, Charnley, Niemi and Belcher

Resolving to create the joint select committee on Indian affairs.

Referred to Committee on Rules

2SSB 3272 by Committee on Ways & Means (originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroners' System Improvement Act.

Referred to Committee on Local Government

SSB 3244 by Committee on Ways & Means (originally sponsored by Senators Thompson, Jones, Bauer, Bluechel, Fuller, Granlund and Bender; by Governor Spellman request)

Modifying provisions on excise taxes.

Referred to Committee on Ways & Means

SSB 3504 by Committee on Local Government (originally sponsored by Senators Owen and Zimmerman)

Modifying provisions on land classified for current use assessment.

Referred to Committee on Local Government

ESSB 4055 by Committee on Transportation (originally sponsored by Senator Peterson)

Authorizing bonds for highway construction in Grant county.

Referred to Committee on Transportation

ESSB 4251 by Committee on Agriculture (originally sponsored by Senators Hansen, Barr, Newhouse, Deccio, Hurley, Benitz, McCaslin and Goltz)

Providing for a study and interim management of the Milwaukee Road.

Referred to Committee on Rules

SCR 122 by Senators Goltz and Bluechel

Resolving to send two delegates to the first international planning meeting for Expo 86.

Referred to Committee on Rules

#### REPORTS OF STANDING COMMITTEES

April 13, 1983

HB 295 Prime Sponsor, Representative Belcher: Requiring state employees to be paid twice a month. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Ellis, Fiske, Heck, Hine, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Bond, Brekke, Hastings, J. King, McDonald and Tilly.

Passed to Committee on Rules for second reading.

April 13, 1983

HB 496 Prime Sponsor, Representative Ristuben: Modifying provisions on senior citizen tax relief. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep



Passed to Committee on Rules for second reading.

#### MOTION

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

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3174, by Committee on Ways & Means (originally sponsored by Senators McDermott, Peterson, Bottiger, Hemstad and Zimmerman)

Modifying provisions concerning the Washington state patrol retirement system.

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

Representatives Martinis and Struthers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3174, and the bill passed the House by the following vote: Yeas, 86; nays, 0; absent, 7; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 86.

Absent: Representatives Brekke, Burns, King J, Monohon, Sayan, Todd, Van Dyken - 7.

Excused: Representatives Grimm, Hankins, Isaacson, Lewis, Wilson - 5.

Substitute Senate Bill No. 3174, having received the 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. 3266 AS AMENDED BY THE HOUSE, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, Talmadge, Bender, Thompson, Moore, Bauer, Woody and Hurley)

Modifying provisions of the WPPSS board.

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

Representatives D. Nelson and Barnes spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3266 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 1; absent, 5; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representative Fuhrman - 1.

Absent: Representatives Burns, King J, Monohon, Todd, Van Dyken - 5.

Excused: Representatives Grimm, Hankins, Isaacson, Lewis, Wilson - 5.

Substitute Senate Bill No. 3266 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.

Representative Lewis appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3299 AS AMENDED BY THE HOUSE, by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn)

Modifying definition of personal leases.

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

Representatives Tanner, Sanders, Smith, Broback, Struthers, Ballard, Barrett and Wang spoke in favor of passage of the bill, and Representatives Lux, Armstrong, Halsan and Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3299 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 15; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, King J, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Armstrong, Belcher, Brekke, Dellwo, Fisher, Garrett, Halsan, Kaiser, King P, Lux, Moon, Powers, Pruitt, Todd, Vander Stoep - 15.

Excused: Representatives Grimm, Hankins, Isaacson, Wilson - 4.

Substitute Senate Bill No. 3299 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 25,  
HOUSE BILL NO. 102,  
SUBSTITUTE HOUSE BILL NO. 114,  
HOUSE BILL NO. 153,  
SUBSTITUTE HOUSE BILL NO. 297,  
SUBSTITUTE HOUSE BILL NO. 309,  
HOUSE BILL NO. 817,  
HOUSE JOINT MEMORIAL NO. 32.

Representative Grimm appeared at the bar of the House.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-53, Barnes, Brough, Schoon, Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, On December 2, 1982, Dr. Barney Clark accepted the implant of a Jarvik-7 artificial heart; and

WHEREAS, For one hundred twelve days Dr. Clark showed great courage as he and members of the University of Utah Medical Center labored to perfect a new and valuable life sustaining practice; and

WHEREAS, In time, as many as fifty thousand people in the United States will be restored to a satisfying and worthwhile existence by means of an artificial heart; and

WHEREAS, These citizens and other countless thousands of people around the world will benefit from Dr. Clark's struggle; and

WHEREAS, Dr. Clark was a medical pioneer who significantly assisted medical research by living with pain so that others could live without it; and

WHEREAS, This sacrifice exemplifies the ultimate contribution to his fellow citizens by a citizen of Washington; and

WHEREAS, During Dr. Clark's battle he was supported by his loving and devoted wife, Una Loy, and his family;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extend its heartfelt condolences to Dr. Barney Clark's widow, Una Loy, and to his family; and

BE IT FURTHER RESOLVED, That the House of Representatives express its pride and gratitude for Dr. Clark's courage and for his determination to expand medical knowledge through his heroic struggle; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Dr. Barney Clark's widow, Una Loy, and to his family.

#### SPEAKER'S PRIVILEGE

The Speaker recognized, within the bar of the House, Una Loy Clark, widow of Dr. Barney Clark, and appointed Representatives Hine and Barnes to escort her to the rostrum.

Ms. Hine moved adoption of the resolution and spoke in favor of it. Representatives Barnes, Stratton, Schoon, Fischer and O'Brien spoke in favor of the resolution, and it was adopted.

The Speaker presented the resolution to Mrs. Clark and she briefly addressed the House.

The Speaker requested the resolution to escort Mrs. Clark to the Senate Chambers.

The Speaker called on Mr. O'Brien to preside.

#### MOTION

On motion of Mr. Heck, the House reverted to the seventh order of business.

#### THIRD READING

ENGROSSED SENATE BILL NO. 3076, by Senators Peterson, Guess, Deccio and Rasmussen

Modifying requirements for weight distribution for garbage trucks.

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

Representatives Martinis, Barrett and Taylor spoke in favor of passage of the bill, and Representatives Patrick and Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3076, and the bill passed the House by the following vote: Yeas, 65; nays, 30; excused, 3.

Voting yea: Representatives Armstrong, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Holland, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Martinis, McClure, McMullen, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Powers, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Addison, Allen, Appelwick, Ballard, Belcher, Braddock, Brekke, Burns, Cantu, Charnley, Dellwo, Fisher, Grimm, Hine, Jacobsen, Kreidler, Locke, Lux,

McDonald, Miller, Moon, Nelson D, Niemi, Patrick, Pruitt, Ristuben, Rust, Sommers, Vander Stoep, Wang - 30.

Excused: Representatives Hankins, Isaacson, Wilson - 3.

Engrossed Senate Bill No. 3076, having received the 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, the House reverted to the sixth order of business.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 3053, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Authorizing fees for and continuing the contractors registration program.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3053, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Isaacson, Wilson - 3.

Substitute Senate Bill No. 3053, having received the 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. 3056, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Revising laws on enforcement of contractor registration.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 93rd Day, April 12, 1983.)

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

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Lux.

Mr. Lux: "Representative Braddock, is it your understanding that there is nothing in this legislation that would contradict what has been in statute in prior years, that if you are not a registered contractor you forego your lien rights? Is it your understanding that is still in the statutes?"

Mr. Braddock: "Yes, I'm very happy to say that this does not alter that. An unregistered contractor, after passage of this bill, will continue to forfeit lien rights."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3056 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Isaacson, Wilson - 3.

Substitute Senate Bill No. 3056 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. 4021, by Senator Moore (by Insurance Commissioner request)

Modifying provisions on annual statements required of insurance companies.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4021, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Hankins, Isaacson, Wilson - 3.

Senate Bill No. 4021, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Lewis was excused.

SENATE BILL NO. 3090, by Senators Talmadge and Hughes

Modifying the budget and accounting act.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 68th Day, March 18, 1983.)

On motion of Ms. Monohon, the committee amendments were adopted.

Mr. B. Williams moved adoption of the following amendment:

On page 3, after line 23 insert the following:

**\*NEW SECTION. Sec. 2. PREAMBLE.** State government shall operate its affairs in a fiscally responsible manner. All budgets adopted by the legislature shall be balanced by available revenues. Budgets shall not be balanced by revenue or expenditure shifts, bookkeeping techniques, or a reduction in an orderly method to fully fund state-supported pension systems.

**NEW SECTION. Sec. 3. STATE GOVERNMENT FISCAL RESPONSIBILITY.** (1) Effective July 1, 1983, appropriations from any fund or account shall not exceed the amount of revenue available to the fund or account as is estimated by the governor and agreed to by the legislature. (2) Effective July 1, 1987, the state operating budget shall be balanced from revenues received

within the biennium, including beginning cash balances, and shall not be balanced by revenue chargebacks, postponing expenses to future biennia, use of dedicated funds unless the dedicated fund is specified for operating purposes, or use of the fiscal emergency account, except as provided in section 4 of this act.

**NEW SECTION.** Sec. 4. CASH FLOW. The governor and legislature are prohibited from action that would endanger the state's cash flow position. Effective July 1, 1987, the state is prohibited from borrowing from general fund accounts that are dedicated for capital outlay. The state legislature shall provide for an appropriation during the 1987-89 biennium for the purpose of implementing section 2(2) of this act.

**NEW SECTION.** Sec. 5. FISCAL EMERGENCY ACCOUNT. There is established an account within the general fund to be known as the fiscal emergency account. The first three percent of all general fund tax receipts and license fees shall be placed in this account beginning with the 1985-87 fiscal biennium. Money remaining in the fiscal emergency account at the end of a biennium shall be earmarked for any of the following purposes:

- (1) Funding state-supported pension systems until such time as the state actuary determines that these systems are fully funded;
- (2) Implementing section 2(2) of this act;
- (3) Capital outlay;
- (4) Reduction of state tax rates or elimination of specific taxes; or
- (5) The funds may be retained in the fiscal emergency account: PROVIDED, That the fiscal emergency account shall not exceed ten percent of the previous fiscal biennium's general fund--state expenditure level.

**NEW SECTION.** Sec. 6. EMERGENCY FISCAL ACTION. In the event of a fiscal emergency proclaimed by the governor and two-thirds of the members of each house of the legislature, money in the fiscal emergency account may be appropriated for whatever fiscal emergency related purposes are deemed necessary by the legislature and approved by the governor. This section shall take effect on July 1, 1985.

**NEW SECTION.** Sec. 7. The authority granted members of the legislature by this section shall not be deemed to violate the provisions of Article II, section 13 of the state Constitution or make any member of the legislature ineligible to serve on the committee.

**NEW SECTION.** Sec. 8. EMERGENCY ACTION BY THE LEGISLATURE. The legislature may temporarily suspend sections 2, 3 and 4 of this act whenever a fiscal emergency exists as proclaimed by the governor and three-fourths of the members of each house of the legislature."

Renumber the remaining sections consecutively.

Representatives B. Williams and Patrick spoke in favor of the amendment, and Mr. Grimm spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 3 of Senate Bill No. 3090, and the amendment was not adopted by the following vote: Yeas, 45; nays, 49; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fisch, Fiske, Fuhrman, Hastings, Holland, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charley, Crane, Ebersole, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Mr. McMullen moved adoption of the following amendment by Representatives McMullen, Fiske, Haugen and Ristuben:

On page 3, after line 23 insert new sections to read as follows:

**NEW SECTION.** Sec. 2. There is added to chapter 43.88 RCW a new section to read as follows:

Prior to January 15 of each year, each state agency shall separately itemize and submit to the secretary of the senate and chief clerk of the house any expenditures required to be made by the agency under any federal court order. The secretary and chief clerk shall transmit this information to the appropriate standing committees. In each instance, the legislature shall review the expenditures mandated by the federal court order with a view to determining whether the program affected by the court order should be continued or eliminated and funds for the program either appropriated or not appropriated accordingly.

**NEW SECTION.** Sec. 3. Section 2 of 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 Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Renumber the remaining sections consecutively.

Representatives McMullen, Martinis and Fiske spoke in favor of the amendment, and Mr. Smitherman spoke against it.

The amendment was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Grimm:

On page 3, following line 25 insert:

**NEW SECTION.** Sec. 3. There is added to chapter 43.88 RCW a new section to read as follows:

The optional budget appendix containing a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes shall be no more detailed than the required budget document setting forth a proposal for expenditures in the ensuing fiscal period based upon anticipated revenues for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document."

Representatives Tilly, Sanders and Cantu spoke in favor of the amendment, and Ms. Sommers spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tilly and Grimm to page 3 of Senate Bill No. 3090, and the amendment was adopted by the following vote: Yeas, 73; nays, 21; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Chamley, Clayton, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Galloway, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Armstrong, Belcher, Braddock, Brække, Burns, Crane, Dellwo, Fisher, Gallagher, Garrett, Kreidler, Locke, Lux, Moon, Niemi, O'Brien, Pruitt, Rust, Sommers, Vekich, Wang - 21.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

On motion of Mr. McMullen, the following amendments by Representatives McMullen, Fiske, Haugen and Ristuben were adopted:

On page 3, line 29 after "immediately," insert "This section shall not apply to section 2 of this act."

On motion of Ms. Monohon the committee amendment to the title of the bill was adopted.

On motion of Mr. Tilly, the following amendment to the title was adopted:

On page 1, following line 4 insert "adding a new section to chapter 43.88 RCW; providing for submission of a section of this act to a vote of the people;"

Senate Bill No. 3090 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3079, by Committee on Local Government (originally sponsored by Senators Bauer and Sellar)

Authorizing insurance services for officials as well as employees of sewer districts.

The bill was read the second time.

Ms. Miller moved adoption of the following amendments:

On page 1, line 19 following "thereof" insert "PROVIDED, That the premiums for such insurance shall be paid by the individual directors who elect to receive it"

On page 2, line 7 following "thereof" insert "PROVIDED, That the premiums for such insurance shall be paid by the individual directors who elect to receive it"

Representatives Miller, Taylor and Lux spoke in favor of the amendments, and Mr. Moon spoke against them.

Ms. Miller spoke again in favor of the amendments, and Mr. Moon again opposed them.

The amendments were adopted.

Mr. Van Dyken moved adoption of the following amendments:

On page 2, line 16 strike all of section 3.

On page 4, line 6 strike all of section 5 and renumber the remaining sections consecutively.

Mr. Van Dyken spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Ms. Haugen.

Ms. Haugen: "Representative Van Dyken, are other districts doing that at this time? Are you saying that we're going to take those benefits away from those districts by this amendment?"

Mr. Van Dyken: "No, Representative Haugen, I'm not addressing a laundry list of other special purpose districts that in testimony in the committee was said to have these benefits. I'm just trying to remain consistent within the bill. The bill addresses health benefits for commissioners for four districts: Water districts, sewer districts, port districts and fire districts. The amendment we just adopted said that they will not be provided to the commissioner of fire and water districts, and my amendment gives consistency in the bill to say that the rules will be the same for port and fire districts."

The Speaker declared 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 Hankins, Isaacson, Lewis and Wilson, who were excused.

#### MESSAGE FROM THE SENATE

April 15, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO.	16.
HOUSE BILL NO.	25.
HOUSE BILL NO.	35.
HOUSE BILL NO.	36.
SUBSTITUTE HOUSE BILL NO.	37.
HOUSE BILL NO.	87.
HOUSE BILL NO.	102.
HOUSE BILL NO.	112.
SUBSTITUTE HOUSE BILL NO.	114.
SUBSTITUTE HOUSE BILL NO.	118.
HOUSE BILL NO.	153.
HOUSE BILL NO.	175.
SUBSTITUTE HOUSE BILL NO.	241.
SUBSTITUTE HOUSE BILL NO.	263.
SUBSTITUTE HOUSE BILL NO.	297.
SUBSTITUTE HOUSE BILL NO.	309.
SUBSTITUTE HOUSE BILL NO.	323.
SUBSTITUTE HOUSE BILL NO.	409.
HOUSE BILL NO.	430.
HOUSE BILL NO.	817.
HOUSE JOINT MEMORIAL NO.	32.
SENATE BILL NO.	3009.
SENATE BILL NO.	3165.



SUBSTITUTE SENATE BILL NO. 3197,  
SENATE BILL NO. 3282.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

April 11, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 393 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 35.21 RCW a new section to read as follows:

Any city or town may assist a street abutter in improving the street serving the abutter's premises by providing asphalt, concrete, or other supplies or materials. The furnishing of supplies or materials or paying to the abutter the cost thereof and the providing of municipal inspectors and other incidental personnel shall not render the street improvements a public work or improvement subject to competitive bidding. The legislative authority of such city or town shall approve any such assistance at a public meeting and shall maintain a public register of any such assistance setting forth the value, nature, purpose, date and location of the assistance and the name of the beneficiary.

NEW SECTION. Sec. 2. There is added to chapter 36.75 RCW a new section to read as follows:

Any county may assist a street abutter in improving the street serving the abutter's premises by providing asphalt, concrete, or other supplies or materials. The furnishing of supplies or materials or paying to the abutter the cost thereof and the providing of inspectors and other incidental personnel shall not render the street improvements a public work or improvement subject to competitive bidding. The legislative authority of such county shall approve any such assistance at a public meeting and shall maintain a public register of any such assistance setting forth the value, nature, purpose, date and location of the assistance and the name of the beneficiary."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "street improvements; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.75 RCW."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Moon moved that the House do concur in the Senate amendments to Substitute House Bill No. 393.

Representatives Moon and Van Dyken spoke in favor of the motion, and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 393 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 393 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute House Bill No. 393 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, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 719 with the following amendments:

On page 1, line 1 of the title after "closures;" strike all material down through "43.21C RCW" on line 2 and insert "adding a new section to chapter 43.21C RCW; and adding new sections to chapter 28A.58 RCW"

On page 1, line 9 after "pertaining to" strike "the closure of schools" and insert "a plan, program, or decision for the closure of a school or schools or for the school closure portion of any broader policy, plan or program"

On page 1, line 11 after "chapter" strike "43.21C" and insert "28A.58"

On page 1, line 23 after "purposes," insert "The policy shall require separate hearings for each school which is proposed to be closed."

On page 2, line 5, after "chapter" strike all material down through "inoperable" on line 21 and insert "28A.41.170(2)(a) and (b), without complying with the requirements of section 2 of this act"

A school district may close a school for emergency reasons, as set forth in RCW 28A.41.170(2)(a) and (b), without complying with the requirements of section 2 of this act" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Galloway, the House concurred in the Senate amendments to Substitute House Bill No. 719.

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

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 719 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 719 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 4; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Addison, Burns, Niemi, Pruitt - 4.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute House Bill No. 719 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. 3079: The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representative Van Dyken striking sections 3 and 5.

Representatives Van Dyken and Locke spoke in favor of the amendments, and Mr. Moon spoke against them.

Mr. Van Dyken spoke again in favor of the amendments, and they were adopted.

Substitute Senate Bill No. 3079 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3497, by Committee on Transportation (originally sponsored by Senators Vognild, Guess, Wojahn, Peterson and Bender)

Requiring certain propane fueled vehicles to bear a placard to that effect.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 1, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Martinis and Betzoff spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3497 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brøkke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute Senate Bill No. 3497 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. 4034, by Committee on Transportation (originally sponsored by Senator Peterson)

Prohibiting deceptive gasoline pricing methods.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Martinis and J. Williams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4034, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brøkke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representative King R - 1.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute Senate Bill No. 4034, having received the 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. 3144, by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Modifying provisions on special fuel trip permits.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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. 3144, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representative King R - 1.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Senate Bill No. 3144, having received the 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, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 482 with the following amendment:

On line 17 after the period add "License plates which may be retained by a vehicle owner pursuant to RCW 46.16.290 shall not be subject to this section."  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendment to Substitute House Bill No. 482.

#### 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. 482 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 482 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representative King R - 1.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute House Bill No. 482 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, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 488 with the following amendment:

On page 6, line 3 after "organization," insert "~~((if such organization has not operated previously as a health care contractor under chapter 48-44 RCW:))~~" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Wang moved that the House do concur in the Senate amendment to Substitute House Bill No. 488.

Representatives Wang and Sanders 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. 488 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 488 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Absent: Representative King R - 1.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute House Bill No. 488 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 12, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 533 with the following amendments:

On page 1, line 19 of the engrossed and printed bill, after "as" strike "deadbeat" and insert "~~((deadbeat)) bad debt~~"

On page 1, line 20 of the engrossed and printed bill, after "a" strike "deadbeat" and insert "bad debt"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Zellinsky moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 533.

Representatives Zellinsky and Sanders 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. 533 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 533 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Engrossed Substitute House Bill No. 533 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

## MOTION

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

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3087 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators Voguild, Moore, Bottiger, Shinpoch, Talmadge, Hughes and McManus)

Authorizing payment of shared work unemployment insurance.

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

Mr. R. King spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. R. King yielded to question by Mr. Schoon.

Mr. Schoon: "Representative King, in the event there are two companies with an equal number of employees and about the same product, so that they are direct competitors, and one company is very good at selling and really works hard to maintain the business; the other company is not aggressive and chooses to have some of its people take advantage of this bill, is there a potential that there could be abuse of this system if other people followed the same line and had their people reducing their hours between ten and fifteen percent?"

Mr. R. King: "It would depend upon whether or not the department carried out what it says in the bill. In the bill the company has to present evidence that they had to have that reduction. If they did not go into the reduced workshare plan, then they would be laying employees off. Otherwise the plan would go into effect or they would be laying them off. It wouldn't give either company an advantage over the other when both of them are capable of doing the same thing, either in a competitive market place of going out and getting the business or if they feel they are up against it and have to lay off, they both can go into this kind of plan."

Representatives Broback, Schmidt, McDonald, Clayton, J. Williams and Chandler spoke against passage of the bill, and Representatives D. Nelson, Lux and J. King spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3087 as amended by the House, and the bill passed the House by the following vote: Yeas, 60; nays, 34; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Johnson, McDonald, Miller, Mitchell, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams J - 34.

Excused: Representatives Hankins, Isaacson, Lewis, Wilson - 4.

Substitute Senate Bill No. 3087 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3009,  
SENATE BILL NO. 3165,  
SUBSTITUTE SENATE BILL NO. 3197,  
SENATE BILL NO. 3282.

Representatives Hankins and Isaacson appeared at the bar of the House.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3042 AS AMENDED BY THE HOUSE, by Committee on Education (originally sponsored by Senators Bottiger, McDermott, Goltz, Bauer, Vogniid, Gaspard, Talmadge, Wojahn, Warnke, Lee and Rinehart)

Regulating labor relations in institutions of higher education.

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

Representatives R. King, Fisch, Sayan and Charnley spoke in favor of passage of the bill, and Representatives Taylor, Prince, Schoon, Barnes, Dickie, Isaacson, G. Nelson, Broback and McDonald spoke against it.

Mr. R. King spoke again in favor of the bill, and Representatives Broback and Barnes again opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3042 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 45; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hine, Jacobsen, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, King J, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 45.

Excused: Representatives Lewis, Wilson - 2.

Engrossed Substitute Senate Bill No. 3042 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

On April 15, I was in District 8 dedicating the new Industrial Park for the City of Richland. If I had been in attendance I would have voted "Yea" on final passage of Substitute Senate Bill No. 3174, Substitute Senate Bill No. 3266 as amended by the House, Substitute Senate Bill No. 3299 as amended by the House, Engrossed Senate Bill No. 3076, Substitute Senate Bill No. 3053, Substitute Senate Bill No. 3056 as amended by the House, Senate Bill No. 4021, Substitute Senate Bill No. 3497 as amended by the House, Substitute Senate Bill No. 4034, Senate Bill No. 3144, Substitute House Bill No. 482 as amended by the Senate, Substitute House Bill No. 488 as amended by the Senate, Engrossed Substitute House Bill No. 533 as amended by the Senate, Substitute Senate Bill No. 3087 as amended by the House, Substitute House Bill No. 719 as amended by the Senate and Substitute House Bill No. 393 as amended by the Senate.

I would have also have voted "Yea" on the amendments to Senate Bill No. 3090 by Representatives B. Williams and Tilly.

SHIRLEY W. Hankins, 8th District.

## STATEMENT FOR THE JOURNAL

Please let the House Journal show that I would have voted "Yes" on the following bills: Substitute Senate Bill No. 3174, Substitute Senate Bill No. 3266 as amended by the House, Substitute Senate Bill No. 3299 as amended by the House, Engrossed Senate Bill No. 3076, Substitute Senate Bill No. 3053, Substitute Senate Bill No. 3056 as amended by the House, Senate Bill No. 4021, Substitute House Bill No. 393 as amended by the Senate, Substitute House Bill No. 719 as amended by the Senate, Substitute Senate Bill No. 3497 as amended by the House, Senate Bill No. 4034, Senate Bill No. 3144, Substitute House Bill No. 482 as amended by the Senate, Substitute House Bill No. 488 as amended by the Senate, Engrossed Substitute House Bill No. 533 as amended by the Senate and Substitute Senate Bill No. 3087 as amended by the House. I would have also voted "Yes" on the amendments by Representatives B. Williams and Tilly to Senate Bill No. 3090.

Ray Isaacson, 8th District.

## MOTION

On motion of Mr. Heck, the House was adjourned until 9:00 a.m., Saturday, April 16, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## NINETY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 16, 1983

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Wilson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Kristina Fjellstad and Alex Efird. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 15, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 59,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 81,  
 SUBSTITUTE HOUSE BILL NO. 95,  
 HOUSE BILL NO. 146,  
 ENGROSSED HOUSE BILL NO. 180,  
 HOUSE BILL NO. 183,  
 ENGROSSED HOUSE BILL NO. 305,  
 ENGROSSED HOUSE BILL NO. 357,  
 ENGROSSED HOUSE BILL NO. 387,  
 SUBSTITUTE HOUSE BILL NO. 539,  
 HOUSE BILL NO. 741,  
 SUBSTITUTE HOUSE BILL NO. 855,  
 SUBSTITUTE HOUSE JOINT MEMORIAL NO. 19.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 15, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3053,  
 SENATE BILL NO. 3076,  
 SUBSTITUTE SENATE BILL NO. 3081,  
 SENATE BILL NO. 3084,  
 SENATE BILL NO. 3097,  
 SENATE BILL NO. 3144,  
 SENATE BILL NO. 3172,  
 SUBSTITTUTE SENATE BILL NO. 3174,  
 SENATE BILL NO. 3364,  
 SENATE BILL NO. 3588,  
 SENATE BILL NO. 4021,  
 SUBSTITTUTE SENATE BILL NO. 4034.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 15, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3248.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	HOUSE BILL NO.	59,
	SUBSTITUTE HOUSE BILL NO.	81,
	HOUSE BILL NO.	305,
	HOUSE BILL NO.	357,
	HOUSE BILL NO.	387,
	SUBSTITUTE HOUSE BILL NO.	393,
	SUBSTITUTE HOUSE BILL NO.	482,
	SUBSTITUTE HOUSE BILL NO.	488,
	SUBSTITUTE HOUSE BILL NO.	533,
	SUBSTITUTE HOUSE BILL NO.	539,
	SUBSTITUTE HOUSE BILL NO.	719,
	HOUSE BILL NO.	741,
	SUBSTITUTE HOUSE BILL NO.	855,
SUBSTITUTE HOUSE	JOINT MEMORIAL NO.	19,
	SUBSTITUTE SENATE BILL NO.	3053,
	SENATE BILL NO.	3076,
SUBSTITUTE SENATE	BILL NO.	3081,
	SENATE BILL NO.	3084,
	SENATE BILL NO.	3097,
	SENATE BILL NO.	3144,
	SENATE BILL NO.	3172,
SUBSTITUTE SENATE	BILL NO.	3174,
	SENATE BILL NO.	3364,
	SENATE BILL NO.	3588,
	SENATE BILL NO.	4021,
SUBSTITUTE SENATE	BILL NO.	4034.

## INTRODUCTION AND FIRST READING

SSB 3248 by Committee on Ways & Means (originally sponsored by Senators Lee, Wojahn, Kiskaddon, McDermott, Warnke, Patterson, Woody, Bottiger, Fleming, Rinehart, Fuller, Hemstad, Haley, Vognild, Hayner, Zimmerman, Jones, von Reichbauer, Bluechel, Granlund, Talmadge, Hurley, Shipoch, Deccio, Craswell and Bauer)

Requiring the salaries of persons in public employment to be adjusted to achieve comparable worth.

Referred to Committee on Ways & Means.

## MOTION

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

## THIRD READING

SENATE BILL NO. 3090 AS AMENDED BY THE HOUSE, by Senators Talmadge and Hughes

Modifying the budget and accounting act.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3090 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 0; absent, 11; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton,

Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 86.

Absent: Representatives Brekke, Burns, Grimm, King J, King R, Locke, Niemi, Smitherman, Todd, Van Dyken, Vekich - 11.

Excused: Representative Wilson - 1.

Senate Bill No. 3090 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. 3151, by Committee on Local Government (originally sponsored by Senators Thompson, Hayner, Bauer and Barr)

Modifying the provisions which limits the hiring of attorneys by counties.

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

Representatives Moon and McMullen spoke in favor of passage of the bill, and Representatives Isaacson and Padden spoke against it.

Mr. Moon spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3151, and the bill passed the House by the following vote: Yeas, 55; nays, 38; absent, 4; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Struthers, Sutherland, Tanner, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Holland, Isaacson, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Taylor, Tilly, West, Williams J - 38.

Absent: Representatives Locke, Niemi, Todd, Vekich - 4.

Excused: Representative Wilson - 1.

Substitute Senate Bill No. 3151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Representative Hine to preside.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3161, by Committee on Local Government (originally sponsored by Senators Granlund, Zimmerman and Thompson)

Authorizing service districts for authorized county and road district facilities and improvements.

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

Representatives Haugen, Powers and Charnley spoke in favor of passage of the bill, and Representatives Isaacson, Padden, Addison, Van Dyken and Schmidt spoke against it.

Ms. Powers spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Ms. Miller.

Ms. Miller: "Representative Van Dyken, something you said triggered a mechanism in my mind. The ordinary way a LID is formed is that sixty percent of the property owners request it. I think I heard you say that there is something different about the way they form this kind of a LID that might be an exact opposite to what I described as the usual way of doing it. Is that correct?"

Mr. Van Dyken: "Representative Miller, I wouldn't describe it as opposite, but it is contrary to the common understanding regarding this bill. The service district described in this bill is formed by the following procedures: The county legislative authority in whose jurisdiction this service district would be formed would, first of

all, give notice; then they would hold a public hearing and then they would vote whether or not to establish this service district according to the boundaries provided in the public notice. However, prior to that time, a petition may be given to the county legislative authority which would stop the passage or the formation of that district if the petition represented sixty percent of the property owners. It is a vote of the county legislative authority as opposed to a vote of the residents in order to establish it."

Representatives Miller, Hastings, G. Nelson and Hankins opposed the bill, and Representatives Smitherman, Sayan, Moon and Stratton spoke in favor of it.

Representatives Isaacson and Padden again opposed passage of the bill.

Representatives Prince, Bond and Schoon spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3161, and the bill failed to pass the House by the following vote: Yeas, 39; nays, 55; absent, 3; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Charnley, Ebersole, Fisch, Fisher, Gallagher, Galloway, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Lux, Martinis, McClure, Monohon, Moon, Nelson D, O'Brien, Powers, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Wang, Zellinsky, and Mr. Speaker - 39.

Voting nay: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Garrett, Grimm, Hankins, Hastings, Holland, Isaacson, Johnson, Kaiser, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J - 55.

Absent: Representatives McMullen, Niemi, Vekich - 3.

Excused: Representative Wilson - 1.

Reengrossed Substitute Senate Bill No. 3161, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Representative Smitherman, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Reengrossed Substitute Senate Bill No. 3161 failed to pass the House.

SENATE BILL NO. 3363 AS AMENDED BY THE HOUSE, by Senators Moore, Newhouse, Hansen and Thompson

Amending procedures for the selection of port district treasurers.

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

Representatives Moon and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3363 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 9; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Pruitt, Ristuben, Rust, Sanders, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Walk, Wang, West, Williams B, Williams J, and Mr. Speaker - 87.

Voting nay: Representatives Clayton, Nealey, Powers, Prince, Sayan, Schmidt, Smitherman, Vander Stoep, Zellinsky - 9.

Absent: Representative Vekich - 1.

Excused: Representative Wilson - 1.

Senate Bill No. 3363 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. 3991, by Senators Conner, Peterson and Bottiger

Establishing procedures for reducing and ending tolls on the Hood Canal Bridge.

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

Representatives Fisch, Martinis, McClure, Barrett, Prince, Vekich and Stratton spoke in favor of passage of the bill, and Representatives Schmidt, Patrick, Sanders, Isaacson and G. Nelson spoke against it.

Representatives Martinis and Fisch spoke again in favor of the bill, and Mr. Isaacson again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3991, and the bill passed the House by the following vote: Yeas, 69; nays, 28; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Bond, Broback, Brough, Cantu, Chandler, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Lewis, Long, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams J - 28.

Excused: Representative Wilson - 1.

Engrossed Senate Bill No. 3991, having received the 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 misvoted on ESB 3991. My vote should have been "Yes," but too many papers on my desk apparently caused me not to see which button I pushed.

LOIS STRATTON, 3rd District.

#### MOTION

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

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3811, by Committee on Local Government (originally sponsored by Senators Fleming, McDermott, McManus and Woody)

Revising the powers of housing authorities.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

Mr. Moon moved adoption of the committee amendment.

Mr. Barrett moved adoption of the following amendment to the committee amendment:

On page 13, after line 4 of the amendment, strike all the material down to and including "authority." on page 13, line 13 and insert the following:

~~"((14) To make loans to persons of low income incidental to rehabilitating their dwellings or selling a dwelling to them, and to take such security therefor as is deemed necessary and prudent by the authority:))"~~

Mr. Barrett spoke in favor of the amendment to the amendment, and Mr. Charnley spoke against it.

On motion of Mr. Charnley, further consideration of Engrossed Substitute Senate Bill No. 3811 was deferred, and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 3054.

The Speaker resumed the Chair.

SENATE BILL NO. 3655, by Senators Shinpoch, Moore, Goltz, McManus, Deccio and Warnke

Modifying provisions relating to podiatry.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang 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 Senate Bill No. 3655, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, Williams B, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Barnes, Bond, Tanner, West, Williams J - 5.

Excused: Representative Wilson - 1.

Senate Bill No. 3655, having received the 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. 3043, by Committee on Institutions (originally sponsored by Senator McCaslin)

Providing for notification to law enforcement agencies of institutional furloughs.

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

SENATE BILL NO. 3142, by Senators Thompson and Newhouse

Modifying financial disclosure requirements for public treasurers.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3142 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner,

Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wilson - 1.

Senate Bill No. 3142 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. 3094, by Committee on Local Government (originally sponsored by Senators Goltz, Zimmerman, Thompson and McCaslin)

Providing for latecomer fees for street improvements which were undertaken as a prerequisite to property development.

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

SUBSTITUTE SENATE BILL NO. 3642, by Committee on Judiciary (originally sponsored by Senators Wojahn, Patterson, Talmadge and Warnke - by Attorney General request)

Modifying provisions on charitable solicitations.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

On motion of Ms. Niemi, the committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3642 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Padden - 1.

Excused: Representative Wilson - 1.

Substitute Senate Bill No. 3642 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. 3054, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Revising certification of plumbers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3054, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,

Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Harugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wilson - 1.

Substitute Senate Bill No. 3054, having received the 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. 3811:

The House resumed consideration of the bill on second reading.

The Speaker declared the question before the House to be the amendment by Representative Barrett to the committee amendment.

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

Mr. Barrett moved adoption of the following amendment to the committee amendment:

On page 13, line 5 strike everything after "(15)" through "authority" on line 13, and insert "To make loans to persons of low income incidental to rehabilitating their dwellings or selling a dwelling to them, and to take such security therefor as is deemed necessary and prudent by the authority."

Representatives Barrett, Broback and G. Nelson spoke in favor of the amendment to the amendment, and Representatives Charnley and Moon spoke against it.

The amendment to the committee amendment was adopted.

Mr. Mitchell moved adoption of the following amendment by Representatives Mitchell, Van Dyken and Stratton to the committee amendment:

On page 14, line 32 after "Sec. 4." insert "There is added to chapter 35.21 RCW a new section to read as follows: Each city and town that has a comprehensive plan, zoning ordinances, or other land use controls establishing areas within the city or town, where only detached single family dwellings are allowed for residential purposes, shall permit the inclusion of separate living quarters in all detached single family residential dwellings located in such areas to be used by persons who are related by blood, adoption or marriage to an owner and occupant of the single family dwelling. These separate living quarters shall be authorized by conditional use permits, subject to reasonable conditions that may be established by local ordinances, including conditions relating to height, view, electrical wiring, plumbing, off street parking, minimum square footage, and other health, safety and welfare requirements. The conditional use permit may run to the property, or to the owner and occupant of the single family dwelling.

NEW SECTION. Sec. 5. There is added to chapter 36.32 RCW a new section to read as follows:

Each county that has a comprehensive plan, zoning ordinances, or other land use controls establishing areas within the county, where only detached single family dwellings are allowed for residential purposes, shall permit the inclusion of separate living quarters in all detached single family residential dwellings located in such areas to be used by persons who are related by blood, adoption or marriage to an owner and occupant of the single family dwelling. These separate living quarters shall be authorized by conditional use permits, subject to reasonable conditions that may be established by local ordinances, including conditions relating to height, view, electrical wiring, plumbing, off street parking, minimum square footage, and other health, safety and welfare requirements. The conditional use permit may run to the property, or to the owner and occupant of the single family dwelling.

NEW SECTION. Sec. 6."

#### POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I raise the question of scope and object on this amendment under House Rule 12(E) and Reed's Rule 160, and ask the Speaker to rule on this question."



## SPEAKER'S RULING

The Speaker has examined ESSB 3811 and the amendment. The bill is only concerned with local housing authorities, and yet the amendment is concerned with local zoning and not with local housing authorities. Your point is well taken.

The committee amendment as amended was adopted.

Engrossed Substitute Senate Bill No. 3811 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 3089, by Senators Goltz, Kiskaddon and Bauer

Permitting private schools to obtain a surety bond when making joint purchases with public schools.

The bill was read the second time.

Mr. Chandler moved adoption of the following amendment:

On page 2, after line 15, insert the following:

\*Sec. 2. Section 1, chapter 95, Laws of 1979 and RCW 28A.58.800 are each amended to read as follows:

RCW 28A.58.800 through 28A.58.810 shall be known and cited as 'The Transitional Bilingual Instruction Act of 1979'. ~~((The legislature finds that there are large numbers of children who come from homes where the primary language is other than English. Experience has shown that classes which are taught in English are inadequate to meet the needs of these children. The legislature finds that a bilingual education program can meet the needs of these children.))~~ Pursuant to the policy of this state to insure equal educational opportunity to every child ~~((in this state))~~, it is the purpose of RCW 28A.58.800 through 28A.58.810 to provide for the implementation of ~~((bilingual education))~~ special instruction to improve proficiency in English programs in the public schools, and to provide supplemental financial assistance to help ~~((local school districts to))~~ meet the extra costs of these programs.

Sec. 3. Section 2, chapter 95, Laws of 1979 and RCW 28A.58.802 are each amended to read as follows:

As used in RCW 28A.58.800 through 28A.58.810, unless the context thereof indicates to the contrary:

(1) 'Transitional bilingual instruction' means ~~((a system of instruction which uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable the pupil to achieve competency in English. Concepts and information are introduced in the primary language and reinforced in the second language. PROVIDED, That the program shall include testing in the subject matter in English.))~~ special instruction to improve proficiency in English. Such a program may include instruction in a student's primary language, but shall emphasize intensive English instruction and a rapid transition of the student to instruction in English.

(2) 'Primary language' means the language most often used by the student for communication in his/her home.

(3) 'Eligible pupil' means any enrollee of the school district 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 and other languages.

Sec. 4. Section 3, chapter 95, Laws of 1979 and RCW 28A.58.804 are each amended to read as follows:

Every school district board of directors shall:

(1) Make available to each eligible pupil ~~((bilingual instruction))~~ special instruction to improve proficiency in English in accord with rules of the superintendent of public instruction ~~((: PROVIDED, That such rules shall provide that any school district with a limited number of pupils of the same non-English dominant language shall not be required to activate a new bilingual program but may carry on an alternative instructional program utilizing resources available to the district)).~~

(2) Wherever feasible, ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the ~~((bilingual instruction))~~ program.

(3) Annually determine ~~((by administration of a test approved by the superintendent of public instruction))~~ the number of eligible pupils enrolled in the school district.

(4) Provide in-service training for all teachers, counselors, and other staff, who are involved in ~~((bilingual education))~~ the program within the district. Such training shall include appropriate instructional strategies for children of culturally different backgrounds, use of curriculum materials, and ~~((bilingual))~~ program models.

Sec. 5. Section 4, chapter 95, Laws of 1979 and RCW 28A.58.806 are each amended to read as follows:

Every school district board of directors may appoint, maintain, and receive recommendations from an advisory committee of persons including parents whose children are in the ((bilingual instruction)) special instruction to improve proficiency in English program, ((and bilingual)) program teachers, and other staff members.

Sec. 6. Section 5, chapter 95, Laws of 1979 and RCW 28A.58.808 are each amended to read as follows:

The superintendent of public instruction ((shall)) may prepare and issue ((prior to September, 1979, program development)) guidelines to assist school districts in preparing their programs. Rules for implementation of this ((bilingual instruction)) special instruction to improve proficiency in English program shall be promulgated by the superintendent of public instruction in accordance with chapter 34.04 RCW ((no later than May 15, 1980)). Such guidelines and rules shall maximize the role of school districts in selecting programs appropriate to meet needs of eligible pupils.

Sec. 7. Section 6, chapter 95, Laws of 1979 and RCW 28A.58.810 are each amended to read as follows:

The superintendent of public instruction shall prepare and submit biennially to the governor and the legislature a budget request for ((bilingual instruction)) special instruction to improve proficiency in English programs. Moneys appropriated by the legislature for the purposes of RCW 28A.58.800 through 28A.58.810 shall be allocated by the superintendent of public instruction to school districts for the sole purpose of operating ((an approved bilingual instruction program)) these programs. Priorities for funding shall exist for the early elementary grades. No moneys shall be allocated pursuant to this section to fund more than ((three school years of bilingual instruction)) two years of special instruction to improve proficiency in English for each eligible pupil within a district((-PROVIDED, That such moneys may be allocated to fund more than three school years of bilingual instruction for any pupil who fails to demonstrate improvement in English language skills adequate to remove impairment of learning when taught only in English. The superintendent of public instruction shall set standards and approve a test for the measurement of such English language skills)). In cases where the district can demonstrate that a pupil has failed to improve English skills sufficient to accomplish a transition to instruction in English, moneys may be allocated to fund up to one additional year of special instruction for that pupil. Any request for funds for instruction beyond this additional period shall be provided only after personal approval of the superintendent of public instruction. School districts are hereby empowered to accept grants, gifts, donations, devices and other gratuities from private and public sources to aid in accomplishing the purposes of RCW 28A.58.800 through 28A.58.810.

NEW SECTION. Sec. 8. This act shall take effect September 1, 1983.

NEW SECTION. Sec. 9. 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."

#### POINT OF ORDER

Mr. Wang: "Mr. Speaker, I would ask you to rule as to whether or not this amendment qualifies under scope and object of this bill."

#### SPEAKER'S RULING

The Speaker: "Representative Wang, Senate Bill 3089 deals with surety bonds as related to private schools. The amendment deals with the question of bilingual education, and it is the Speaker's ruling that it is outside the scope and object of the bill."

Senate Bill No. 3089 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3595, by Committee on State Government (originally sponsored by Senator Warnke)

Authorizing the department of veterans affairs to contract with veterans' organizations for services.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass with the following amendment:

On page 1, line 24 strike "fifty" and insert "forty-nine"

On motion of Mr. Walk, the committee amendment was adopted.

Substitute Senate Bill No. 3595 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3480, by Committee on Commerce & Labor (originally sponsored by Senators Bottiger and Newhouse)

Authorizing certain performers to elect industrial insurance coverage.

The bill was read the second time.

Mr. McClure moved adoption of the following amendments by Representatives McClure and Taylor:

On page 2, line 31 after "employs" insert "other than on a casual basis"

On page 3, line 5 after "entity" insert "or performs on a casual basis"

On page 3, line 6 after "performer" insert a comma

On page 3, line 7 strike "or partner" and insert "partner, or casual performer"

Representatives McClure and Taylor spoke in favor of the amendments, and they were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King, McClure and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3480 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wilson - 1.

Substitute Senate Bill No. 3480 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 12:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 12:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Lewis and Wilson, who were excused.

SENATE BILL NO. 3492, by Senators Goltz, Patterson, Gaspard and Hughes

Providing reciprocity for waiver of nonresident tuition between this state and Idaho and British Columbia.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 1, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Burns and Prince spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3492 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Long, Lux, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Armstrong, Fisch, Locke, Martinis, McClure - 5.

Excused: Representatives Lewis, Wilson - 2.

Senate Bill No. 3492 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. 4137, by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying provisions relating to adult corrections.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Dellwo moved adoption of the committee amendment.

On motion of Mr. Wang, the following amendments by Representatives Wang and Struthers to the committee amendment were adopted:

On page 3, line 16 after "abandoned" insert ": PROVIDED, That the provisions of this section shall be extended for up to six months for any inmate, transferred to another institution, who has no recorded next of kin, or person to whom the unclaimed property can be sent"

On page 8, line 25 after "employee" insert "or are performing work authorized pursuant to RCW 72.64.060 through 72.64.090"

Mr. Wang moved adoption of the following amendment to the committee amendment:

On page 8, line 29 after "act." insert "Work authorized under the authority granted by RCW 72.64.060 through 72.64.090 or in supervised community work programs authorized in section 9 of this 1983 act shall not displace existing public or private workforces which provide these services currently."

Mr. Wang spoke in favor of the amendment to the committee amendment, and Representatives Struthers, Kreidler and Patrick spoke against it.

Mr. Wang spoke again in favor of the amendment to the amendment.

The amendment to the committee amendment was not adopted.

Mr. Dellwo spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Mr. Dellwo, the committee amendment to the title was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo, Struthers and Van Dyken spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4137 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley,

Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Armstrong, Fisch, Locke, McClure - 4.

Excused: Representatives Lewis, Wilson - 2.

Substitute Senate Bill No. 4137 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 SECOND SUBSTITUTE SENATE BILL NO. 3230, by Committee on Ways & Means (originally sponsored by Senators Fleming, Bluechel, Wojahn, Hemstad, Quigg, Deccio, Fuller, McManus, von Reichbauer, Granlund, Lee, Bender, Kiskaddon and Bauer - by Governor Spellman request)

Establishing the office of minority and women's business enterprises.

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

#### MOTION

On motion of Mr. Wang, SENATE BILL NO. 3422 was rereferred from the second reading calendar to Committee on Rules.

SUBSTITUTE SENATE BILL NO. 3052, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Revising elevator laws.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3052, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Armstrong, Fisch, Locke, McClure - 4.

Excused: Representatives Lewis, Wilson - 2.

Substitute Senate Bill No. 3052, having received the 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. 3140, by Senators Thompson, Zimmerman and Woody

Modifying the number of required council members in code cities arising from a population change.

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

ENGROSSED SENATE BILL NO. 3523, by Senators Granlund, Owen and Metcalf (by Department of Corrections request)

Modifying time limits for furloughs for residents of state correctional institutions.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 93rd Day, April 12, 1983.)

Mr. Dellwo moved adoption of the committee amendments.

Representatives Dellwo and Struthers spoke in favor of the amendments, and they were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3523 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Armstrong, Fisch, Locke, McClure - 4.

Excused: Representatives Lewis, Wilson - 2.

Engrossed Senate Bill No. 3523 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. 3145, by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Modifying provisions on special fuel taxes.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 25, 1983.)

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

Senate Bill No. 3145 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3858, by Senators Barr, Thompson, Zimmerman, Bauer and Deccio

Authorizing the annexation of areas outside cities and towns upon consent of the property owners.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Ms. Haugen moved adoption of the committee amendment striking everything after the enacting clause. Representatives Haugen, Hine and Charnley spoke in favor of the committee amendment, and Representatives Van Dyken, Long and Broback spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Senate Bill No. 3858, and the amendment was adopted by the following vote: Yeas, 48; nays, 46; absent, 2; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 48.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Grimm, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J - 46.

Absent: Representatives Fisch, McClure - 2.

Excused: Representatives Lewis, Wilson - 2.

On motion of Ms. Haugen, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Moon spoke in favor of the bill, and Mr. Van Dyken spoke against it.

## POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Hine, I'm sorry I didn't have a chance to speak with you about this question before, but all of a sudden several of us were reminded of the attempt by the City of Seattle to annex some of the territory that is very high-valued commercial property in the South Park area, and we wondered if this is a back-door way for Seattle to do this?"

Ms. Hine: "Representative Barnes, this is not the Boeing amendment."

Mr. Barnes spoke against passage of the bill, and Mr. Isaacson spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3858 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 17; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Barnes, Bond, Broback, Cantu, Clayton, Dellwo, Dickie, Long, McDonald, Miller, Nelson G, Ristuben, Sanders, Taylor, Tilly, Van Dyken, Vander Stoep - 17.

Excused: Representatives Lewis, Wilson - 2.

Engrossed Senate Bill No. 3858 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

My vote was incorrectly recorded as "Yea" on ESB 3858 as amended by the House. I was in the process of voting "Nay" when the voting machine locked. I am opposed to ESB 3858.

MIKE PADDEN, 4th District.

The Speaker (Mr. O'Brien presiding) called on Mr. Heck to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3251, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Jones, Bottiger and Williams)

Regulating portable oil fueled heaters.

The bill was read the second time.

Mr. Todd moved adoption of the following amendments:

On page 1, line 12 strike "and safety-tested," and insert "safety-tested, and contain proper instructions for safe use."

On page 1, strike lines 26 and 27 and insert "evaluated in accordance with a standard designed to provide maximum safety and protection for the users of portable oil-fueled heaters, including the Underwriters Laboratories, Inc. standard for portable oil-fueled heaters or a substantially safer portable oil-fueled heater standard."

Representatives Todd, Schoon and Bond spoke in favor of the amendments, and Representatives Struthers, Barrett, Isaacson, Broback, Smitherman and Fuhrman spoke against them.

Mr. Todd spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Todd moved adoption of the following amendments:

On page 2, line 3 after "as being" strike "reasonably"

On page 2, line 7 after "set forth" strike the period and insert "and shall include an evaluation of the air-quality and safety hazards of portable oil-fueled heaters."

On page 2, line 9 after "approved" strike "if it" and insert "and which"

On page 2, line 10 after "or" insert "later"

On page 2, strike line 34 and insert "(a) The necessity for and definitional description of an adequate source of ventilation to assure proper air quality when the"

Mr. Todd spoke in favor of the amendments, and Mr. Fuhrman spoke against them. The amendments were not adopted.

The Clerk read the following amendment by Representative Todd:

On page 3, strike lines 17, 18 and 19 and insert "(5) Approved portable oil-fueled heaters shall not produce carbon monoxide or other hazardous gases at rates or in quantities which will endanger the health or lives of portable oil-fueled heater users."

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

Engrossed Substitute Senate Bill No. 3251 was passed to Committee on Rules for third reading.

SENATE BILL NO. 4204, by Senators Wojahn, Zimmerman, Bauer, Haley, Deccio, Vognild, Warnke and Bender

Permitting the state board of health to exist for two additional years.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Kreidler moved adoption of the committee amendment striking everything after the enacting clause.

Mr. Braddock moved adoption of the following amendment to the committee amendment by Representatives Braddock, Fiske and Fisher:

On page 1, line 5 of the amendment, strike everything beginning with "Strike" through "1983." on page 148, line 2 and insert the following:

"Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 161, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1980 and RCW 70.38.015 are each amended to read as follows:

~~((In consideration of the findings made and national health priorities declared by the congress in the National Health Planning and Resources Development Act of 1974, Public Law 93-64:))~~ It is declared to be the public policy of this state:

(1) That health planning ~~((for promoting, maintaining, and assuring a high level of))~~ to promote, maintain, and assure the health ~~((for))~~ of all citizens ~~((of))~~ in the state, ~~((and for the provision of))~~ to provide accessible health services, health manpower, health facilities, and other resources while controlling excessive increases in costs, and to recognize prevention as a high priority in health programs, is essential to the health, safety, and welfare of the people of the state. ~~((Such planning is necessary))~~ Health planning should be fostered on both a state-



wide and regional basis and must maintain responsiveness to changing health and social needs and conditions. ~~((The marshaling of all health resources to assure the quality and availability of health services to every person must be the goal of such planning, which must likewise assure optimum efficiency, effectiveness, equity, coordination, and economy in development and implementation to reach that goal.)) Involvement in health planning from both consumers and providers throughout the state should be encouraged. Regional health planning under ~~((the provisions of))~~ this chapter and in a manner consistent with RCW 36.70.015 is declared to be a proper public purpose for the expenditure of funds of counties or other public entities interested in local and regional health planning:~~

~~(2) ((That the development and offering of new institutional health services should be accomplished in a manner which is orderly, timely, economical, and consistent with the effective development of necessary and adequate means of providing quality health care for persons to be served by such facilities without unnecessary duplication or fragmentation of such facilities;~~

~~(3)) That the development of health services and resources, including the construction, modernization, and conversion of health facilities, should be accomplished in a planned, orderly fashion, consistent with identified priorities and without unnecessary duplication or fragmentation;~~

~~((4)) (3) That the development and maintenance of adequate health care information ~~((and)),~~ statistics and projections of need for health facilities and services is essential to effective health planning and resources development ~~((be accomplished));~~~~

~~((5)) (4) That the ~~((strengthening of competitive forces in the health services industry, wherever competition and consumer choice can constructively serve to advance the purposes of quality assurance, cost effectiveness, and access, should be implemented;~~~~

This chapter has been updated to reflect amendments to the National Health Planning and Resources Development Act of 1974, Public Law 93-641, by the Health Planning and Resources Development Amendments of 1979, Public Law 96-79) development of nonregulatory approaches to health care cost containment should be considered, including the strengthening of price competition;

(5) That health planning should be concerned with financing, access, and quality, recognizing the close interrelationship of the three and emphasizing cost control of health services, including cost-effectiveness and cost-benefit analysis;

(6) That this chapter should be construed to effectuate this policy and to be consistent with requirements of the federal health planning and resources development laws.

Sec. 2. Section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 1, chapter 119, Laws of 1982 and RCW 70.38.025 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

(1) ~~((Annual implementation plan' means a description of objectives which will achieve goals of the health systems plan and specific priorities among the objectives. The annual implementation plan is for a one-year period and must be reviewed and amended as necessary on an annual basis.~~

~~((2)) 'Board of health' means the state board of health created pursuant to chapter 43.20 RCW.~~

~~((3)) (2) 'Capital expenditure' is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to certificate of need review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.~~

~~((4)) (3) 'Council' means the state health coordinating council created in RCW 70.38.055 and described in Public Law 93-641.~~

~~((5)) (4) 'Department' means the state department of social and health services.~~

~~((6)) (5) 'Expenditure minimum' means, for the purposes of the certificate of need program, ((six hundred thousand)) one million dollars ~~((for the twelve-month period beginning with October 1979, and for each twelve-month period thereafter the figure in effect for the preceding twelve-month period, adjusted to reflect the change in the preceding twelve-month period in an index established by rules and regulations by the department of social and health services for the purpose of making such adjustment))~~ adjusted by the department by rule to~~

reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

((P)) (6) 'Federal law' means Public Law 93-641, as amended, or its successor.

(7) 'Health care facility' means hospices, hospitals, psychiatric hospitals, tuberculosis hospitals, alcoholism hospitals, nursing homes, kidney disease treatment centers, ambulatory surgical facilities, rehabilitation facilities, and home health agencies, and includes such facilities when owned and operated by the state or by a political subdivision or instrumentality of the state and such other facilities as required by ((Public Law 93-641)) federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; (c) whose rate reviews are waived by the state hospital commission; and (d) if not contrary to federal law as necessary to the receipt of federal funds by the state.

(8) 'Health maintenance organization' means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health Services Act; or

(b) (i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(9) 'Health services' means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in ((Public Law 93-641)) federal law.

((10) 'Health systems agency' means a public regional planning body or a private nonprofit corporation which is organized and operated in a manner that is consistent with the laws of the state of Washington and Public Law 93-641 and which is capable of performing each of the functions described in RCW 70.38.085 and is capable as determined by the secretary of the United States department of health and human services, upon recommendation of the governor or of the council, of performing each of the functions described in the federal law.

(11) 'Health systems plan' means a detailed statement of goals and resources required to reach those goals as described in Public Law 93-641. Goals describe a healthful environment and health systems in the health service area which, when developed, will assure that quality health services will be available and accessible in a manner which assures continuity of care, at reasonable cost, for all residents of the area; are responsive to the unique needs and resources of the health service area; take into account national guidelines for health planning policy and are responsive to state-wide health needs as determined by the department. The health systems plan also describes institutional health services and such other services as described in Public Law 96-79 as needed to provide for the well-being of persons receiving care within the health service area. The health system plan shall describe the number and type of resources including facilities, personnel, medical equipment, and other resources required to meet the goals in the health system plan and shall state the extent to which existing health care facilities are in need of modernization or conversion and the extent to which new facilities need to be constructed or acquired. The health system plan shall be developed in accordance with a format established by the council and shall be reviewed and amended as necessary but at least triennially.

((2)) (10) 'Health service area' means a geographic region appropriate for effective health planning which includes a broad range of health services and a population of at least four hundred fifty thousand persons.

(11) 'Institutional health services' means health services provided in or through health care facilities and entailing annual operating costs of at least ((two)) five hundred ((fifty)) thousand dollars ((for the twelve-month period beginning with October 1979 and for each twelve-month period thereafter the figure in effect for the preceding twelve-month period, adjusted to reflect the change in the preceding twelve-month period in an index established by rules and regulations by the department of social and health services.

((13) 'Long-range health facility plan' means a document prepared by each hospital which contains a description of its plans for substantial changes in its facilities and services for three years)) adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule: PROVIDED, That no new health care facility may be initiated as an institutional health service.

~~((14)) (12) 'Major medical equipment' means medical equipment which is used for the provision of medical and other health services and which costs in excess of ((four hundred thousand)) one million dollars, adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule; except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act:~~

~~((15)) (13) 'Person' means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.~~

~~((16)) (14) 'Provider' generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be ((in accord with Public Law 93-641)) established by rule of the department, consistent with federal law.~~

~~((17) 'Public Law 93-641', for the purposes of this chapter, refers to Titles XV and XVI of the Public Health Service Act as amended by the Health Planning and Resources Development Amendments of 1979 (Public Law 96-79):~~

~~((18)) (15) 'Public health' means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.~~

~~(16) 'Regional health council' means a public regional planning body or a private non-profit corporation which is organized and operated in a manner that is consistent with the laws of the state and which is capable of performing each of the functions described in RCW 70.38.085. A regional health council shall have a governing body for health planning which is composed of a majority (but not more than sixty percent of the members) of persons who are residents of the health service area served by the entity; who are consumers of health care; who are broadly representative of the social, economic, linguistic, and racial populations, and geographic areas of the health service area, and major purchasers of health care; and who are not, nor within the twelve months preceding appointment have been, providers of health care. The remainder of the members shall be residents of the health service area served by the agency who are providers of health care.~~

~~(17) 'Regional health plan' means a document which provides at least a statement of health goals and priorities for the health service area. In addition, it sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.~~

~~(18) 'State health plan' means a document((described in Public Law 96-79)) developed ((by the department and the council)) in accordance with RCW 70.38.065.~~

Sec. 3. Section 3, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.035 are each amended to read as follows:

The department is designated((:)) as the state health planning and development agency((: as the sole and official agency of the state to administer and supervise the administration of the state responsibilities pursuant to The National Health Planning and Resources Development Act of 1974, Public Law 93-641, and rules and regulations promulgated thereunder)). The department is designated as the agency of this state to accept, receive, retain, and administer federal funds made ((pursuant to the provisions of Public Law 93-641)) available for health planning and the certificate of need program. Nothing in this chapter shall be construed to affect the authority of the state hospital commission pursuant to chapter 70.39 RCW.

Sec. 4. Section 4, chapter 161, Laws of 1979 ex. sess. as amended by section 3, chapter 139, Laws of 1980 and RCW 70.38.045 are each amended to read as follows:

The department is authorized and empowered to:

(1) Exercise such duties and powers as are prescribed for state health planning and development agencies in ((Public Law 93-641, including but not limited to the following: ((1) conduct health planning activities;)) federal law, consistent with the policy of this chapter;

(2) Assist the state health coordinating council in determining state-wide needs and conducting health planning activities, review the state health plan as developed by the council and submit the plans and recommendations as to approval or modification to the governor, and implement the state health plan ((and the plans of the health systems agencies within the state which relate to the government of the state, and determine state-wide health needs)) as approved by the governor. In implementing the state health plan, the department shall be assisted by such other agencies of state government as the governor may designate;

~~((2) Prepare and review at least triennially and revise as necessary a preliminary state health plan;))~~

(3) ~~((Assist the council in))~~ Consider recommendations from the council and assign, subject to the continuing approval of the council, an executive director, who shall be exempt from

chapter 41.06 RCW, and provide such additional dedicated staffing assistance as necessary for the performance of its functions ((generally, in implementing the state health plan, the department shall be assisted by such other agencies of state government as the governor may designate) to work under the direction and supervision of the director;

(4) Serve as the designated planning agency of the state for the purposes of section 1122 of the Social Security Act, if the department maintains an agreement with the secretary, United States department of health and human services pursuant to section 1122 of Public Law 92-603, and administer a state certificate of need program as provided in RCW 70.38.105, 70.38.115, and 70.38.125;

(5) After consideration of recommendations, if any, submitted by the ~~((health systems agencies)) designated regional health councils~~ respecting proposed undertakings which are subject to certificate of need review under the provisions of this chapter, making findings as to the need for such undertakings;

(6) ~~((Review on a periodic basis, not less than every five years, at least those institutional and home health services being offered in the state with respect to which priority goals have been established in the state health plan and, after consideration of recommendations submitted by health systems agencies respecting the appropriateness of such services, make public its findings;~~

~~((7)) Coordinate and consult in the conduct of its authorized activities with the Washington state hospital commission, the council, ((the designated state mental health authority)) designated regional health councils, and ((such) other state agencies designated by the governor;~~

~~((8) Prepare an inventory of the nonfederal health care facilities located in the state and evaluate on an ongoing basis the physical condition of such facilities;~~

~~((9) Determine the state-wide health needs of the state after providing reasonable opportunity for the submission of written recommendations from the health systems agencies and such agencies as shall be designated by the governor and after consulting with the council;))~~

(7) Consider the recommendations of the council, designated regional health councils, and the state health plan in development of its biennial budget; and

(8) Approve and deny applications for certificates of need,

Sec. 5, Section 6, chapter 161, Laws of 1979 ex. sess. as amended by section 5, chapter 139, Laws of 1980 and RCW 70.38.065 are each amended to read as follows:

The council is authorized and empowered to:

(1) Exercise such duties and powers as are required for state-wide health coordinating councils in ~~((P.L. 93-641, including but not limited to the following: (1)) federal law.~~

(2) Establish, in consultation with the ~~((health systems agencies and the department;)) designated regional health councils, requirements for a uniform format ~~((for health systems plans: review and coordinate)) and content for materials to be submitted by regional health councils to assist in development of the state health plan, and develop at least ((triennially)) biennially the state health ((systems)) plan, ((and review at least annually the annual implementation plan of each health systems agency and report to the secretary of health and human services its comments;~~~~

~~((2) Prepare, review at least triennially, and revise as necessary a state health plan which shall be made up of the health systems plans of the health systems agencies and which plan may, as found necessary by the state health coordinating council, contain revisions of such health systems plans to achieve their appropriate coordination or to deal more effectively with state-wide health needs as determined by the department. The plan shall also describe the institutional health services needed to provide for the well-being of persons receiving care within the state, the number and type of resources required to meet the goals of the plan, and the extent to which existing health care facilities are in need of modernization, conversion, or closure and the extent to which new facilities need to be constructed or acquired. The state health plan, approved by the council, shall be the state health plan for the state for purposes of Public Law 93-641 after its approval by the governor;~~

~~((3) Review annually the budget of each health systems agency and report to the secretary of the United States department of health and human services its comments on such budget;~~

~~((4) Review applications submitted by the health systems agencies for planning and development grants, and report to the secretary of the United States department of health and human services its comments;~~

~~((5) Advise the department generally on the performance of its functions;~~

~~((6))The state health plan shall provide a statement of state health policies, goals, and priorities. In addition, it shall set forth the number, type, and distribution of health care facilities and services needed within the state. In developing the state health plan the board shall consult with the designated regional health councils and shall consider regional health plans.~~

(3) Submit the ~~((approved state)) council-adopted health plan to the secretary for review and comment and submission to the governor for adoption as the state health plan for the state. The governor may disapprove or modify the ((state health)) plan ((only if the governor determines the plan does not effectively meet the state-wide health needs that have been identified by the department)). The governor, in disapproving or modifying a state health plan, shall ((make public a detailed statement of the basis for the determination that the plan does not~~

meet such needs and shall specify the changes in the plan which the governor determines are needed to meet such needs. The plan shall then be revised after public hearing in accordance with the governor's statement.

(7) Perform such duties in connection with the state health plan as may be required as a condition to the receipt of federal funds as described in Public Law 93-641; make public a written explanation of the actions taken. As approved by the governor, the plan shall be the state health plan.

Sec. 6. Section 8, chapter 161, Laws of 1979 ex. sess. as amended by section 6, chapter 139, Laws of 1980 and RCW 70.38.085 are each amended to read as follows:

((There shall be established in accordance with Public Law 93-641, and implementing regulations:)) The council shall establish health service areas within the state and ((health systems agencies)) designate regional health councils organized, composed, and established in accordance with ((such law)) this chapter and criteria established by the council, considering the resources available for such purpose.

Each ((health systems agency)) designated regional health council shall have as its primary responsibility the provision of effective health planning for its health service area and the promotion ((of the development within the area)) of health services, manpower, and facilities which meet identified needs(;) and reduce documented inefficiencies(;- and implement the health plans of the agencies which shall include all classes of health care practitioners)). To meet its primary responsibility, a ((health systems agency)) designated regional health council shall carry out ((such functions as are prescribed for health systems agencies in Public Law 93-641, including but not limited to)) the following functions:

(1) ((Assemble and analyze data concerning: The status and its determinants of the health of the residents of its health service area; the status of the health care delivery system in the area and the use of that system by the residents of the area; the effect which the area's health care delivery system has on the health of the residents of the area; the number, type, and location of the area's health resources including health services, manpower, and facilities; the patterns of utilization of the area's health resources; and the environmental and occupational exposure factors affecting immediate and long-term health conditions)) Exercise such duties, powers, and responsibilities as are prescribed for health systems agencies in federal law, consistent with the policy of this chapter.

(2) Identify local health problems and concerns and assemble and analyze health data and information consistent with the requirements of the board;

((2) Establish)) (3) Develop, consistent with the ((format)) criteria established by the council, ((a health systems plan)) other materials of assistance to the council in preparation of the state health plan;

((3) Establish, annually review, and amend as necessary an annual implementation plan which describes objectives which will achieve the goals of the health systems plan and priorities among the objectives;

(4) Develop and publish specific plans and projects for achieving the objectives of the annual implementation plan;

(5)) (4) Review and make recommendations to the ((department)) council respecting the need for ((new institutional)) health services ((proposed to be offered or developed)) in the health service area of ((such health systems agency)) the council;

((6) Review on a periodic basis, at least every five years, at least those institutional and home health services offered in the health service area of the agency and with respect to which priority goals have been established in the state health plan, and make recommendations to the department respecting the appropriateness of such services in the area; and

(7)) (5) Seek the assistance of individuals and public and private entities in the health service area, to the extent practicable(;- in implementing the health systems plan and annual implementation plan); and

(6) Exercise such other duties and functions as may be established by the council or department to fulfill the intent and purposes of this chapter, which may include review, analysis, and recommendations on applications for certificates of need.

In addition, the regional health councils may establish, biennially review, and amend as necessary a regional health plan which provides at least a statement of health goals and priorities for the health service area and sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.

Sec. 7. Section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter 119, Laws of 1982 and RCW 70.38.105 are each amended to read as follows:

(1) The department is authorized and directed to implement the certificate of need program in this state pursuant to the provisions of this chapter.

(2) There shall be a state certificate of need program which is administered consistent with the ((provisions of Public Law 93-641)) requirements of federal law as necessary to the receipt of federal funds by the state.

(3) No person shall engage in any undertaking which is subject to certificate of need review under subsection (4) of this section without first having received from the department either a certificate of need or an exception granted in accordance with this chapter.

(4) The following shall be subject to certificate of need review under this chapter:

(a) The construction, development, or other establishment of a new health care facility;

(b) Any capital expenditure by or on behalf of a health care facility which substantially changes the services of the facility after January 1, 1981, provided that the substantial changes in services are specified by the department in rule;

(c) Any capital expenditure by or on behalf of a health care facility which exceeds the expenditure minimum as defined by RCW 70.38.025~~((6))~~. However, a capital expenditure which is not subject to certificate of need review under (a), (b), (d), (e), or (f) of this subsection and which is solely for any one or more of the following is not subject to certificate of need review except to the extent required by the federal government as a condition to receipt of federal assistance and does not substantially affect patient charges:

(i) Communications and parking facilities;

(ii) Mechanical, electrical, ventilation, heating, and air conditioning systems;

(iii) Energy conservation systems;

(iv) Repairs to, or the correction of, deficiencies in existing physical plant facilities which are necessary to maintain state licensure;

(v) Acquisition of equipment, including data processing equipment, which is not or will not be used in the direct provision of health services;

(vi) Construction which involves physical plant facilities, including administrative and support facilities, which are not or will not be used for the provision of health services;

(vii) Acquisition of land; and

(viii) Refinancing of existing debt;

(d) A change in bed capacity of a health care facility which increases the total number of licensed beds or redistributes beds among facility and service categories of acute care, skilled nursing, intermediate care, and boarding home care if the bed redistribution is to be effective for a period in excess of six months;

(e) Acquisition of major medical equipment:

(i) If the equipment will be owned by or located in a health care facility; or

(ii) If, after January 1, 1981, the equipment is not to be owned by or located in a health care facility, the department finds consistent with federal regulations the equipment will be used to provide services for hospital inpatients, or the person acquiring such equipment did not notify the department of the intent to acquire such equipment at least thirty days before entering into contractual arrangements for such acquisition;

(f) Any new institutional health services which are offered in or through a health care facility, and which were not offered on a regular basis by, in, or through such health care facility within the twelve-month period prior to the time such services would be offered; and

(g) Any expenditure by or on behalf of a health care facility in excess of the expenditure minimum made in preparation for any undertaking under subsection (4) of this section and any arrangement or commitment made for financing such undertaking. Expenditures of preparation shall include expenditures for architectural designs, plans, working drawings, and specifications. The department may issue certificates of need permitting predevelopment expenditures, only, without authorizing any subsequent undertaking with respect to which such predevelopment expenditures are made.

(5) No person may divide a project in order to avoid review requirements under any of the thresholds specified in this section.

Sec. 8. Section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115 are each amended to read as follows:

(1) Certificates of need shall be issued, denied, suspended, or revoked by the designee of the secretary of the department~~((- or his designee;))~~ in accord with the provisions of this chapter and rules ~~((and regulations proposed by))~~ of the department ~~((and adopted by the board of health pursuant to this chapter. Rules and regulations shall))~~ which establish review procedures and criteria for the certificate of need program.

(2) Criteria for the review of certificate of need applications, except as provided in subsection (3) of this section for health maintenance organizations, shall include but not be limited to consideration of the following:

(a) The relationship of the health services being reviewed to the applicable health plans;

~~((b) (The relationship of services reviewed to the long-range development plan, if any, of the persons providing or proposing such services;~~

~~((c))~~ (c) The need that the population served or to be served by such services has for such services;

~~((d))~~ (c) The availability of less costly or more effective alternative methods of providing such services;

~~((e))~~ (d) The ~~((immediate and the long-range))~~ financial feasibility ~~((of the proposal as well as))~~ and the probable impact of the proposal on the cost of and charges for providing

health services ((by the persons proposing the new institutional health service)), including findings and recommendations of the Washington state hospital commission in the case of applications submitted by hospitals;

~~((f) The relationship of the services proposed to be provided to the existing health care system of the area in which such services are proposed to be provided;~~

~~((g)) (e) In the case of health services to be provided, (i) ((the availability of resources including health manpower, management personnel, and funds for capital and operating needs for the provision of the services; (ii)) the availability of alternative uses of ((such)) project resources for the provision of other health services, ((iii) the effect of the means proposed for the delivery of such services on the clinical needs of health professional training programs in the area in which such services are to be provided; (iv) the extent to which health professions schools in the area will have access to the services for training purposes if such services are to be available in a limited number of facilities; and (v)) (ii) the extent to which such proposed services will be accessible to all residents of the area to be served ((When an application is made by an osteopathic or allopathic facility for a certificate of need to construct, expand, or modernize a health care facility, acquire major medical equipment, or add services, the need for that construction, expansion, modernization, acquisition of equipment, or addition of services shall be considered on the basis of)), and (iii) the need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients. The department shall consider the application in terms of its impact on existing and proposed institutional training programs for doctors of osteopathy and medicine at the student, internship, and residency training levels;~~

~~((h) Special needs and circumstances of those entities which provide a substantial portion of their services or resources, or both, to individuals not residing in the health service areas in which the entities are located or in adjacent health service areas;~~

~~(i) The special needs and circumstances of health maintenance organizations;~~

~~((j)) (f) In the case of a construction project, the costs and methods of the proposed construction, including the cost and methods of energy provision, and the probable impact of the construction project reviewed (i) on the cost of providing health services by the person proposing such construction project and (ii) on the cost and charges to the public of providing health services by other persons;~~

~~((k)) (g) The special needs and circumstances of osteopathic hospitals and nonallopathic services;~~

~~((l) The special circumstances of health service institutions and the need for conserving energy;~~

~~(m) The factors which affect the effect of competition on the supply of the health services being reviewed;~~

~~((n)) (h) Improvements or innovations in the financing and delivery of health services which foster ((competition)) cost containment and serve to promote quality assurance and cost-effectiveness;~~

~~((o)) (i) In the case of health services proposed to be provided, the efficiency and appropriateness of the use of existing services and facilities similar to those proposed; and~~

~~((p)) (j) In the case of existing services or facilities, the quality of care provided by such services or facilities in the past.~~

~~(3) A certificate of need application of a health maintenance organization or a health care facility which is controlled, directly or indirectly, by a health maintenance organization, shall be approved by the department if the department finds ((in accordance with criteria prescribed by the secretary of the United States department of health and human services by regulation));~~

~~(a) Approval of such application is required to meet the needs of the members of the health maintenance organization and of the new members which such organization can reasonably be expected to enroll; and~~

~~(b) The health maintenance organization is unable to provide, through services or facilities which can reasonably be expected to be available to the organization, its institutional health services in a reasonable and cost-effective manner which is consistent with the basic method of operation of the organization and which makes such services available on a long-term basis through physicians and other health professionals associated with it.~~

~~A health care facility (or any part thereof) or medical equipment with respect to which a certificate of need was issued under this subsection may not be sold or leased and a controlling interest in such facility or equipment or in a lease of such facility or equipment may not be acquired unless the department issues a certificate of need approving the sale, acquisition, or lease.~~

~~(4) ((When a hospital has developed a long-range health facility plan, pursuant to RCW 70.36.145, and the proposed new institutional health service is consistent with such plan, an expedited review process shall be instituted by the department as it has been done since the enactment of chapter 70.36 RCW in 1971;~~

~~(5)) The decision of the department on a certificate of need application shall be consistent with the state health plan in effect, except in emergency circumstances which pose a threat to~~

the public health. The department in making its final decision may issue a conditional certificate of need if it finds that the project is justified only under specific circumstances. The conditions shall directly relate to the project being reviewed. The conditions may be released if it can be substantiated that the conditions are no longer valid and the release of such conditions would be consistent with the purposes of this chapter.

((6)) (5) Criteria adopted for review in accordance with subsection (2) of this section may vary according to the purpose for which the particular review is being conducted or the type of health service reviewed.

((7)) (6) The department shall specify information to be required for certificate of need applications. Within fifteen days of receipt of the application, the department shall request additional information considered necessary to the application or start the review process. Applicants may decline to submit requested information through written notice to the department, in which case review starts on the date of receipt of the notice. Applications may be denied or limited because of failure to submit required and necessary information.

(7) Concurrent review is for the purpose of comparative analysis and evaluation of competing or similar projects in order to determine which of the projects may best meet identified needs. Categories of projects subject to concurrent review include at least new health care facilities, new services, and expansion of existing health care facilities. The department shall specify time periods for the submission of applications for certificates of need subject to concurrent review, which shall not exceed ninety days. Review of concurrent applications shall start fifteen days after the conclusion of the time period for submission of applications subject to concurrent review. Concurrent review periods shall be limited to one hundred fifty days, except as provided for in rules adopted by the department authorizing and limiting amendment during the course of the review, or for an unresolved pivotal issue declared by the department.

(8) Review periods for certificate of need applications other than those subject to concurrent review shall be limited to ninety days. Review periods may be extended up to thirty days if needed by a review agency, and for unresolved pivotal issues the department may extend up to an additional thirty days. A review may be extended in any case if the applicant agrees to the extension.

(9) The department or a designated regional health council shall conduct a public hearing on a certificate of need application if requested unless the review is expedited or subject to emergency review. The department by rule shall specify the period of time within which a public hearing must be requested and requirements related to public notice of the hearing, procedures, recordkeeping and related matters.

(10) Any applicant denied a certificate of need or whose certificate of need has been suspended or revoked shall be afforded an opportunity for administrative review in accordance with chapter 34.04 RCW and a hearing shall be held within one hundred twenty days of a request therefor. An administrative law judge shall review the decision of the secretary's designee and render a proposed decision for consideration by the secretary in accordance with chapter 34.12 RCW or remand the matter to the secretary's designee for further consideration. The secretary's final decision is subject to review by the superior court as provided in chapter 34.04 RCW.

(11) The department may establish procedures and criteria for reconsideration of decisions.

(12) An amended certificate of need shall be required for the following modifications of an approved project:

(a) A new service;

(b) An expansion of a service beyond that originally approved;

(c) An increase in bed capacity;

(d) A significant reduction in the scope of a project without a commensurate reduction in the cost of the project, or a cost increase (as represented in bids on a construction project or final cost estimates acceptable to the person to whom the certificate of need was issued) if the total of such increases exceeds twelve percent or fifty thousand dollars, whichever is greater, over the maximum capital expenditure approved. The review of reductions or cost increases shall be restricted to the continued conformance of the project with the review criteria pertaining to financial feasibility and cost containment.

((8)) (13) An application for a certificate of need for a capital expenditure which is determined by the department to be required to eliminate or prevent imminent safety hazards or correct violations of applicable licensure and accreditation standards shall be approved ((as specified in PL 93-641, section 1527(c)).

Sec. 9, Section 12, chapter 161, Laws of 1979 ex. sess. as amended by section 10, chapter 139, Laws of 1980 and RCW 70.38.125 are each amended to read as follows:

(1) A certificate of need shall be valid for two years: PROVIDED, That one six-month extension may be made if it can be substantiated that substantial and continuing progress toward commencement of the project has been made as defined by regulations to be adopted pursuant to this chapter.



(2) A project for which a certificate of need has been issued shall be commenced during the validity period for the certificate of need.

(3) The department, in cooperation with the ~~((health systems agencies established in the state under the provision of Public Law 93-641))~~ regional health councils, and the hospital commission(:) in the case of hospital projects, shall monitor the costs and components of approved projects to assure conformance with certificates of need that have been issued. Rules and regulations adopted shall specify when changes in the cost or components of a project require reevaluation of the project. The department may require applicants to submit periodic progress reports on approved projects or other information as may be necessary to effectuate its monitoring responsibilities.

(4) The secretary of the department, in the case of a new health facility, shall not issue any license unless and until a prior certificate of need shall have been issued by the department for the offering or development of such new health facility.

(5) Any person who engages in any undertaking which requires certificate of need review ~~((under RCW 70.38.085(4))~~ without first having received from the department either a certificate of need or an exception granted in accordance with this chapter shall be liable to the state in an amount not to exceed one hundred dollars a day for each day of such unauthorized offering or development. Such amounts of money shall be recoverable in an action brought by the attorney general on behalf of the state in the superior court of any county in which the unauthorized undertaking occurred. Any amounts of money so recovered by the attorney general shall be deposited in the state general fund.

(6) The department may bring any action to enjoin a violation or the threatened violation of the provisions of this chapter or any rules and regulations adopted pursuant to this chapter, or may bring any legal proceeding authorized by law, including but not limited to the special proceedings authorized in Title 7 RCW, in the superior court in the county in which such violation occurs or is about to occur, or in the superior court of Thurston county.

Sec. 10. Section 13, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.135 are each amended to read as follows:

~~((+))~~ The secretary of the department shall have authority to:

~~((a))~~ (1) Provide when needed temporary or intermittent services of experts or consultants or organizations thereof, by contract, when such services are to be performed on a part time or fee-for-service basis; ~~((and~~

~~((b))~~ (2) Make or cause to be made such on-site surveys of health care or medical facilities as may be necessary to the development of the state health plan ~~((and state medical facilities plan))~~ and the administration of the certificate of need program(:);

~~((z))~~ (3) Upon review of recommendations ~~((of the department))~~, if any, from the board of health ~~((shall have authority to))~~:

(a) Promulgate ~~((and enforce))~~ rules ~~((and regulations))~~ under which health care facilities providers doing business ~~((with))~~ within the state shall submit to the department such data related to health and health care as the department finds necessary to the performance of its functions under this chapter;

(b) Promulgate rules ~~((and regulations))~~ pertaining to the maintenance and operation of medical facilities which receive federal assistance under the provisions of Title XVI;

(c) Promulgate rules ~~((and regulations))~~ in implementation of the provisions of this chapter, including the establishment of procedures for public hearings for predecisions and post-decisions on applications for certificate of need;

(d) Promulgate rules providing circumstances and procedures of expedited certificate of need review if:

(i) An application is found consistent with the state health plan; and

(ii) There has not been a significant change in existing health facilities of the same type or in the need for such health facilities and services;

(4) Grant allocated state funds to regional health councils to fund not more than seventy-five percent of the costs of regional planning activities, excluding costs related to review of applications for certificates of need, provided for in this chapter or approved by the council; and

(5) Contract with and provide reasonable reimbursement for designated regional health councils to assist in determinations of certificates of need.

NEW SECTION. Sec. 11. The enactment of amendments to chapter 70.38 RCW by this 1983 act shall not have the effect of terminating or in any way modifying the validity of a certificate of need which was issued prior to the effective date of this 1983 act.

Sec. 12. Section 16, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.905 are each amended to read as follows:

In any case where the provisions of this chapter may directly conflict with ~~((provisions of Public Law 93-641 or any amendments thereto))~~ federal law, or regulations promulgated thereunder, the ~~((provisions of Public Law 93-641))~~ federal law shall supersede and be paramount as necessary to the receipt of federal funds by the state.

Sec. 13. Section 17, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.910 are each amended to read as follows:

If any provision of this ~~(act)~~ chapter or its application to any person or circumstance is held invalid, the remainder of the ~~(act)~~ chapter or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. There is added to chapter 70.38 RCW a new section to read as follows:

A certificate of need application which was submitted and declared complete, but upon which final action had not been taken prior to the effective date of this act, shall be reviewed and action taken based on chapter 70.38 RCW, as in effect prior to the effective date of this act, and the rules adopted thereunder.

NEW SECTION. Sec. 15. The state government committees of the senate and house of representatives shall conduct program and fiscal reviews of the board of health to be completed no later than January 1, 1984, and transmitted to the appropriate standing committees of the senate and house of representatives.

Sec. 16. Section 33, chapter 99, Laws of 1979 and RCW 43.131.213 are each amended to read as follows:

The powers and duties of the state board of health shall be terminated on June 30, ~~(1983)~~ 1985, as provided in RCW 43.131.214.

Sec. 17. Section 75, chapter 99, Laws of 1979 and RCW 43.131.214 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~(1984)~~ 1986:

- (1) Section 36.62.020, chapter 4, Laws of 1963 and RCW 36.62.020;
- (2) Section 43.20.030, chapter 8, Laws of 1965, section 11, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.030;
- (3) Section 43.20.050, chapter 8, Laws of 1965, section 9, chapter 102, Laws of 1967 ex. sess., section 49, chapter 141, Laws of 1979 and RCW 43.20.050;
- (4) Section 43.20.100, chapter 8, Laws of 1965, section 44, chapter 75, Laws of 1977 and RCW 43.20.100;
- (5) Section 43.20.140, chapter 8, Laws of 1965, section 58, chapter 141, Laws of 1979 and RCW 43.20.140;
- (6) Section 11, chapter 102, Laws of 1967 ex. sess. and RCW 43.20.200;
- (7) Section 1, chapter 197, Laws of 1957 and RCW 69.06.010;
- (8) Section 2, chapter 197, Laws of 1957 and RCW 69.06.020;
- (9) Section 5, chapter 197, Laws of 1957 and RCW 69.06.050;
- (10) Section 16, chapter 190, Laws of 1939; section 1, chapter 30, Laws of 1961 and RCW 69.16.115;
- (11) Section 17, chapter 190, Laws of 1939, section 2, chapter 30, Laws of 1961 and RCW 69.16.120;
- (12) Section 16, chapter 112, Laws of 1939 and RCW 69.20.095;
- (13) Section 17, chapter 112, Laws of 1939 and RCW 69.20.100;
- (14) Section 3, chapter 144, Laws of 1955 and RCW 69.30.030;
- (15) Section 5, chapter 144, Laws of 1955 and RCW 69.30.050;
- (16) Section 6, chapter 144, Laws of 1955 and RCW 69.30.060;
- (17) Section 12, chapter 102, Laws of 1967 ex. sess., section 1, chapter 25, Laws of 1969 ex. sess. and RCW 70.01.010;
- (18) Section 16, chapter 51, Laws of 1967 ex. sess. and RCW 70.05.110;
- (19) Section 4, chapter 114, Laws of 1919 and RCW 70.24.040;
- (20) Section 8, chapter 114, Laws of 1919 and RCW 70.24.070;
- (21) Section 6, chapter 54, Laws of 1967 and RCW 70.28.035;
- (22) Section 3, chapter 267, Laws of 1955, section 9, chapter 189, Laws of 1971 ex. sess. and RCW 70.41.030;
- (23) Section 1, chapter 231, Laws of 1969 ex. sess. and RCW 70.54.110;
- (24) Section 6, chapter 177, Laws of 1959 and RCW 70.58.350;
- (25) Section 5, chapter 82, Laws of 1967 and RCW 70.83.050; and
- (26) Section 1, chapter 176, Laws of 1913, section 12, chapter 130, Laws of 1917, section 1, chapter 160, Laws of 1921, section 1, chapter 46, Laws of 1923, section 1, chapter 79, Laws of 1925 ex. sess., section 1, chapter 240, Laws of 1927 and RCW 85.08.020.

NEW SECTION. Sec. 18. Sections 16 and 17 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."

Representatives Braddock, Taylor, Stratton, Fiske, Moon, Allen and Mitchell spoke in favor of the amendment to the committee amendment, and Representatives Kreidler, B. Williams, Padden, Sommers and Ballard spoke against it.

Representatives Braddock and Fiske spoke again in favor of the amendment to the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Braddock, Fiske and Fisher to the committee amendment to Senate Bill No. 4204, and the amendment was adopted by the following vote: Yeas, 66; nays, 29; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Burns, Cantu, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Halsan, Hankins, Haugen, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, O'Brien, Powers, Prince, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Wang, West, Williams J, Zellinsky - 66.

Voting nay: Representatives Ballard, Barnes, Bond, Broback, Brough, Chandler, Dellwo, Fuhrman, Garrett, Grimm, Hastings, Heck, Hine, Kreidler, Lux, Nealey, Nelson G, Niemi, Padden, Patrick, Pruitt, Sanders, Sommers, Struthers, Tilly, Van Dyken, Walk, Williams B. and Mr. Speaker - 29.

Absent: Representative Locke - 1.

Excused: Representatives Lewis, Wilson - 2.

The Speaker (Mr. Heck presiding) stated the question before the House to be the committee amendment as amended.

Representatives Kreidler and Braddock spoke in favor of the amendment as amended, and it was adopted.

Mr. Kreidler moved adoption of the committee amendment to the title.

On motion of Mr. Braddock, the following amendment to the title amendment was adopted:

On page 148, line 7, strike everything beginning with "On" through "emergency." on page 158, line 19 and insert "On page 1, line 1 of the title, strike everything after "health;" through "43.131.214." on line 3 and insert "amending section 1, chapter 161, Laws of 1979 ex. sess. as amended by section 1, chapter 139, Laws of 1980 and RCW 70.38.015; amending section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 1, chapter 119, Laws of 1982 and RCW 70.38.025; amending section 3, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.035; amending section 4, chapter 161, Laws of 1979 ex. sess. as amended by section 3, chapter 139, Laws of 1980 and RCW 70.38.045; amending section 6, chapter 161, Laws of 1979 ex. sess. as amended by section 5, chapter 139, Laws of 1980 and RCW 70.38.065; amending section 8, chapter 161, Laws of 1979 ex. sess. as amended by section 6, chapter 139, Laws of 1980 and RCW 70.38.085; amending section 10, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter 119, Laws of 1982 and RCW 70.38.105; amending section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115; amending section 12, chapter 161, Laws of 1979 ex. sess. as amended by section 10, chapter 139, Laws of 1980 and RCW 70.38.125; amending section 13, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.135; amending section 16, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.905; amending section 17, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.910; amending section 33, chapter 99, Laws of 1979 and RCW 43.131.213; amending section 75, chapter 99, Laws of 1979 and RCW 43.131.214; adding a new section to chapter 70.38 RCW; creating a new section; and declaring an emergency."

The committee amendment to the title as amended was adopted.

Senate Bill No. 4204 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3742, by Committee on Judiciary (originally sponsored by Senators Bender, Rinehart, Williams and Granlund)

Modifying provisions relating to precinct committeemen.

The bill was read the second time. On motion of Mr. Sayan, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3742, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, Wilson - 2.

Substitute Senate Bill No. 3742, having received the 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. 4088, by Senator Williams

Continuing the archaeological research center for an additional six years.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 87th Day, April 6, 1983.)

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

The bill was passed to Committee on Rules for third reading.

#### ENGROSSED SENATE BILL NO. 3843, by Senators Bluechel, Thompson and Jones

Establishing a Washington state board on geographic names.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. Walk the committee amendment was adopted. On motion of Mr. Sayan, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill, and Mr. Appelwick spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3843 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 31; excused, 2.

Voting yea: Representatives Allen, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Egger, Fisch, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Vekich, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Addison, Appelwick, Ballard, Barrett, Betrozoff, Broback, Brough, Ebersole, Ellis, Fisher, Fiske, Fuhrman, Grimm, Holland, Isaacson, Jacobsen, King J, McClure, Moon, Niemi, Padden, Patrick, Schmidt, Schoon, Silver, Tanner, Todd, Van Dyken, Vander Stoep, Walk, West - 31.

Excused: Representatives Lewis, Wilson - 2.

Engrossed Senate Bill No. 3843 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

April 16, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 208,  
ENGROSSED HOUSE BILL NO. 259,  
SUBSTITUTE HOUSE BILL NO. 266,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 16, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 59,  
SUBSTITUTE HOUSE BILL NO. 81,  
HOUSE BILL NO. 305,  
HOUSE BILL NO. 357,  
HOUSE BILL NO. 387,  
SUBSTITUTE HOUSE BILL NO. 393,  
SUBSTITUTE HOUSE BILL NO. 482,  
SUBSTITUTE HOUSE BILL NO. 488,  
SUBSTITUTE HOUSE BILL NO. 533,  
SUBSTITUTE HOUSE BILL NO. 539,  
SUBSTITUTE HOUSE BILL NO. 719,  
HOUSE BILL NO. 741,  
SUBSTITUTE HOUSE BILL NO. 855,  
SUBSTITUTE HOUSE JOINT MEMORIAL NO. 19.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3055, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Revising electrical construction laws.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. R. King, the committee amendments were adopted.

Mr. Barrett moved adoption of the following amendment by Representatives Hine and Barrett:

On page 5, after line 22 of the engrossed bill, being page 5, after line 22 of the printed bill, insert the following:

"Sec. 5. Section 3, chapter 169, Laws of 1935 as last amended by section 61, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.070 are each amended to read as follows:

The director of labor and industries of the state of Washington and the officials of all incorporated cities and towns where electrical inspections are required by local ordinances shall have power and it shall be their duty to enforce the provisions of this chapter in their respective jurisdictions. The director of labor and industries shall have power to appoint an electrical inspector, and such assistant inspectors as he shall deem necessary to assist him in the performance of his duties. ((All)) There will be two classes of electrical inspectors, as follows: (1) Class A electrical inspectors, who may be appointed to make inspections on all electrical work covered by this chapter; and (2) class B electrical inspectors, who may be appointed to make inspections of electrical work on one or two family dwellings and their accessory buildings not used for commercial purposes. Class B electrical inspectors shall not inspect locations or structures which are determined to be hazardous under a recognized and enforced local, state, or national electrical code, nor shall class B electrical inspectors be appointed in any incorporated cities not performing electrical inspections pursuant to RCW 19.28.360 on the effective date of this 1983 act. All class A electrical inspectors appointed by the director of labor and industries shall be electricians of not less than four years experience in installing and maintaining electrical equipment, or four years experience as electrical inspectors for a municipality, or two years electrical training in a college of electrical engineering of recognized standing, and two years continuous practical electrical experience in installation work or four years of electrical training in a college of electrical engineering of recognized standing. The board of electrical examiners shall by rule establish qualifications for all class B electrical inspectors. Such state inspectors shall be paid such salary as the director of labor and industries shall determine, together with their travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. The expenses of the director of labor and

industries and the salaries and expenses of state inspectors incurred in carrying out the provisions of this chapter shall be paid entirely out of the electrical license fund, upon vouchers approved by the director of labor and industries."

Renumber the sections consecutively and correct any internal references accordingly.

On motion of Mr. Sutherland, the following amendment by Representatives Sutherland, Barrett and Hine to the Barrett amendment was adopted:

On page 2, line 5 after "for commercial" insert "or industrial"

Representatives Barrett, Hine and Barnes spoke in favor of the amendment as amended, and Representatives Sutherland, R. King and Isaacson spoke against it.

Mr. Sutherland again opposed the amendment as amended.

The amendment was not adopted.

Engrossed Substitute Senate Bill No. 3055 as amended by the House was passed to Committee on Rules for third reading.

The Speaker resumed the Chair.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 95,  
HOUSE BILL NO. 146,  
HOUSE BILL NO. 180,  
HOUSE BILL NO. 183,  
HOUSE BILL NO. 208,  
HOUSE BILL NO. 259,  
SUBSTITUTE HOUSE BILL NO. 266.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3245, by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, Bottiger, Gaspard, Bluechel, Hurley, Barr, Warnke, Shipoch, Peterson, Moore, Owen, Vognild, Williams, Talmadge, Wojahn, Bauer, Woody, Hemstad, Quigg, McManus, Hughes, Deccio, Fuller, von Reichbauer, Sellar, Bender, McCaslin, Kiskaddon and Hayner - by Governor Spellman request)

Establishing the housing finance commission.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Walk moved adoption of the committee amendment striking everything after the enacting clause.

Mr. McDonald moved adoption of the following amendment to the committee amendment:

On page 3, line 1, following "which may" strike "or may not"

Representatives McDonald and Addison spoke in favor of the amendment to the amendment, and Representatives Ebersole and Barrett spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to page 3 of the committee amendment to Engrossed Second Substitute Senate Bill No. 3245, and the amendment to the amendment was not adopted by the following vote: Yeas, 24; nays, 72; excused, 2.

Voting yea: Representatives Addison, Barnes, Braddock, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hastings, Holland, Lux, McDonald, Mitchell, Nelson G, Padden, Patrick, Sanders, Schoon, Smith, Struthers, Taylor, Van Dyken, West - 24.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Bond, Brekke, Broback, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince,

Pruitt, Ristuben, Rust, Saryan, Schmidt, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 72.

Excused: Representatives Lewis, Wilson - 2.

#### 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 McDonald to page 3 of the committee amendment was not adopted.

Mr. Bond spoke in favor of the motion, and Mr. Barrett spoke against it.

The motion was lost.

#### STATEMENT FOR THE JOURNAL

I intended to vote "Yes" on the McDonald amendment to page 3 of the committee amendment.

R. M. (Dick) BOND, 6TH DISTRICT.

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 19, line 22 after "achieving" insert "both savings in bond counsel fees and"

Representatives Addison and Walk spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Walk, the following amendment to the committee amendment was adopted:

On page 20, line 6 after "issue" strike "or issues"

On motion of Mr. Addison, the following amendment to the committee amendment was adopted:

On page 21, line 11 after "achieving" insert "both savings in the total costs of underwriting services and"

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 21, after line 13 insert the following new section:

"NEW SECTION, Sec. 11. The commission shall submit the initial policies adopted under section 9 and section 10 of this act to the chief clerk of the house and the secretary of the senate for transmittal to and review by the appropriate standing committees and the joint administrative rules review committee. By January 1, 1984 the commission shall have adopted policies in the form of rules and regulations under chapter 34.04 RCW. Such rules and regulations may only be changed or revised in accordance with chapter 34.04."

Representatives Addison and Walk spoke in favor of the amendment, and it was adopted.

Mr. McDonald moved adoption of the following amendment to the committee amendment:

On page 21, line 13 after the period insert a new section to read as follows:

"NEW SECTION, Sec. 11. (1) This section shall apply only to bond proceeds used to finance mortgages for nonrental housing.

(2) The commission shall adopt rules designed to ensure that one-half or more of the lendable proceeds are used to finance the purchase of housing by low income families. For purposes of this section, family income shall be considered low if, when adjusted for family size, it is not more than eighty percent of the median income for the area. In implementing this section, the commission shall consider any part or aspect of a similar rule under 26 U.S.C. 103(b)(4)(A) and its implementing regulations, which rule is expressed as a condition of tax exempt status."

Renumber the remaining sections consecutively and correct internal references in section 29 and other sections.

Representatives McDonald, Lux, Padden, Addison and West spoke in favor of the amendment to the amendment, and Representatives Barrett, Ebersole and Taylor spoke against it.

Mr. McDonald spoke again in favor of the amendment to the amendment, and Mr. Ebersole again opposed it.

The amendment to the committee amendment was not adopted.

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 21, line 13 after the period insert the following new section:

**\*NEW SECTION, Sec. 11.** No part of the proceeds of bonds issued under this chapter may be used to finance the purchase of nonrental housing in which the purchase price exceeds ninety percent of the average purchase price of nonrental housing in the area. The commission shall adopt rules to ensure that this section is not violated. In adopting these rules, the commission shall consider the definition of 'average area purchase price' under 26 U.S.C. 103A and its implementing regulations.\*

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Addison and McDonald spoke in favor of the amendment to the amendment, and Representatives Ebersole, Barrett and J. King spoke against it.

Mr. Addison spoke again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to the committee amendment to Engrossed Second Substitute Senate Bill No. 3245, and the amendment was not adopted by the following vote: Yeas, 29; nays, 67; excused, 2.

Voting yea: Representatives Addison, Betrozoff, Bond, Braddock, Brekke, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Locke, Long, Lux, McDonald, Nelson G. Padden, Patrick, Pruitt, Sanders, Schoon, Smith, Van Dyken, Vander Stoep, West - 29.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 67.

Excused: Representatives Lewis, Wilson - 2.

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 43, line 26 strike "July" and insert "January"

Representatives Addison and Walk spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 43, strike all of section 31 and insert:

**\*NEW SECTION, Sec. 31.** 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 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 to the amendment, and Mr. Walk spoke against it.

The amendment to the amendment was not adopted.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On page 19, following line 5 strike all material through page 20, line 6 and insert:

"(2) Whenever the commission decides to issue bonds in respect to which a bond counsel opinion will be needed, it shall provide all attorneys on the roster with a notice of its intentions and shall invite each of them to submit to the commission his fee schedule for providing bond counsel services on the issue. The commission shall have wide discretion in selecting the attorney it considers to be most appropriate to provide the bond counsel services, but in the exercise of this discretion the commission shall consider the attorney's fee schedule and the public interest in achieving savings in bond counsel fees."

Representatives Padden and Appelwick spoke in favor of the amendment to the amendment, and Representatives Walk and Ebersole spoke against it.

Mr. Padden again spoke in favor of the amendment.



The amendment was not adopted.

The committee amendment as amended was adopted.

On motion of Mr. Wang, the committee amendment to the title of the bill was adopted.

Engrossed Second Substitute Senate Bill No. 3245 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3156, by Committee on Parks & Ecology (originally sponsored by Senators Talmadge, Hughes, Wojahn, Lee and von Reichbauer)

Establishing the Puget Sound water quality authority.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass with the following amendment:

On page 3, line 3 strike all of section 7 and renumber the remaining section consecutively.

On motion of Ms. Rust, the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Rust, in the first section it directs that the Governor shall 'include representation of all interested parties, including...' and it lists a number of agencies and so forth. I do not see specifically mentioned people who might represent such programs as the community college program, water quality or rainwater treatment, or university programs and such. Could those types of people also be included?"

Ms. Rust: "I think they could because the bill specifies 'all interested parties.'"

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3156 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Lewis, Wilson - 2.

April 16, 1983

Engrossed Senate Bill No. 3156 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. 3520, by Committee on Local Government (originally sponsored by Senators Woody, Zimmerman and Thompson)

Revising procedures regarding contested elections and challenged voters.

The bill was read the second time. Committee on Constitution & Elections recommendation: Majority, do pass as amended. (For amendments, see Journal, 87th Day, April 6, 1983.)

Mr. Pruitt moved adoption of the committee amendments.

On motion of Mr. Heck, further consideration of Substitute Senate Bill No. 3520 was deferred and the bill was ordered placed at the bottom of today's second reading calendar.

#### MOTION FOR RECONSIDERATION

Mr. Isaacson, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute Senate Bill No. 3054 passed the House.

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-59, by Representatives G. Nelson, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Rosalynn Sumners of Edmonds has returned from her thirteen city tour of Europe after capturing the World Senior Ladies' Figure Skating Championship in Helsinki, Finland on March 11 of this year; and

WHEREAS, There is to be a gala parade and welcome-home reception in her honor to be held on April 17, 1983 in Rosalynn's hometown of Edmonds; and

WHEREAS, Rosalynn Sumners will be given the key to the City of Edmonds after years of holding the key to the hearts of many skating enthusiasts; and

WHEREAS, The City of Edmonds will honor Rosalynn by jointly naming Fifth Avenue the "Rosalynn Sumners Boulevard"; and

WHEREAS, "Seattle's American Princess" will soon begin a tour of the United States and begin training in preparation for the 1984 Olympic Games;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives join the City of Edmonds in welcoming home our reigning World Figure Skating Champion; and

BE IT FURTHER RESOLVED, That the House of Representatives wishes Rosalynn Sumners a most Happy 19th Birthday on April 20th; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Rosalynn Sumners.

Mr. G. Nelson moved adoption of the resolution. Representatives G. Nelson and Allen spoke in favor of the resolution.

House Resolution No. 83-59 was adopted.

#### MOTION

On motion of Mr. Heck, the House adjourned until 2:00 p.m., Sunday, April 17, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETY-EIGHTH DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, April 17, 1983

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Clayton, Dellwo and G. Nelson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kara Ruttan and Nicki Smith. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 16, 1983

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 123,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 16, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 124,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 17, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 95,

HOUSE BILL NO. 146,

HOUSE BILL NO. 180,

HOUSE BILL NO. 183,

HOUSE BILL NO. 208,

HOUSE BILL NO. 259,

SUBSTITUTE HOUSE BILL NO. 266,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SCR 123 by Committee on State Government and by Senators Warnke, Rasmussen, Jones, McCaslin, McDermott, Rinehart and Zimmerman

Resolving to create the Joint Select Committee on Indian Affairs.

Referred to Committee on Rules

SCR 124 by Senators Warnke, Rinehart, Jones and McDermott

Exempting HJM No. 16 from legislative cutoff date.

Referred to Committee on Rules

## REPORT OF STANDING COMMITTEE

April 15, 1983

ESSB 4251 Prime Sponsor, Committee on Agriculture.: Providing for a study and interim management of the Milwaukee Road. Reported by Committee on Rules

Referred to Committee on Environmental Affairs.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3007, by Committee on Judiciary (originally sponsored by Senators Williams and Moore)

Modifying provisions relating to sexual offenses.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill, and Mr. Bond spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3007, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Bond, Fuhrman - 2.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Substitute Senate Bill No. 3007, having received the 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. 3018, by Senators Thompson, Zimmerman and Bauer

Modifying provisions relating to the subdivision of land.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moon and Isaacson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3018, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Senate Bill No. 3018, having received the 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. 3034, by Committee on Commerce & Labor (originally sponsored by Senator Rinehart)

Modifying provisions relating to consumer warranties.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3066, by Committee on Natural Resources (originally sponsored by Senator Peterson)

Authorizing certain harbor lease moneys to be paid to towns.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3066, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Allen, Belcher, Nelson D - 3.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Substitute Senate Bill No. 3066, having received the 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. 3167, by Senator Peterson

Extending state route number 530.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3167, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Senate Bill No. 3167, having received the 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. 3185, by Senators Talmadge and Hemstad

Extending the term of jurisdiction for courts of limited jurisdiction.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McMullen and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3185, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Engrossed Senate Bill No. 3185, having received the 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. 3217, by Committee on Natural Resources (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Prohibiting commercial salmon fishing in waters connected to the Columbia river below Bonneville dam.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. Halsan, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3239, by Committee on Agriculture (originally sponsored by Senators Hansen, Newhouse, Deccio, Barr, Goltz, Bauer and Benitz)

Defining "cold storage warehouse" for excise tax purposes.

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

SENATE BILL NO. 3250, by Senators Peterson, Patterson and Vognild (by Department of Transportation request)

Establishing prequalifying procedures for ferry contractors.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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. 3250, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt,

Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Senate Bill No. 3250, having received the 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. 3252, by Senators Hansen, Guess and Conner (by Department of Transportation request)

Strengthening the regulation of aircraft dealers.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3252, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Engrossed Senate Bill No. 3252, having received the 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. 3253, by Committee on Judiciary (originally sponsored by Senators Rinehart, Kiskaddon, Talmadge, Bluechel, Deccio and Woody)

Requiring law enforcement officers to take certain abused children into custody.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Armstrong moved adoption of the committee amendments.

#### MOTION

On motion of Mr. Heck, further consideration of Substitute Senate Bill No. 3253 was deferred and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 3127.

ENGROSSED SENATE BILL NO. 3297, by Senators Hansen, Barr, Goltz and Benitz (by Department of Agriculture request)

Modifying various provisions concerning the department of agriculture.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 89th Day, April 8, 1983.)

Mr. Kaiser moved adoption of the committee amendment striking everything after the enacting clause.

On motion of Mr. Kaiser, the following amendment to the committee amendment was adopted:

On page 8 of the amendment, after line 26, insert the following:

\*Sec. 13, Section 3, chapter 304, Laws of 1955 as last amended by section 4, chapter 184, Laws of 1973 1st ex. sess. and RCW 89.08.030 are each amended to read as follows:

There is hereby established to serve as an agency of the state and to perform the functions conferred upon it (~~(in this 1973 amendatory act)~~ by law, the state conservation commission, which shall succeed to all powers, duties and property of the state soil and water conservation committee.

The commission shall consist of (~~seven~~) eight members, (~~two~~) three of whom are ex officio. Two members shall be appointed by the governor, one of whom shall be a landowner or operator of a farm. At least two of the three elected members shall be landowners or operators of a farm and shall be elected as herein provided. The appointed members shall serve for a term of four years.

The three elected members shall be elected for three-year terms, one shall be elected each year by the district supervisors at their annual state-wide meeting. One of the members shall reside in eastern Washington, one in central Washington and one in western Washington, the specific boundaries to be determined by district supervisors. At the first such election, the term of the member from western Washington shall be one year, central Washington two years and eastern Washington three years, and successors shall be elected for three years.

Unexpired term vacancies in the office of appointed commission members shall be filled by appointment by the governor in the same manner as full-term appointments. Unexpired terms of elected commission members shall be filled by the regional vice president of the Washington association of conservation districts who is serving that part of the state where the vacancy occurs, such term to continue only until district supervisors can fill the unexpired term by electing the commission member.

The director of the department of ecology, the director of the department of agriculture, and the dean of the college of agriculture at Washington State University shall be ex officio members of the commission. An ex officio member of the commission shall hold office so long as he retains the office by virtue of which he is a member of the commission. Ex officio members may delegate their authority.

The commission may invite appropriate officers of cooperating organizations, state and federal agencies to serve as advisers to the conservation commission."

Renumber the sections consecutively.

The committee amendment as amended was adopted.

Mr. Kaiser moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Kaiser, the following amendment to the title amendment was adopted:

On page 10, line 13 of the title amendment, after "43.23.160;" insert "amending section 3, chapter 304, Laws of 1955 as last amended by section 4, chapter 184, Laws of 1973 1st ex. sess. and RCW 89.08.030;"

The committee amendment to the title as amended was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3297 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Engrossed Senate Bill No. 3297 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. 3127, by Committee on Judiciary (originally sponsored by Senators Talmadge, Bender, Hemstad, Goltz and Shinpoch)

Modifying the distribution of industrial insurance awards and settlements.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, further consideration of the bill was deferred.

ENGROSSED SENATE BILL NO. 3130, by Senators Talmadge, Hemstad and Woody

Awarding attorneys fees in frivolous actions or defenses and to prevailing parties acting as private attorneys general.

The bill was read the second time.

Ms. Niemi moved adoption of the following amendment:

On page 1, strike section 1 and renumber the remaining sections consecutively.

Ms. Niemi spoke in favor of the amendment, and Representatives Armstrong and Padden spoke against it.

#### POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Lux.

Mr. Lux: "Representative Armstrong does this include all jurisdictions, both district and superior court judges?"

Mr. Armstrong: "It includes both. It covers any civil action."

Mr. Lux: "Are malpractice suits brought in district court or in superior court?"

Mr. Armstrong: "Almost always in superior court because of the dollar amount. The dollar amount involved in a malpractice action is usually of an amount that only a superior court can handle."

Mr. Lux spoke in favor of the amendment, and Representatives Appelwick and Ballard spoke against it.

Ms. Niemi spoke again in favor of the amendment.

The amendment was not adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3006, by Committee on Parks & Ecology (originally sponsored by Senators Bluechel, Williams, Fuller and Hurley)

Revising the state environmental policy act.

The bill was read the second time.

Mr. Lux moved adoption of the following amendments:

On page 1, line 24 after "having a" strike "probable" and insert "possible"

On page 1, line 29 after "those" strike "probable" and insert "possible"

Mr. Lux spoke in favor of the amendments, and Mr. Van Dyken spoke against them.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Van Dyken, an EIS, as I understand it, has the purpose of finding out what the impact may be for a given action. If we limit the EIS to those impacts that we think are probable before we write the EIS, or before an agency writes the EIS, are we possibly going to limit our ability to identify the impacts that may appear improbable when we start, but may, through investigation, become more probable. If we had written the EIS, done the investigation, we

would have discovered an impact that we might not discover if we leave the word 'probable' in the bill?"

Mr. Van Dyken: "Representative Nelson, the answer to your question is 'No' for several reasons. First of all, it is 'No' because the situation would not change from existing SEPA, so to the extent to which you might allege that something might fall through the cracks under existing SEPA, the courts have interpreted the existing state Environmental Policy Act as meaning 'probable.' I'll give you a direct quote from the ASARCO case: It says that an EIS is required '...whenever more than a moderate effect on the quality of the environment is a reasonable probability.' That has been upheld by the State Supreme Court in four other instances and it really makes no change from existing law. Secondly, the bill provides a new mechanism to help to identify those serious impacts which may result through the scoping process in which the public is brought in earlier than under existing statute in order to try to identify those concerns and help to focus the EIS on that. In summary, the new bill, I think, will more accurately identify those concerns than does the current statute."

Mr. D. Nelson spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Lux to Engrossed Substitute Senate Bill No. 3006, and the amendments were not adopted by the following vote: Yeas, 13; nays, 82; excused, 3.

Voting yea: Representatives Brekke, Burns, Charnley, Crane, Fisch, Fisher, King R. Locke, Lux, Nelson D, Pruitt, Rust, Todd - 13.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Bond, Braddock, Broback, Brough, Canlu, Chandler, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 82.

Excused: Representatives Clayton, Dellwo, Nelson G - 3.

Mr. Charnley moved adoption of the following amendments by Representatives Charnley and Pruitt:

On page 2, line 15 after "Class I" strike ", II, and III" and insert "(~~II, and III~~) and II"

On page 2, line 30 after "Class" insert "III or"

On page 2, line 34 after "Class" insert "III or"

On page 3, line 9 after "Class" insert "III or"

Mr. Charnley spoke in favor of the amendments, and Mr. Van Dyken spoke against them.

Mr. Charnley spoke again in favor of the amendments.

The amendments were not adopted.

The Clerk read the following amendment by Representative Charnley:

On page 2, beginning on line 13 strike all of section 2 and renumber the remaining sections consecutively and correct any internal references accordingly.

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

Ms. Brekke moved adoption of the following amendment:

On page 3, line 24 after "policies" strike all material down to and including "RCW 43.21C-.130" and insert "developed by the appropriate governmental authority and incorporated into resolutions, regulations, ordinances, plans or codes"

Ms. Brekke spoke in favor of the amendment, and Ms. Hine spoke against it.

The amendment was not adopted.

Mr. Pruitt moved adoption of the following amendment:

On page 4, line 12 after "reasonable" strike "and capable of being accomplished"

Mr. Pruitt spoke in favor of the amendment, and Mr. Vander Stoep spoke against it.

## POINT OF INQUIRY

Mr. Vander Stoep yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Vander Stoep, I pondered on this language--'capable of being accomplished'--and what occurs to me is that if there is going to be a litigation, it's going to cost somebody some money. Somebody has to determine then whether or not 'capable of being accomplished' or practicable or feasible--whatever you want to call it--is cost-effective for the person required to carry out that litigation. Would you agree with that? How would you suggest we define 'capable of being accomplished' in monetary terms?"

Mr. Vander Stoep: "I think that's an excellent question. I think the key point is that 'practicable' or 'capable of being performed' as the Code has already defined it--it's already in state law--so if you are looking for added cost, and if we don't adopt this amendment, you won't find it, because it's in state law now, so it really won't have any effect."

Mr. D. Nelson spoke in favor of the amendment.

The amendment was not adopted.

Mr. Lux moved adoption of the following amendments:

On page 4, line 32 after "action" insert "or failure to act"

On page 4, line 33 after "action" insert "or failure to act"

On page 4, line 36 after "action" insert "or failure to act"

Mr. Lux spoke in favor of the amendments, and Mr. Jacobsen spoke against them.

The amendments were not adopted.

Ms. Brekke moved adoption of the following amendment:

On page 6, line 20 after "days," strike all material down to and including "action," on line 26.

Ms. Brekke spoke in favor of the amendment, and Mr. Van Dyken spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Brekke:

On page 10, line 3 after "and" strike "probable" and insert "possible"

With the consent of the House, Ms. Brekke withdrew the amendment.

Ms. Brekke moved adoption of the following amendments:

On page 10, line 10 after "required" strike "only"

On page 10, line 14 strike "consist of" and insert "include, but not be limited to,"

Ms. Brekke spoke in favor of the amendments, and Ms. Hine spoke against them.

Mr. G. Nelson appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Brekke to page 10 of Engrossed Substitute Senate Bill No. 3006, and the amendments were not adopted by the following vote: Yeas, 18; nays, 76; absent, 2; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Fisch, Fisher, King P, Locke, Lux, Moon, Nelson D, Pruitt, Rust, Todd - 18.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 76.

Absent: Representatives McClure, Sutherland - 2.

Excused: Representatives Clayton, Dellwo - 2.

The Clerk read the following amendments by Representative Brekke:

On page 11, line 27 after "implementation." strike "Designation of policies under RCW 43.21C.060 and a" and insert "A"

On page 12, line 7 after "implementation." strike "Designation of policies under RCW 43.21C.060 and a" and insert "A"

With the consent of the House, Ms. Brekke withdrew the amendments.

Engrossed Substitute Senate Bill No. 3006 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3022, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Hughes - by Department of Labor and Industries request)

Clarifying the Crime Victim Compensation Act.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Armstrong moved adoption of the committee amendments to page 2, line 5 and page 2, line 11.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendments to page 2 of Engrossed Substitute Senate Bill No. 3022, and the amendments were adopted by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Clayton, Dellwo - 2.

Mr. Armstrong moved adoption of the committee amendment to page 3, line 10.

Mr. Wang moved adoption of the following amendment to the committee amendment:

On line 3 of the amendment strike "three" and insert "one"

Mr. Wang spoke in favor of the amendment, and it was adopted.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On line 10 of the committee amendment after "county" insert "west of the Cascade mountains"

The amendment to the amendment was adopted, and the committee amendment as amended was adopted.

Mr. Holland moved adoption of the following amendment by Representatives Holland, Long, Haugen and P. King:

On page 11, after line 35 insert the following:

On page 11, after line 35 insert the following:

"NEW SECTION, Sec. 5. There is added to chapter 66.24 RCW a new section to read as follows:

(1) In recognition of the fact that over fifty percent of the traffic fatalities and over thirty-five percent of the economic loss from traffic-related accidents in Washington state are caused by persons driving under the influence of alcohol, that automobile insurance rates could be significantly reduced if drunk driving is similarly reduced, and that the growing cost of prevention and treatment of alcohol problems and law enforcement related to alcoholism should be borne primarily by those who are directly responsible for the problem, an account in the state general fund to be named the drunk driving deterrence and victims compensation account is hereby created to assist law enforcement and alcoholism rehabilitation agencies to eradicate this problem.

(2) The State treasurer shall distribute the revenues deposited in the drunk driving deterrence and victims compensation account in the following manner:

(a) Thirty percent shall be used to assist the victims of drunk driving and shall be distributed as follows: (i) Ninety-five percent to the crime victims compensation account, created by RCW 7.68.035; and (ii) five percent to county prosecuting attorneys to be used exclusively for comprehensive programs to assist victims and witnesses of crime under RCW 7.68.035;

(b) Fifty percent shall be distributed to cities and counties on a per capita basis to enhance local efforts to combat drunk driving. These funds shall be used by local governments to improve local capacity to arrest, adjudicate, punish, and provide treatment for drunk drivers. Each city and county shall determine the precise areas in which funds provided under this subparagraph can be used most beneficially. Local governments, however, shall not use these funds to provide revenue for general purposes or to substitute funds paid under this subsection for general revenues presently committed to the local share of criminal justice costs. Only cities which prosecute and incarcerate persons charged with drunk driving may receive funds under this subparagraph. A city which conducts prosecution or incarceration in county facilities shall receive funding under this subparagraph only if the city provides the prosecutor and bears the cost of prosecution and incarceration. If a city is ineligible for funding under this subparagraph, the county in which the city is located shall receive the city's portion of the funds distributed under this subparagraph; and

(c) Twenty percent to the state of Washington to improve state support for local efforts against drunk driving, including but not limited to the department of social and health services' alcohol treatment programs and the state patrol's and the superintendent of public instruction's alcohol education programs for grades kindergarten through twelve. Appropriations to agencies under this subparagraph shall clearly indicate the source of the funds.

(3) Funds distributed from the drunk driving deterrence and victims compensation account under subsection (2) of this section shall supplement, not supplant, existing local funding. The state auditor shall report to the office of financial management any indication that moneys from this account are being used to replace prior funding which has been discontinued or reallocated. Such a finding by the state auditor disqualifies the entity from receiving further funding under this section until the amount withheld equals the amount supplanted. The finding of the state auditor may be appealed to a five-person hearing panel composed of representatives from the office of financial management, the Washington state association of counties, the association of Washington cities, the Washington association of prosecuting attorneys, and the Washington association of sheriffs and police chiefs. Any amount withheld under this subsection shall be distributed proportionally under subsection (2)(b) of this section.

(4) The state treasurer's office shall distribute the funds payable to cities and counties under subsection (2)(b) of this section based upon current population figures supplied by the office of financial management. A county which claims such funds by reason of a city's ineligibility to receive the funds shall apply for the funds, by letter, to the state treasurer and shall provide the city with a copy of the letter. If the city contests the county's claim that the city is ineligible for funding, the treasurer shall hold the funds until the issue is resolved by the panel established under subsection (3) of this section.

#### POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I challenge this amendment on scope and object."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined ESSB 3022 and the amendment. While the title of the bill relates to crime victims, the body of the bill deals more specifically with penalty assessment and a comprehensive victim/witness program. The amendment deals with drunk driving deterrence, thus your point is well taken."

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and Tilly 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. 3022 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G,

Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Clayton, Dellwo - 2.

Engrossed Substitute Senate Bill No. 3022 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. 3106, by Senators Talmadge, Granlund, Hemstad, Deccio and McCaslin

Increasing penalties for vehicular homicide and vehicular assault.

The bill was read the second time.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Padden:

On page 13, following line 28 insert:

'Sec. 9. Section 3, chapter 137, Laws of 1981 as last amended by ESB 3416, Laws of 1983 and RCW 9.94A.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Commission' means the sentencing guidelines commission.

(2) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender.

(3) 'Community supervision' means a period of time during which a convicted offender is subject to crime-related prohibitions and other sentence conditions imposed pursuant to this chapter by a court. For first-time offenders, the supervision may include crime-related prohibitions and other conditions imposed pursuant to RCW 9.94A.120(5).

(4) 'Confinement' means total or partial confinement as defined in this section.

(5) 'Conviction' means an adjudication of guilt pursuant to Titles 10 or 13 RCW.

(6) 'Crime-related prohibition' means an order of a court prohibiting conduct which directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct.

(7)(a) 'Criminal history' means the list of a defendant's prior convictions, whether in this state, in federal court, or elsewhere. The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) 'Criminal history' includes a defendant's convictions or pleas of guilty in juvenile court if: (i) The guilty plea or conviction was for an offense which is a felony and is criminal history as defined in RCW 13.40.020(6)(a); and (ii) the defendant was fifteen years of age or older at the time the offense was committed; and (iii) the defendant was twenty-three years of age or less at the time the offense for which he or she is being sentenced was committed.

(8) 'Department' means the department of corrections.

(9) 'Determinate sentence' means a sentence which states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community supervision, the number of actual hours or days of community service work, or dollars or terms of a fine or restitution. The fact that an offender through 'earned early release' can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(10) 'Fines' means the requirement that the offender pay a specific sum of money over a specific period of time to the court.

(11) 'First-time offender' means any person convicted of a felony not classified as a violent offense under this chapter, who previously has never been convicted of a felony in this state, federal court, or another state, and who has never participated in a program of deferred prosecution for a felony offense.

(12) 'Offender' means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. Throughout this chapter, the terms 'offender' and 'defendant' are used interchangeably.

(13) 'Partial confinement' means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, for a substantial portion of each day with the balance of the day spent in the community.

(14) 'Restitution' means the requirement that the offender pay a specific sum of money over a specific period of time to the court as payment of damages. The sum may include both public and private costs. The imposition of a restitution order does not preclude civil redress.

(15) 'Sentence range' means the sentencing court's discretionary range in imposing a non-appealable sentence.

(16) 'Total confinement' means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(17) 'Violent offense' means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, robbery in the second degree, and ((negligent)) vehicular homicide;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a violent offense in subsection (17)(a) of this section; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a violent offense under subsection (17)(a) or (b) of this section."

Representatives Isaacson and McMullen spoke in favor of the amendment, and it was adopted.

On motion of Mr. Hastings, the following amendment to the title of the bill was adopted:

On page 1, line 1 of the title following "Intoxicated," insert "amending section 3, chapter 137, Laws of 1981 as last amended by ESB 3416, Laws of 1983, and RCW 9.94A.030;"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3106 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

voting nay: Representative Wang - 1.

Excused: Representatives Clayton, Dellwo - 2.

Engrossed Senate Bill No. 3106 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. 3127:

The House resumed consideration of the bill on second reading.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Hankins:

On page 3, after line 9 insert the following:

"Sec. 4, Section 1, chapter 85, Laws of 1977 ex. sess. and RCW 51.24.030 are each amended to read as follows:

If the injury to a worker is due to the negligence or wrong of a third person not in the same employ, the injured worker or beneficiary may elect to seek damages from the third person; PROVIDED, That if several independent prime contractors are performing services for the United States, or any of its agencies, under cost reimbursement contracts on land owned by the United States and such contracts provide that workers' compensation payments and payments on account of liability to third persons are to be paid by the United States or reimbursed to the contractor as an allowable cost under the contract, no employee of any such prime contractor at the United States government facility may bring an action for damages against any other such cost-type prime contractor or its employees."

Renumber the remaining section consecutively.

Mr. Isaacson spoke in favor of the amendment, and Mr. R. King spoke against it.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Isaacson and Hankins to Substitute Senate Bill No. 3127, and the amendment was not adopted by the following vote:

Yeas, 44; nays, 52; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Clayton, Dellwo - 2.

Substitute Senate Bill No. 3127 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3253: The House resumed consideration of the bill on second reading.

The committee amendments to page 3, line 2 and to page 5, lines 1 and 3 were not adopted.

On motion of Mr. Armstrong, the committee amendment to page 6, line 23 was adopted.

On motion of Mr. Padden, the following amendments by Representatives Armstrong and Padden were adopted:

On page 2, line 31 after "order." strike all the material down to and including "child." on page 3, line 4

On page 3, line 10 after "thereon." insert "The shelter care decision of placement shall be modified only upon a showing of change in circumstances."

On page 5, line 1 after "shall" insert "not"

On page 5, line 3 after "section" strike "still" and insert "~~((et))~~ no longer"

On page 5, line 3 after "exists." strike all the material down to and including "When" on page 5, line 5 and insert "The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If ((When))"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3253 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Clayton, Dellwo - 2.



Substitute Senate Bill No. 3253 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, the House advanced to the seventh order of business.

#### THIRD READING

#### MOTION FOR RECONSIDERATION

Having served previous notice, Representative Smitherman moved that the House now reconsider the vote by which Reengrossed Substitute Senate Bill No. 3161 failed to pass the House.

Representatives Smitherman, Prince, Hine, Egger and Powers spoke in favor of the motion, and Representatives Brough, Schoon, Addison, G. Nelson and Barnes spoke against it.

Mr. G. Nelson again opposed the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Reengrossed Substitute Senate Bill No. 3161 failed to pass the House, and the motion was carried by the following vote: Yeas, 57; nays, 38; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Lewis, Locke, Long, Lux, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 38.

Absent: Representative Johnson - 1.

Excused: Representatives Clayton, Dellwo - 2.

The Speaker stated the question before the House to be the final passage of Reengrossed Substitute Senate Bill No. 3161.

#### MOTION

Mr. McDonald moved that Reengrossed Substitute Senate Bill No. 3161 be rereferred to Committee on Transportation.

Representatives McDonald and Brough spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that Reengrossed Substitute Senate Bill No. 3161 be rereferred to Committee on Transportation, and the motion was lost by the following vote: Yeas, 40; nays, 56; excused, 2.

Voting yea: Representatives Addison, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Excused: Representatives Clayton, Dellwo - 2.

The Speaker again stated the question before the House to be reconsideration of final passage of Reengrossed Substitute Senate Bill No. 3161.

## ROLL CALL

The Clerk called the roll on reconsideration of final passage of Reengrossed Substitute Senate Bill No. 3161, and the bill passed the House by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, King J, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sryan, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Kaiser, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Taylor, Vander Sloep, West, Williams B, Williams J, Wilson - 38.

Excused: Representatives Clayton, Dellwo - 2.

Reengrossed Substitute Senate Bill No. 3161, having received the 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, the House reverted to the sixth order of business.

The Speaker called on Mr. O'Brien to preside.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3206, by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Bauer)

Modifying provisions on open public meetings.

The bill was read the second time.

Mr. R. King moved adoption of the following amendment by Representatives R. King, Broback, Fisher and Mitchell:

On page 3, after line 28, insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 42.30 RCW a new section to read as follows:

(1) In order to provide reasonable advance notice of all public meetings, all cities, towns, and counties shall establish procedures to provide advance notice to individuals or organizations which have submitted written requests for notice. Reasonable fees may be charged to defray the costs of providing this notice.

(2) In addition to other notices required by statute, at least twenty days but not more than forty days before the date of the first public hearing before a planning commission or such other body designated by the city, town, or county legislative authority, on a proposal to zone or rezone property, the legislative body shall cause a notice of the hearing to be mailed to the owner of each lot or parcel of property that would be zoned or rezoned: PROVIDED, That revisions of the text of zoning ordinances which do not change land from one zone of permitted use to another shall not require mailed notice to individual property owners. The notice shall be approved by the legislative body and be sufficient to make the property owner aware of the time, place, and purpose of the hearing and shall be mailed to the affected owner at the address shown on the last available complete tax assessment roll. If an owner owns more than one parcel in the affected area, only one notice need be mailed to that owner. The failure of any person to receive the notice shall not invalidate the shoreline management or zoning action."

## POINT OF ORDER

Mr. Moon: "Mr. Speaker, I would like you to rule on this amendment on the basis of scope and object."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "The Speaker has examined ESSB 3206 and the amendment. While the title is broad--the body of the bill is concerned with committee hearings, emergency situations, executive sessions and appointee interviews--this amendment deals with notice to property owners. Your point is well taken."

Engrossed Substitute Senate Bill No. 3206 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3880, by Committee on Education (originally sponsored by Senator Gaspard)

Continuing the sick leave buy back program for school employees.

The bill was read the second time.

Mr. Dickie moved adoption of the following amendments by Representatives Dickie and Taylor:

On page 2, strikes lines 15 and 16 and insert "An attendance incentive program for all certified and noncertified employees of a school district is hereby created, and every school district board of directors shall establish and maintain such a"

On page 5, following line 5 insert:

"NEW SECTION. Sec. 4. There is created a new section in chapter 28A.58 RCW to read as follows:

The superintendent of public instruction shall administer the attendance incentive program established by section 2 of this act and shall distribute the funds appropriated by the legislature for the purposes of this program."

Renumber the remaining sections consecutively.

On page 5, following line 16 insert:

"NEW SECTION. Sec. 7. There is appropriated for the biennium ending June 30, 1985, from the general fund to the superintendent of public instruction, the sum of seventeen million dollars, or as much thereof as may be necessary for the purposes of funding the attendance incentive program for the common schools."

Representatives Dickie and Taylor spoke in favor of the amendments, and Representative R. King spoke against them.

Representatives Dickie and Taylor spoke again in favor of the amendments, and Mr. Heck spoke against them.

Representatives Schoon and Van Dyken spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Dickie and Taylor to Substitute Senate Bill No. 3880, and the amendments were not adopted by the following vote: Yeas, 41; nays, 55; excused, 2.

Voting yea: Representatives Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Chandler, Dickie, Egger, Fisch, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Cantu, Charnley, Crane, Ebersole, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Clayton, Dellwo - 2.

Mr. Schoon moved adoption of the following amendment:

On page 2, line 35 following "injury" insert ": PROVIDED, That no employee shall be eligible to receive remuneration for unused leave for illness or injury which accrued prior to the effective date of this act"

Representatives Schoon and McDonald spoke in favor of the amendment, and Representatives R. King and Galloway opposed it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 4, strike lines 7 through 12 and insert:

"(e) Leave provided in this proviso not taken shall accumulate from year to year up to a maximum of one hundred eighty days. Such accumulated time may be taken at any time during the school year or up to twelve days per year may be used for the purpose of payments for unused sick leave."

Representatives Schoon and Betzoff spoke in favor of the amendment, and Representatives R. King and Galloway spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to page 4 of Substitute Senate Bill No. 3880, and the amendment was adopted by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Bailard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fisch, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, West, Williams B, Williams J, Wilson - 58.

Voting nay: Representatives Appelwick, Burns, Charnley, Crane, Ebersole, Ellis, Fisher, Gallagher, Grimm, Halsan, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Sayan, Smitherman, Sutherland, Tanner, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 38.

Excused: Representatives Clayton, Dellwo - 2.

Mr. Schoon moved adoption of the following amendment:

On page 4, following line 32 strike all material through "position." on line 1, page 5 and insert:

"A certified or classified employee who leaves a school district within the state and commences employment with another school district within the state shall retain the same seniority and leave benefits, other than sick leave, that the employee had in the previous position. Such an employee may either have all of the accumulated sick leave bought back by the former school district or may carry over the accumulated sick leave to the new position. If the accumulated sick leave is carried over to the new position and the employee chooses to receive payment for unused sick leave, the school district from which the employee left shall remain liable for the proportion of the total accumulated sick leave which is attributable to the employee's service in that district.

Any sick leave taken or paid for shall be deemed that time first accumulated."

Representatives Schoon, Dickie and Barnes spoke in favor of the amendment, and Representatives R. King and Galloway spoke against it.

Mr. Schoon spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to page 4, line 32 of Substitute Senate Bill No. 3880, and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fisch, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Clayton, Dellwo - 2.

Mr. Addison moved adoption of the following amendment:

On page 2, line 35 following "injury" insert ": PROVIDED, That no employee shall be eligible to receive remuneration for unused leave for illness or injury which accrued prior to January 1, 1979"

Representatives Addison and Schoon spoke in favor of the amendment, and Ms. Galloway spoke against it.

The amendment was not adopted.

Substitute Senate Bill No. 3880 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Parks & Ecology (originally sponsored by Senators Williams, Fuller, Goltz, Lee and Hemstad)

Requiring that used automotive oil be recycled.

The bill was read the second time.

Mr. Hastings moved adoption of the following amendments:

On page 2, following line 13 insert a new subsection as follows:

"(2) Adopt rules requiring sellers of more than one hundred gallons of automotive oil annually in containers for use off the premises to post and maintain at or near the point of sale durable and legible signs informing the public whether or not the oil they are buying is or may be recycled oil."

Re-number remaining subsection consecutively.

On page 2, line 28 following "affected" insert "except that if subsection (2) of section 3 shall be held invalid the entire act shall be invalid"

Representatives Hastings and Addison spoke in favor of the amendments, and Representatives Rust and Charnley spoke against them.

#### POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Hastings, I notice in the second part of the amendment, it says 'except that if subsection (2)...' which is the first half of your amendment, '...of section 3 shall be held invalid the entire act shall be invalid.' What does that mean? How can your amendments be held invalid?"

Mr. Hastings: "No, it doesn't say the amendment is invalid, it says the whole act would be, because I think that what we're trying to do with this whole bill is to try to conserve resources by recycling oil. It seems to me the ultimate consumer of that is obviously the consumer, and if they are going to be part of this recycling process, then they ought to know that they are buying recycled oil. I think this is a very important amendment. It seems to me that if the people don't know they are buying recycled oil, why do we try to recycle."

Mr. D. Nelson: "I wonder if you could answer my question? What does it mean when you say that if subsection (2) of section 3, which I assume is the first amendment, is held invalid the entire act will be held invalid? Why do you want to invalidate the entire act if your amendment is not valid?"

Mr. Hastings: "I don't want to invalidate the entire act, but in the case there, who knows what happens--maybe somebody would bring a frivolous lawsuit on down the line to say that this is unworkable for whatever reason. If that is the case, then it seems to me the whole thing ought to be held invalid."

Representatives D. Nelson and Zellinsky spoke against the amendments.

#### POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Lux.

Mr. Lux: "Representative Hastings, in your opinion, is there a difference between recycled and refined oil?"

Mr. Hastings: "Representative Lux, I'm not really qualified to answer that because I, unfortunately, do not sit on that committee. I just have to go by the definitions and very quickly, I don't see if it makes a differentiation between those two terms, so I can't answer that right now."

#### POINT OF INQUIRY

Mr. Zellinsky yielded to question by Mr. Addison.

Mr. Addison: "Representative Zellinsky, you seem to have some expertise in this area. Is the reason that this oil is usually sold in larger quantities because it is cheaper and not quite as good quality?"

Mr. Zellinsky: "Truly, it is the oil that goes into all the mixes--automatic transmission fluid, water--it all goes into the ground. It is then pumped out; they filter this oil back to some form, taking the impurities out, and they, in turn, regrade this, probably dye it a little bit green--all oil has dye in it, whether we like or not--and at this point it is usually canned. It is sometimes sold in fifty-gallon drums for industrial purposes. School districts often buy it; truckers often buy it. It is definitely a less expensive oil and as the prices of oil become more and more expensive and the country becomes more dependent upon having a shortage of oil, the recycling

has become more important. This is just good conservation to use something that can be legitimately reused."

Mr. Addison spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Hastings, you've indicated in your amendment that the signs must be durable and legible, and I wonder if you could share with us, for the record, if you have some planned maximum and minimum plans for these signs, and how high off the ground they should be? Could you tell us whether they must be posted during working hours or on Sundays or not?"

Mr. Hastings: "All of that is in the bill if you would look at the subsection above that. As far as the durability, I would suggest that they are as durable as political yard signs. That would be sufficient."

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Hastings to Substitute Senate Bill No. 4201, and the amendments were not adopted by the following vote: Yeas, 41; nays, 55; excused, 2.

Voting yea: Representatives Addison, Ballard, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Clayton, Dellwo - 2.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3640, by Committee on Judiciary (originally sponsored by Senators Moore and Talmadge)

Modifying the residential landlord-tenant act.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

#### MOTION

On motion of Mr. Wang, further consideration of Substitute Senate Bill No. 3640 was deferred.

SUBSTITUTE SENATE BILL NO. 3782, by Committee on Judiciary (originally sponsored by Senators Talmadge, McCaslin, Zimmerman, Rasmussen and Deccio)

Modifying provisions relating to firearms.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, April 8, 1983.)

Mr. McMullen moved adoption of the committee amendment, striking everything after the enacting clause.

Mr. McMullen moved adoption of the following amendments to the committee amendment:

On page 3, line 26 strike "considered convicted" and insert "precluded from possession"

On page 9, line 12 after "Five" insert "consecutive"

On page 9, line 12 after "days" insert "including Saturday, Sunday and holidays"

## POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative McMullen, this seems to be the five-day time period from the request to purchase a gun to the time the gun is handed over. Is that correct?"

Mr. McMullen: "That is correct."

Mr. D. Nelson: "This amendment would allow that five days to run over weekends and holidays. Is it possible for a law enforcement agency to do a check as required over a five-day period that includes weekends and holidays?"

Mr. McMullen: "Present law requires a three-day waiting period and so stepping this up to five was a compromise in some areas. This clarifies that the law enforcement agencies, during the weekend, when they have people working--they normally only request FBI rap sheets and so forth--that these are the things that are taking place over a weekend anyway."

Mr. D. Nelson: "So the current law, then, is three days including weekends and holidays?"

Mr. McMullen: "Yes, I believe that's correct."

The amendments were adopted.

On motion of Mr. McMullen the following amendment to the committee amendment was adopted:

On page 15, line 25 after "or" strike everything down to and including "section." on line 28 and insert "the owner neither had knowledge of nor consented to the act or omission involving the firearm which resulted in its forfeiture."

On motion of Mr. Van Dyken, the following amendments to the committee amendment were adopted:

On page 13, line 33 after "person" insert "who is"

On page 13, line 35 after "required." insert "and who is"

Mr. Charnley moved adoption of the following amendment to the committee amendment:

On page 8, line 15 strike "modify" and insert "reduce"

Mr. Charnley spoke in favor of the amendment to the amendment, and Representatives McMullen and Padden spoke against it.

The amendment to the amendment was not adopted.

The committee amendment as amended was adopted. On motion of Mr. McMullen, the committee amendment to the title was adopted.

Substitute Senate Bill No. 3782 as amended by the House was passed to Committee on Rules for third reading.

Representative McClure was excused.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3817, by Committee on Judiciary (originally sponsored by Senators Fleming, Hemstad, McDermott and Talmadge)

Restricting body searches by law enforcement agencies.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

Mr. Armstrong moved adoption of the committee amendment. Representatives Armstrong and Locke spoke against the committee amendment, and it was not adopted.

Mr. Armstrong moved adoption of the following amendment by Representatives Armstrong, West and Locke:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. There is added to chapter 10.79 RCW a new section to read as follows:

(1) No person may be subjected to a strip search by or at the direction of a law enforcement agency unless there is probable cause to believe the person is concealing on his or her body evidence of a crime, contraband, fruits of a crime, things otherwise criminally possessed, weapons or other things by means of which a crime has been committed or reasonably appears about to be committed.

With respect to strip searches, this subsection shall not apply to:

(a) A person arrested or detained for the following:

(i) A violent offense identified in RCW 9.94A.030 or as hereafter amended;

(ii) An offense involving a controlled substance or a legend drug;

(iii) An offense, other than carrying a concealed weapon without a permit, involving the use of a deadly weapon;

(iv) A violation of probation, parole, or terms of release; or

(v) Pursuant to a warrant issued by a court where bail exceeds ten thousand dollars and two hours have elapsed since booking, or the court has refused bail;

(b) A person who has voluntarily given informed written consent to a strip search;

(c) A person who has been detained for at least six hours since being booked into the holding, detention, or local correctional facility; PROVIDED, That in the case of a facility subject to a policy, adopted by the local law enforcement agency and approved by the corrections standards board, that allows detainees to be released other than by bail, this subsection does not apply to a person who has been detained for at least two hours since booking for an offense for which such release is possible under the policy; or

(d) A person whose conduct within the holding, detention, or local correctional facility poses a danger to himself, herself, or others.

(2) No person may be subjected to a body cavity search by or at the direction of a law enforcement agency unless a search warrant is issued pursuant to superior court criminal rules.

(3) Nothing in this section may be construed as precluding or preventing the administration of medical care to persons requiring immediate medical care or requesting medical care.

(4) As used in this section:

(a) 'Strip search' means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of his or her genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

(b) 'Body cavity search' means the touching or probing of a person's body cavity, whether or not there is actual penetration of the body cavity.

(c) 'Body cavity' means the stomach or rectum of a person and the vagina of a female person.

(5) Before any strip search requiring probable cause under subsection (1) of this section or any body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search when appropriate, and a thorough clothing search, must be used to search for and seize any evidence of a crime, contraband, fruits of crime, things otherwise criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed. No strip search requiring probable cause under subsection (1) of this section or body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the law enforcement agency.

(6) No law enforcement officer may seek a warrant for a body cavity search or perform a strip search requiring probable cause under subsection (1) of this section without first obtaining specific authorization for the body cavity search from the ranking shift supervisor of the law enforcement authority. Authorization for the search may be obtained electronically; PROVIDED, That such electronic authorization shall be reduced to writing by the law enforcement officer seeking the authorization and signed by the ranking supervisor as soon as possible thereafter.

(7) Persons conducting a strip search shall not touch the person being searched except as reasonably necessary to effectuate the strip search of the person.

(8) No body cavity search may be conducted except pursuant to a valid search warrant specifically authorizing a body cavity search and issued pursuant to superior court criminal rules. No such warrant shall be issued unless an application in support of the request for a warrant allowing the search has been submitted to the court passing on the request stating with specificity the type of search being requested, the person upon whom the search is to be performed and the factors constituting the probable cause justifying the search. The identity of any person supplying information justifying the search shall be kept confidential unless ordered by a court. The application shall further state with specificity why the methods of search required under subsection (5) of this section do not meet the safety, security, or evidentiary concerns of the law enforcement agency.

(9) Any body cavity search must be performed under sanitary conditions and conducted by a health professional who is licensed to practice in this state and who is trained in the proper medical process and the potential health problems associated with a body cavity search. No health professional authorized by this subsection to conduct a body cavity search shall be held liable in any civil action if the search is conducted in a manner that meets the standards and requirements of RCW 4.24.290 and 7.70.040.



(10) A strip search other than a strip search conducted pursuant to subsection (19) of this section, or body cavity search, as well as presearch undressing or postsearch dressing, shall occur at a location made private from the observation of persons not physically conducting the search. A strip search or body cavity search shall be performed or observed only by persons of the same sex as the person being searched, except for licensed health professionals as required by subsection (9) of this section.

(11) Except as provided in subsection (12) of this section, no person may be present or observe during the search unless the person is necessary to conduct the search or to ensure the safety of those persons conducting the search.

(12) Nothing in this section prohibits a person upon whom a body cavity search is to be performed from having a readily available person of his or her choosing present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(13) A law enforcement officer requesting a body cavity search or conducting a strip search requiring probable cause under subsection (1) of this section shall prepare and sign a follow-up report regarding the search. The follow-up report shall include:

- (a) A copy of the written authorization required under subsection (6) of this section;
- (b) A copy of the warrant and application required under subsections (2) and (8) of this section in the case of a body cavity search;
- (c) The name and sex of all persons conducting or observing the search;
- (d) The time, date, place, and description of the search; and
- (e) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the law enforcement agency's records.

(14) Except for subsections (7), (9), (10), and (11) of this section, this section does not apply to a person who remains in custody after a first court appearance.

(15) A person who suffers damage or harm as a result of a violation of this section may bring a civil action to recover actual damages sustained by him or her. The court may, in its discretion, award equitable relief as it deems necessary. Proper costs, including reasonable attorneys' fees, shall be awarded to plaintiffs prevailing under this section.

(16) This section shall not be construed as limiting any constitutional, common law or statutory right of any person regarding any action for damages or injunctive relief, or as precluding the prosecution under another provision of law of any law enforcement officer or other person who has violated this section.

(17) 'Law enforcement agency' and 'law enforcement officer' include local departments of corrections created pursuant to RCW 70.48.090(3) and employees thereof.

(18) This section shall not be interpreted as expanding or diminishing the authority of a law enforcement officer with respect to searches incident to arrest or investigatory stop in public.

(19) A strip search of a person housed in a holding, detention, or local correctional facility to search for and seize a weapon may be conducted absent probable cause to believe the person is in fact concealing a weapon on his or her person if there arises a specific threat to institutional security which reasonably requires such a search or if all persons in the facility are being searched for the discovery of weapons or contraband.

(20) Any holding, detention, or local correctional facility which cannot fully comply with the requirements of subsection (1) of this section due to the lack of physical facilities shall so certify to the corrections standards board, detailing each reason preventing compliance. Upon verification of the reasons given, the corrections standards board may temporarily exempt compliance with the requirements of subsection (1) of this section until such date as it deems appropriate, consistent with the intent of this section. The corrections standards board may grant no period of exemption extending beyond July 1, 1984. The legislature may establish dates for compliance extending beyond July 1, 1984. Any holding, detention, or local correctional facility granted a temporary exemption under this subsection shall implement the requirements of subsection (1) of this section to the extent feasible and shall promulgate rules and procedures limiting the use of strip searches and implementing the intent of this section.

**NEW SECTION.** Sec. 2. The legislative budget committee and the corrections standards board shall, prior to January 1984, concurrently review any exceptions granted by the corrections standards board under section 1(20) of this act. The committee shall also review and audit estimates of the cost of compliance with this act prepared by the corrections standards board. The legislative budget committee shall report to the 1984 regular session of the legislature on its findings and conclusions as to the board's estimate of the cost of compliance with this act, and may submit its own estimate of those costs.

**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 September 1, 1983."

On motion of Mr. Locke, the following amendments by Representatives Locke and West to the amendment were adopted:

On page 4, line 12 after "authorization" strike "for the body cavity search"

On page 9, line 4 after "may" strike "grant no period of" and insert "not grant any"

On page 9, line 23 after "any" strike "exceptions" and insert "exemptions"

Mr. P. King moved adoption of the following amendment by Representatives P. King and Tilly to the amendment:

On page 9, beginning on line 6 strike "1984. The legislature may establish dates for compliance extending beyond July 1, 1984" and insert "1985"

Representatives P. King, Tilly and Locke spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Armstrong, West and Locke as amended.

Mr. Locke spoke in favor of the amendment as amended, and Mr. Halsan spoke against it.

#### MOTION

Mr. Taylor moved that the House adjourn.

#### ROLL CALL

The Clerk called the roll on the motion that the House adjourn, and the motion was lost by the following vote: Yeas, 45; nays, 50; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Clayton, Dellwo, McClure - 3.

Representatives Patrick and Padden spoke against the amendment as amended.

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Armstrong, West and Locke as amended to Engrossed Substitute Senate Bill No. 3817, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Locke, Lux, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Walk, Wang, West, Zellinsky, and Mr. Speaker - 43.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Egger, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kreidler, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Williams B, Williams J, Wilson - 52.

Excused: Representatives Clayton, Dellwo, McClure - 3.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, West, Miller, Long, Haugen, Smitherman, Stratton, Padden, Halsan, Fuhrman and Martinis:

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

"NEW SECTION, Sec. 1. There is hereby added to chapter 70.48 RCW a new section to read as follows:

The Washington state corrections standards board shall promulgate rules and regulations concerning the appropriate procedures for strip searches in the jails of this state. The board shall consider prisoners civil rights and rights to privacy in adopting such rules. Rules shall be promulgated no later than October 1, 1983 and all jails within the state shall be in compliance with search rules by January 1, 1984.

NEW SECTION. Sec. 2. There is hereby added to chapter 70.48 RCW a new section to read as follows:

Any jail within the state which shall be in violation of the rules and regulations of the state corrections standards board with respect to strip searches shall receive no state funds."

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt, Padden and Halsan to the amendment:

On page 1, line 6 strike all material after "rules" through "state." on line 9 and insert "The board shall report its recommendations to the legislature by January 1, 1984 for final adoption, rejection or change."

Representatives Schmidt and Tilly spoke in favor of the amendment to the amendment, and Representatives Locke and Patrick spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schmidt and others to the Tilly amendment to Engrossed Substitute Senate Bill No. 3817, and the amendment to the amendment was not adopted by the following vote: Yeas, 43; nays, 50; absent, 2; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Bond, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 50.

Absent: Representatives Nealey, Stratton - 2.

Excused: Representatives Clayton, Dellwo, McClure - 3.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Miller to the amendment:

On line 6 of the amendment following "adopting such rules" insert ": PROVIDED, That (1) no person may be subjected to a strip search in a county jail, detention or corrections facility by, or observed by, a member of the opposite sex and (2) no body cavity search shall be performed in a county jail, detention or corrections facility except pursuant to a search warrant"

Representatives Tilly, Miller and Halsan spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Locke, I have a concern and perhaps you can address that concern. In your capacity as prosecuting attorney in dealing with search warrants, on the average, approximately how long does it take one to get a search warrant?"

Mr. Locke: "It depends, and we've been able to get search warrants within about a half hour and sometimes it depends on how soon the officer wants it. The officer can call in and say he wants it within five or six hours and we will have it ready. He can call in and say he wants it within five minutes and we will have it ready. The officer can merely call up a judge immediately--he doesn't even have to go through the prosecutor's office--and have a search warrant authorized by telephone."

Mr. Patrick: "What if, in a small county, there aren't many judges and not many prosecutors--what happens if there is not a judge or a prosecutor available? What does one do for a search warrant?"

Mr. Locke: "I believe that there is a supreme court ruling which would indicate that if you felt that the evidence would be destroyed, you would immediately be able to conduct that search. With respect to body search, if you could not receive authorization from even a superior court judge in a county, and I find that hard, you might have to call long distance to that county seat, but you would be able to obtain that authorization because there is a standard telephone list of night duty judges as well as prosecutors who stand on duty in the night to handle such cases. In any event, that person could be detained and put in isolation if you fear that person has drugs or a weapon within his body cavities until that search warrant could be obtained."

Mr. West spoke in favor of the amendment to the amendment and it was adopted.

#### MOTION

On motion of Mr. Charnley, further consideration of Engrossed Substitute Senate Bill No. 3817 was deferred.

ENGROSSED SENATE BILL NO. 3507, by Senators Hurley, Talmadge, Warnke and Hughes

Modifying provisions relating to gubernatorial appointments.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

Mr. B. Williams moved adoption of the following amendment:

On page 1, following line 17 insert:

"(3) The appropriate standing committee of the senate shall hold a public hearing on an appointment subject to senate confirmation. The committee may require the appointee to appear before the committee and testify under oath. The yeas and nays upon the question of confirmation in committee and before the senate shall be entered upon the journal."

Representatives B. Williams and G. Nelson spoke in favor of the amendment, and Mr. Walk spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to Engrossed Senate Bill No. 3507, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Clayton, Dellwo, McClure - 3.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, following line 16 insert:

"(3) This 1983 act shall not affect any person appointed or nominated by the governor prior to the effective date of this act."

Mr. Vander Stoep spoke in favor of the amendment.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Monday, April 18, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 18, 1983

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Martha Ewings and Greg O'Rielly. Prayer was offered by Representative Paul Pruitt of Seattle.

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

## MESSAGES FROM THE SENATE

April 16, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 304,  
HOUSE BILL NO. 313,  
SUBSTITUTE HOUSE BILL NO. 328,  
HOUSE BILL NO. 373,  
SUBSTITUTE HOUSE BILL NO. 383,  
SUBSTITUTE HOUSE BILL NO. 540,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 17, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 498,  
HOUSE BILL NO. 925,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 304,  
HOUSE BILL NO. 313,  
SUBSTITUTE HOUSE BILL NO. 328,  
HOUSE BILL NO. 373,  
SUBSTITUTE HOUSE BILL NO. 383,  
SUBSTITUTE HOUSE BILL NO. 498,  
SUBSTITUTE HOUSE BILL NO. 540,  
HOUSE BILL NO. 925.

## INTRODUCTION AND FIRST READING

E2SSB 3624 by Committee on Ways & Means (originally sponsored by Senators Hughes, Zimmerman, Hurley, Bender, Wojahn, Hansen, Bottiger, McManus, Granlund, Owen, Vognild, Moore, Thompson, Gaspard, Peterson, Fleming, Woody, Bauer, Conner, Rasmussen, Warnke, Rinehart, Shinpoch, Talmadge, Williams, Goltz, McDermott, Hemstad, Lee, Fuller, Bluechel and Quigg)

Establishing a conservation corps.

Referred to Committee on Commerce & Economic Development

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3640, by Committee on Judiciary (originally sponsored by Senators Moore and Talmadge)

Modifying the residential landlord-tenant act.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Isaacson moved adoption of the following amendments:

On page 9, line 16 strike all of section 9 and renumber the remaining sections consecutively.

On page 13, following line 9 insert:

**NEW SECTION, Sec. 14.** (1) The legislature finds that the ability of a landlord to evict a tenant using the twenty day notice procedure of RCW 59.18.200 remains the last means a landlord retains to evict in retaliation a tenant who complains about a condition which makes a rental uninhabitable or otherwise asserts the tenants' rights. The legislature further finds that the elimination of this right of the landlords could result in huge financial loss by the landlords.

(2) There is created a joint committee comprised of eight members, two from each caucus in the house of representatives and two from each caucus in the senate, to be appointed by the leader of each caucus.

(3) The committee shall study the advisability of amending RCW 59.18.240 by deleting the legality of a landlord evicting a tenant by giving a notice to terminate tenancy as provided in RCW 59.18.200 in retaliation for complaining about a condition which makes a rental uninhabitable or otherwise asserting the tenant's rights.

(4) The committee shall report its findings to the speaker of the house and the president of the senate by January 1, 1984 at which time the committee shall cease to exist."

Mr. Isaacson spoke in favor of the amendments, and Mr. Armstrong spoke against them.

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Isaacson, in section 9 that you are attempting to remove, I see some language on page 9, lines 32 and 33 regarding giving notice and my question is: Regarding section 9 of this bill, which is in the current bill that deletes the twenty-day notice for retaliatory evictions--does that mean that a landlord could be forced on any twenty-day notice to litigate a trial in order to have his property returned even if he, and not the tenant, would prevail?"

Mr. Isaacson: "Yes, it does. The current law gives the landlord his property back upon a twenty-day notice to the tenant. Under the new changes the tenant could contest the twenty-day notice for whatever reason, and force it to trial which would cost the landlord as much or more than \$1,000 on each action. If I may refer also to section 13 of the bill, 'If the defendant submits to the court a written statement signed and sworn under penalty of perjury denying that the rent alleged due in the complaint is owing based upon a legal or equitable defense or set-off arising out of the tenancy, such payment shall not be required.' In other words, what happens here is that if you do have this type of action taking place, the tenant merely needs to assert that he has an equal defense. He doesn't have to establish it; he just has to assert that he has it or that he has a set-off arising out of the tenancy or in the case of one of the other speakers here, he says the place is uninhabitable, literally he can stay there while he is contesting that case and denying both rent and payment to you while that case is in court."

Mr. Tilly spoke in favor of the amendments, and Representatives Wang and West spoke against them.

Mr. Isaacson spoke again in favor of the amendments, and Mr. Armstrong again opposed them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Isaacson to Substitute Senate Bill No. 3640, and the amendments were not adopted by the following vote:

Yeas, 43; nays, 53; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Risuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Walk, Wang, West, Zellinsky, and Mr. Speaker - 53.

Absent: Representatives Tanner, Vekich - 2.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 3640 as amended by the House be placed on final passage.

Mr. McDonald spoke against the motion, and a division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 3640 as amended by the House to final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 53; nays, 43; absent, 2; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Risuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Absent: Representatives Tanner, Vekich - 2.

Substitute Senate Bill No. 3640 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3766, by Committee on Judiciary (originally sponsored by Senators Fleming, Talmadge and McDermott)

Prohibiting the use of choke holds by law enforcement and correctional officers.

The bill was read the second time.

Mr. West moved adoption of the following amendment:

On page 1, line 2 following "subdivisions;" strike the remainder of the bill and insert: "adding new sections to chapter 4.92 RCW.

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

**NEW SECTION.** Sec. 1. A law enforcement officer, correctional guard, or other employee of the state or a political subdivision of the state shall not use a choke hold on any person unless the person poses a threat of death or serious physical injury to the officer, employee or another person. 'Choke hold' includes any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck.

**NEW SECTION.** Sec. 2. An officer, guard or employee may only use a sleeper hold in a noncustodial setting and then only to overcome resistance or to prevent escape.

A 'sleeper hold' includes any hold or restraint specifically designed to inhibit blood flow through the carotid arteries of the neck.

**NEW SECTION.** Sec. 3. The state criminal justice training commission established in accordance with chapter 43.101 RCW shall develop training standards for the use of sleeper holds and no officer, guard or employee may use a sleeper hold who has not received training conducted consistent with these standards.

**NEW SECTION.** Sec. 4. Sections 1, 2 and 3 of this act are added to chapter 4.92 RCW."

Representatives West, Armstrong and Patrick spoke in favor of the amendment, and it was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Armstrong and West spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3766 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 3766 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, the House advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3043, by Committee on Institutions (originally sponsored by Senator McCaslin)

Providing for notification to law enforcement agencies of institutional furloughs.

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

Representatives Dellwo and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3043, and the bill passed the House by the following vote: Yeas, 98; nays, ; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 3043, having received the 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. 3094, by Committee on Local Government (originally sponsored by Senators Goltz, Zimmerman, Thompson and McCaslin)

Providing for latecomer fees for street improvements which were undertaken as a prerequisite to property development.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3094, and the bill passed the House by the following vote: Yeas, 98; nays, ; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler,



Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 3094, having received the 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. 3140, by Senators Thompson, Zimmerman and Woody

Modifying the number of required council members in code cities arising from a population change.

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

Ms. Haugen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3140, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 3140, having received the 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. 3782 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge, McCaslin, Zimmerman, Rasmussen and Deccio)

Modifying provisions relating to firearms.

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

Representatives McMullen and Padden spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Padden, how is a tourist who is traveling through the state on vacation handled in this bill? He might have a firearm in his possession and have a valid permit from his state."

Mr. Padden: "Representative Isaacson, I'm really not certain of that to give you an answer at this time."

#### POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Padden.

Mr. Padden: "Representative McMullen, in enacting this law, what would the affect of this bill be on military personnel stationed in the state of Washington who purchase firearms or who apply for a concealed pistol license?"

Mr. McMullen: "Right now, Representative Padden, federal law and state law require that a person be a resident of this state in order to purchase a handgun here. If a service person is otherwise considered a resident in sixty days, he or she may purchase a handgun or a firearm or apply for a concealed pistol license."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3782 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fisch, Tanner, Vekich - 3.

Substitute Senate Bill No. 3782 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. 3217 AS AMENDED BY THE HOUSE, by Committee on Natural Resources (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Prohibiting commercial salmon fishing in waters connected to the Columbia river below Bonneville dam.

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

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

## POINT OF INQUIRY

Mr. Ristuben yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Ristuben, I notice that the fiscal note on this measure indicates that during this biennium, we will receive a positive impact to the general fund of the state of a total of \$140,830 and in federal moneys, \$173,36. Could you provide for the body the reason why we would have that total of \$314,198 impact to the state of Washington?"

Mr. Ristuben: "I'm sorry, I am unable to answer that."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3217 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Monohon - 1.

Engrossed Substitute Senate Bill No. 3217 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 SECOND SUBSTITUTE SENATE BILL NO. 3245 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, Bottiger, Gaspard, Bluechel, Hurley, Barr, Warnke, Shinpoch, Peterson, Moore, Owen, Vognild, Williams, Talmadge, Wojahn, Bauer, Woody, Hemstad, Quigg, McManus, Hughes, Deccio, Fuller, von Reichbauer, Sellar, Bender, McCaslin, Kiskaddon and Hayner - by Governor Spellman request)

Establishing the housing finance commission.

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

Representatives Ebersole, Barrett, J. King, G. Nelson and Barnes spoke in favor of passage of the bill, and Representatives Addison and Isaacson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3245 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 15; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Addison, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Isaacson, McDonald, Padden, Sanders, Smith, Vander Stoep, West - 15.

Engrossed Second Substitute Senate Bill No. 3245 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. 3880 AS AMENDED BY THE HOUSE, by Committee on Education (originally sponsored by Senator Gaspard)

Continuing the sick leave buy back program for school employees.

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

Representatives R. King, Betzoff and Vander Stoep spoke in favor of passage of the bill, and Representatives Taylor, Dickie, Schoon, Struthers and Isaacson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3880 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 21; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Ballard, Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Isaacson, Lewis, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Williams J, Wilson - 21.

Substitute Senate Bill No. 3880 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. 4201, by Committee on Parks & Ecology (originally sponsored by Senators Williams, Fuller, Goltz, Lee and Hemstad)

Requiring that used automotive oil be recycled.

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

Ms. Rust spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Addison.

Mr. Addison: "Representative Rust, when the oil is rerefined, is it of the same quality as new oil?"

Ms. Rust: "Yes, it is."

POINT OF INQUIRY

Mr. Zellinsky yielded to question by Mr. Addison.

Mr. Addison: "Representative Zellinsky, is rerefined oil of the same quality as new oil?"

Mr. Zellinsky: "In my opinion, no."

Representatives Charnley and Patrick spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Cantu asked Ms. Rust to yield to question and she refused to yield.

Ms. Rust spoke again in favor of the bill, and Mr. Bond spoke against it.

Representatives Isaacson and Nealey spoke in favor of the bill, and Mr. G. Nelson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4201, and the bill passed the House by the following vote: Yeas, 75; nays, 23; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Waik, Wang, Williams B, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Barnes, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Lewis, McDonald, Nelson G, Padden, Schmidt, Smith, Struthers, Taylor, Vander Stoep, West, Williams J, Wilson - 23.

Substitute Senate Bill No. 4201, having received the 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. 4088 AS AMENDED BY THE HOUSE, by Senator Williams

Continuing the archaeological research center for an additional six years.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4088 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 4088 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. 3811 AS AMENDED BY THE HOUSE, by Committee on Local Government (originally sponsored by Senators Fleming, McDermott, McManus and Woody)

Revising the powers of housing authorities.

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

Representatives Charnley, Barrett and Lux spoke in favor of passage of the bill, and Mr. Hastings spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3811 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 14; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, Padden, Sanders, Smith, West, Williams J - 14.

Engrossed Substitute Senate Bill No. 3811 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. 3034 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senator Rinehart)

Modifying provisions relating to consumer warranties.

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

Representatives Armstrong and Lewis spoke in favor of passage of the bill, and Representatives Zellinsky and Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3034 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 23; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, and Mr. Speaker - 75.

Voting nay: Representatives Ballard, Barnes, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Egger, Fuhrman, Gallagher, Hankins, Hastings, Isaacson, King J, Long, Miller, Sanders, Smith, Tilly, West, Williams J, Zellinsky - 23.

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.

SUBSTITUTE SENATE BILL NO. 3127 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge, Bender, Hemstad, Goltz and Shinpoch)

Modifying the distribution of industrial insurance awards and settlements.

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

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

#### POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Tilly.

Mr. Tilly: "Representative McMullen, I'm looking at this fiscal impact note, and it shows a fiscal impact of \$1.6 million for the biennium. Who is going to pick up that cost? Is it the state general fund or are the individual employers of the state going to have their premiums increased? Where is that money going to come from?"

Mr. McMullen: "That is a speculative impact. What it means is that the amount of money the department should be paying for attorney fees presently, but is not because they are getting the attorneys to recover that amount of money. This means this is the amount of money that they will not get back. What it doesn't cover is the increased number of law suits that injured workers will take against wrongdoers or the wrongful party to get back their recovery, because they will get back a fair share of the recovery and not have to pay the department back in full. It also doesn't cover the fact that if the department wishes to do that themselves, they have to hire assistant attorneys general to go do it; so that fiscal impact wouldn't show directly to the department, but the Attorney General's staff would increase, so either way the department will have to pay for it."

Mr. Tilly spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3127 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 3127 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Wang, the bills passed during the morning session were ordered immediately transmitted to the Senate.

On motion of Mr. Wang, 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.

## MESSAGES FROM THE SENATE

April 16, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 270,  
 SUBSTITUTE HOUSE BILL NO. 1035,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 304,  
 HOUSE BILL NO. 313,  
 SUBSTITUTE HOUSE BILL NO. 328,  
 HOUSE BILL NO. 373,  
 SUBSTITUTE HOUSE BILL NO. 383,  
 SUBSTITUTE HOUSE BILL NO. 498,  
 SUBSTITUTE HOUSE BILL NO. 540,  
 HOUSE BILL NO. 925,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SUBSTITUTE SENATE BILL NO. 3079 AS AMENDED BY THE HOUSE, by Committee on Local Government (originally sponsored by Senators Bauer and Sellar)

Authorizing insurance services for officials as well as employees of sewer districts.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3079 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent, 6; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King R, Kreidler, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Padden, Taylor - 2.

Absent: Representatives King J, King P, Lewis, Lux, Sommers, Sutherland - 6.

Substitute Senate Bill No. 3079 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I wish the record to show that I would have voted "Yes" on Substitute Senate Bill No. 3079 as amended by the House.

PAUL KING, 44TH DISTRICT.

## MOTION

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

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3817, by Committee on Judiciary (originally sponsored by Senators Fleming, Hemstad, McDermott and Talmadge)

Restricting body searches by law enforcement agencies.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Tilly and others striking everything after the enacting clause and inserting new language.

Representatives Tilly and Locke spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Tilly yielded to question by Ms. Belcher.

Ms. Belcher: "Representative Tilly, the original bill dealt with both procedures for strip search and body cavity search, and your amendment asks the correctional standards board to establish procedures for strip search only, but it does include one proviso for body cavity search. Was it your intent that the correctional standards board would develop procedures for both?"

Mr. Tilly: "Yes, it is, Representative Belcher. I believe in the debate that Representative Locke mentioned, that most every county is already doing that and that would be my intent. I would be glad to write a letter to the board requesting that be a part of what they consider and hopefully order the counties and cities to do so."

Ms. Belcher spoke in favor of the amendment, and it was adopted.

On motion of Mr. Tilly, the following amendment to the title was adopted:

On page 1, line 1 following "seizure;" strike the remainder of the title and insert "adding new sections to chapter 70.48 RCW."

On motion of Mr. Wang, 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 Substitute Senate Bill No. 3817 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent, 3; excused, 0.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Clayton, Egger, Fuhrman - 4.

Absent: Representatives Allen, King J, Lewis - 3.

Engrossed Substitute Senate Bill No. 3817 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Please insert in the Journal my vote on ESSB 3817 as amended by the House as affirmative.

KATHERINE ALLEN, 21st District.



ENGROSSED SENATE BILL NO. 3507, by Senators Hurley, Talmadge, Warnke and Hughes

Modifying provisions relating to gubernatorial appointments.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

On motion of Mr. Walk, the following amendment was adopted:

At the end of the committee amendment to page 1, line 8, insert "However, persons holding appointive office on the effective date of this act may serve without confirmation for a period of one year after such effective date."

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, following line 16 insert:

"(3) This 1983 act shall not affect any person appointed or nominated by the governor prior to the effective date of this act."

Representatives Vander Stoep and B. Williams spoke in favor of the amendment, and Mr. Walk spoke against it.

Mr. Vander Stoep spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep to Engrossed Senate Bill No. 3507, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Long, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Absent: Representatives King J, Lewis - 2.

Mr. Vander Stoep moved adoption of the following amendment:

On page 1, following line 16 insert:

"NEW SECTION. Sec. 2. This act shall take effect on January 20, 1985."

Renumber the remaining section consecutively.

Mr. Vander Stoep spoke in favor of the amendment, and Mr. Walk spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep adding a new section and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representatives King J, Lewis - 2.

Mr. Taylor moved adoption of the following amendment by Representatives Taylor, D. Nelson, Barrett, G. Nelson, Addison, Dickie, Padden, Locke, Smitherman, P. King, Jacobsen, Sayan, Nealey, J. Williams, Schmidt, Prince, Van Dyken and Hastings:

On page 1, following line 17 insert a new subsection:

"(3) Any confirmation not required in the Constitution to be made by the senate shall be the duty of the house to make."

Mr. Taylor spoke in favor of the amendment, and Representatives Walk and Charnley spoke against it.

Mr. Taylor spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taylor and others to Engrossed Senate Bill No. 3507, and the amendment was adopted by the following vote:

Yeas, 71; nays, 24; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kreidler, Locke, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 71.

Voting nay: Representatives Appelwick, Armstrong, Burns, Charnley, Crane, Dellwo, Ellis, Fisher, Gallagher, Garrett, Jacobsen, Kaiser, King P, King R, Lux, McClure, Moon, Niemi, O'Brien, Powers, Pruitt, Stratton, Walk, and Mr. Speaker - 24.

Absent: Representatives King J, Lewis, Sutherland - 3.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. McDonald spoke against the motion.

Engrossed Senate Bill No. 3507 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

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

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3055 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Revising electrical construction laws.

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

Mr. R. 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. 3055 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Locke - 1.

Absent: Representatives King J, Lewis - 2.

Engrossed Substitute Senate Bill No. 3055 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. 3595 AS AMENDED BY THE HOUSE, by Committee on State Government (originally sponsored by Senator Warnke)

Authorizing the department of veterans affairs to contract with veterans' organizations for services.

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

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

#### POINT OF INQUIRY

Mr. Walk yielded to question by Ms. Belcher.

Ms. Belcher: "Representative Walk, is it your intent that money available under this bill would be used to reimburse the organizations involved for services rendered?"

Mr. Walk: "Yes, that's correct. The bill would allow for contracting with veterans' organizations for the services they provide and reimburse them."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3595 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 3; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives King J, Lewis, Rust - 3.

Substitute Senate Bill No. 3595 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. 3145 AS AMENDED BY THE HOUSE, by Senators Peterson, Guess and Hansen (by Department of Licensing request)

Modifying provisions on special fuel taxes.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3145 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives King J, Lewis - 2.

Senate Bill No. 3145 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. 3251, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Jones, Bottiger and Williams)

Regulating portable oil fueled heaters.

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

Mr. Smitherman 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. 3251, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 3; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives King J. Lewis, Rust - 3.

Engrossed Substitute Senate Bill No. 3251, having received the 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, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3007,  
 SENATE BILL NO. 3018,  
 SUBSTITUTE SENATE BILL NO. 3043,  
 SUBSTITUTE SENATE BILL NO. 3052,  
 SUBSTITUTE SENATE BILL NO. 3054,  
 SUBSTITUTE SENATE BILL NO. 3066,  
 SUBSTITUTE SENATE BILL NO. 3094,  
 SENATE BILL NO. 3140,  
 SUBSTITUTE SENATE BILL NO. 3151,  
 SUBSTITUTE SENATE BILL NO. 3161,  
 SENATE BILL NO. 3167,  
 SENATE BILL NO. 3185,  
 SENATE BILL NO. 3250,  
 SENATE BILL NO. 3252,  
 SENATE BILL NO. 3655,  
 SUBSTITUTE SENATE BILL NO. 3742,  
 SENATE BILL NO. 3991,  
 SUBSTITUTE SENATE BILL NO. 4201,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 270,  
 SUBSTITUTE HOUSE BILL NO. 1035,  
 SUBSTITUTE SENATE BILL NO. 3007,  
 SENATE BILL NO. 3018,  
 SUBSTITUTE SENATE BILL NO. 3043,  
 SUBSTITUTE SENATE BILL NO. 3052,  
 SUBSTITUTE SENATE BILL NO. 3054,  
 SUBSTITUTE SENATE BILL NO. 3066,  
 SUBSTITUTE SENATE BILL NO. 3094,

SENATE BILL NO. 3140,  
 SUBSTITUTE SENATE BILL NO. 3151,  
 SUBSTITUTE SENATE BILL NO. 3161,  
 SENATE BILL NO. 3167,  
 SENATE BILL NO. 3185,  
 SENATE BILL NO. 3250,  
 SENATE BILL NO. 3252,  
 SENATE BILL NO. 3655,  
 SUBSTITUTE SENATE BILL NO. 3742,  
 SENATE BILL NO. 3991,  
 SUBSTITUTE SENATE BILL NO. 4201.

ENGROSSED SENATE BILL NO. 3130, by Senators Talmadge, Hemstad and Woody

Awarding attorneys fees in frivolous actions or defenses and to prevailing parties acting as private attorneys general.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3130, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 2; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Niemi - 1.

Absent: Representatives King J, Lewis - 2.

Engrossed Senate Bill No. 3130, having received the 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. 3206, by Committee on Local Government (originally sponsored by Senators Thompson, Zimmerman and Bauer)

Modifying provisions on open public meetings.

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

Ms. Haugen spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Ballard.

Mr. Ballard: "Representative Charnley, I have two questions I would like some clarification on. On the water district board we have three members on our board. If two of us wanted to go up to the site of a new reservoir simply for an informational gathering and it would actually constitute a majority of the board, but we were there not to conduct any business, would that conflict with the open meetings act?"

Mr. Charnley: "Representative Ballard, I think the language is very clear on this matter. It would not conflict. Members of a board could be going to obtain information, to bring data back to the board. They are not acting for the board in this case, as the new language clearly states. When the committee acts on behalf of the governing body, they simply would not have to worry about the language in open meetings."

Mr. Ballard: "In the section where it deals with the vacancy of elected office, the new language indicates that those interviews must be conducted in an open meeting. However, let's say that there was some sensitive information that one of the members had regarding a candidate—maybe a previous police record or something that had happened in which there were illegal activities by one of the candidates—is there anything to preclude that from being discussed in executive session before the selection has been made?"

Mr. Charnley: "Again, the answer is 'no.' There is nothing to preclude that. Existing language of the law remains over the executive sessions or regular special meetings to consider the appointments. That certainly would include times when they want to discuss those candidates and consider some sensitive matters."

#### POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Hine, would formal notices be required when preliminary discussions were being held by members of the city council and city staff?"

Ms. Hine: "Representative Isaacson, I believe that is not the intent of this legislation."

Mr. Isaacson: "Would the bill apply to the meeting of a budget committee consisting of less than a majority of the governing body, discussing the budget with a department head?"

Ms. Hine: "No, Representative Isaacson."

Mr. Isaacson: "What are the requirements with respect to giving formal notice?"

Ms. Hine: "It's the intent of the legislation, we believe, subject to the deliberations of the governing body, that this apply only to the deliberations of the governing body or subcommittees which the governing body specifically authorizes to act on its behalf, or which policy, testimony or comments are made in its behalf. In other words, it's when making policy or rules, not for general comments or any kind of informal type meetings they may have. Those would not require the official formal notice."

Mr. B. Williams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3206, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative King J - 1.

Engrossed Substitute Senate Bill No. 3206, having received the 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. 3239, by Committee on Agriculture (originally sponsored by Senators Hansen, Newhouse, Deccio, Barr, Goltz, Bauer and Benitz)

Defining "cold storage warehouse" for excise tax purposes.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3239, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Armstrong, Locke - 2.

Absent: Representative King J - 1.

Substitute Senate Bill No. 3239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

SENATE BILL NO. 3089, by Senators Goltz, Kiskaddon and Bauer

Permitting private schools to obtain a surety bond when making joint purchases with public schools.

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

Representatives Galloway, Van Dyken, Schoon, Egger and Taylor spoke in favor of passage of the bill, and Mr. Hastings spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3089, and the bill passed the House by the following vote: Yeas, 97; nays, 1; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Hastings - 1.

Senate Bill No. 3089, having received the 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. 3230, by Committee on Ways & Means (originally sponsored by Senators Fleming, Bluechel, Wojahn, Hemstad, Quigg, Deccio, Fuller, McManus, von Reichbauer, Granlund, Lee, Bender, Kiskaddon and Bauer - by Governor Spellman request)

Establishing the office of minority and women's business enterprises.

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

Representatives Niemi, Locke and Hankins spoke in favor of passage of the bill, and Mr. Barrett spoke against it.

## POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Fiske.

Mr. Fiske: "Representative Niemi, I know in your opening remarks you addressed this, but I think it would be important that we read this into the record. Is the intent of this legislation that the goal is not a quota?"

Ms. Niemi: "That is correct. Both goal and quota are terms of art and have been defined by case law. A goal is not something that must be mandatory and a quota is."

Mr. Fiske spoke in favor of the bill, and Mr. Struthers spoke against it.

#### POINT OF INQUIRY

Mr. Locke yielded to question by Ms. Long.

Ms. Long: "Representative Locke, in section 7, it says, 'It is the intent of this chapter that the goals established under this chapter for participation by minority and women-owned businesses be achievable. If necessary to accomplish this intent, contracts shall be awarded to the next lowest bidder, or all bids may be rejected and new bids obtained....' That seems to conflict with what you said or maybe I just don't understand, so I would appreciate it if you would clarify that."

Mr. Locke: "I'm not sure how it conflicts with what I've said. Could you direct a more pointed question?"

Ms. Long: "I thought you said it wouldn't necessarily mean that it would go to the lower bidder, that the lowest bid would be taken and this says the next lowest bid could be taken if the lowest bid does not meet the goals established for a particular contract."

Mr. Locke: "That's correct, the awarding authority could reject the lowest bidder and could go to the next lowest bidder but the awarding authority could, in fact, decide not to go to the second lowest bidder if they wanted to--maybe they would find the differential was too great and not acceptable. They could, therefore, decide to reject all bids and put out for rebidding to insure that the next time around the lowest bidder would get the award. The reason they may want to reject the lowest bidder is because there has been no attempt by the lowest bidder to even try to comply with the goals as the requirements of the contract in terms of trying to seek or encourage women or minority participation. In some cases, certain fields are so specialized where there are not women or minority businesses, and that's why it's a goal and the awarding authority could decide to exempt the requirements of women or minority participation. Sometimes they may want to take that lowest bidder even though there are no women or minorities subcontracting for participation, but if it's a field that has many women and minority businesses, and the lowest bidder has not even made a good faith effort to try and seek or recruit women and minority subcontractors, then that awarding authority may decide to reject that low bid and go to the second low bid if the price differential is not extensive and is within the estimate of the engineers and so forth."

Ms. Long: "Do you think this could lead to anyone making bids extremely low and then going by way of change order to get the job?"

Mr. Locke: "No, I don't think you could do that because you have to bid on the job as it is. Change orders would be requested only by the awarding authority because they might want to extend the scope of the work. The engineering departments review all the bids submitted by the contractors to make sure the specifications are met, the materials are met and the equipment meets all specifications in terms of federal requirements as well as state requirements. Many times without even looking at minority business programs, low bidders are rejected because of lack of quality work or a perceived inability to do the job."

Ms. Long: "This doesn't even mention quality at all."

Mr. Locke: "The awarding authority does not have to accept any work that they feel would not meet the quality standards of the job, and if the prime bidder is a person who has no experience and is not capable of providing the services, then the awarding authority routinely, even on nonminority and nonwomen businesses, have rejected those bids because they were substandard and that would continue."



## POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Niemi, in your remarks you said the overall scope of this legislation is to establish goals and if I may, on page 3, subsection (4), it states that this new office of minority business enterprises shall establish overall goals for participation, and so forth, for each agency and further, it says 'on a contract-by-contract basis,' and yet in new section 6, it says very specifically that 'each state agency and educational institution shall comply with the annual goals....' It seems to be a paradox in that language. Am I reading that incorrectly, or is there indeed a paradox?"

Ms. Niemi: "Each agency is involved in setting the goals and what those two say together is that you can't participate in the setting of the goals, as you referred to in the first subsection, and then completely ignore what you said you would do; you have to agree to those goals after you have been a part of setting them."

Mr. Schoon spoke against passage of the bill, and Mr. Barrett again opposed it.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Grimm, the fiscal note on this bill notes a fiscal impact of twenty full-time-equivalent employees plus a budget of about \$1,518,000 for the next biennium. Was this included in the budget that was passed by this House?"

Mr. Grimm: "No, it was not, but there is a rumor that the only good change being proposed by the Senate to the House budget would incorporate money for the minority women's business enterprise."

Mr. Bond spoke against the bill, and Representatives Belcher and Brough spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3230, and the bill passed the House by the following vote: Yeas, 77; nays, 21; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Ballard, Barnes, Barrett, Betrozoff, Bond, Cantu, Chandler, Dickie, Fuhrman, Hastings, McDonald, Nealey, Padden, Prince, Sanders, Schoon, Smith, Struthers, Taylor, West, Williams J - 21.

Engrossed Second Substitute Senate Bill No. 3230, having received the 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. 3006, by Committee on Parks & Ecology (originally sponsored by Senators Bluechel, Williams, Fuller and Hurley)

Revising the state environmental policy act.

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

Representatives Hine and Wang spoke in favor of passage of the bill, and Ms. Brekke spoke against it.

## POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Hine, does the term 'probable' change the existing law?"

Ms. Hine: "No. The state supreme court has consistently stated that an environmental impact statement is required 'whenever more than a moderate effect on the quality of the environment is a reasonable probability.' This is not meant as a strict statistical probability test. An impact may be significant if its chance of occurrence is not great, but the resulting environmental impact would be severe if it occurred."

Mr. Van Dyken: "Does the phrase 'capable of being accomplished' in section 3 maintain the existing law?"

Ms. Hine: "Yes. SEPA currently requires agencies 'to use all practicable means, consistent with other essential considerations of state policy' to preserve and enhance environmental quality. The dictionary defines the word 'practicable' as 'capable of being accomplished.' This determination is made by the government agency, which is the entity responsible for SEPA compliance. Section 3 provides that an agency can deny a project if the impacts cannot be sufficiently mitigated."

Mr. Van Dyken: "Does the bill continue the right of private citizens to bring SEPA lawsuits and to seek judicial enforcement of mitigating conditions?"

Ms. Hine: "Yes. The bill expressly provides for the right to challenge substantive and procedural compliance with the act. The existing right to a healthful environment is not amended in this bill. Conditions to mitigate environmental impacts are governmental actions under section 3 of the bill, and lawsuits may be brought under section 4 to ensure that they are enforced."

Mr. Van Dyken: "Section 7(1)(f) refers to 'environmental health' as an element of the environment; does this include human health? Also, this provision refers to 'housing'; does this include low income housing?"

Ms. Hine: "Yes. Environmental health is a broader category which includes human health and the health of all living things. Housing includes low income housing affected by a proposal."

Mr. Van Dyken: "The bill lists certain elements of the built environment and examples of items to be included as subheadings in the rules. Some people call these 'socioeconomic' elements. It is my understanding that the bill clarifies but does not overrule the result in the Barrie II case and would require consideration of subheadings such as noise and aesthetics to continue to be included. It is also my understanding that agencies can discuss any types of impacts in EISs, including impacts which may not be environmental in nature. Is this correct?"

Ms. Hine: "Yes. The bill specifies the major headings, and the Department of Ecology would still be able to list subheadings in the statewide SEPA rules. The rules recommended by the Commission on Environmental Policy, which was created by the legislature in 1981, would include noise, aesthetics, housing, recreation, historic and cultural preservation, among other items, as subheadings under 'land and shoreline use.' Environmental impacts in these areas would be required to be considered under SEPA. Although other items cannot be required under SEPA, a local government or other agency has the option to include analysis of any impact in an EIS."

Mr. Van Dyken: "Sections 3 and 8 require government agencies to adopt certain policies, rules and regulations not later than one hundred eighty days after the effective date of the statewide rules to be adopted under section 7. Can they later update, amend or adopt new rules?"

Ms. Hine: "Yes."

Representatives Van Dyken and Dellwo 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. 3006, and the bill passed the House by the following vote: Yeas, 85; nays, 13; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan,

Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Armstrong, Brekke, Burns, Charnley, Fisher, Locke, Lux, Nelson D, Niemi, Pruitt, Rust, Sommers, Todd - 13.

Engrossed Substitute Senate Bill No. 3006, having received the 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. 3657 AS AMENDED BY THE HOUSE, by Committee on State Government (originally sponsored by Senators Wojahn, McDermott and Talmadge)

Modifying provisions relating to the use of state-owned armories.

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

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

#### POINT OF INQUIRY

Ms. Miller asked Mr. Wang to yield to question and he refused to yield.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3657 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 10; excused, 0.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Berozoff, Brough, Cantu, Chandler, Fuhrman, Hankins, Miller, Padden, West, Wilson - 10.

Substitute Senate Bill No. 3657 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, the House reverted to the sixth order of business.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 3483, by Committee on Natural Resources (originally sponsored by Senators Hansen, Deccio, Bender, Bauer, Goltz, Sellar, Benitz, Newhouse and Barr)

Modifying the oil and gas conservation.

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

SENATE JOINT MEMORIAL NO. 110, by Senators Zimmerman, Bauer, Benitz, Fuller, Conner, Owen, Sellar, Hansen, Hayner and Pullen

Requesting Congress to refrain from imposing further federal control over land in the Columbia River Gorge.

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

REENGROSSED SUBSTITUTE SENATE BILL NO. 3856, by Committee on Judiciary (originally sponsored by Senator Taimadge)

Changing provisions relating to criminal law.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

The bill was passed to Committee on Rules for third reading.

MESSAGE FROM THE SENATE

April 18, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 270,  
 SUBSTITUTE HOUSE BILL NO. 1035,  
 SUBSTITUTE SENATE BILL NO. 3006,  
 SENATE BILL NO. 3089,  
 SENATE BILL NO. 3130,  
 SUBSTITUTE SENATE BILL NO. 3206,  
 SECOND SUBSTITUTE SENATE BILL NO. 3230,  
 SUBSTITUTE SENATE BILL NO. 3239,  
 SUBSTITUTE SENATE BILL NO. 3251.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3006,  
 SENATE BILL NO. 3089,  
 SENATE BILL NO. 3130,  
 SUBSTITUTE SENATE BILL NO. 3206,  
 SECOND SUBSTITUTE SENATE BILL NO. 3230,  
 SUBSTITUTE SENATE BILL NO. 3239,  
 SUBSTITUTE SENATE BILL NO. 3251.

Representatives Brekke and Powers were excused.

SENATE BILL NO. 3182, by Senators Bottiger and Shinpoch

Modifying provisions relating to financial institutions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal 94th Day, April 13, 1983.)

Mr. Lux moved adoption of the committee amendment striking everything after the enacting clause.

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Braddock to the committee amendment:

On page 13, line 12 after "acquired" strike all the material through "insolvency" on line 18 and insert "is in danger of closing"

Mr. Kreidler spoke in favor of the amendment to the amendment, and Representatives Dellwo, West, Wang, Zellinsky and Chandler spoke against it.

The amendment was not adopted.

The Clerk read the following amendments to the committee amendment by Representatives Kreidler and Braddock:

On page 13, line 10 strike subsections (b)(i)(ii) through line 35 and insert a new subsection to read as follows:

"(i) The out-of-state bank holding company that proposes to acquire the bank, trust company, or national banking association the principal operations of which are conducted

within this state shall be a holding company that on the date it became a holding company principally conducted its operations within the states of Oregon or Idaho.\*

On page 13, line 36 strike "(iii)" and insert:

"(ii) The state in which the out-of-state bank holding company that proposes to acquire the bank, trust company, or national banking association, allows Washington bank holding companies to acquire a bank, trust company, or national banking association the principal operations of which are conducted within its state are no more restrictive terms than are imposed by this section."

With the consent of the House, Mr. Kreidler withdrew the amendments.

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Broback to the committee amendment:

On page 13, line 10 strike subsection (b)(i) and (ii) through line 35 and insert new subsections to read as follows:

"(i) The out-of-state bank holding company that proposes to acquire the bank, trust company, or national banking association the principal operations of which are conducted within this state shall be a holding company that principally conducted its operations within a state that has been found by the supervisor of banking to be a state with which Washington has such a community of interest that the people and commerce of our state will be benefited by allowing the acquisition.

(ii) In determining whether or not another state has a requisite community of interest with the state of Washington the supervisor of banking shall consider the physical proximity of the two states, the trade and commerce between the two states, the degree to which persons from the two states would benefit by provision of banking services within both states by a commonly owned banking system, and similar factors which, in the discretion of the supervisor of banking are relevant to the determination."

Representatives Kreidler and Broback spoke in favor of the amendment, and Representatives West, Dellwo and Wang spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Broback to the committee amendment:

On page 13, line 9 after "that:" strike all of the material through "(iii)" on line 36 and insert "(i)" and on page 14, line 3 strike "(iv)" and insert "(ii)"

Representatives Kreidler and Broback spoke in favor of the amendment, and Representatives Dellwo and West spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kreidler and Broback to the committee amendment to Senate Bill No. 3182, and the amendment was not adopted by the following vote: Yeas, 23; nays, 69; absent, 4; excused, 2.

Voting yea: Representatives Appelwick, Belcher, Braddock, Broback, Grimm, Halsan, Heck, King J, King R, Kreidler, Martins, McClure, McDonald, Mitchell, Niemi, Pruitt, Sanders, Sayan, Struthers, Sutherland, Todd, Vekich, Walk - 23.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Lewis, Locke, Long, Lux, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Prince, Ribusten, Rust, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Tanner, Taylor, Tilly, Van Dyken, Vander Sloep, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 69.

Absent: Representatives Gallagher, McMullen, Smitherman, Zellinsky - 4.

Excused: Representatives Brekke, Powers - 2.

The Clerk read the following amendments by Representatives Kreidler and Broback to the committee amendment:

On page 13, line 25 insert new subsections to read as follows:

"(i) In the judgment of the supervisor of banking the most suitable method of averting such threatened closing or of preserving such banking services would be to permit such an acquisition by the out-of-state bank holding company.

(iii) The supervisor, in making the judgment required in subsection (ii) above, shall give preference in the order listed below to acquisitions by acquiring companies that directly or indirectly are:

(a) First, depository institutions of the type within the same state;

(b) Second, depository institutions of the same type in different states;

(c) Third, depository institutions of different types in the same state; and

(d) Fourth, depository institutions of different types in different states."

On page 13, line 25 strike "(ii)" and insert "(iv)"

On page 13, line 36 strike "(iii)" and insert "(v)"

On page 14, line 3 strike "(iv)" and insert "(vi)"

With the consent of the House, Mr. Kreidler withdrew the amendments to the committee amendment.

The Clerk read the following amendment by Representative Niemi to the committee amendment:

On page 14, after line 16 insert the following new subsection:

"(d) The acquiring out-of-state bank shall:

(i) Give written assurance to the state supervisor of banking that in-state loans and investments shall be the highest priority of the bank and that the proportion of in-state loans and investments to out-of-state loans and investments shall be equal to the bank's existing proportion of in-state loans and investments to out-of-state loans and investments or not less than 10% of the average state proportion of in-state loans and investments to out-of-state loans and investments of Washington state banks, whichever is higher; and

(ii) Disclose and continue existing lending practices to small businesses consistent with the disclosure requirements in the federal Community Reinvestment Act of 1977 for home loan mortgages; and

(iii) Not seek or receive additional or new privileges for new banking activities which are not granted or available to in-state banks."

With the consent of the House, Ms. Niemi withdrew the amendment.

The committee amendment was adopted. On motion of Mr. Lux, the committee amendment to the title of the bill was adopted.

Senate Bill No. 3182 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Tuesday, April 19, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ONE HUNDREDTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 19, 1983

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Haugen and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kandi Turley and Carl Johnson. Prayer was offered by The Reverend Ken Snyder, Minister of St. Matthew Episcopal Church of Bellevue.

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

## MESSAGE FROM THE SENATE

April 18, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 125,  
 SUBSTITUTE HOUSE BILL NO. 522,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 546,  
 ENGROSSED HOUSE BILL NO. 919,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

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

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-49, by Representatives Belcher, R. King and Lux

WHEREAS, Frances Perkins served this country with dedication and a commitment to help the nation's labor force; and

WHEREAS, Frances Perkins strived to improve working conditions, sought legislation for a fifty-four hour work week, and fought to bring safety and health standards into the work place; and

WHEREAS, Her efforts on behalf of labor led to her appointment as the first woman cabinet member; and

WHEREAS, Frances Perkins, as Secretary of Labor, is credited with rebuilding the Department of Labor into an effective part of our government; and

WHEREAS, Frances Perkins as the Secretary helped draft New Deal legislation such as the Civilian Conservation Corps Act, the National Labor Relations Act, the Social Security Act and the Fair Labor Standards Act; and

WHEREAS, She served the country in this capacity longer than any other Secretary and often in the face of adversity; and

WHEREAS, April 10 is the birthday of Frances Perkins, a great woman and public servant;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Frances Perkins be recognized and honored for her contributions to the United States, to the work force, and to all humanity for her dedication to social justice by the adoption of this resolution.

On motion of Mr. Lux, House Resolution No. 83-49 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-60, by Representative Kaiser

WHEREAS, The country has grown great due to the unselfish commitment of its citizens to defending the right of freedom; and

WHEREAS, Llewellyn M. Chilson, holding the rank of sergeant during World War II, distinguished himself in the European war theater through his valor and heroism; and

WHEREAS, Llewellyn M. Chilson was the second most decorated United States soldier in the second world war; and

WHEREAS, Llewellyn M. Chilson, in December, 1946, was decorated by President Harry S. Truman with seven medals, the largest number of awards ever given to a soldier at the same time; and

WHEREAS, Llewellyn M. Chilson exemplified the qualities both in combat and in civilian life which are an integral part of our great nation;

NOW, THEREFORE, BE IT RESOLVED, By the members of the House of Representatives, That the Congress of the United States is requested to posthumously bestow on Master Sergeant Llewellyn M. Chilson the Congressional Medal of Honor; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the congressional delegation from the state of Washington.

On motion of Mr. Kaiser, House Resolution No. 83-60 was adopted.

#### SENATE AMENDMENTS TO HOUSE BILL

April 11, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 570 with the following amendments:

On page 1, line 14 of the engrossed bill, being page 1, line 14 of the printed bill, after "(1)" strike all material down to and including "Washington" on page 2, line 22 of the engrossed bill, being page 2, line 22 of the printed bill, and insert: "A vocational agriculture education service area shall be established by the superintendent of public instruction. Adequate staffing shall be provided for the vocational agriculture education service area for coordination of the state program and to provide assistance to local school districts for the coordination of the activities of student agricultural organizations and associations.

(2) The vocational agriculture education service area shall:

(a) assess needs in vocational agriculture education, assist local school districts in establishing vocational agriculture programs, review local school district applications for approval of vocational agriculture programs, evaluate existing programs, plan research and studies for the improvement of curriculum materials for speciality areas of vocational agriculture. Standards and criteria developed under this subsection shall satisfy the mandates of federally-assisted vocational education;

(b) develop in-service programs for teachers and administrators of vocational agriculture, review application for vocational agriculture teacher certification, and assist in teacher recruitment and placement in vocational agriculture programs;

(c) serve as a liaison with the Future Farmers of America, representatives of business, industry, and appropriate public agencies, and institutions of higher education in order to disseminate information, promote improvement of vocational agriculture programs and assist in the development of adult and continuing education programs in vocational agriculture; and

(d) establish an advisory task force committee of agriculturalists, representative of the diverse areas of the agricultural industry in Washington, which committee shall make annual recommendations including, but not limited to, the development of curriculum, strategies for the purpose of establishing a source of trained and qualified individuals in agriculture, and strategies for articulating the state program in vocational agriculture education, including youth leadership throughout the state school system.

**NEW SECTION, Sec. 3.** The superintendent of public instruction, pursuant to chapter 34.04 RCW, shall adopt such rules as are necessary to carry out the provisions of this 1983 act"

Renumber the remaining section consecutively.

On page 2, line 23 of the engrossed bill, being page 2, line 23 of the printed bill, strike "and 2" and insert "through 3" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Kaiser moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 570 and ask the Senate to recede therefrom.

Representatives Kaiser and Smith spoke in favor of the motion.



## POINT OF INQUIRY

Mr. Kaiser yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Kaiser, before I vote, what did they do to the bill?"

Mr. Kaiser: "Well, the bill we sent over was a bill that had in it that the Superintendent of Public Instruction should appoint a director or supervisor of vocational agriculture to head up the program in the superintendent's office. The bill, as it came back, had no statement of a supervisor or director in the superintendent's office, but it said there would be adequate staffing in the area programs. There might be one area someplace that could make the vocational agriculture program much weaker than it is right now. The other thing was that the bill had in it that we should have an advisory committee that would advise, among other things, about future staffing of the department. That was taken out. They took all the people out of the bill and that was the reason for the bill in the first place."

The motion was carried.

## MOTION

On motion of Mr. Heck, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Haugen and Van Dyken, who were excused.

## SENATE AMENDMENTS TO HOUSE BILL

April 14, 1983

Mr. Speaker:

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

On page 1, line 13 after "concerned," strike all of the material down to and including the period on line 16 and insert:

"Therefore, it is the declared intent of the Washington state legislature that the state of Washington should participate in Expo '86 in Vancouver, British Columbia, between May and October, 1986. The on-site presence of the state of Washington will conform to the theme of Expo '86, 'Man in Motion, Transportation and Communication,' and will be coordinated with efforts of the department of commerce and economic development, the department of transportation, the Washington state patrol, and other agencies to insure maximum hospitality and benefit for the millions of additional visitors who will co-visit Washington state."

On page 1, line 23 after "June 30," strike "1984" and insert "1987"

On page 2, line 1 after "(2)" insert "The governor shall appoint an executive director for the commission. The executive director shall serve at the governor's pleasure or until completion of state participation in the British Columbia exposition of 1986."

On page 2, line 17 after "expenses" strike "for no more than five meetings"

On page 2, line 23 strike "1984" and insert "1987"

On page 2, after line 23 insert the following:

"NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply to the executive director and one confidential secretary of the world fair commission created in this 1983 act."

Re-number the remaining section consecutively.

On page 1, line 2 of the title after "1986;" insert "adding a new section to chapter 41.06 RCW;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Braddock, the House concurred in the Senate amendments to Engrossed House Bill No. 164.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 164 as amended by the Senate.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 164 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 6; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Egger, Garrett, Isaacson, King J, Schoon, Vekich - 6.

Excused: Representatives Haugen, Van Dyken - 2.

Engrossed 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 14, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 64 with the following amendments:

On page 1, line 13 after "prevailing" insert "injured"

On page 3, line 10 after "dollars," insert "and/"

On page 3, line 12 after "violation," insert "Each and every such violation shall be a separate and distinct offense."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Rust, the House concurred in the Senate amendments to Substitute House Bill No. 64.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 64 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 64 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 2; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Clayton, Hankins - 2.

Absent: Representatives Isaacson, King J, Vekich - 3.

Excused: Representatives Haugen, Van Dyken - 2.

Substitute House Bill No. 64 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 14, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 300 with the following amendments:

On page 3, after line 10 strike all the material down to and including "43.41.150." on line 16 and insert the following:

"Sec. 3. Section 2, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.560 are each amended to read as follows:

As used in RCW 43.19.565 through 43.19.635, 43.41.130 and 43.41.140, the following definitions shall apply:

(1) 'Passenger motor vehicle' means any sedan, station wagon, bus, or light truck which is designed for carrying ten passengers or less and is used primarily for the transportation of persons;

(2) 'State agency' shall include any state office, agency, commission, department, or institution financed in whole or in part from funds appropriated by the legislature. It shall also include the Washington state school director's association and the state printer, but it shall not include (a) the state supreme court or any agency of the judicial branch or (b) the legislature or any of its statutory, standing, special, or interim committees, other than at the option of the judicial or legislative agency or committee concerned;

(3) 'Employee commuting' shall mean travel by a state officer or employee to or from his or her official residence or other domicile to or from his or her official duty station or other place of work;

(4) 'Motor vehicle transportation services' shall include but not be limited to the furnishing of motor vehicles for the transportation of persons or property, with or without drivers, and may also include furnishing of maintenance, storage, and other support services to state agencies for the conduct of official state business."

On page 1, line 6 of the title, after "28A.61.050;" insert "amending section 2, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.560;"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Galloway, the House concurred in the Senate amendments to House Bill No. 300.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 300 as amended by the Senate.

Ms. Galloway spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 300 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 3; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Johnson, Kaiser, King P., King R., Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D., Nelson G., Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Sloep, Walk, Wang, West, Williams B., Williams J., Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Fisher, Jacobsen, Sayan - 3.

Absent: Representatives Isaacson, King J., Vekich - 3.

Excused: Representatives Haugen, Van Dyken - 2.

House Bill No. 300 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 683 with the following amendment:

Strike everything after the enacting clause and insert the following:

\* NEW SECTION. Sec. 1. There is added to chapter 51.52 RCW a new section to read as follows:

(1) When a worker or beneficiary prevails in an appeal by the employer to the board or in an appeal by the employer to the court from the decision and order of the board, the worker or beneficiary shall be entitled to interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney fees.

(2) When a worker or beneficiary prevails in an appeal by the worker or beneficiary to the board or the court regarding a claim for temporary total disability, the worker or beneficiary shall be entitled to interest at the rate of twelve percent per annum on the unpaid amount of the award after deducting the amount of attorney fees.

(3) The interest provided for in subsections (1) and (2) of this section shall accrue from the date of the department's order granting the award or denying payment of the award. The interest shall be paid by the party having the obligation to pay the award. The amount of interest to be paid shall be fixed by the board or court, as the case may be."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. R. King, the House concurred in the Senate amendment to Engrossed House Bill No. 683.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 683 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 683 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Isaacson - 1.

Excused: Representatives Haugen, Van Dyken - 2.

Engrossed House Bill No. 683 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 let the record show that I voted "Aye" on the following bills: SHB 64, EHB 164, HB 300, EHB 570, EHB 683, all as amended by the Senate on final passage.

Ray Isaacson, 8th District.

## SENATE AMENDMENTS TO HOUSE BILL

April 13, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 793 with the following amendments:

Strike everything after the enacting clause, and insert the following:

\*Sec. 1. Section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 194, Laws of 1982 and RCW 20.01.010 are each amended to read as follows:

As used in this title the terms defined in this section have the meanings indicated unless the context clearly requires otherwise.

- (1) 'Director' means the director of agriculture or his duly authorized representative.
- (2) 'Person' means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof or assignee for the benefit of creditors.
- (3) 'Agricultural product' means any unprocessed horticultural, viticultural and its byproducts, viticultural, berry, poultry, poultry product, grain, bee, or other agricultural products, and includes mint or mint oil processed by or for the producer thereof and hay and straw baled or prepared for market in any manner or form (~~by or for the producer thereof,~~) and livestock. When used in this chapter under the provisions of section 9 of this act, 'agricultural product' means horticultural, viticultural, and berry products, hay and straw, and turf and forage seed and applies only when such products are delivered to a processor or conditioner in an unprocessed form.
- (4) 'Producer' means any person engaged in the business of growing or producing any agricultural product, whether as the owner of ~~(such)~~ the products, or producing ~~(such)~~ the products for others holding the title thereof.
- (5) 'Consignor' means any producer, person, or his agent who sells, ships, or delivers to any commission merchant, dealer, cash buyer, or agent, any agricultural product for processing, handling, sale, or resale.
- (6) 'Commission merchant' means any person who ~~(shall)~~ receives on consignment for sale or processing and sale from the consignor thereof any agricultural product for sale on commission on behalf of ~~(such)~~ the consignor, or who ~~(shall)~~ accepts any farm product in trust from the consignor thereof for the purpose of resale, or who ~~(shall)~~ sells or offers for sale on commission any agricultural product, or who ~~(shall)~~ in any way handles for the account of or as an agent of the consignor thereof, any agricultural product.
- (7) 'Dealer' means any person other than a cash buyer, as defined in subsection (10) of this section, who solicits, contracts for, or obtains from the consignor thereof for reselling or processing, title, possession, or control of any agricultural product, or who buys or agrees to buy any agricultural product from the consignor thereof for sale or processing and includes any person, other than one who acts solely as a producer, who retains title in an agricultural product and delivers it to a producer for further production or increase (~~PROVIDED, That~~). For the purposes of this chapter, the term dealer includes any person who purchases livestock on behalf of and for the account of another, or who purchases cattle in another state or country and imports these cattle into this state for resale.
- (8) 'Limited dealer' means any person operating under the alternative bonding provision in RCW 20.01.211 (~~as now or hereafter amended~~).
- (9) 'Broker' means any person other than a commission merchant, dealer, or cash buyer who negotiates the purchase or sale of any agricultural product (~~PROVIDED, That~~), but no broker may handle the agricultural products involved or proceeds of (such) the sale.
- (10) 'Cash buyer' means any person other than a commission merchant, dealer, or broker, who obtains from the consignor thereof for the purpose of resale or processing, title, possession, or control of any agricultural product or who contracts for the title, possession, or control of any agricultural product, or who buys or agrees to buy any agricultural product by paying to the consignor at the time of obtaining possession or control of any agricultural product the full agreed price of ~~(such)~~ the agricultural product, in coin or currency, lawful money of the United States. However, a cashier's check, certified check, or bankdraft may be used for ~~(such)~~ the payment.
- (11) 'Agent' means any person who, on behalf of any commission merchant, dealer, broker, or cash buyer, acts as liaison between a consignor and a principal, or receives, contracts for, or solicits any agricultural product from the consignor thereof or who negotiates the consignment or purchase of any agricultural product on behalf of any commission merchant, dealer, broker, or cash buyer and who transacts all or a portion of ~~(such)~~ that business at any location other than at the principal place of business of his employer (~~PROVIDED, That~~). With the exception of an agent for a commission merchant or dealer handling horticultural products, an agent may operate only in the name of one principal and only to the account of ~~(said)~~ that principal.
- (12) 'Retail merchant' means any person operating from a bona fide or established place of business selling agricultural products twelve months of each year (~~PROVIDED, That~~). Any retailer may occasionally wholesale any agricultural product which he has in surplus; however, such wholesaling shall not be in excess of two percent of ~~(such)~~ the retailer's gross business.
- (13) 'Fixed or established place of business' for the purpose of this chapter ~~(shall)~~ means any permanent warehouse, building, or structure, at which necessary and appropriate equipment and fixtures are maintained for properly handling those agricultural products generally dealt in, and at which supplies of the agricultural products being usually transported are

stored, offered for sale, sold, delivered, and generally dealt in in quantities reasonably adequate for and usually carried for the requirements of such a business, and ~~((which))~~ that is recognized as a permanent business at such place, and carried on as such in good faith and not for the purpose of evading this chapter, and where specifically designated personnel are available to handle transactions concerning those agricultural products generally dealt in, ~~((said))~~ which personnel ~~((being))~~ are available during designated and appropriate hours to that business, and shall not mean a residence, barn, garage, tent, temporary stand or other temporary quarters, any railway car, or permanent quarters occupied pursuant to any temporary arrangement.

(14) 'Processor' means any person, firm, company, or other organization that purchases agricultural crops from a consignor and ~~((who))~~ that cans, freezes, dries, dehydrates, cooks, presses, powders, or otherwise processes ~~((such))~~ those crops in any manner whatsoever for eventual resale.

(15) 'Pooling contract' means any written agreement whereby a consignor delivers a horticultural product to a commission merchant under terms whereby the commission merchant may commingle the consignor's horticultural products for sale with others similarly agreeing, which must include all of the following:

(a) A delivery receipt for the consignor ~~((which shall))~~ that indicates the variety of horticultural product delivered, the number of containers, or the weight and tare thereof(:);

(b) Horticultural products received for handling and sale in the fresh market shall be accounted for to the consignor with individual pack-out records ~~((which))~~ that shall include variety, grade, size, and date of delivery. Individual daily packing summaries shall be available within forty-eight hours after packing occurs(~~:-PROVIDED-That~~). However, platform inspection shall be acceptable by mutual contract agreement on small deliveries to determine variety, grade, size, and date of delivery(:);

(c) Terms under which the commission merchant may use his judgment in regard to the sale of the pooled horticultural product(:);

(d) The charges to be paid by the consignor as filed with the state of Washington(:);

(e) A provision that the consignor shall be paid for his pool contribution when the pool is in the process of being marketed in direct proportion, not less than eighty percent of his interest less expenses directly incurred, prior liens, and other advances on the grower's crop unless otherwise mutually agreed upon between grower and commission merchant.

(16) 'Date of sale' means the date agricultural products are delivered to the person buying ~~((such))~~ the products.

(17) 'Boom loader' means a person who owns or operates, or both, a mechanical device mounted on a vehicle and used to load hay or straw for compensation.

(18) 'Conditioner' means any person, firm, company, or other organization that receives turf, forage, or vegetable seeds from a consignor for drying or cleaning.

(19) 'Seed bailment contract' means any contract meeting the requirements of chapter 15.48 RCW.

(20) 'Proprietary seed' means any seed that is protected under the Federal Plant Variety Protection Act.

Sec. 2. Section 3, chapter 139, Laws of 1959 as last amended by section 2, chapter 194, Laws of 1982 and RCW 20.01.030 are each amended to read as follows:

This chapter does not apply to:

(1) Any cooperative marketing associations or federations incorporated under, or whose articles of incorporation and bylaws are equivalent to, the requirements of chapter 23.86 RCW or chapter 24.32 RCW, except as to that portion of the activities of ~~((such))~~ the association or federation ~~((as))~~ that involve(s) the handling or dealing in the agricultural products of non-members of ~~((such))~~ the organization: PROVIDED, That ~~((such))~~ the associations or federations may purchase up to fifteen percent of their gross from nonmembers for the purpose of filling orders: PROVIDED FURTHER, That if ~~((such))~~ the cooperative or association acts as a processor as defined in RCW 20.01.500(2) and markets ~~((such))~~ the processed agricultural crops on behalf of the grower or its own behalf, ~~((said))~~ the association or federation ~~((shall be))~~ is subject to the provisions of RCW 20.01.500 through 20.01.560 and the license provision of this chapter excluding bonding provisions: PROVIDED FURTHER, That none of the foregoing exemptions in this subsection ~~((shall))~~ apply to any such cooperative or federation dealing in or handling grain in any manner, and not licensed under the provisions of chapter 22.09 RCW(:);

(2) Any person who sells exclusively his own agricultural products as the producer thereof(:);

(3) Any public livestock market operating under a bond required by law or a bond required by the United States to secure the performance of ~~((such))~~ the public livestock market's obligation(~~:-PROVIDED-That~~). However, any such market operating as a livestock dealer ~~((and/or))~~ or order buyer ~~((shall be))~~, or both, is subject to all provisions of this chapter except for the payment of the license fee required in RCW 20.01.040 ~~((as now or hereafter amended))~~;

(4) Any retail merchant having a bona fide fixed or permanent place of business in this state(:);

(5) Any person buying farm products for his own use or consumption(:);

(6) Any warehouseman or grain dealer licensed under the state grain warehouse act, chapter 22.09 RCW, with respect to his operations as a licensee under that act((:));

(7) Any nurseryman who is required to be licensed under the horticultural laws of the state with respect to his operations as such licensee((:));

(8) Any person licensed under the now existing dairy laws of the state with respect to his operations as such licensee((:));

(9) Any producer who purchases less than fifteen percent of his volume to complete orders((:));

(10) Any person, association, or corporation regulated under chapter 67.16 RCW and the rules adopted thereunder while performing acts regulated by that chapter and the rules adopted thereunder;

(11) Any boom loader who loads exclusively his own hay or straw as the producer thereof.

Sec. 3. Section 4, chapter 139, Laws of 1959 as last amended by section 3, chapter 115, Laws of 1979 ex. sess. and RCW 20.01.040 are each amended to read as follows:

~~((On or after June 10, 1959:))~~ No person ~~((shall))~~ may act as a commission merchant, dealer, broker, cash buyer~~((or))~~, agent, or boom loader without a license. Any person applying for such a license shall file an application with the director on or before January 1st of each year. ~~((Such))~~ The application shall be accompanied by the following license fee:

(1) Commission merchant, one hundred forty-five dollars;

(2) Dealer, one hundred forty-five dollars;

(3) Limited dealer, one hundred dollars;

(4) Broker, one hundred dollars;

(5) Cash buyer, forty dollars; ~~((and))~~

(6) Agent, fifteen dollars;

(7) Boom loader, ten dollars.

Sec. 4. Section 5, chapter 232, Laws of 1963 as last amended by section 3, chapter 194, Laws of 1982 and RCW 20.01.210 are each amended to read as follows:

(1) Before the license is issued to any commission merchant ~~((and/or))~~ or dealer, or both, the applicant shall execute and deliver to the director a surety bond executed by the applicant as principal and by a surety company qualified and authorized to do business in this state as surety.

~~((Such bond shall be in the sum of seven thousand five hundred dollars for a commission merchant or any dealer handling livestock, hay, grain, or straw and a bond in the sum of three thousand dollars for any other dealer. PROVIDED, That the bond for a commission merchant, a dealer acting as a processor, or a dealer in livestock, hay, grain, or straw shall be in a minimum amount of seven thousand five hundred dollars or more based upon the annual gross dollar volume of purchases by, or consignments to the licensee. A dealer in livestock shall increase his bond by five thousand dollars for each agent he has endorsed pursuant to RCW 20.01.090. The bond for any other dealer shall be in the minimum amount of three thousand dollars, or an increased amount based upon the annual gross dollar volume of purchases by, or consignments to, the licensee. The bond for such commission merchant or dealer shall be determined by taking the annual gross dollar volume of that commission merchant or dealer of net payment to growers and dividing that amount by fifty-two and the bond shall be in an amount to the next multiple of two thousand dollars larger than the sum. PROVIDED, That the gross dollar volume used in computing the bond requirements of a commission merchant or dealer handling horticultural products shall be based on the net proceeds due to growers. PROVIDED FURTHER, That bonds above twenty-six thousand dollars shall be not less than the next multiple of five thousand dollars above the amount secured by applying the formula except that when the bond amount reaches fifty thousand dollars any amount of bond required above this shall be on a basis of ten percent of the amount arrived by applying the formula of annual gross divided by fifty-two. Such bond shall be of a standard form and approved by the director as to terms and conditions. Said bond shall be conditioned that the principal or his or her agents will not commit any fraudulent act and will comply with the provisions of this chapter and the rules and regulations adopted hereunder. Said bond shall be to the state for the benefit of every consignor of an agricultural product in this state. The total and aggregate liability of the surety for all claims upon the bond shall be limited to the face of such bond. Every bond filed with and approved by the director shall without the necessity of periodic renewal remain in force and effect until released by notice from the director when a superseding bond has been issued and is in effect. All such sureties on a bond, as provided herein, shall also be released and discharged from all liability to the state accruing on such bond by giving notice to the principal and the director by certified mail. Upon receipt of such notice the director shall notify the surety and the principal of the effective date of termination which shall be thirty days from the receipt of such notice by the director, but this shall not operate to relieve, release or discharge the surety from any liability already accrued or which shall accrue (due and to become due hereunder) before the expiration period provided for above. Unless the principal shall before the expiration of such period, file a new bond, the director shall forthwith cancel the principal's license. Upon such cancellation the license and vehicle plates issued attendant to the license shall be surrendered to the director forthwith.))~~

(2) The bond shall be not less than fifteen thousand dollars for a commission merchant, or a dealer in turf, forage, or vegetable seed, hay, or straw. Except as provided in subsection (3) of this section, the bond shall be not less than three thousand dollars for any other dealer.

(3) The bond for a dealer in livestock shall be not less than seven thousand five hundred dollars. A dealer in livestock shall increase his bond by five thousand dollars for each agent he has endorsed under RCW 20.01.090.

(4) The bond for a commission merchant or dealer, other than a commission merchant or a dealer in turf, forage, or vegetable seed or a dealer in hay or straw, shall be determined by dividing the annual dollar volume of that commission merchant's or dealer's net proceeds or net payments due consignors by fifty-two and increasing that amount to the next multiple of two thousand dollars. However, bonds above twenty-six thousand dollars shall be increased to the next multiple of five thousand dollars.

(5) The bond for a commission merchant or dealer in turf, forage, or vegetable seed or a dealer in hay or straw shall be determined by dividing the annual dollar volume of that commission merchant's or dealer's net proceeds or net payments due consignors by twelve and increasing that amount to the next multiple of five thousand dollars, except that the determination of bond amounts for any portion of dollar volume directly related to proprietary seed bailment contracts shall be computed as provided in subsection (4) of this section. The bond for a new commission merchant or a dealer in turf, forage, or vegetable seed or dealer in hay or straw is subject to increase at any time during the licensee's first year of operation and shall be based on the monthly average of the volume of purchases of any three months of operation.

(6) When the annual dollar volume of any commission merchant or dealer reaches two million six hundred thousand dollars, the amount of the bond required above this level shall be on a basis of ten percent of the amount arrived at by applying the appropriate formula.

Sec. 5. Section 16, chapter 304, Laws of 1977 ex. sess. and RCW 20.01.211 are each amended to read as follows:

In lieu of the bonding provision required by RCW 20.01.210 ~~((as now or hereafter amended)), any dealer who ((has not been found after a hearing to be in violation of this chapter during the two most recent years of such business operations)) buys, agrees to buy, or pays for the production or increase of any agricultural product by paying to the consignor at the time of obtaining possession or control of any agricultural product the full agreed price of the agricultural product may file a bond in an amount equal to ((such)) the dealer's maximum monthly purchases, divided by ((thirty, and multiplied by the maximum number of days which will expire after the date of sale but before final payment is made: PROVIDED, That)) fifteen, but the minimum bond provided by this section shall be in a minimum of ((three)) seven thousand five hundred dollars.~~

Any dealer ((utilizing)) using the bonding provisions of this section shall file an affidavit with the director ((which)) that sets forth the dealer's maximum monthly purchases ((of the dealer and the maximum number of days which will expire from the date of sale to the date final payment is made)) from or payments to consignors. The affidavit shall be filed at the time of application and with each renewal.

Any dealer bonded under this section who is found to be in violation of this chapter shall be required to comply with the bonding requirements of RCW 20.01.210 for a minimum of two years.

Sec. 6. Section 29, chapter 139, Laws of 1959 and RCW 20.01.290 are each amended to read as follows:

In any settlement or compromise by the director with a surety company as provided in RCW 20.01.270, where there are two or more consignor creditors that have filed claims, either fixed or contingent, against a licensee's bond, ~~((such)) the creditors shall share pro rata in the proceeds of the bond to the extent of their actual damage. If a creditor claim is filed after the default date as provided in RCW 20.01.390 and the total of all claims exceeds the face amount of the bond, the creditor's pro rata share of the bond shall be reduced based on the following schedule:~~

(1) Thirty to sixty days after default, five percent reduction;

(2) Sixty to ninety days after default, ten percent reduction;

(3) Ninety to one hundred twenty days after default, twenty-five percent reduction;

(4) More than one hundred twenty days after default, no claim may be allowed.

NEW SECTION, Sec. 7. Every boom loader shall promptly make and keep for one year a complete record of all hay and straw loaded. The records shall include the date and time of loading, the name and address of the purchaser, the name and address of the driver of the vehicle being loaded, if other than the purchaser, the license number of the vehicle being loaded, the name and address of the seller, and the location of the stack.

NEW SECTION, Sec. 8. The director or his appointed officers may stop a vehicle transporting hay or straw upon the public roads of this state if there is reasonable cause to believe the carrier, seller, or buyer may be in violation of this chapter. Any operator of a vehicle failing or refusing to stop when directed to do so is guilty of a misdemeanor.



**NEW SECTION.** Sec. 9. Starting on the date a producer delivers any agricultural product to a processor or conditioner, the producer has a first priority statutory lien, referred to as a 'processor lien.' This processor lien shall continue until twenty days after payment for the product is due and remains unpaid, without filing any notice of lien, for the contract price, if any, or the fair market value of the products delivered. The processor lien attaches to the agricultural products delivered, to the processor's or conditioner's inventory, and to the processor's or conditioner's accounts receivable.

**NEW SECTION.** Sec. 10. For the purposes of this section and sections 11 through 14 of this act, 'preparer' means a person engaged in the business of feeding livestock or preparing livestock products for market. Starting on the date a producer delivers grain, hay, or straw to a preparer, the producer has a first priority statutory lien, referred to as a 'preparer lien.' This preparer lien shall continue until twenty days after payment for the product is due and remains unpaid, without filing any notice of lien, for the contract price, if any, or the fair market value of the products delivered. The preparer lien attaches to the agricultural products delivered and to the preparer's accounts receivable.

**NEW SECTION.** Sec. 11. (1) A producer claiming a processor or preparer lien may file a statement evidencing the lien with the department of licensing after payment from the processor, conditioner, or preparer to the producer is due and remains unpaid. For purposes of this subsection and section 12 of this act, payment is due on the date specified in the contract, or if not specified, then within thirty days from time of delivery.

(2) The statement shall be in writing, verified by the producer, and shall contain in substance the following information:

- (a) A true statement of the amount demanded after deducting all credits and offsets;
- (b) The name of the processor, conditioner, or preparer who received the agricultural product to be charged with the lien;
- (c) A description sufficient to identify the agricultural product to be charged with the lien;
- (d) A statement that the amount claimed is a true and bona fide existing debt as of the date of the filing of the notice evidencing the lien; and
- (e) The date on which payment was due for the agricultural product to be charged with the lien.

**NEW SECTION.** Sec. 12. (1)(a) If a statement is filed pursuant to section 11 of this act within twenty days of the date upon which payment from the processor, conditioner, or preparer to the producer is due and remains unpaid, the processor or preparer lien evidenced by the statement continues its priority over all other liens or security interests upon agricultural products, inventory, and accounts receivable, except as provided in (b) of this subsection. Such priority is without regard to whether the other liens or security interests attached before or after the date on which the processor or preparer lien attached.

(b) The processor or preparer lien shall be subordinate to liens for taxes or labor perfected before filing of the processor or preparer lien.

(2) If the statement provided for in section 11 of this act is not filed within twenty days of the date payment is due and remains unpaid, the processor or preparer lien shall thereupon become subordinate to:

- (a) A lien that has attached to the agricultural product, inventory, or accounts receivable before the date on which the processor or preparer lien attaches; and
- (b) A perfected security interest in the agricultural product, inventory, or accounts receivable.

**NEW SECTION.** Sec. 13. (1) The processor lien shall terminate six months after, and the preparer lien shall terminate fifty days after, the later of the date of attachment or filing, unless a suit to foreclose the lien has been filed before that time as provided in section 14 of this act.

(2) If a statement has been filed as provided in section 11 of this act and the producer has received payment for the obligation secured by the lien, the producer shall promptly file with the department of licensing a statement declaring that full payment has been received and that the lien is discharged. If, after payment, the producer fails to file such statement of discharge within ten days following a request to do so, the producer shall be liable to the processor, conditioner, or preparer in the sum of one hundred dollars plus actual damages caused by the failure.

**NEW SECTION.** Sec. 14. (1) The processor or preparer liens may be foreclosed and enforced by civil action in the superior courts.

(2) In all suits to enforce processor or preparer liens, the court shall, upon entering judgment, allow to the prevailing party as a part of the costs all moneys paid for the filing and recording of the lien and reasonable attorney fees.

**NEW SECTION.** Sec. 15. Sections 7 through 14 of this act shall be added to chapter 20.01 RCW.

**NEW SECTION.** Sec. 16. The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) 'Department' means the department of agriculture of the state of Washington.
- (2) 'Director' means the director of the department or his duly authorized representative.

(3) 'Person' means a natural person, individual, firm, partnership, corporation, company, society, association, cooperative, two or more persons having a joint or common interest, or any unit or agency of local, state, or federal government.

(4) 'Agricultural commodities,' hereinafter referred to as 'commodities,' means, but is not limited to, all the grains, peas, beans, lentils, corn, sorghums, malt, peanuts, flax, and other similar agricultural products.

(5) 'Warehouse,' also referred to as a public warehouse, means any elevator, mill, subterminal grain warehouse, terminal warehouse, country warehouse, or other structure or enclosure located in this state that is used or useable for the storage of agricultural products, and in which commodities are received from the public for storage, handling, conditioning, or shipment for compensation. The term does not include any warehouse storing or handling fresh fruits and/or vegetables, any warehouse used exclusively for cold storage, or any warehouse that conditions yearly less than three hundred tons of an agricultural commodity for compensation.

(6) 'Terminal warehouse' means any warehouse designated as a terminal by the department, and located at an inspection point where inspection facilities are maintained by the department and where commodities are ordinarily received and shipped by common carrier.

(7) 'Subterminal warehouse' means any warehouse that performs an intermediate function in which agricultural commodities are customarily received from dealers rather than producers and where the commodities are accumulated before shipment to a terminal warehouse.

(8) 'Station' means two or more warehouses between which commodities are commonly transferred in the ordinary course of business and that are (a) immediately adjacent to each other, or (b) located within the corporate limits of any city or town and subject to the same transportation tariff zone, or (c) at any railroad siding or switching area and subject to the same transportation tariff zone, or (d) at one location in the open country off rail, or (e) in any area that can be reasonably audited by the department as a station under this chapter and that has been established as such by the director by rule adopted under chapter 34.04 RCW, or (f) within twenty miles of each other but separated by the border between Washington and Idaho or Oregon when the books and records for the station are maintained at the warehouse located in Washington.

(9) 'Inspection point' means a city, town, or other place wherein the department maintains inspection and weighing facilities.

(10) 'Warehouseman' means any person owning, operating, or controlling a warehouse in the state of Washington.

(11) 'Depositor' means (a) any person who deposits a commodity with a Washington state licensed warehouseman for storage, handling, conditioning, or shipment, or (b) any person who is the owner or legal holder of a warehouse receipt, outstanding scale weight ticket, or other evidence of the deposit of a commodity with a Washington state licensed warehouseman or (c) any producer whose agricultural commodity has been sold to a grain dealer through the dealer's place of business located in the state of Washington, or any producer whose agricultural commodity has been sold to or is under the control of a grain dealer, which dealer has negotiated the sale of the commodity or has control of the commodity in the state of Washington.

(12) 'Historical depositor' means any person who in the normal course of business operations has consistently made deposits in the same warehouse of commodities produced on the same land. In addition the purchaser, lessee, and/or inheritor of such land from the original historical depositor with reference to the land shall be considered a historical depositor with regard to the commodities produced on the land.

(13) 'Grain dealer' means any person who, through his place of business located in the state of Washington, solicits, contracts for, or obtains from a producer, title, possession, or control of any agricultural commodity for purposes of resale, or any person who solicits, contracts for, or obtains from a Washington producer, title, possession, or control of any agricultural commodity for purposes of resale.

(14) 'Producer' means any person who is the owner, tenant, or operator of land who has an interest in and is entitled to receive all or any part of the proceeds from the sale of a commodity produced on that land.

(15) 'Warehouse receipt' means a negotiable or nonnegotiable warehouse receipt as provided for in Article 7 of Title 62A RCW.

(16) 'Scale weight ticket' means a load slip or other evidence of deposit, serially numbered, not including warehouse receipts as defined in subsection (15) of this section, given a depositor on request upon initial delivery of the commodity to the warehouse and showing the warehouse's name and state number, type of commodity, weight thereof, name of depositor, and the date delivered.

(17) 'Put through' means agricultural commodities that are deposited in a warehouse for receiving, handling, conditioning, or shipping, and on which the depositor has concluded satisfactory arrangements with the warehouseman for the immediate or impending shipment of the commodity.

(18) 'Conditioning' means, but is not limited to, the drying or cleaning of agricultural commodities.

(19) 'Deferred price contract' means a contract for the sale of commodities that conveys the title and all rights of ownership to the commodities represented by the contract to the buyer, but allows the seller to set the price of the commodities at a later date based on an agreed upon relationship to a future month's price or some other mutually agreeable method of price determination. Deferred price contracts include but are not limited to those contracts commonly referred to as delayed price, price later contracts, or open price contracts.

(20) 'Shortage' means that a warehouseman does not have in his possession sufficient commodities at each of his stations to cover the outstanding warehouse receipts, scale weight tickets, or other evidence of storage liability issued or assumed by him for the station.

(21) 'Failure' means:

(a) An inability to financially satisfy claimants in accordance with this chapter and the time limits provided for in it;

(b) A public declaration of insolvency;

(c) A revocation of license and the leaving of an outstanding indebtedness to a depositor;

(d) A failure to redeliver any commodity to a depositor or to pay depositors for commodities purchased by a licensee in the ordinary course of business and where a bona fide dispute does not exist between the licensee and the depositor;

(e) A failure to make application for license renewal within sixty days after the annual license renewal date; or

(f) A denial of the application for a license renewal.

Sec. 17. Section 2, chapter 124, Laws of 1963 and RCW 22.09.020 are each amended to read as follows:

The department shall administer and carry out the provisions of this chapter and rules adopted hereunder, and it ~~((shall have))~~ has the power and authority to:

(1) Supervise the receiving, ~~((shipping;))~~ handling, conditioning, weighing, ~~((and))~~ storage, and shipping of all commodities;

(2) Supervise the inspection and grading of all commodities;

(3) Approve or disapprove the facilities, including scales, of all warehouses;

(4) Approve or disapprove all rates and charges for the handling, storage, and shipment of all commodities;

(5) Investigate all complaints of fraud in the operation of any warehouse;

(6) Examine ~~((and))~~, inspect, and audit, during ordinary business hours, any warehouse licensed ~~((hereunder))~~ under this chapter, including all commodities therein and examine, inspect, audit, or record all books, documents, and records;

(7) Examine, inspect, and audit during ordinary business hours, all books, documents, and records, and examine, inspect, audit, or record records of any grain dealer licensed hereunder at the grain dealer's principal office or headquarters;

(8) Inspect at reasonable times any warehouse or storage facility where commodities are ~~((stored;))~~ received, handled, conditioned, stored, or shipped, ~~((or received))~~ including all commodities stored therein and all books, documents, and records in order to determine whether or not such facility should be licensed pursuant to this chapter;

~~((#))~~ (9) Inspect at reasonable times any grain dealer's books, documents, and records in order to determine whether or not the grain dealer should be licensed under this chapter;

(10) Administer oaths~~((;))~~ and issue subpoenas to compel the attendance of witnesses, and/or the production of books, documents, and records anywhere in the state pursuant to a hearing relative to the purpose and provisions of this chapter. Witnesses shall be entitled to fees for attendance and travel, as provided in chapter 2.40 RCW~~((as enacted or hereafter amended))~~;

~~((#))~~ (11) Adopt rules regarding the identification of commodities by the use of confetti or other similar means so that such commodities may be readily identified if stolen or removed in violation of the provisions of this chapter from a warehouse or if otherwise unlawfully transported;

~~((#))~~ (12) Adopt all the necessary rules ~~((and regulations))~~ for carrying out the purpose and provisions of this chapter. The adoption of rules ~~((and regulations))~~ under the provisions of this chapter shall be subject to the provisions of chapter 34.04 RCW ~~((;))~~ the Administrative Procedure Act~~((as enacted or hereafter amended))~~. ~~((The director))~~ When adopting rules in respect to the provisions of this chapter, the director shall hold a public hearing and shall to the best of his ability consult with persons and organizations or interests who will be affected thereby, and any final rule adopted as a result of the hearing shall be designed to promote the provisions of this chapter and shall be reasonable and necessary and based upon needs and conditions of the industry, and shall be for the purpose of promoting the well-being of the industry to be regulated and the general welfare of the people of the state.

Sec. 18. Section 3, chapter 124, Laws of 1963 as amended by section 20, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.030 are each amended to read as follows:

It shall be unlawful for any person to operate a warehouse in the state of Washington without first having obtained an annual license from the department~~((PROVIDED, That)), but~~

this chapter shall not apply to warehouses that are federally licensed under the provisions of 7 USC 241 et seq. for the handling and storage of agricultural commodities. A separate license shall be required for each warehouse ~~that~~ a person intends to operate(~~(--PROVIDED, That)), but~~ any person operating two or more warehouses (~~which~~) ~~that~~ constitute a station may license (~~such~~) the warehouses under one state license. All the assets of a given station(~~;) that is~~ licensed under one state license(~~--shall be~~) are subject to all the liabilities of that station and for the purposes of this chapter shall be treated as a single warehouse, requiring all the stocks and obligations of the warehouses at a given station to be treated as a unit for all purposes including, but not limited to, issuance of warehouse receipts and receipt and delivery of commodities for ~~handling, conditioning, storage, or shipment(--or handling))~~.

NEW SECTION, Sec. 19. It is unlawful for any person to operate as a grain dealer in the state of Washington without first having obtained an annual license from the department. This chapter does not apply to a grain dealer that is licensed for dealing in agricultural commodities under federal law.

Sec. 20. Section 4, chapter 124, Laws of 1963 as last amended by section 13, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.040 are each amended to read as follows:

Application for a license to operate a warehouse under the provisions of this chapter shall be on a form prescribed by the department and shall include:

(1) The full name of the person applying for the license and whether the applicant is an individual, partnership, association, corporation, or other entity;

(2) The full name of each member of the firm or partnership, or the names of the officers of the company, society, cooperative association, or corporation;

(3) The principal business address of the applicant in the state and elsewhere;

(4) The name or names of the person or persons authorized to receive and accept service of summons and legal notices of all kinds for the applicant;

(5) Whether the applicant has also applied for or has been issued a grain dealer license under the provisions of this chapter;

(6) The location of each warehouse the applicant intends to operate and the ((preponderate commodity expected in storage)) location of the headquarters or main office of the applicant;

~~((6))~~ (7) The bushel storage capacity of each such warehouse to be licensed(--including a schematic diagram accurately showing the areas of storage and floor plan of the warehouse));

~~((7))~~ (8) The schedule of fees to be charged at each warehouse for the handling, conditioning, storage, and shipment of all commodities during the licensing period;

~~((8))~~ (9) A financial statement to determine the net worth of the applicant to determine whether or not the applicant meets the minimum net worth requirements established by the director pursuant to chapter 34.04 RCW;

~~((9))~~ (10) Whether the application is for a terminal, subterminal, or ((public)) country warehouse license;

~~((10))~~ (11) Whether the applicant has previously been denied a grain dealer or warehouseman license or whether the applicant has had either license suspended or revoked by the department;

(12) Any other reasonable information the department finds necessary to carry out the purpose and provisions of this chapter.

NEW SECTION, Sec. 21. Application for a license to operate as a grain dealer under the provisions of this chapter shall be on a form prescribed by the department and shall include:

(1) The full name of the person applying for the license and whether the applicant is an individual, partnership, association, corporation, or other entity;

(2) The full name of each member of the firm or partnership, or the names of the officers of the company, society, cooperative association, or corporation;

(3) The principal business address of the applicant in the state and elsewhere;

(4) The name or names of the person or persons in this state authorized to receive and accept service of summons and legal notices of all kinds for the applicant;

(5) Whether the applicant has also applied for or has been issued a warehouse license under this chapter;

(6) The location of each business location from which the applicant intends to operate as a grain dealer in the state of Washington whether or not the business location is physically within the state of Washington, and the location of the headquarters or main office of the application;

(7) A financial statement to determine the net worth of the applicant to determine whether or not the applicant meets the minimum net worth requirements established by the director under chapter 34.04 RCW. However, if the applicant is a subsidiary of a larger company, corporation, society, or cooperative association, both the parent company and the subsidiary company must submit a financial statement to determine whether or not the applicant meets the minimum net worth requirements established by the director under chapter 34.04 RCW;

(8) Whether the applicant has previously been denied a grain dealer or warehouseman license or whether the applicant has had either license suspended or revoked by the department;

(9) Any other reasonable information the department finds necessary to carry out the purpose and provisions of this chapter.

Sec. 22. Section 5, chapter 124, Laws of 1963 as amended by section 14, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.050 are each amended to read as follows:

Any application for a license to operate a warehouse shall be accompanied by a license fee of ~~((one))~~ two hundred dollars for a terminal warehouse, ~~((seventy-five))~~ one hundred fifty dollars for a subterminal warehouse, and ~~((twenty-five))~~ fifty dollars for a ~~((public))~~ country warehouse. If a licensee operates more than one warehouse~~(:)~~ under one state license as provided for in RCW 22.09.030, the license fee shall be computed by multiplying the number of physically separated warehouses within ~~((such))~~ the station by the applicable terminal, subterminal, or ~~((public))~~ country warehouse license fee. If an application for renewal of a warehouse license or licenses is not received by the department prior to June 30th of any year, a penalty of fifty dollars for the first week and one hundred dollars for each week thereafter shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license may be issued. This penalty does not apply if the applicant furnishes an affidavit certifying that he has not acted as a warehouseman subsequent to the expiration of his prior license.

NEW SECTION. Sec. 23. An application for a license to operate as a grain dealer shall be accompanied by a license fee of one hundred dollars unless the applicant is also a licensed warehouseman, in which case the fee for a grain dealer license shall be fifty dollars.

If an application for renewal of a grain dealer license is not received by the department before June 30th of any year, a penalty of fifty dollars for the first week and one hundred dollars for each week thereafter shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license may be issued. This penalty does not apply if the applicant furnishes an affidavit certifying that he has not acted as a grain dealer after the expiration of his prior license.

Sec. 24. Section 6, chapter 124, Laws of 1963 as amended by section 22, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.060 are each amended to read as follows:

No warehouse or grain dealer license ~~((shall))~~ may be issued to an applicant before a bond or certificate of deposit is given to the department as provided in RCW 22.09.090 ~~((and))~~; No warehouse license may be issued to an applicant before a certificate of insurance as provided in RCW 22.09.110 ~~((have))~~ has been filed with the department.

Sec. 25. Section 7, chapter 124, Laws of 1963 and RCW 22.09.070 are each amended to read as follows:

The department shall issue a warehouse license to an applicant upon its determination that the applicant has facilities adequate for handling and storage of commodities and, if applicable, conditioning, and that the application is in the proper form and upon approval of the matters contained ~~((therein))~~ on the application and upon a showing that ~~((such))~~ the applicant has complied with the provisions of this chapter and rules adopted hereunder. The licensee shall ~~((forthwith))~~ immediately upon receipt of ~~((such))~~ the license post it in a conspicuous place in the office of the licensed warehouse or if a station license, in the main office at ~~((such))~~ the station. ~~((Such))~~ The license ~~((shall))~~ automatically expires on June 30th~~(-subsequent-to))~~ after the date of issuance unless it has been revoked, canceled, or suspended ~~((prior thereto))~~ by the department before that date.

NEW SECTION. Sec. 26. The department shall issue a grain dealer license to an applicant upon its determination that the application is in its proper form and upon approval of the matters contained on the application and upon a showing that the applicant has complied with the provisions of this chapter and rules adopted hereunder. The licensee shall immediately upon receipt of the license post it in a conspicuous place in its principal place of business. The license expires automatically on June 30th after the date of issuance unless it has been revoked, canceled, or suspended by the department before that date.

Sec. 27. Section 9, chapter 124, Laws of 1963 as last amended by section 23, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.090 are each amended to read as follows:

(1) Before any person ~~((shall be))~~ is granted a warehouse or grain dealer license pursuant to the provisions of this chapter ~~((such))~~ the person shall give a bond to the state of Washington executed by the ~~((warehouseman))~~ applicant as the principal and by a corporate surety licensed to do business in this state as surety.

(2) The bond required for the issuance of a warehouse license shall be in the sum of not less than ~~((twenty-five))~~ fifty thousand dollars nor more than ~~((five))~~ seven hundred fifty thousand dollars. The department shall, after holding a public hearing, determine the amount ~~((of the))~~ that will be required for the warehouse bond which shall be computed at a rate of not less than fifteen cents nor more than thirty cents per bushel multiplied by the number of bushels of licensed commodity storage capacity of the warehouses of the ~~((licensee))~~ applicant furnishing the bond~~(-or at the rate of not less than six percent nor more than twelve percent of the gross sales of agricultural commodities of such licensee, whichever is greater))~~.

~~((2))~~ The bond shall be approved by the department and shall be conditioned upon the faithful performance by the warehouseman of the duty to keep in the warehouse for the depositor the commodity delivered, and to deliver the commodity to, or ship it for, such

depositor, and such additional obligations, including merchandising, as a warehouseman may assume with the respective depositors as defined in RCW 22.09.010(9) as now or hereafter amended, in case a person has applied for licenses to conduct two or more warehouses in the state, the assets applicable to all warehouses, but not the deposits except in case of a station, shall be subject to the liabilities of each. The total and aggregate liability of the surety for all claims upon such bond shall be limited to the amount specified in the bond.

~~(3))~~ The ~~((warehouseman))~~ applicant for a warehouse license may give a single bond meeting the requirements of this chapter, and all warehouses operated by the warehouseman ~~((shall be))~~ are deemed ~~((as))~~ to be one warehouse for the purpose of the amount of the bond required under ~~((such section))~~ this subsection. Any change in the capacity of a warehouse or ~~((installation))~~ addition of any new warehouse involving a change in bond liability under this chapter shall be immediately reported to the department ~~((prior to the operation thereof))~~.

~~(3)~~ The bond required for the issuance of a grain dealer license shall be in the sum of not less than fifty thousand dollars nor more than seven hundred fifty thousand dollars. The department shall, after holding a public hearing, determine the amount that will be required for the dealer bond which shall be computed at a rate not less than six percent nor more than twelve percent of the sales of agricultural commodities purchased by the dealer from producers during the dealer's last completed fiscal year or in the case of a grain dealer who has been engaged in business as a grain dealer less than one year, the estimated aggregate dollar amount to be paid by the dealer to producers for agricultural commodities to be purchased by the dealer during the dealer's first fiscal year.

~~(4)~~ An applicant making application for both a warehouse license and a grain dealer license may satisfy the bonding requirements set forth in subsections (2) and (3) of this section by giving to the state of Washington a single bond for the issuance of both licenses, which bond shall be in the sum of not less than fifty thousand dollars nor more than seven hundred fifty thousand dollars. The department shall, after holding a public hearing, determine the amount of the bond which shall be computed at a rate of not less than fifteen cents nor more than thirty cents per bushel multiplied by the number of bushels of licensed commodity storage capacity of the warehouses of the applicant furnishing the bond, or at the rate of not less than six percent nor more than twelve percent of the gross sales of agricultural commodities of the applicant whichever is greater.

~~(5)~~ The bonds required under this section shall be approved by the department and shall be conditioned upon the faithful performance by the licensee of the duties imposed upon him by this chapter. If a person has applied for warehouse licenses to operate two or more warehouses in this state, the assets applicable to all warehouses, but not the deposits except in case of a station, are subject to the liabilities of each. The total and aggregate liability of the surety for all claims upon the bond are limited to the amount specified in the bond.

~~(6)~~ Any person required to submit a bond to the department under this chapter has the option to give the department a certificate of deposit payable to the director as trustee, in lieu of a bond or a portion thereof. The principal amount of the certificate shall be the same as that required for a surety bond under this chapter or may be in an amount which, when added to the applicant's bond, will satisfy the licensee's requirements for a surety bond under this chapter, and the interest thereon shall be made payable to the purchaser of the certificate. The certificate of deposit shall remain on deposit until it is released, canceled, or discharged as provided for by rule of the department. The provisions of this chapter that apply to a bond required under this chapter apply to each certificate of deposit given in lieu of such a bond.

~~(7)~~ The department may, when it has reason to believe that a grain dealer does not have the ability to pay producers for grain purchased, or when it determines that the grain dealer does not have a sufficient net worth to outstanding financial obligations ratio, or when it believes there may be claims made against the bond in excess of the face amount of the bond, require a grain dealer to post an additional bond in a dollar amount deemed appropriate by the department or may require an additional certificate of deposit. The additional bonding may exceed the maximum amount of the bond otherwise required under this section. Failure to post the additional bond or certificate of deposit constitutes grounds for suspension or revocation of a license issued under this chapter.

~~((4))~~ ~~(8)~~ Notwithstanding any other provisions of this chapter, the license of a warehouseman or grain dealer shall automatically be suspended in accordance with ~~((the provisions of))~~ RCW 22.09.100 for failure at any time to have or to maintain a bond or certificate of deposit, or both, in the amount and type required ~~((herein))~~ by this chapter. The department shall remove the suspension or issue a license as the case may be, when the required bond or certificate of deposit has been obtained.

~~((5))~~ Any warehouseman required to submit a bond to the department pursuant to the provisions of this chapter shall have the option to file a policy of insurance with the department in lieu of the warehouseman's bond. Such insurance policy, before being accepted, shall be approved by the attorney general and the insurance commissioner of the state of Washington if they deem the coverage provided thereby is equivalent to or greater than the coverage for depositors provided by the warehouseman's bond. If such an insurance policy is accepted in place of the bond, such insurance policy, as between the department, warehouseman, and the

~~depositors, shall be treated exactly the same as if it were a bond filed with the department. It is the intention of the legislature in this subsection to have the insurance policy replace the bond, as between the department, warehouseman, and the depositors, for all purposes as though the term bond used throughout the several sections of this chapter were to contain instead the term insurance policy.;~~)

Sec. 28. Section 10, chapter 124, Laws of 1963 and RCW 22.09.100 are each amended to read as follows:

Every bond filed with and approved by the department shall without the necessity of periodic renewal remain in force and effect until such time as the warehouseman's license is revoked for cause or otherwise canceled. The surety on a bond, as provided ~~(herein)~~ in this chapter, shall be released and discharged from all liability to the state accruing on ~~(such)~~ the bond after the expiration of ~~((ninety))~~ thirty days from the date a warehouseman's license is revoked for cause or otherwise terminated or after the expiration of ninety days from the date upon which ((such) the surety ((shall have)) lodged with the department a written request to be released and discharged(;;), but this provision shall not operate to relieve, release, or discharge the surety from any liability already accrued or ((which shall)) that has accrued before the expiration of the respective thirty or ninety-day period. In the event of a cancellation by the surety, the surety shall simultaneously send ((such)) the notification of cancellation in writing to any other governmental agency requesting it. ((The department shall promptly)) Upon receiving any such request, the department shall promptly notify the principal who furnished the bond, and unless the principal ((shall)) files a new bond on or before the expiration of the respective thirty or ninety-day period. ((file a new bond.)) the department shall forthwith cancel the principal's license.

Sec. 29. Section 11, chapter 124, Laws of 1963 and RCW 22.09.110 are each amended to read as follows:

All commodities in storage in a warehouse shall be kept fully insured for the current market value of ~~((such))~~ the commodity for the license period against loss by fire, lightning, internal explosion, windstorm, cyclone, and tornado. Evidence of ~~((such))~~ the insurance coverage in the form of a certificate of insurance approved by the department shall be filed by the warehouseman with the department at the time of making application for an annual license to operate a warehouse as required by this chapter. The department shall not issue a license ~~((when such))~~ until the certificate of insurance is received.

Sec. 30. Section 13, chapter 124, Laws of 1963 as last amended by section 38, chapter 296, Laws of 1981 and RCW 22.09.130 are each amended to read as follows:

(1) Every warehouseman shall receive for ~~((storage.))~~ handling, conditioning, storage, or shipment, so far as the capacity and facilities of his warehouse will permit, all commodities included in the provisions of this chapter, in suitable condition for storage, tendered him in the usual course of business from historical depositors and shall issue therefor a warehouse receipt or receipts in a form prescribed by the department as ((herein)) provided in this chapter or a scale weight ticket. Warehousemen may accept agricultural commodities from new depositors who qualify to the extent of the capacity of that warehouse. The deposit for handling, conditioning, storage, or shipment((-or handling)) of ~~((such))~~ the commodity must be credited to the depositor in the books of the warehouseman ~~((within))~~ as soon as possible, but in no event later than seven days from the date of ((such)) the deposit. If the commodity has been graded a warehouse receipt shall be issued within ten days after demand by the owner.

(2) If requested by the depositor, each lot of his commodity shall be kept in a special pile or special bin, if available, but in the case of a bulk commodity, if the lot or any portion of it does not equal the capacity of any available bin, the depositor may exercise his option to require the commodity to be specially binned only on agreement to pay charges based on the capacity of the available bin most nearly approximating the required capacity.

(3) A warehouseman may refuse to accept for storage, commodities ~~((which))~~ that are wet, damaged, insect-infested, or in other ways unsuitable for storage.

(4) Terminal and subterminal warehousemen shall receive put through agricultural commodities to the extent satisfactory transportation arrangements can be made, but may not be required to receive agricultural commodities for storage.

Sec. 31. Section 15, chapter 124, Laws of 1963 as amended by section 17, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.150 are each amended to read as follows:

(1) The duty of the warehouseman to deliver ~~((commodity stored shall be))~~ commodities in storage is governed by the provisions of this chapter and the requirements of Article 7 of Title 62A RCW ~~((as enacted or hereafter amended)).~~ Upon the return of the receipt to the proper warehouseman, properly endorsed, and upon payment or tender of all advances and legal charges, the warehouseman shall deliver commodities of the grade and quantity named ~~((therein shall be delivered))~~ upon the receipt to the holder of ~~((such))~~ the receipt, except as provided by Article 7 of Title 62A RCW ~~((as enacted or hereafter amended)).~~

(2) A warehouseman's duty to deliver any commodity is fulfilled if delivery is made pursuant to the contract with the depositor or if no contract exists, then to the several owners in the order of demand as rapidly as it can be done by ordinary diligence(;;). Where delivery is made within forty-eight hours excluding Saturdays, Sundays, and legal holidays after facilities

for receiving the commodity are provided. ~~((such))~~ the delivery is deemed to comply with this subsection.

(3) No warehouseman ~~((shall))~~ may fail to deliver a commodity as provided in this section, and delivery shall be made at the warehouse or station where the commodity was received unless ~~((agreed))~~ the warehouseman and depositor otherwise agree in writing.

(4) In addition to being subject to penalties provided in this chapter for a violation of this section, if a warehouseman unreasonably fails to deliver commodities within the time as provided in this section, the person entitled to delivery of the commodity may maintain an action against the warehouseman for any damages resulting from the warehouseman's unreasonable failure to so deliver. In any such action the person entitled to delivery of the commodity has the option to seek recovery of his actual damages or liquidated damages of one-half of one percent of the value for each day's delay after ~~((such))~~ the forty-eight hour period.

Sec. 32. Section 17, chapter 124, Laws of 1963 and RCW 22.09.170 are each amended to read as follows:

~~((f))~~ If ~~((written instruction or order is given or furnished by))~~ the owner of the commodity ~~((:))~~ or his authorized agent ~~((:directed))~~ gives or furnishes to a licensed warehouseman a written instruction or order, and if ~~((such))~~ the order is properly made a part of the warehouseman's records and is available for departmental inspection, then the warehouseman:

~~((a))~~ May accept such deposit of a commodity for the purpose of sale to the warehouseman:

~~((b))~~ (1) May receive ((such)) the commodity for the purpose of processing or ((cleaning)) conditioning;

~~((c))~~ (2) May receive ((such)) the commodity for the purpose of shipping by the warehouseman for the account of the depositor;

~~((d))~~ (3) May accept an agricultural commodity delivered as seed and handle ((the same)) if pursuant to the terms of a contract with the depositor and the contract shall be considered written instructions pursuant to ((subsection (1) of)) this section.

~~((2))~~ Commodities deposited with the warehouseman without written order, as provided for in subsection (1) of this section, must be handled and considered to be a commodity in storage.))

**NEW SECTION.** Sec. 33. (1) A commodity deposited with a warehouseman without a written agreement for sale of the commodity to the warehouseman shall be handled and considered to be a commodity in storage.

(2) A presumption is hereby created that in all written agreements for the sale of commodities, the intent of the parties is that title and ownership to the commodities shall pass on the date of payment therefor. This presumption may only be rebutted by a clear statement to the contrary in the agreement.

(3) Any warehouseman or grain dealer entering into a deferred price contract with a depositor shall first have the form of the contract approved by the director. The director shall adopt rules setting forth the standards for approval of the contracts.

Sec. 34. Section 18, chapter 124, Laws of 1963 as amended by section 24, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.180 are each amended to read as follows:

(1) The ~~((warehouseman))~~ licensee shall maintain ~~((current and))~~ complete records at all times with respect to all agricultural commodities handled, stored, shipped, or merchandised by him, including commodities owned by him. ~~((Such records shall include, but not be limited to, a daily position record showing the total quantity of each kind and class of agricultural commodity received and loaded out and the amount remaining in storage at the close of each business day, and the warehouseman's total storage obligation for each kind and class of agricultural commodity at the close of each business day.~~

~~((2))~~ No warehouse receipt issued by any warehouseman as defined in this chapter and no negotiation, transfer, or pledge of any such receipt shall be defeated by reason of the fact that the goods covered by the receipt were owned, in whole or in part, by the warehouseman at the time the receipt was issued.

~~((3))~~ Every warehouseman purchasing any agricultural commodity from a depositor thereof shall promptly make and keep for one year a correct record showing in detail the following:

~~((a))~~ The name and address of the depositor;

~~((b))~~ The date purchased;

~~((c))~~ The terms of the sale; and

~~((d))~~ The quality and quantity purchased by the warehouseman, and where applicable the dockage, tare, grade, size, net weight, or quantity.)) The department shall adopt rules specifying the minimum record-keeping requirements necessary to comply with this section.

~~((f))~~ (2) The licensee shall maintain an itemized statement of any charges paid by the ((warehouseman for the account of the)) depositor.

~~((A copy of such record containing the above matters shall be forwarded to the depositor forthwith.))~~

Sec. 35. Section 19, chapter 124, Laws of 1963 and RCW 22.09.190 are each amended to read as follows:

No warehouseman subject to the provisions of this chapter ~~((shall))~~ may:



(1) Directly or indirectly, by any special charge, rebate, drawback, or other device, demand, collect, or receive from any person a greater or lesser compensation for any service rendered or to be rendered in the handling, conditioning, storage, or shipment of any commodity than he demands, collects, or receives from any other person for doing for him a like and contemporaneous service in the handling, conditioning, storage, or shipment of any commodity under substantially similar circumstances or conditions;

(2) Make or give any undue or unreasonable preference or advantage to any person in any respect whatsoever;

(3) Subject any particular person to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Sec. 36. Section 24, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.195 are each amended to read as follows:

RCW 22.09.190 does not apply to contracts entered into with a governmental agency, state or federal, for the handling (~~or~~), conditioning, storage, or shipping of agricultural commodities.

Sec. 37. Section 20, chapter 124, Laws of 1963 and RCW 22.09.200 are each amended to read as follows:

Each (~~warehouseman~~) licensee shall report information to the department at such times and as may be reasonably required by the department for the necessary enforcement and supervision of a sound, reasonable, and efficient (~~warehouse~~) commodity inspection program for the protection of depositors of commodities and for persons(~~;~~) or agencies(~~;~~) who deal in (~~such~~) commodities.

Sec. 38. Section 21, chapter 124, Laws of 1963 as amended by section 18, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.210 are each amended to read as follows:

It is unlawful (~~for any warehouseman to receive in any terminal warehouse any commodity that has not been weighed, inspected, and/or graded by an employee of the department under the supervision of a duly authorized inspector of the department, or~~) to deliver out of any terminal warehouse any commodity for export that has not been weighed, inspected, and/or graded (~~in such manner~~) by an employee of the department under the supervision of a duly authorized inspector of the department.

Sec. 39. Section 23, chapter 124, Laws of 1963 and RCW 22.09.230 are each amended to read as follows:

Every warehouse licensee shall post at or near the main entrance to each of his warehouses a sign as prescribed by the department which shall include the words "Washington Bonded Warehouse(~~;~~)". It (~~shall be~~) is unlawful to display such sign or any sign of similar appearance or bearing the same words, or words of similar import, when (~~such~~) the warehouse is not licensed and bonded under this chapter.

Sec. 40. Section 24, chapter 124, Laws of 1963 and RCW 22.09.240 are each amended to read as follows:

Every warehouseman shall annually, during the first week in July, publish by posting in a conspicuous place in each of his warehouses the schedule of (~~storage and~~) handling, conditioning, and storage rates filed with the department for the ensuing license year. The schedule shall be kept posted, and the rates shall not be changed during such year except upon approval of the department.

Sec. 41. Section 25, chapter 124, Laws of 1963 and RCW 22.09.250 are each amended to read as follows:

It (~~shall be~~) is unlawful for a warehouseman to:

(1) Issue a warehouse receipt for any commodity (~~which~~) that he does not have in his warehouse at the time (~~such~~) the receipt is issued;

(2) Issue warehouse receipts in excess of the amount of the commodities held in the licensee's warehouse to cover (~~such~~) the receipt;

(3) Remove, deliver, direct, assist, or permit any person to remove, or deliver any commodity from any warehouse for which warehouse receipts have been issued and are outstanding without receiving and canceling the warehouse receipt issued therefor;

(4) Sell, encumber, ship, transfer, or in any manner remove or permit to be shipped, transferred, or removed from a warehouse any commodity received by him for deposit, (~~shipment, or~~) handling, conditioning, or shipment, for which scale weight tickets have been issued without the written approval of the holder of the scale weight ticket and such transfer shall be shown on the individual depositor's account and the inventory records of the warehouseman;

(5) Remove, deliver, direct, assist, or permit any person to deliver, or remove any commodities from any warehouse, whereby the amount of any fairly representative grade or class of any commodity in the warehouses of (~~such~~) the licensee is reduced below the amount for which warehouse receipts or scale weight tickets for the particular commodity are outstanding;

(6) Issue a warehouse receipt showing a grade or description different from the grade or description of the commodity delivered (~~and for which such warehouse receipt is issued~~);

(7) Issue a warehouse receipt or scale weight ticket (~~which~~) that exceeds (~~in~~) the amount (~~from~~) of the actual quantity of commodities delivered for storage;

(8) Fail to deliver commodities pursuant to RCW 22.09.150 upon demand of the depositor;

(9) Knowingly accept for storage any commodity destined for human consumption ~~((which))~~ that has been contaminated with an agricultural pesticide or filth rendering it unfit for human consumption, if ~~((such))~~ the commodities are commingled with any uncontaminated commodity;

(10) Terminate storage of a commodity in his warehouse without giving ~~((reasonable))~~ thirty days' written notice to the depositor.

Sec. 42. Section 26, chapter 124, Laws of 1963 and RCW 22.09.260 are each amended to read as follows:

No depositor ~~((shall))~~ may knowingly deliver for handling, conditioning, storage, or shipment ~~((or handling))~~ any commodity treated with an agricultural pesticide or contaminated with filth rendering it unfit for human consumption without first notifying the warehouseman.

Sec. 43. Section 29, chapter 124, Laws of 1963 as amended by section 19, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.290 are each amended to read as follows:

(1) Every warehouse receipt issued for commodities covered by this chapter shall embody within its written or printed terms:

(a) The grade of the commodities received as established by the official standards of this state, unless the identity of the commodity is in fact preserved in a special pile or special bin, and an identifying mark of such pile or bin shall appear on the face of the receipt and on the pile or bin. ~~((Such))~~ A commodity in ~~((such))~~ a special pile or bin shall not be removed or relocated without canceling the outstanding receipt and issuing a new receipt showing ~~((such))~~ the change;

(b) Such other terms and conditions as required by Article 7 of Title 62A RCW ~~((as enacted or hereafter amended))~~: PROVIDED, That nothing contained therein ~~((shall))~~ requires a receipt issued for wheat to specifically state the variety of wheat by name;

(c) A clause reserving for the warehouseman the optional right to terminate storage upon thirty days' written notice to the depositor and collect outstanding charges against any lot of commodities after June 30th following the date of the receipt.

(2) Warehouse receipts issued under the United States Warehouse Act (7 USCA § 241 et seq.) ~~((shall be))~~ are deemed to fulfill the requirements of this chapter so far as it pertains to the issuance of warehouse receipts.

Sec. 44. Section 31, chapter 124, Laws of 1963 and RCW 22.09.310 are each amended to read as follows:

Any person, or any agent or servant of ~~((such))~~ that person, or any officer of a corporation who prints, binds, or delivers warehouse receipt forms, except on an order or requisition signed by the director, or who uses such forms knowing that they were not so printed, bound, or delivered ~~((shall be))~~ is guilty of a ~~((misdemeanor))~~ class C felony and is punishable as provided in chapter 9A.20 RCW.

Sec. 45. Section 33, chapter 124, Laws of 1963 and RCW 22.09.330 are each amended to read as follows:

Nothing in this chapter ~~((shall))~~ may be construed to prevent the issuance of scale weight tickets ~~((as defined in RCW 22.09.010(12))~~ showing when and what quantities of commodities were received and the condition thereof upon delivery.

Sec. 46. Section 34, chapter 124, Laws of 1963 and RCW 22.09.340 are each amended to read as follows:

(1) Upon the request of any person or persons having an interest in a commodity stored in any public warehouse and upon payment of ~~((twenty-five))~~ fifty dollars in advance by ~~((such))~~ the person or persons, the department may cause ~~((such))~~ the warehouse to be inspected and shall check the outstanding negotiable and nonnegotiable warehouse receipts, and scale weight tickets ~~((which))~~ that have not been superseded by negotiable or nonnegotiable warehouse receipts, with the commodities on hand and shall report the amount of receipts and scale weight tickets outstanding and the amount of storage, if any. If the cost of the examination is more than ~~((twenty-five))~~ fifty dollars, the person or persons having an interest in the commodity stored in ~~((any such))~~ the warehouse ~~((:))~~ and requesting ~~((such))~~ the examination, shall pay the additional cost to the department, unless a shortage is found to exist.

(2) A warehouse shall be maintained in a manner ~~((which))~~ that will provide a reasonable means of ingress and egress to the various storage bins and compartments by those persons authorized to make inspections, and an adequate facility to complete ~~((such))~~ the inspections shall be provided.

(3) The property, books, records, accounts, papers, and proceedings of every such warehouseman shall at all reasonable times be subject to ~~((such))~~ inspection by the department. The warehouseman shall maintain adequate records and systems for the filing and accounting of warehouse receipts, canceled warehouse receipts, scale weight tickets, other documents, and transactions necessary or common to the warehouse industry. Canceled warehouse receipts, copies of scale weight tickets, and other copies of documents evidencing ownership or ownership liability shall be retained by the warehouseman for a period of at least three years from the date of deposit.

(4) Any warehouseman whose principal office or headquarters is located outside the state of Washington shall make available, if requested, during ordinary business hours, at any of their warehouses licensed in the state of Washington, all books, documents, and records for inspection.

(5) Any grain dealer whose principal office or headquarters is located outside the state of Washington shall make available, if requested, all books, documents, and records for inspection during ordinary business hours at any facility located in the state of Washington, or if no facility in the state of Washington, then at a Washington state department of agriculture office or other mutually acceptable place.

NEW SECTION. Sec. 47. (1) The department may give written notice to the warehouseman or grain dealer to submit to inspection under such conditions and at such time as the department may deem necessary whenever a warehouseman or grain dealer fails to:

- (a) Submit his books, papers, or property to lawful inspection or audit;
- (b) Submit required reports or documents to the department by their due date; or
- (c) Furnish the department with requested information, including but not limited to correction notices.

(2) If the warehouseman or grain dealer fails to comply with the terms of the notice within twenty-four hours from the date of its issuance, or within such further time as the department may allow, the department shall levy a fine of fifty dollars per day from the final date for compliance allowed by this section or the department. In those cases where the failure to comply continues for more than thirty days or where the director determines the failure to comply creates a threat of loss to depositors, the department may, in lieu of levying further fines petition the superior court of the county where the licensee's principal place of business in Washington is located, as shown by the license application, for an order:

(a) Authorizing the department to seize and take possession of all books, papers, and property of all kinds used in connection with the conduct or the operation of the warehouseman's or grain dealer's business, and the books, papers, records, and property that pertain specifically, exclusively, and directly to that business; and

(b) Enjoining the warehouseman or grain dealer from interfering with the department in the discharge of its duties as required by this chapter.

(3) All necessary costs and expenses, including attorneys' fees, incurred by the department in carrying out the provisions of this section may be recovered at the same time and as part of the action filed under this section.

Sec. 48. Section 35, chapter 124, Laws of 1963 and RCW 22.09.350 are each amended to read as follows:

(1) Whenever it appears that there is evidence after any investigation that a warehouseman has ~~(not in his possession sufficient commodities to cover the outstanding warehouse receipts, scale weight tickets, or other evidence of storage liability issued or assumed by him, or when such warehouseman refuses to submit his books, papers, or property to lawful inspection)~~ a shortage, the department may levy a fine of one hundred dollars per day until the warehouseman covers the shortage.

(2) In any case where the director determines the shortage creates a substantial or continuing threat of loss to the depositors of the warehouseman, the department may, in lieu of levying a fine or further fines, give notice to the warehouseman to comply with all or any of the following requirements:

- (a) Cover ~~((such))~~ the shortage;
- (b) Give additional bond as requested by the department;
- (c) Submit to such inspection as the department may deem necessary;
- (d) Cease accepting further commodities from depositors or selling, encumbering, transporting, or otherwise changing possession, custody, or control of commodities owned by the warehouseman until there is no longer a shortage.

~~((2))~~ (3) If ~~((such))~~ the warehouseman fails to comply with the terms of ~~((such))~~ the notice provided for in subsection (2) of this section within twenty-four hours from the date of its issuance, or within such further time as the department may allow, the department may petition the superior court of the county where the licensee's principal place of business in Washington is located ~~((as shown by the license application))~~; for an order:

(a) Authorizing the department to seize and take possession of all or a portion of special piles and special bins of commodities and all or a portion of commingled commodities in the warehouse or warehouses owned, operated, or controlled by the warehouseman, and of all books, papers, and property of all kinds used in connection with the conduct or the operation of ~~((such))~~ the warehouseman's warehouse business, and the books, papers, records, and property ~~((which))~~ that pertain specifically, exclusively, and directly to that business; and

(b) Enjoining the warehouseman from interfering with the department in the discharge of its duties as required by this section.

~~((3)) Upon taking possession the department shall give written notice of its action to the surety on the bond of the warehouseman and may notify the holders of record, as shown by the warehouseman's records, of all warehouse receipts or scale weight tickets issued for commodities, to present their warehouse receipt or other evidence of deposits for inspection, or to~~

account for the same. The department may thereupon cause an audit to be made of the affairs of such warehouse, especially with respect to the commodities in which there is an apparent shortage, to determine the amount of such shortage and compute the shortage as to each depositor as shown by the warehouseman's records, if practicable. The department shall notify the warehouseman and the surety on his bond of the approximate amount of such shortage and notify each depositor thereby affected by sending notice to the depositor's last known address as shown by the records of the warehouseman.

(4) The department shall retain possession of the commodities in the warehouse or warehouses, and of the books, papers, and property of the warehouseman, until such time as the warehouseman or the surety on the bond shall have satisfied the claims of all holders of warehouse receipts or other evidence of deposits, or, in case the shortage exceeds the amount of the bond, the surety on the bond shall have satisfied such claims pro rata, or until such time as the department is ordered by the court to surrender possession.

(5) If during or after the audit provided for in this section, or at any other time the department has evidence that the warehouseman is insolvent or is unable to satisfy the claims of all holders of warehouse receipts or other evidence of deposits, the department may petition the superior court which authorized the department to take possession, for the appointment of a receiver to operate or liquidate the business of the warehouseman in accordance with law.

(6) At any time within ten days after the department takes possession of any commodities, or the books, papers, and property of any warehouse, the warehouseman may serve notice upon the department to appear in the superior court of the county in which such warehouse is located, at a time to be fixed by such court, which shall not be less than five, nor more than fifteen days from the date of the service of such notice, and show cause why such commodities, books, papers, and property should not be restored to his possession.

(7) All necessary expenses incurred by the department in carrying out the provisions of this section may be recovered in a separate civil action brought by the department in the said superior court or recovered at the same time and as a part of the receivership or seizure action filed under this chapter.

(8) As a part of the expenses so incurred, the department or the receiver is authorized to include the cost of adequate liability insurance necessary to protect the department, its officers, and others engaged in carrying out the provisions of this section.))

**NEW SECTION.** Sec. 49. (1) Whenever the department, pursuant to court order, seizes and takes possession of all or a portion of special piles and special bins of commodities, all or a portion of commingled commodities in a warehouse owned, operated, or controlled by a warehouseman, or books, papers, and property of any kind used in connection with the conduct of a warehouseman's warehouse business, the department shall:

(a) Give written notice of its action to the surety on the bond of the warehouseman and may notify the holders of record, as shown by the warehouseman's records, of all warehouse receipts or scale weight tickets issued for commodities, to present their warehouse receipt or other evidence of deposits for inspection, or to account for the same. The department may thereupon cause an audit to be made of the affairs of the warehouse, especially with respect to the commodities in which there is an apparent shortage, to determine the amount of the shortage and compute the shortage as to each depositor as shown by the warehouseman's records, if practicable. The department shall notify the warehouseman and the surety on his bond of the approximate amount of the shortage and notify each depositor thereby affected by sending notice to the depositor's last known address as shown by the records of the warehouseman.

(b) Retain possession of the commodities in the warehouse or warehouses, and of the books, papers, and property of the warehouseman, until the warehouseman or the surety on the bond has satisfied the claims of all holders of warehouse receipts or other evidence of deposits, or, in case the shortage exceeds the amount of the bond, the surety on the bond has satisfied the claims pro rata.

(2) At any time within ten days after the department takes possession of any commodities or the books, papers, and property of any warehouse, the warehouseman may serve notice upon the department to appear in the superior court of the county in which the warehouse is located, at a time to be fixed by the court, which shall not be less than five nor more than fifteen days from the date of the service of the notice, and show cause why such commodities, books, papers, and property should not be restored to his possession.

(3) All necessary expenses and attorneys' fees incurred by the department in carrying out the provisions of this section may be recovered in the same action or in a separate civil action brought by the department in the superior court.

(4) As a part of the expenses so incurred, the department is authorized to include the cost of adequate liability insurance necessary to protect the department, its officers, and others engaged in carrying out the provisions of this section.

**NEW SECTION.** Sec. 50. (1) When a depositor stores a commodity with a warehouseman or sells a commodity to a grain dealer, the depositor has a first priority statutory lien on the commodity or the proceeds therefrom or on commodities owned by the warehouseman or grain dealer if the depositor has written evidence of ownership disclosing a storage obligation or written evidence of sale. The lien arises at the time the title is transferred from the depositor to

the warehouseman or grain dealer, or if the commodity is under a storage obligation, the lien arises at the commencement of the storage obligation. The lien terminates when the liability of the warehouseman or grain dealer to the depositor terminates or if the depositor sells his commodity to the warehouseman or grain dealer, then thirty days after the time of the sale. If, however, the depositor is tendered payment by check or draft, then the lien shall not terminate until forty days after the time of sale.

(2) The lien created under this section shall be preferred to any lien or security interest in favor of any creditor of the warehouseman or grain dealer, regardless of whether the creditor's lien or security interest attached to the commodity or proceeds before or after the date on which the depositor's lien attached under subsection (1) of this section.

(3) A depositor who claims a lien under subsection (1) of this section need not file any notice of the lien in order to perfect the lien.

(4) The lien created by subsection (1) of this section is discharged, except as to the proceeds therefrom and except as to commodities owned by the warehouseman or grain dealer, upon sale of the commodity by the warehouseman or grain dealer to a buyer in the ordinary course of business.

**NEW SECTION. Sec. 51.** In the event of a failure of a grain dealer or warehouseman, the department may process the claims of depositors possessing written evidence of ownership disclosing a storage obligation or written evidence of a sale of commodities in the following manner:

(1) The department shall give notice and provide a reasonable time to depositors possessing written evidence of ownership disclosing a storage obligation or written evidence of sale of commodities to file their claims with the department.

(2) The department may investigate each claim and determine whether the claimant's commodities are under a storage obligation or whether a sale of the commodities has occurred. The department may, in writing, notify each claimant and the failed grain dealer or warehouseman of the department's determination as to the status and amount of each claimant's claim. A claimant, failed warehouseman, or grain dealer may request a hearing on the department's determination within twenty days of receipt of written notification, and a hearing shall be held in accordance with chapter 34.04 RCW.

(3) The department may inspect and audit the failed warehouseman to determine whether the warehouseman has in his possession sufficient quantities of commodities to cover his storage obligations. In the event of a shortage, the department shall determine each depositor's pro rata share of available commodities and the deficiency shall be considered as a claim of the depositor. Each type of commodity shall be treated separately for purpose of determining shortages.

(4) The department shall determine the amount, if any, due each claimant by the surety and make demand upon the bond in the manner set forth in this chapter.

**NEW SECTION. Sec. 52.** Upon the failure of a grain dealer or warehouseman, the statutory lien created in section 50 of this act shall be liquidated by the department to satisfy the claims of depositors in the following manner:

(1) The department shall take possession of all commodities in the warehouse that are under warehouse receipts or any written evidence of ownership that discloses a storage obligation by a failed warehouseman, including but not limited to scale weight tickets, settlement sheets, and ledger cards. These commodities shall be distributed or sold and the proceeds distributed to satisfy the outstanding warehouse receipts or other written evidences of ownership. If a shortage exists, the department shall distribute the commodities or the proceeds from the sale of the commodities on a prorated basis to the depositors. To the extent the commodities or the proceeds from their sale are inadequate to satisfy the claims of depositors with evidence of storage obligations, the depositors have a first priority lien against any proceeds received from commodities sold while under a storage obligation or against any commodities owned by the failed warehouseman or grain dealer.

(2) Depositors possessing written evidence of the sale of a commodity to the failed warehouseman or grain dealer, including but not limited to scale weight tickets, settlement sheets, deferred price contracts, or similar commodity delivery contracts, who have completed delivery and pricing during a thirty-day period immediately before the failure of the failed warehouseman or grain dealer have a second priority lien against the commodity, the proceeds of the sale, or warehouse-owned or grain dealer-owned commodities. If the commodity, commodity proceeds, or warehouse-owned or grain dealer-owned commodities are insufficient to wholly satisfy the claim of depositors possessing written evidence of the sale of the commodity to the failed warehouseman or grain dealer, each depositor shall receive a pro rata share thereof.

(3) Upon the satisfaction of the claims of depositors qualifying for first or second priority treatment, all other depositors possessing written evidence of the sale of the commodity to the failed warehouseman or grain dealer have a third priority lien against the commodity, the proceeds of the sale, or warehouse-owned or grain dealer-owned commodities. If the commodities, commodity proceeds, or warehouse-owned or grain dealer-owned commodities are insufficient to wholly satisfy these claims, each depositor shall receive a pro rata share thereof.

(4) The director of agriculture may represent depositors whom, under section 51 of this act, the director has determined have claims against the failed warehouseman or failed grain dealer in any action brought to enjoin or otherwise contest the distributions made by the director under this section.

Sec. 53. Section 37, chapter 124, Laws of 1963 and RCW 22.09.370 are each amended to read as follows:

(1) If no action is commenced ~~((pursuant to RCW 22.09.360))~~ under RCW 22.09.570 within thirty days after written demand to the department, any depositor injured by the failure of a licensee to comply with the condition of his bond ~~((shall have))~~ has a right of action upon ~~((such))~~ the licensee's bond for the recovery of ~~((all))~~ his damages ~~((suffered thereby))~~. The depositor shall give the department immediate written notice of the commencement of any such action.

(2) Recovery under ~~((such))~~ the bond shall be prorated when the claims exceed the liability under ~~((such))~~ the bond.

(3) Whenever the claimed shortage exceeds the amount of ~~((such))~~ the bond, it ~~((shall))~~ is not ~~((be))~~ necessary for any depositor~~((s))~~ suing on ~~((such))~~ the bond to join other depositors in ~~((such))~~ the suit, and the burden of establishing proration ~~((shall be))~~ is on the surety as a matter of defense.

Sec. 54. Section 42, chapter 124, Laws of 1963 and RCW 22.09.420 are each amended to read as follows:

The department's inspectors shall, at terminal warehouses, have exclusive control of the weighing, inspecting, and grading of the commodities ~~((which))~~ that are included within the provisions of this chapter, and the action and certificates of ~~((such))~~ the inspectors in the discharge of their duties, as to all commodities weighed or inspected by them, shall be accepted as prima facie evidence of the correctness of the above activity~~((--PROVIDED That))~~. However, an appeal may be taken as provided in RCW ~~((22.09.450--))~~ 22.09.780 to the director of the department. Suitable books and records shall be kept in which shall be entered a record of every carload, or cargo, or part of cargo of commodities inspected or weighed by them, showing the number and initial or other designation of the vehicle or boat containing ~~((such))~~ the carload, or cargo, or part of cargo, its weight, the kind of commodity, and its grade, the reason for ~~((such))~~ the grade~~((;))~~ if of inferior grade, the amount of ~~((such))~~ the dockage, the amount of fees and forfeitures and disposition of ~~((same))~~ them; and for each vehicle or cargo, or part of cargo, of commodity inspected, they shall give a certificate of inspection showing the kind and grade of the same and the reason for all grades established. They shall also keep a record of all appeals, decisions, and a complete record of every official act, which books and records shall be open to inspection by any party in interest. They shall also furnish the agent of the railroad company, or other carrier over which ~~((such))~~ the commodity was shipped or carried, a report showing the weight thereof, if requested to do so.

Sec. 55. Section 55, chapter 124, Laws of 1963 as amended by section 22, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.550 are each amended to read as follows:

The director may cooperate with and enter into agreements with governmental agencies of this state, other states, agencies of the federal government, and private associations in order to carry out the purpose and provisions of this chapter and the United States Warehouse Act (7 USCA § 241 et seq.) and the United States Grain Standards Act, as amended (7 USCA § 71, et seq.). Notwithstanding any other provision of this chapter such agreements may also relate to a joint program for licensing, bonding, and inspecting stations ~~((as defined in RCW 22.09.010(8)(f)))~~. Such a program should be designed to avoid duplication of effort on the part of the licensing authority and requirements for operation, and promote more efficient enforcement of the provisions of this chapter and~~((or))~~ comparable provisions of the law of the states of Idaho or Oregon.

Sec. 56. Section 29, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.570 are each amended to read as follows:

The director ~~((or any depositor of any agricultural commodity))~~ may bring action upon ~~((said))~~ the bond of a warehouseman or grain dealer against both principal and surety in any court of competent jurisdiction to recover the damages caused by any failure to comply with the provisions of this chapter or the rules ~~((and regulations))~~ adopted hereunder.

Sec. 57. Section 30, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.580 are each amended to read as follows:

If a depositor creditor after notification fails, refuses, or neglects to file in the office of the director his verified claim against a warehouseman or grain dealer bond as requested by the director within ~~((sixty))~~ thirty days from the date of ~~((such))~~ the request, the director shall thereupon be relieved of further duty or action ~~((hereunder))~~ under this chapter on behalf of ~~((said))~~ the depositor creditor.

Sec. 58. Section 31, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.590 are each amended to read as follows:

Where by reason of the absence of records~~((;))~~ or other circumstances making it impossible or unreasonable for the director to ascertain the names and addresses of all ~~((said))~~ the depositor creditors, the director after exerting due diligence and making reasonable inquiry to

secure ~~((said))~~ that information from all reasonable and available sources, may make demand on ~~((said))~~ a warehouseman's or grain dealer's bond on the basis of information then in his possession, and thereafter shall not be liable or responsible for claims or the handling of claims ~~((which))~~ that may subsequently appear or be discovered.

Sec. 59. Section 32, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.600 are each amended to read as follows:

Upon ascertaining all claims and statements in the manner ~~((herein))~~ set forth in this chapter, the director may then make demand upon the warehouseman's or grain dealer's bond on behalf of those claimants whose claims and statements have been filed, and ~~((shall have))~~ has the power to settle or compromise ~~((said))~~ the claims with the surety company on the bond, and is empowered in such cases to execute and deliver a release and discharge of the bond involved.

Sec. 60. Section 33, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.610 are each amended to read as follows:

Upon the refusal of the surety company to pay the demand, the director may thereupon bring an action on the warehouseman's or grain dealer's bond in behalf of ~~((said))~~ the depositor or creditors. Upon any action being commenced on ~~((said))~~ the bond, the director may require the filing of a new bond, and immediately upon the recovery in any action on ~~((such))~~ the bond ~~((such))~~, the warehouseman or grain dealer shall file a new bond ~~((and upon))~~. The failure to file the ((same)) new bond within ten days in either case ((such failure shall)) constitutes grounds for the suspension or revocation of ~~((his))~~ the warehouseman's or grain dealer's license.

NEW SECTION. Sec. 61. RCW 22.09.370, as amended by this 1983 act, is hereby decodified and is recodified as RCW 22.09.615.

Sec. 62. Section 34, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.620 are each amended to read as follows:

Every warehouseman or grain dealer must pay for agricultural commodities purchased by him at the time and in the manner specified in the contract with the depositor, but if no time is set by ~~((such))~~ the contract, then within thirty days after taking possession for purpose of sale or taking title of ~~((such))~~ the agricultural product.

Sec. 63. Section 26, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.650 are each amended to read as follows:

When a station ~~((as defined in RCW 22.09.010(8)(f)))~~ is licensed pursuant to this chapter, the department may assert any and all the remedies provided for in this chapter, including but not limited to those remedies provided for in RCW 22.09.350. Furthermore, if inspection of that portion of the station located in the contiguous state is refused by the licensee, the department may give notice to the licensee to submit to such inspection as the department may deem necessary.

If ~~((such))~~ the station refuses to comply with the terms of the notice within twenty-four hours, the director may summarily suspend the station's license pending a hearing in compliance with chapter 34.04 RCW.

NEW SECTION. Sec. 64. Upon determining that an emergency storage situation appears to exist, the director may authorize the warehouseman to forward grain that is covered by negotiable receipts to other licensed warehouses for storage without canceling and reissuing the negotiable receipts for not more than thirty days pursuant to conditions established by rule.

NEW SECTION. Sec. 65. RCW 22.09.210, as amended by this 1983 act, is hereby decodified and is recodified as RCW 22.09.700.

NEW SECTION. Sec. 66. RCW 22.09.380, 22.09.390, 22.09.400, and 22.09.410 are each hereby decodified and recodified as RCW 22.09.710, 22.09.720, 22.09.730, and 22.09.740, respectively.

NEW SECTION. Sec. 67. RCW 22.09.420, as amended by this 1983 act, is hereby decodified and is recodified as RCW 22.09.750.

NEW SECTION. Sec. 68. RCW 22.09.430, 22.09.440, 22.09.450, 22.09.460, 22.09.470, 22.09.480, 22.09.490, 22.09.500, and 22.09.530 are each hereby decodified and recodified as RCW 22.09.760, 22.09.770, 22.09.780, 22.09.790, 22.09.800, 22.09.810, 22.09.820, 22.09.830, and 22.09.840, respectively.

NEW SECTION. Sec. 69. RCW 22.09.280 is hereby decodified and is recodified as RCW 22.09.850.

NEW SECTION. Sec. 70. RCW 22.09.270 is hereby decodified and is recodified as RCW 22.09.860.

NEW SECTION. Sec. 71. RCW 22.09.540 is hereby decodified and is recodified as RCW 22.09.870.

NEW SECTION. Sec. 72. RCW 22.09.550, as amended by this 1983 act, is hereby decodified and is recodified as RCW 22.09.880.

NEW SECTION. Sec. 73. RCW 22.09.560 is hereby decodified and is recodified as RCW 22.09.890.

NEW SECTION. Sec. 74. RCW 22.09.950 and 22.09.951 are each hereby decodified.

Sec. 75. Section 9-104, chapter 157, Laws of 1965 ex. sess. as amended by section 8, chapter 41, Laws of 1981 and RCW 62A.9-104 are each amended to read as follows:

This Article does not apply

(a) to a security interest subject to any statute of the United States to the extent that such statute governs the rights of parties to and third parties affected by transactions in particular types of property; or

(b) to a landlord's lien; or

(c) to a lien given by statute or other rule of law for services or materials or to a lien created under chapter 20.01 or 22.09 RCW except as provided in RCW 62A.9-310 on priority of such liens; or

(d) to a transfer of a claim for wages, salary or other compensation of an employee; or

(e) to a transfer by a government or governmental subdivision or agency; or

(f) to a sale of accounts or chattel paper as part of a sale of the business out of which they arose, or an assignment of accounts or chattel paper which is for the purpose of collection only, or a transfer of a right to payment under a contract to an assignee who is also to do the performance under the contract or a transfer of a single account to an assignee in whole or partial satisfaction of a preexisting indebtedness; or

(g) to a transfer of an interest or claim in or under any policy of insurance, except as provided with respect to proceeds (RCW 62A.9-306) and priorities in proceeds (RCW 62A.9-312); or

(h) to a right represented by a judgment (other than a judgment taken on a right to payment which was collateral); or

(i) to any right of set-off; or

(j) except to the extent that provision is made for fixtures in RCW 62A.9-313, to the creation or transfer of an interest in or lien on real estate, including a lease or rents thereunder; or

(k) to a transfer in whole or in part of any claim arising out of tort; or

(l) to a transfer of an interest in any deposit account (subsection (1) of RCW 62A.9-105), except as provided with respect to proceeds (RCW 62A.9-306) and priorities in proceeds (RCW 62A.9-312).

Sec. 76. Section 9-310, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-310 are each amended to read as follows:

(1) When a person in the ordinary course of his business furnishes services or materials with respect to goods subject to a security interest, a lien upon goods in the possession of such person given by statute or rule of law for such materials or services takes priority over a perfected security interest only if the lien is statutory and the statute expressly provides for such priority.

(2) A preparer lien or processor lien created pursuant to chapter 20.01 RCW or a depositor's lien created pursuant to chapter 22.09 RCW takes priority over any perfected or unperfected security interest.

NEW SECTION, Sec. 77. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 124, Laws of 1963, section 51, chapter 240, Laws of 1967, section 1, chapter 65, Laws of 1971, section 19, chapter 7, Laws of 1975 1st ex. sess., section 12, chapter 238, Laws of 1979 ex. sess., section 37, chapter 296, Laws of 1981 and RCW 22.09.010; and

(2) Section 36, chapter 124, Laws of 1963 and RCW 22.09.360.

NEW SECTION, Sec. 78. 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. 79. Sections 16, 19, 21, 23, 26, 33, 47, 49, 50, 51, 52, and 64 of this act are each added to chapter 22.09 RCW.

NEW SECTION, Sec. 80. There is appropriated to the department of licensing from the general fund for the biennium ending June 30, 1983, the sum of forty-nine thousand five hundred dollars, or so much thereof as may be necessary, for the operation and expenses of an automated lien filing and search system capable of filing and searching agricultural liens.

NEW SECTION, Sec. 81. Sections 16 through 80 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."

In line 11 of the title, after "20.01.290;" strike the remainder of the title and insert "amending section 2, chapter 124, Laws of 1963 and RCW 22.09.020; amending section 3, chapter 124, Laws of 1963 as amended by section 20, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.030; amending section 4, chapter 124, Laws of 1963 as last amended by section 13, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.040; amending section 5, chapter 124, Laws of 1963 as amended by section 14, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.050; amending section 6, chapter 124, Laws of 1963 as amended by section 22, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.060; amending section 7, chapter 124, Laws of 1963 and RCW 22.09.070; amending section 9, chapter 124, Laws of 1963 as last amended by section 23, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.090; amending section 10, chapter 124, Laws of 1963 and RCW 22.09.100; amending section 11, chapter 124, Laws of 1963 and RCW 22.09.110; amending section 13, chapter 124, Laws of 1963 as last amended by section 38, chapter 296, Laws of 1981 and RCW 22.09.130; amending section 15, chapter 124, Laws of 1963 as amended by section 17, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.150; amending section 17, chapter 124, Laws of 1963 and RCW 22.09.170; amending section 18, chapter 124, Laws of 1963 as amended by



section 24, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.180; amending section 19, chapter 124, Laws of 1963 and RCW 22.09.190; amending section 24, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.195; amending section 20, chapter 124, Laws of 1963 and RCW 22.09.200; amending section 21, chapter 124, Laws of 1963 as amended by section 18, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.210; amending section 23, chapter 124, Laws of 1963 and RCW 22.09.230; amending section 24, chapter 124, Laws of 1963 and RCW 22.09.240; amending section 25, chapter 124, Laws of 1963 and RCW 22.09.250; amending section 26, chapter 124, Laws of 1963 and RCW 22.09.260; amending section 29, chapter 124, Laws of 1963 as amended by section 19, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.290; amending section 31, chapter 124, Laws of 1963 and RCW 22.09.310; amending section 33, chapter 124, Laws of 1963 and RCW 22.09.330; amending section 34, chapter 124, Laws of 1963 and RCW 22.09.340; amending section 35, chapter 124, Laws of 1963 and RCW 22.09.350; amending section 37, chapter 124, Laws of 1963 and RCW 22.09.370; amending section 42, chapter 124, Laws of 1963 and RCW 22.09.420; amending section 55, chapter 124, Laws of 1963 as amended by section 22, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.550; amending section 29, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.570; amending section 30, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.580; amending section 31, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.590; amending section 32, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.600; amending section 33, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.610; amending section 34, chapter 7, Laws of 1975 1st ex. sess. and RCW 22.09.620; amending section 26, chapter 238, Laws of 1979 ex. sess. and RCW 22.09.650; amending section 9-104, chapter 157, Laws of 1965 ex. sess. as amended by section 8, chapter 41, Laws of 1981 and RCW 62A.9-104; amending section 9-310, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-310; adding new sections to chapter 20.01 RCW; adding new sections to chapter 22.09 RCW; recodifying RCW 22.09.210; recodifying RCW 22.09.270; recodifying RCW 22.09.280; recodifying RCW 22.09.370; recodifying RCW 22.09.380; recodifying RCW 22.09.390; recodifying RCW 22.09.400; recodifying RCW 22.09.410; recodifying RCW 22.09.420; recodifying RCW 22.09.430; recodifying RCW 22.09.440; recodifying RCW 22.09.450; recodifying RCW 22.09.460; recodifying RCW 22.09.470; recodifying RCW 22.09.480; recodifying RCW 22.09.490; recodifying RCW 22.09.500; recodifying RCW 22.09.530; recodifying RCW 22.09.540; recodifying RCW 22.09.550; recodifying RCW 22.09.560; decodifying RCW 22.09.950; decodifying RCW 22.09.951; repealing section 1, chapter 124, Laws of 1963, section 51, chapter 240, Laws of 1967, section 1, chapter 65, Laws of 1971, section 19, chapter 7, Laws of 1975 1st ex. sess., section 12, chapter 238, Laws of 1979 ex. sess., section 37, chapter 296, Laws of 1981 and RCW 22.09.010; repealing section 36, chapter 124, Laws of 1963 and RCW 22.09.360; prescribing penalties; making an appropriation; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kaiser moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 793.

Representatives Kaiser and Smith spoke in favor of the motion, and Mr. Clayton spoke against it.

Mr. Clayton spoke again in opposition to the motion, but stated he would vote for it.

The motion was carried.

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

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 793 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 793 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brøkke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Haugen, Van Dyken - 2.

Engrossed Substitute House Bill No. 793 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 14, 1983

Mr. Speaker:

The Senate has passed SUBSTITUE HOUSE BILL NO. 646 with the following amendments:

On page 17, line 27 after "any" strike "financial statements based on a"

On page 20, line 25 after "audit" and before the comma insert "report"

On page 20, line 26 after "compilation" strike the period and insert "report. do not issue any written statement which purports to express or disclaim an opinion on financial statements which have been audited, and do not issue any written statement which expresses assurance on financial statements which have been reviewed."

On page 26, after line 23 insert the following:

"NEW SECTION. Sec. 35. 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, 1983."

On page 2, line 28 of the title after "act);" strike "and" and after "penalties" insert "; providing an effective date; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Tanner moved that the House do concur in the Senate amendments to Substitute House Bill No. 646.

Representatives Tanner and Silver spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 646 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 646 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Haugen, Van Dyken - 2.

Substitute House Bill No. 646 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, 1983

Mr. Speaker:

The Senate has passed SUBSTITUE HOUSE BILL NO. 139 with the following amendments:

On page 3, after line 9, insert the following:

"Sec. 3. Section .15.08, chapter 79, Laws of 1947 and RCW 48.15.080 are each amended to read as follows: .

A licensed surplus line broker may accept and place surplus line business for any insurance agent or broker licensed in this state for the kind of insurance involved, and may compensate such agent or broker therefor; PROVIDED, That an agent or broker shall receive no compensation directly or indirectly as a surplus line broker if such agent or broker or any firm or corporation in any way affiliated with such agent or broker receives any compensation at any time after the effective date of this act as an agent or broker involved in an insurance transaction directly with an insured.

Renumber the sections consecutively and correct internal references accordingly.

On page 11, line 21, after "than" delete "ninety" and insert "thirty-one"

On page 12, line 33, after "than" delete "ninety" and insert "thirty-one"

On page 14, after line 12, insert the following:

"Sec. 22. Section .15.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 181, Laws of 1982 and RCW 48.15.070 are each amended to read as follows:

Any individual while a resident of this state, or any firm or any corporation that has in its employ a qualified individual who is a resident of this state and who is authorized to exercise the powers of the firm or corporation, deemed by the commissioner to be competent and trustworthy, and while maintaining an office at a designated location in this state, may be licensed as a surplus line broker in accordance with this section.

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. The annual renewal date shall be determined by the commissioner. The commissioner shall adopt a rule providing for the proration, on a quarterly basis, of the license fee. The proration shall be applicable only: (a) To applicants who apply for a license after the expiration of the first quarter of any license year, or (b) to licensees whose licenses would exist for less than nine months as a result of the adoption of the annual renewal date.

(3) Prior to issuance of license the applicant shall file with the commissioner a bond in favor of the state of Washington in the penal sum of twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. The licensee shall maintain such bond in force for as long as the license remains in effect.

(4) Every applicant for a surplus line broker's license or for the renewal of a surplus line broker's license shall file with the application or request for renewal 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 (~~thirty~~) one hundred thousand dollars and shall be the bonding requirement for new licensees. The licensee shall maintain such bond in force while so licensed. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the amount stated in the bond. The bond shall be contingent on the accounting by the surplus line broker to any person requesting such broker to obtain insurance, for moneys or premiums collected in connection therewith. A bond issued in accordance with RCW 48.17.250 or with this subsection will satisfy the requirements of both RCW 48.17.250 and this subsection if the limit of liability is not less than the greater of the requirement of RCW 48.17.250 or the requirement of this subsection.

(5) Any bond issued pursuant to subsection (3) or (4) of this section 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.

(6) For the purposes of this section, a 'qualified individual' is a natural person who has met all the requirements that must be met by an individual surplus line broker."

Renumber the sections consecutively

On page 14, after line 12, insert the following:

"NEW SECTION. Sec. 23. There is added to chapter 48.30 RCW a new section to read as follows:

(1) No insurer may make available to the public through an agent or broker any insurance program which deviates from the programs filed under chapter 48.19 RCW.

(2) No insurer shall offer to an agent or broker an exclusive marketing privilege, including rating, pricing and underwriting, which is not made available to all brokers and agents appointed by that insurer in accordance with RCW 48.17.160.

(3) Any insurer, agent or broker violating this section shall be subject to disciplinary action under chapter 48.05 or 48.17 RCW."

Renumber the sections consecutively

On page 1, line 4 of the title, after "48.13.020;" insert "amending section .15.08, chapter 79, Laws of 1947 and RCW 48.15.080;"

On page 1, line 26 of the title, after "48.34.060;" insert "amending section .15.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 181, Laws of 1982 and RCW 48.15.070;"

On page 1, line 27 of the title, after "48.20.050;" insert "adding a new section to chapter 48.30 RCW;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

Mr. Lux moved that the House do concur in the Senate amendment to page 14, line 12 and the amendment to the title on page 1, line 26.

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

Mr. Lux moved that the House refuse to concur in the remainder of the Senate amendments and ask the Senate to recede therefrom.

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

#### MOTIONS

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

On motion of Mr. Wang, HOUSE BILL NO. 1051 was rereferred from Committee on Rules to Committee on Commerce & Economic Development.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 125,  
SUBSTITUTE HOUSE BILL NO. 522,  
SUBSTITUTE HOUSE BILL NO. 546,  
HOUSE BILL NO. 919.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Wednesday, April 20, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ONE HUNDRED FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 20, 1983

The House was called to order at 9:30 a.m. by the Speaker (Mr. McClure presiding). The Clerk called the roll and all members were present except Representative Van Dyken, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kimberly Hanson and Scot Urquhart. Prayer was offered by The Reverend David S. Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

April 19, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 125,  
SUBSTITUTE HOUSE BILL NO. 522,  
SUBSTITUTE HOUSE BILL NO. 546,  
HOUSE BILL NO. 919.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF STANDING COMMITTEE

April 19, 1983

ESSB 4251 Prime Sponsor, Committee on Agriculture: Providing for a study and interim management of the Milwaukee Road. Reported by Committee on Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Fisher, Vice Chair; Allen, Ranking Minority Vice Chair; Brekke, Burns, Dellwo, Lux and Pruitt.

Voting nay: Representatives Patrick, Ranking Minority Chair; Clayton, Lewis, Van Dyken and J. Williams.

Absent: Representatives Hankins and Jacobsen.

Rereferred to Committee on Ways & Means.

## MOTION

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

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-51, by Representatives O'Brien, Garrett, Lux, Gallagher, Todd, Crane, Patrick, Hine and Locke

WHEREAS, The sport of thoroughbred horse racing in the State of Washington dates back to the early 1900s; and

WHEREAS, The Washington State Legislature passed the Parimutuel Racing Act in 1933; and

WHEREAS, In 1940, when the Washington Horse Breeders Association was incorporated, there were but eight breeding farms located in the State of Washington and the number of thoroughbred foals registered as "Washington breds" with the New York Jockey Club numbered less than fifty; and

WHEREAS, In 1979, one thousand three hundred sixty-eight Washington bred foals were registered with the New York Jockey Club, placing the State of Washington seventh in the nation with respect to the number of foals registered; and

WHEREAS, It is projected that breeders in the State of Washington will register upwards of one thousand five hundred Washington bred foals with the New York Jockey Club in 1983; and

WHEREAS, There are approximately one thousand breeding farms in Washington devoted to the breeding and raising of thoroughbred horses, and more than twenty-five thousand acres are devoted exclusively for this purpose; and

WHEREAS, The Washington Horse Racing Commission will license about ten thousand persons in 1983, and there are upwards of three thousand five hundred people employed at the thoroughbred farms in the State of Washington; and

WHEREAS, The entire investment of the thoroughbred industry in the state exceeds three hundred million dollars; and

WHEREAS, The success of the thoroughbred horse racing industry, which employs thousands of people and represents a large investment in the State of Washington, can be attributed in part to the Longacres Racetrack at Renton, Washington; and

WHEREAS, In 1983, the Longacres Racetrack is celebrating its fiftieth anniversary and is recognized as one of the most attractive, progressive, and desirable places in America to race horses; and

WHEREAS, It was through the foresight of Joseph Gottstein, who had a love affair with the thoroughbred horse and founded Longacres Racetrack, that thoroughbred horse racing in the State of Washington was revived;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes the continued success of the thoroughbred horse racing industry in the State of Washington, and congratulates the Washington Jockey Club and its President, Morris J. Alhadeff, on the occasion of the fiftieth anniversary celebration of the Longacres Racetrack; and

BE IT FURTHER RESOLVED, That copies of this resolution, suitably inscribed and signed by the Chief Clerk of the House of Representatives, be sent to the Washington Jockey Club and to Morris J. Alhadeff.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien and Garrett spoke in favor of the resolution, and it was adopted.

The Speaker assumed the Chair.

HOUSE FLOOR RESOLUTION NO. 83-50, by Representatives Smitherman Broback, Zellinsky, Appelwick, Sutherland, Crane, Powers, Walk, Galloway, Heck, Kaiser, Fisher, Braddock, Tilly and Struthers

WHEREAS, There is substantial indication that phenoxy herbicides, including the herbicide known as Agent Orange, and dioxins, which were widely used in Southeast Asia during the Vietnam conflict, may be the cause of certain diseases suffered by persons who were exposed to these chemicals and of certain birth defects occurring among the children of such persons; and

WHEREAS, The dioxin found in Agent Orange is one of the most toxic man-made materials known to exist; and

WHEREAS, Many thousands of United States servicemen were exposed to Agent Orange and other toxic substances in the course of their military duty during the Vietnam conflict; and

WHEREAS, The welfare of those who served in Vietnam and who may have suffered damages as a result of their military service is a matter of public concern; and

WHEREAS, Congress has proposed legislation which recognizes that exposure to certain harmful chemicals used in Southeast Asia may be the cause of long-term adverse health effects and which therefore provides a presumption of service connection for those who served in Southeast Asia during the Vietnam conflict and subsequently suffered from certain diseases;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Congress be urged to enact this proposed legislation which attempts to resolve the Agent Orange problem of our Vietnam veterans; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to President Ronald Reagan, 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. Smitherman, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 83-61, by Representatives Rust and Charnley

WHEREAS, Washingtonians are conducting at least sixty-five separate community clean-ups and another twenty-five large scale events involving litter pick-up and recycling; and

WHEREAS, April 22 is the 13th anniversary of the original Earth Day; and

WHEREAS, April 23 is Keep America Beautiful Day and Scout Environment Day; and

WHEREAS, Litter pollutes the land and water and destroys nature; and

WHEREAS, Some types of litter can be recycled and reused; and

WHEREAS, Picking up litter cleans our parks and makes them more enjoyable; and

WHEREAS, People can stop littering and be more careful with garbage; and

WHEREAS, Keeping litter picked up should be a matter of personal pride;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, in recognition of these concepts, That this body expresses support for these activities and for a 1983 Spring Clean Week for the State of Washington; and

BE IT FURTHER RESOLVED, That this body continue to support programs to help keep Washington clean all year round.

Ms. Rust moved adoption of the resolution. Representatives Rust and Charnley spoke in favor of the resolution, and it was adopted.

#### SENATE AMENDMENTS TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 23 with the following amendments:

On page 1, after line 5, strike all the material down to and including "51.12.110." on page 2, line 8, and insert the following:

Sec. 1. Section 51.12.090, chapter 23, Laws of 1961 as last amended by section 16, chapter 63, Laws of 1982 and RCW 51.12.090 are each amended to read as follows:

~~((†))~~ The provisions of this title shall apply to employers and workers (other than railways and their workers) engaged in intrastate and also in interstate or foreign commerce, for whom a rule of liability or method of compensation now exists under or may hereafter be established by the congress of the United States, only to the extent that the payroll of such workers may and shall be clearly separable and distinguishable from the payroll of workers engaged in interstate or foreign commerce: PROVIDED, That ~~((-except as provided under subsection (2) of this section:))~~ as to workers whose payroll is not so clearly separable and distinguishable the employer shall in all cases be liable in damages for injuries to the same extent and under the same circumstances as is specified in the case of railroads in the first proviso of RCW 51.12.080: PROVIDED FURTHER, That nothing in this title shall be construed to exclude goods or materials and/or workers brought into this state for the purpose of engaging in work.

~~((2))~~ Common carrier employers engaged in intrastate commerce and also interstate or foreign commerce may exempt themselves from being liable for damages under this title as provided under subsection (1) of this section so long as at the time of such injury:

(a) The employer is domiciled in this state;

(b) The injured person is a worker as defined under this title;

(c) The employer has secured payment of compensation; and

(d) The employer has made election to cover all such persons in the manner provided by RCW 51.12.110;))

NEW SECTION. Sec. 2. There is added to chapter 51.12 RCW a new section to read as follows:

(1) Common or contract carriers domiciled in this state that are engaged exclusively in interstate or foreign commerce, or any combination thereof, may elect coverage under this title in the manner provided by RCW 51.12.110 for their employees.

(2) A person who is domiciled in this state and who owns and operates a truck engaged in intrastate, interstate, or foreign commerce, or any combination thereof, may elect coverage under this title in the manner provided by RCW 51.32.030, whether or not the truck is leased to a common or contract carrier."

Renumber the remaining section consecutively.

On page 1, line 3 of the title, after "51.12.090;" insert "adding a new section to chapter 51.12 RCW;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. R. King, the House concurred in the Senate amendments to Engrossed House Bill No. 23.

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

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 23 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 23 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Deliwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Tanner - 1.

Excused: Representative Van Dyken - 1.

Engrossed House Bill No. 23 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.

Representative Bond was excused.

#### SENATE AMENDMENT TO HOUSE BILL

April 16, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 203 with the following amendment:

On page 2, line 22 of the engrossed and printed bill after "writing," insert "The requirement of a written rejection under this subsection shall apply only to the original issuance of policies issued after the effective date of this act and not to any renewal or replacement policy." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Lux moved that the House do concur in the Senate amendment to Engrossed House Bill No. 203.

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

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

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 203 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 203 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Deliwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher,



Galloway, Garrett, Grimm, Halsan, Hamkins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Barnes - 1.

Absent: Representative Tanner - 1.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed House Bill No. 203 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 16, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 232 with the following amendments:

On page 2, line 17 of the engrossed bill, being line 2 of the House amendment to page 2, line 17, after "3" strike "and 5"

On page 3, beginning on line 17 of the engrossed bill, being line 3 of the House amendment on page 3, line 16, strike all of section 5.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Walk, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 232.

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

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 232 as amended by the Senate.

Mr. O'Brien spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 232 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Deitwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hamkins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Nelson D - 1.

Absent: Representatives Monohon, Tanner - 2.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Substitute House Bill No. 232 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 17, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 239 with the following amendments:

On page 1, line 8 after "place" strike "a building in which a polling place is located"

On page 1, line 9 after "or" insert "in any public area"

On page 1, line 9 after "within" strike "one" and insert "three"

On page 1, line 10 strike "building" and insert "polling place" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Pruitt moved that the House do not concur in the Senate amendments, and ask the Senate to recede therefrom.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, do we have the power, without joint rules, to request a conference on this?"

The Speaker: "We have ruled on that earlier in this session. Yes."

The motion was carried.

#### MOTION

On motion of Mr. Wang, the House recessed until 2:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond and Van Dyken, who were excused.

#### SENATE AMENDMENT TO HOUSE BILL

April 16, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 260 with the following amendment:

On page 1, line 12 strike "(2)" and insert "((2))"

Renumber the remaining subsections consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Walk, the House concurred in the Senate amendments to House Bill No. 260.

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

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of House Bill No. 260 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 260 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Belzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Fuhrman, Grimm, King R - 3.

Excused: Representatives Bond, Van Dyken - 2.

House Bill No. 260 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 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 334 with the following amendments:

On page 1, line 23 strike "based upon domicile"

On page 1, line 24 after "during" strike all the material down to and including "1982" on line 25 and insert "any term of the 1982-1983 academic year" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

On motion of Mr. Burns, the House refused to concur in the Senate amendment to page 1, line 23 and asked the Senate to recede therefrom.

On motion of Mr. Burns, the House concurred in the Senate amendment to page 1, line 24.

## SENATE AMENDMENTS TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 790 with the following amendments:

On page 1, line 8 after "education" strike ", the council of presidents,"

On page 1, line 9 after "education" insert ","

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Burns, the House concurred in the Senate amendments to Substitute House Bill No. 790.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 790 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 790 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Grimm, King R, Miller - 3.

Excused: Representatives Bond, Van Dyken - 2.

Substitute House Bill No. 790 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 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 476 with the following amendments:

On page 1, after line 8 insert:

"Sec. 1, Section 1, chapter 67, Laws of 1972 ex. sess. and RCW 9.95.052 are each amended to read as follows:

At any time after the board of prison terms and paroles has determined the minimum term of confinement of any person subject to confinement in a state correctional institution, the board may request the superintendent of such correctional institution to conduct a full review of such person's prospects for rehabilitation and report to the board the facts of such review and the resulting findings. Upon the basis of such report and such other information and investigation that the board deems appropriate the board may redetermine and refix such convicted person's minimum term of confinement.

The board shall not reduce a person's minimum term of confinement unless the board has received from the department of corrections all institutional conduct reports relating to the person."

Remember the remaining sections consecutively.

On page 1, line 1 after "offenders;" insert "amending section 1, chapter 67, Laws of 1972 ex. sess. and RCW 9.95.052;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendments to Substitute House Bill No. 476.

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

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 476 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 476 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martin, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Strulthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Grimm, Miller - 2.

Excused: Representatives Bond, Van Dyken - 2.

Substitute House Bill No. 476 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 17, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 446 with the following amendments:

On page 1, line 7 after "inspect" strike "the" and insert "his or her own"

On page 1, line 7 after "personnel" strike "files" and insert "file(s)"

On page 1, line 10 after "actions" insert "for the sole purpose of determining if the personnel file contains irrelevant or erroneous information"

On page 1, line 12 after "file" insert "at the employer's place of business"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Sayan, the House concurred in the Senate amendments to Engrossed House Bill No. 446.

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

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed House Bill No. 446 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 446 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 19; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Barnes, Barrett, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Isaacson, King P, Nealey, Padden, Sanders, Schmidt, Schoon, Smith, West, Williams J - 19.

Absent: Representatives Grimm, Miller - 2.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed 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 AMENDMENT TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 848 with the following amendment:

On page 1, line 12 of the engrossed and printed bill, after "operations" strike all the material down to and including "are" on line 14 of the engrossed bill, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Burns, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 848.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 848 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 848 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 3; absent, 2; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Allen, Clayton, West - 3.

Absent: Representatives Grimm, Miller - 2.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Substitute House Bill No. 848 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 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1011 with the following amendments:

On page 3, line 4 beginning with "Energy" strike all the language down to and including "purposes." on line 6.

Renumber the remaining subsections accordingly.

On page 4, line 16 after "later." strike the language beginning with "Each" down through "biennium" on line 20 and insert "Each state agency shall implement energy conservation measures with a payback period of twenty-four months or less that have a positive cash flow in the same biennium"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. D. Nelson, the House concurred in the Senate amendments to Substitute House Bill No. 1011.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Substitute House Bill No. 1011 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1011 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Miller - 1.

Excused: Representatives Bond, Van Dyken - 2.

Substitute House Bill No. 1011 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 64,  
HOUSE BILL NO. 164,  
HOUSE BILL NO. 300,  
HOUSE BILL NO. 683.

## STATEMENT FOR THE JOURNAL

I would have voted "Yea" on the following bills as amended by the Senate if I had not been involved in a TV program: EHB 446; SHB 476; SHB 790; ESHB 848 and SHB 1011.

LOUISE MILLER, 45th District.

## MOTION

On motion of Mr. Heck, the House reverted to the fourth order of business.

## MESSAGE FROM THE SENATE

April 20, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ESCR 125 by Senators Bottiger and Fleming

Legislative cut-off dates for the regular session.

On motion of Mr. Heck, the rules were suspended and Engrossed Senate Concurrent Resolution No. 125 was advanced to second reading and placed at the top of today's second reading calendar.

## REPORTS OF STANDING COMMITTEES

April 18, 1983

HB 213 Prime Sponsor, Representative Halsan: Establishing the community development finance corporation. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Commerce & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman, Tilly and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Addison, Fiske, Hastings, McDonald, G. Nelson, Struthers and Taylor.

Absent: Representatives Bond and Tilly.

Passed to Committee on Rules for second reading.

April 18, 1983

HB 228 Prime Sponsor, Representative Ellis: Establishing the capital resource company. Reported by Committee on Ways & Means

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Addison, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 18, 1983

HB 271 Prime Sponsor, Representative Vekich: Modifying provisions relating to survivors' benefits under the state patrol retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; and Hastings.

Absent: Representatives Bond and Tilly.

Passed to Committee on Rules for second reading.

April 18, 1983

HB 605 Prime Sponsor, Representative O'Brien: Revising provisions relating to the state convention and trade center. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers and Tilly.

Voting nay: Representatives Taylor and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 19, 1983

SSB 3173 Prime Sponsor, Committee on Commerce & Labor: Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; B. Williams, Ranking Minority Chair; Appelwick, Barrett, Braddock, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Silver, Smitherman, Stratton, Walk and Wilson.

Voting nay: Representatives Addison, Padden and Schoon.

Absent: Representatives Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Brough, Ebersole, Powers, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.

April 19, 1983

SSJM 112 Prime Sponsor, Committee on Commerce & Labor: Requesting the mutual bilateral elimination of trade barriers with China. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; B. Williams, Ranking Minority Chair; Appelwick, Barrett, Braddock, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Schmidt, Silver, Smitherman, Stratton, Walk and Wilson.

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

Voting nay: Representatives Addison, Padden and Schoon.

Absent: Representatives Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Brough, Ebersole, Powers, Tilly and Van Dyken.

Passed to Committee on Rules for second reading.



## SECOND READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 125, by Senators Bottiger and Fleming

Legislative cut-off dates for the regular session.

The resolution was read the second time.

Mr. McDonald moved adoption of the following amendments:

On page 1, line 10 following "budget," strike "supplemental budget" and insert "(~~supplemental budget~~)"

On page 1, line 11 strike "congressional redistricting ordered by the court in Doph v. Munro," and insert "(~~congressional redistricting ordered by the court in Doph v. Munro~~)"

Representatives McDonald and G. Nelson spoke in favor of the amendments, and Mr. Heck spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative McDonald to Engrossed Senate Concurrent Resolution No. 125, and the amendments were not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Bond, Van Dyken - 2.

Mr. G. Nelson moved adoption of the following amendment:

On page 1, line 14 following "reports" insert "if joint rules are adopted"

Representatives G. Nelson, McDonald and Hastings spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to Engrossed Senate Concurrent Resolution No. 125, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Bond, Van Dyken - 2.

Mr. Taylor moved adoption of the following amendment:

On page 1, line 7 following "~~(5:00)~~" strike "11:59" and insert "9:59"

Mr. Taylor spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taylor to Engrossed Senate Concurrent Resolution No. 125, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince,

Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Bond, Van Dyken - 2.

Mr. Wang moved that the second reading be considered the third, and Engrossed Senate Concurrent Resolution No. 125 be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Concurrent Resolution No. 125 to third reading and final passage, and the motion was carried by the following vote:

Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Excused: Representatives Bond, Van Dyken - 2.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, to suspend the rules does take two-thirds, and the motion has clearly failed."

#### SPEAKER'S RULING

The Speaker: "Representative Nelson, Rule 28A, the second proviso says: '...when only five days remain before a session must end by law, bill reading may be advanced by majority vote.'"

The Speaker declared the question before the House to be final passage of Engrossed Senate Concurrent Resolution No. 125.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 125, and the resolution was adopted by the House by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brække, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Concurrent Resolution No. 125, having received the constitutional majority, was declared adopted.

#### MOTION

On motion of Mr. Heck, Engrossed Senate Concurrent Resolution No. 125 was ordered immediately transmitted to the Senate.

## POINT OF ORDER

Mr. Hastings: "Mr. Speaker, prior to transferring a bill from the House to the Senate, is it not correct that you have to sign it in open session?"

The Speaker: "No, that is not correct."

Mr. Hastings: "Mr. Speaker, under what rule do you not have to sign that in open session?"

The Speaker: "The process, since 1889, or thereabouts, is that the House passes it to the Senate at this point; the Senate does the paperwork; it comes back and then the Speaker signs it in open session, which I will do at the proper time."

ENGROSSED SUBSTITUTE SENATE BILL NO. 3308, by Committee on Financial Institutions (originally sponsored by Senators Goltz, Deccio, Moore and Shinpoch)

Requiring health insurance plans to provide benefits for home health care services.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Lux moved adoption of the committee amendments.

## POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, Engrossed Substitute Senate bill No. 3308 is still under the cut-off of the House and the Senate. Proceeding in this manner is against the concurrent resolution until the new concurrent resolution has been signed by both the President of the Senate and the Speaker of the House. Until such an action is made, this body is obeying the rules that were established between the House and the Senate if this matter would not be undertaken, that only those measures dealing with the budget, the revenue-related packages, jobs and redistricting and the supplemental budget. Until the President signs the new resolution, we are out of order."

The Speaker: "Representative Nelson, your point is well taken."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

April 20, 1983

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 125,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 125.

The House resumed consideration of ENGROSSED SUBSTITUTE SENATE BILL NO. 3308 on second reading.

The committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, pursuant to Rule 11 and Rule 28, regarding the majority vote in the last five days, and the bill was advanced to third reading and final passage.

Representatives Lux and Fiske spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Lux yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Lux, is it the intent of this bill to exclude any providers who are not certified but meet the standards required?"

Mr. Lux: "Representative Galloway, as I understand it, this bill would exclude those providers who are not certified."

Representatives Sanders and Barnes 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. 3308 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Substitute Senate Bill No. 3308 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, SUBSTITUTE SENATE BILL NO. 3382 was rereferred from the second reading calendar to Committee on Rules.

SENATE BILL NO. 3426, by Senators Talmadge and Bottiger

Modifying provisions relating to the homestead.

The bill was read the second time.

Mr. Ebersole moved adoption of the following amendment by Representatives Ebersole, Addison, Walk, Johnson and Gallagher:

On page 1, after line 11 insert:

"Sec. 2, Section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050 are each amended to read as follows:

Homesteads may consist of lands and tenements with the improvements thereon, as defined in RCW 6.12.010, regardless of area but not exceeding in net value, of both the lands and improvements, the sum of ((twenty)) thirty thousand dollars. The premises thus included in the homestead must be actually intended or used as a home for the owner, and shall not be devoted exclusively to any other purpose."

## POINT OF ORDER

Mr. Padden: "Mr. Speaker, could you make a ruling on scope and object of this amendment?"

## SPEAKER'S RULING

The Speaker: "The Speaker has examined the floor amendment. The bill deals with the power of attorneys; the amendment broadens the scope and your point is well taken, Representative Padden."

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Representatives McMullen and Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3426, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Senate Bill No. 3426, having received the 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. 3442, by Senators Talmadge and Clarke (by Judicial Council request)

Providing a procedure for agreed dissolution.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3442 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 3442 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. 3453, by Committee on Education (originally sponsored by Senators Goltz, Patterson and Hansen)

Modifying disposition of traffic offenses on college and university campuses.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 93rd Day, April 12, 1983.)

On motion of Mr. Burns, the committee amendment was adopted.

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Representatives Burns and Prince spoke in favor of the bill, and Ms. Brough spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3453 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 14; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Allen, Broback, Brough, Cantu, Chandler, Fuhrman, Locke, Long, Miller, Padden, Patrick, Sanders, West, Williams J - 14.

Excused: Representatives Bond, Van Dyken - 2.

Substitute Senate Bill No. 3453 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Heck to preside.

SUBSTITUTE SENATE BILL NO. 3494, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad, and Hughes)

Modifying the enforcement of judgments in small claims court.

The bill was read the second time. On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Representatives McMullen and Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3494, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Substitute Senate Bill No. 3494, having received the 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. 3501, by Senators Talmadge and Hemstad

Providing interpreters in legal proceedings for non-English-speaking persons.

The bill was read the second time. On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3501, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan,

Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 3501, having received the 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. 3537, by Senators Vognild, Lee and Woody

Requiring notice to firefighters of the presence of guard animals.

The bill was read the second time. On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Representatives R. King and Moon spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3537, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 3537, having received the 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. 3614, by Committee on Natural Resources (originally sponsored by Senators Brauer, Zimmerman, Owen and Thompson)

Permitting the department of natural resources to exchange publicly-owned lands.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3614 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Substitute Senate Bill No. 3614 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. 3637, by Committee on Local Government (originally sponsored by Senators Thompson, Hemstad, Talmadge and Newhouse)

Modifying provisions relating to declaratory judgments of bond issues.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3637 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Substitute Senate Bill No. 3637 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. 3840, by Senators Shinpoch, Hemstad and Wojahn

Permitting employees to participate in state deferred compensation plans.

The bill was read the second time. On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3840, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 3840, having received the 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. 3846, by Senators Talmadge, Warnke and Vognild

Providing for the redemption of vehicles impounded by cities and towns.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Martinis moved adoption of the committee amendment, striking everything after the enacting clause.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis, Powers and Hine to the committee amendment:

On page 5, line 11 after "dishonored." strike all material down to and including "impoundment" on line 14 and insert "the drawer of the check or maker of the note shall be liable to the towing firm that has provided service for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees"

Representatives Martinis, Patrick and Powers spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Walk, the following amendments to the committee amendment were adopted:

On page 12, line 33 after "on" strike "local" and insert "(local) in-state"

On page 12, line 36 after "That)," strike all material down to and including "paid." on page 13, line 3.

The committee amendment as amended was adopted.

On motion of Mr. Martinis, the committee amendment to the title of the bill was adopted.

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3846 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 3846 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. 4082, by Senators Granlund, Deccio, Barr and Lee

Revising provisions relating to prisoners.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Representatives Dellwo and Lewis spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4082 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Ebersole, Patrick, Stratton, West - 4.

Excused: Representatives Bond, Van Dyken - 2.

Senate Bill No. 4082 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. 4112, by Senators Peterson, Patterson and Hansen

Bringing vehicle size and load restrictions into conformity with federal standards.

The bill was read the second time.

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

On page 6, following line 8 insert a new section as follows:

"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 4 of the title after "RCW 46.44.030;" strike "and"

On page 1, line 6 of the title after "RCW 46.44.0941" insert "; and declaring an emergency"

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4112 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 4112 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. 4135, by Committee on Institutions (originally sponsored by Senator Granlund)

Authorizing the secretary of corrections to reimburse local governments from the institutional impact account.

The bill was read the second time. On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Representatives Kreidler and Lewis spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4135, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Substitute Senate Bill No. 4135, having received the 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. 4153, by Senators Bender, Warnke and Conner

Authorizing permanently unemployable veterans to have special license plates.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4153 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Senate Bill No. 4153 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. 4226, by Committee on Agriculture (originally sponsored by Senators Hansen and Barr)

Providing for sanitation programs and other programs concerning tree fruit.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass with the following amendment:

On page 2, line 23 after "and" strike "to administer" and insert "regarding the administration of"

On motion of Ms. Ellis, the committee amendment was adopted.

Ms. Galloway moved adoption of the following amendments:

On page 2, line 18, after "Sec. 4," insert "(1)"

On page 2, after line 24, insert the following:

(2) A sanitation program may be funded under this chapter only if the program satisfies the following criteria:

(a) A public hearing on the proposed sanitation program has been (i) conducted by the department of agriculture and the general purpose unit of local government within whose jurisdictional boundaries the program is proposed, and (ii) conducted within the locale to be affected by the program; and

(b) The department of agriculture and the general purpose unit of local government within whose jurisdictional boundaries the program is proposed, have, at least annually, each approved the program and the boundaries of the area within which the program may be conducted.

(3) Funds may be expended for emergency measures conducted under RCW 43.06.010(14) and 17.24.200 only if the advisory committee established under RCW 17.24.200(2) has submitted written recommendations for determining when an emergency exists and identifying procedures for implementing emergency measures and has been convened to review the application of its recommendations for the emergency measures funded or partially funded under this chapter."

Ms. Galloway spoke in favor of the amendments, and Representatives Ellis, Kaiser, Dickie and Smith spoke against them.

Ms. Galloway spoke again in favor of the amendments, and Representatives Kaiser and Dickie again opposed them.

The amendments were not adopted.

On motion of Mr. Wang, the bill was advanced to third reading and final passage.

Ms. Ellis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4226 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Galloway, Locke - 2.

Absent: Representative Smitherman - 1.

Excused: Representatives Bond, Van Dyken - 2.

Substitute Senate Bill No. 4226 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

#### MOTION

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

#### THIRD READING

SENATE BILL NO. 3182 AS AMENDED BY THE HOUSE, by Senators Bottiger and Shinpoch

Modifying provisions relating to financial institutions.

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

Representatives Lux, Braddock and Niemi spoke against passage of the bill, and Representatives Sanders and West spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3182 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 26; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Lewis, Locke, Long, Martinis, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Fisch, Fisher, Garrett, Halsan, Haugen, Heck, King J, King R, Kreidler, Lux, McClure, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Rust, Sutherland, Todd - 26.

Absent: Representative Ebersole - 1.

Excused: Representatives Bond, Van Dyken - 2.

Senate Bill No. 3182 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, the House was adjourned until 9:00 a.m., Thursday, April 21, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ONE HUNDRED SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 21, 1983

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Fuhrman, Isaacson, Van Dyken and Mr. Speaker.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Erica Van Lierop and Robert Efrid. Prayer was offered by The Reverend David S. Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 20, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 64,  
HOUSE BILL NO. 164,  
HOUSE BILL NO. 300,  
HOUSE BILL NO. 683,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 653,  
ENGROSSED HOUSE BILL NO. 804,  
ENGROSSED HOUSE BILL NO. 905,  
SUBSTITUTE HOUSE BILL NO. 1089,  
SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 2,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 4099,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ESSB 4099 by Committee on Ways & Means (originally sponsored by Senators Rinehart and Shinpoch - by Joint Select Committee on Sunset request):

Providing for the review of certain tax preferences.

Referred to Committee on Ways & Means

## REPORTS OF STANDING COMMITTEES

April 19, 1983

HB 1044 Prime Sponsor, Representative J. King; Relating to professional licensing. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on Social & Health Services be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Hastings, Struthers and Tilly.

Absent: Representatives Addison, Bond, G. Nelson, Taylor and Vander Stoep.  
Passed to Committee on Rules for second reading.

April 19, 1983

HB 1051 Prime Sponsor, Representative J. King: Relating to economic development. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives J. King, Chair; B. Williams, Ranking Minority Chair; Addison, Appelwick, Barrett, Braddock, Ellis, Halsan, Haugen, Kaiser, Niemi, Padden, Powers, Smitherman, Stratton and Walk.

Voting nay: Representatives Schoon and Silver.

Absent: Representatives Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Brough, Ebersole, Powers, Schmidt, Tilly, Van Dyken and Wilson.

Passed to Committee on Rules for second reading.

April 20, 1983

SSB 3504 Prime Sponsor, Committee on Local Government: Modifying provisions on land classified for current use assessment. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "Sec. 1." beginning with "Section 5," strike all language down to and including "Sec. 2." on page 2, line 22

On page 1, line 1 of the title after "taxation;" beginning with "amending" strike all language down to and including "84.34.037;" on line 2.

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Broback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell, Ristuben, Smitherman and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Grimm and Hine.

Passed to Committee on Rules for second reading.

April 19, 1983

ESB 3519 Prime Sponsor, Senator Thompson: Increasing state power to repair damage from the eruption of Mount St. Helens. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the amendments proposed by Committee on State Government and with the following amendment:

On page 2, line 13 strike "protection" and insert "protection. The authorization for eminent domain provided by this subsection applies only in those counties facing the threat of flood

due to the eruptions of Mt. St. Helens" Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Bond, Fiske, Taylor and Vander Stoep.

Passed to Committee on Rules for second reading.

#### SENATE AMENDMENTS TO HOUSE BILL

April 17, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 420 with the following amendments:

On page 1, after line 21, insert the following:

"Sec. 2. Section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255 are each amended to read as follows:

Prior to the sale or transfer of ownership or control of any cemetery authority, any person, corporation or other legal entity desiring to acquire such ownership or control shall apply in writing for a new certificate of authority to operate a cemetery and shall comply with all provisions of Title 68 RCW relating to applications for, and the basis for granting, an original certificate of authority. The board shall, in addition, enter any order deemed necessary for the protection of all endowment care funds and/or prearrangement trust fund during such transfer. As a condition of applying for a new certificate of authority, the entity desiring to acquire such ownership or control must agree to be bound by all then existing prearrangement contracts and the board shall enter that agreement as a condition of the transfer; PROVIDED, That if the board determines that it is in the public interest it may waive or condition the entity's assumption of those preexisting prearrangement contracts which are for cemetery merchandise or services when the entity seeking the certificate of authority obtains ownership from a federal or state chartered bank, savings and loan association, or credit union which acquired ownership or control of a cemetery through foreclosure of a first lien mortgage or deed of trust pursuant to chapter 61.12 or 61.24 RCW; PROVIDED FURTHER, That a waiver shall not be granted if the bank, savings and loan association, or credit union was a party to or participated in the operation or control of the cemetery authority which incurred those obligations.

Persons and business entities selling and persons and business entities purchasing ownership or control of a cemetery authority shall each file an endowment care fund report and/or a prearrangement trust fund report showing the status of such funds immediately before and immediately after such transfer on a written report form prescribed by the board. Failure to comply with this section shall be a gross misdemeanor and any sale or transfer in violation of this section shall be void."

On page 1, line 1 of the title, after "board;" insert "amending section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Niemi, the House refused to concur in the Senate amendments to House Bill No. 420, and asked the Senate to recede therefrom.

#### MOTION

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

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3483, by Committee on Natural Resources (originally sponsored by Senators Hansen, Deccio, Bender, Bauer, Goltz, Sellar, Benitz, Newhouse and Barr)

Modifying the oil and gas conservation.

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

Representatives Stratton, Charnley and Mitchell spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3483, and the bill passed the House by the following vote: Yeas, 85; nays, 0; absent, 8; excused, 5.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Berozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 85.

Absent: Representatives Appelwick, Grimm, King R, Locke, Monohon, Schoon, Tanner, Wang - 8.

Excused: Representatives Bond, Fuhrman, Isaacson, Van Dyken, and Mr. Speaker - 5.

Substitute Senate Bill No. 3483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



SENATE JOINT MEMORIAL NO. 110, by Senators Zimmerman, Bauer, Benitz, Fuller, Conner, Owen, Sellar, Hansen, Hayner and Pullen

Requesting Congress to refrain from imposing further federal control over land in the Columbia River Gorge.

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

Mr. Sutherland spoke in favor of the memorial, and Mr. Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 110, and the memorial passed the House by the following vote: Yeas, 58; nays, 26; absent, 9; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fiske, Gallagher, Galloway, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Johnson, King P, Lewis, Long, Martinis, McClure, McDonald, Mitchell, Nealey, Nelson G. O'Brien, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Tilly, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 58.

Voting nay: Representatives Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Fisch, Fisher, Garrett, Hine, Jacobsen, Kaiser, King J, Kreidler, Lux, McMullen, Miller, Moon, Nelson D, Niemi, Pruitt, Rust, Sayan, Sommers, Todd, Vekich - 26.

Absent: Representatives Appelwick, Grimm, King R, Locke, Monohon, Padden, Schoon, Tanner, Wang - 9.

Excused: Representatives Bond, Fuhrman, Isaacson, Van Dyken, and Mr. Speaker - 5.

Senate Joint Memorial No. 110, having received the constitutional majority, was declared passed.

#### MOTION

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

Mr. Isaacson appeared at the bar of the House.

#### STATEMENT FOR THE JOURNAL

Please let the record show that I voted "Aye" on Substitute Senate Bill No. 3483 and Senate Joint Memorial No. 110.

RAY ISAACSON, 8th District.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4092, by Committee on Financial Institutions (originally sponsored by Senators Bender, Williams, Wojahn and Thompson)

Establishing new reporting requirements for property and casualty insurers.

The bill was read the second time.

Mr. West moved adoption of the following amendments by Representatives West and Sanders:

On page 1, line 7 after "consist of" strike "five" and insert "four"

On page 1, line 8 after "and" strike "five" and insert "four"

On page 1, line 11 after "case," strike "three" and insert "two"

Representatives West, Sanders, G. Nelson, Padden, Taylor and McDonald spoke in favor of the amendments, and Representatives Lux, P. King and Garrett spoke against them.

Representatives G. Nelson and West spoke again in favor of the amendments, and Mr. Lux again opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives West and Sanders to Engrossed Substitute Senate Bill No. 4092, and the amendments were not adopted by the following vote: Yeas, 44; nays, 50; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Galloway, Hankins, Hastings,

Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky - 50.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Mr. Lux moved adoption of the following amendment:

On page 1, line 10 after "appointed by the" strike "chairman of the respective committees" and insert "president of the senate and speaker of the house"

Mr. Lux spoke in favor of the amendment, and Representatives Sanders and West spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux to Engrossed Substitute Senate Bill No. 4092, and the amendment was adopted by the following vote: Yeas, 58; nays, 35; absent, 1; excused, 4.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barrett, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky - 58.

Voting nay: Representatives Allen, Ballard, Barnes, Betzozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Galloway, Hankins, Hastings, Holland, King P, Lewis, Locke, Long, Miller, Nealey, Padden, Patrick, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams J - 35.

Absent: Representative Belcher - 1.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Lux spoke in favor of passage of the bill, and Representatives Padden and Sanders spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4092 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 44; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Engrossed Substitute Senate Bill No. 4092 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. 4101, by Committee on Ways & Means (originally sponsored by Senators Shinpoch, McDermott, Newhouse and Deccio)

Revising provisions relating to disposition of proceeds from parimutuel machines.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick 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. 4101 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 92.

Voting nay: Representatives Clayton, Dellwo - 2.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Engrossed Substitute Senate Bill No. 4101 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. 4107, by Committee on Parks & Ecology (originally sponsored by Senators Moore, Jones, Bottiger, Rasmussen and Guess)

Revising procedures and penalties under the model litter control and recycling act.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4107, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Substitute Senate Bill No. 4107, having received the 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. 116, by Senator Hansen

Petitioning Congress to declare July 16, 1983 as National Grand Coulee Dam day.

The memorial was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 89th Day, April 8, 1983.)

Mr. Kaiser moved adoption of the committee amendment.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Moon to the committee amendment:

On page 1, line 4 after "people of the" insert "Big Bend and"

Representatives Tilly and Moon spoke in favor of the amendment to the amendment, and it was adopted.

The committee amendment as amended was adopted.

Mr. Chandler moved adoption of the following amendment by Representatives Chandler, Smith and Egger:

On page 1, strike the entire memorial and insert:

"TO THE HONORABLE RONALD REAGAN, PRESIDENT OF THE UNITED STATES:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, July 16, 1983, will mark the 50th anniversary of the official start of construction of the Grand Coulee Dam; and

WHEREAS, The Grand Coulee Dam is the cornerstone of the ambitious and forward looking Columbia Basin Project; and

WHEREAS, The dam early played a vital role of providing economical, essential electricity to industry mobilized for the national defense and today the project has made the deserts bloom and created more than one-half million acres of newly irrigated farms, new jobs, new industries and businesses, vital communities, recreational facilities, fish and wildlife habitat, protection from floods, and numerous beneficial secondary impacts to the general welfare of the nation in addition to the dam producing more hydroelectric power than any other power plant in the world; and

WHEREAS, Our people wish to celebrate this memorable event; and

WHEREAS, Governor John Spellman and we memorialists proclaim and designate July 16, 1983, to be a day of commemoration for the golden anniversary of the Grand Coulee Dam and the Columbia Basin Project to celebrate the initiation of construction of the Grand Coulee Dam and extend congratulations and compliments to all who have participated in the magnificent achievement of bringing the project into being;

NOW, THEREFORE, Your Memorialists respectfully join Governor John Spellman and our congressmen and senators to invite you to our grand celebration heralding this magnificent and world-renown achievement of harnessing the mighty Columbia River for the common good.

BE IT RESOLVED, That this Memorial be immediately transmitted to the Honorable Ronald Reagan, President of the United States.

Mr. Chandler spoke in favor of the amendment, and Mr. Kaiser spoke against it.

The amendment was not adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Kaiser, Tilly, Charnley, Smith and Gallagher spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 116 as amended by the House, and the memorial passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brøkke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Senate Joint Memorial No. 116 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 3585, by Senators Fleming, Hansen, Sellar, Thompson and Barr

Extending the permitted duration of harbor leases to fifty-five years.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Stratton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3585, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Senate Bill No. 3585, having received the 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. Wang, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SENATE BILL NO. 3507 AS AMENDED BY THE HOUSE, by Senators Hurley, Talmadge, Warnke and Hughes

Modifying provisions relating to gubernatorial appointments.

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

Representative Walk spoke in favor of passage of the bill, and Representatives B. Williams, Vander Stoep, McDonald, Hastings and Schoon spoke against it.

Mr. Walk spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3507 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 44; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Engrossed Senate Bill No. 3507 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. 3640 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Moore and Talmadge)

Modifying the residential landlord-tenant act.

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

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

#### POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Isaacson, I see that section 9 eliminates the ability to use the twenty-day eviction notice to retaliate against the tenant or assert legal rights under the Landlord-Tenant Act. Is this section or any other provision in this bill intended to affect or eliminate the twenty-day notice under RCW 59.18.200?"

Mr. Isaacson: "No, as I understand it--and this was part of the question with regard to the discussion on second reading--this bill only eliminates that twenty-day notice provision in RCW 59.18.240 as a possible method of retaliatory eviction. Any other use of the Landlord-Tenant Act is not affected by that."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3640 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Substitute Senate Bill No. 3640 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.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3856 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senator Talmadge)

Changing provisions relating to criminal law.

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

Representatives McMullen and Nealey 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. 3856 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 0; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Engrossed Substitute Senate Bill No. 3856 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. 4204 AS AMENDED BY THE HOUSE, by Senators Wojahn, Zimmerman, Bauer, Haley, Deccio, Vognild, Warnke and Bender

Permitting the state board of health to exist for two additional years.

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

Representatives Kreidler and Lewis spoke against passage of the bill, and Representatives Moon and Fiske spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4204 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 24; absent, 1; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Cantu, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Ristuben, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Wang, West, Zellinsky - 69.

Voting nay: Representatives Addison, Betzoff, Chandler, Clayton, Dellwo, Dickie, Grimm, Heck, Johnson, Kreidler, Lewis, McDonald, Miller, Nelson G, Padden, Patrick, Pruitt, Rust, Sanders, Smith, Walk, Williams B, Williams J, Wilson - 24.

Absent: Representative Broback - 1.

Excused: Representatives Bond, Fuhrman, Van Dyken, and Mr. Speaker - 4.

Senate Bill No. 4204 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 12:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 12:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Van Dyken and Mr. Speaker, who were excused.

#### MOTION

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

#### SECOND READING

SENATE JOINT MEMORIAL NO. 118, by Senator Goltz

Petitioning to have the matching local funds requirement for public television transmitters eliminated.

The memorial was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Burns and Lewis spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 118, and the memorial passed the House by the following vote: Yeas, 67; nays, 17; absent, 11; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Barrett, Belcher, Braddock, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King P, Lewis, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt,

Schoon, Silver, Smith, Smitherman, Stratton, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky - 67.

Voting nay: Representatives Ballard, Barnes, Cantu, Clayton, Dickie, Fuhrman, Hastings, Johnson, Long, McDonald, Nealey, Nelson G, Padden, Struthers, Vander Stoep, West, Williams J - 17.

Absent: Representatives Armstrong, Betrozoff, Brekke, Grimm, Haugen, King J, King R, Kreidler, Locke, Sommers, Tilly - 11.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Senate Joint Memorial No. 118, having received the constitutional majority, was declared passed.

ENGROSSED SENATE JOINT RESOLUTION NO. 105, by Senators Fleming, Moore, Sellar and Hansen

Allowing harbor leases to last for fifty years.

The resolution was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Stratton spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 105, and the resolution passed the House by the following vote: Yeas, 88; nays, 0; absent, 7; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 88.

Absent: Representatives Armstrong, Betrozoff, Haugen, King J, Kreidler, Sommers, Tilly - 7.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Engrossed Senate Joint Resolution No. 105, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 3490, by Committee on Local Government (originally sponsored by Senators Goltz, Deccio and Granlund)

Changing the procedures for appointing the local health officer in counties with home rule charters.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. Moon moved adoption of the committee amendments. Representatives Moon and Brough spoke in favor of the amendments, and Ms. Hine spoke against them.

The committee amendments were adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3490 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 5; absent, 5; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P,



King R. Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 85.

Voting nay: Representatives Barnes, Hine, Mitchell, Nelson G, Taylor - 5.

Absent: Representatives Armstrong, Betzoff, Haugen, King J, Kreidler - 5.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Substitute Senate Bill No. 3490 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. 3166, by Committee on Financial Institutions (originally sponsored by Senators Bauer, Sellar, Moore and Lee)

Modifying provisions relating to notary fees.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3166, and the bill passed the House by the following vote: Yeas, 89; nays, 2; absent, 4; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 89.

Voting nay: Representatives Chandler, Nelson G - 2.

Absent: Representatives Armstrong, Betzoff, Haugen, Kreidler - 4.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Substitute Senate Bill No. 3166, having received the 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. 3857, by Senator Talmadge

Exempting used cars sold by a dealer from emission control testing.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. Martinis the committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Martinis, Wilson, Garrett, Isaacson and Zellinsky spoke in favor of the bill, and Representatives Rust, D. Nelson, Locke and Armstrong spoke against it.

Mr. Martinis spoke again in favor of the bill, and Mr. D. Nelson again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3857 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 15; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis,

Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, West, Williams B, Williams J, Wilson, Zellinsky - 80.

Voting nay: Representatives Armstrong, Belcher, Brekke, Burns, Charnley, Dellwo, Galloway, Kaiser, Locke, Lux, McMullen, Nelson D, Niemi, Rust, Wang - 15.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Senate Bill No. 3857 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. 3646, by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying the rights of juvenile offenders.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill 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. 3646, and the bill passed the House by the following vote: Yeas, 95; nays, 0; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Beirozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 95.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Substitute Senate Bill No. 3646, having received the 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. 3068, by Committee on Agriculture (originally sponsored by Senator Moore)

Modifying provisions relating to the distribution of donated food to needy persons.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Kaiser yielded to question by Ms. Ellis.

Ms. Ellis: "Representative Kaiser, I note that in section 6 it indicates that appropriate state and local agencies are authorized to inspect donated food items. Does this reference the Department of Social and Health Services, or exactly what department will be responsible for that?"

Mr. Kaiser: "I was concerned about that myself and I asked that question in committee. I was assured that DSHS would have nothing to do with this action. The Department of Agriculture will do the inspections."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3068 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 94.

Voting nay: Representative Wang - 1.

Excused: Representatives Bond, Van Dyken, and Mr. Speaker - 3.

Substitute Senate Bill No. 3068 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.

Representative Bond appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3434, by Committee on Commerce & Labor (originally sponsored by Senators Peterson, Sellar and Vognild)

Modifying definition of "member" for gambling enforcement purposes.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. McMullen, the committee amendments to page 12, line 15 and page 17, line 20 were adopted.

Mr. J. King moved adoption of the committee amendment to page 18, line 32.

## POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Struthers.

Mr. Struthers: "Representative King, if I had a club chapter in my town and it was affiliated with a national organization, and the national organization said that male members were not allowed to join, or black female members, then what would I do in order to comply with this amendment?"

Mr. J. King: "We asked that question of staff and the answer was that this applies to that particular unit regardless if your local club allows--some clubs have national charters which do discriminate, but the local club has the option of going ahead and allowing people from different races or women or men to join."

Mr. Struthers spoke against the committee amendment, and Ms. Niemi spoke in favor of it.

## POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Tilly.

Mr. Tilly: "Representative King, looking at this amendment, on line 32, page 18, the word 'organization' appears twice on line 32, and I wonder if this amendment is to be inserted after the first or the second word?"

Mr. J. King: "After the first, Representative Tilly."

Representatives Patrick, Barnes and Padden spoke against the committee amendment, and Representatives Hine and Brough spoke in favor of it.

## POINT OF INQUIRY

Ms. Niemi yielded to question by Ms. Hine.

Ms. Hine: "Representative Niemi, there has been some concern from the veterans' organizations who use this particular kind of tax exemption. Would you say

that a veterans' organization or an auxiliary of a veterans' organization would be disqualified if this amendment passed?"

Ms. Niemi: "No, they would not be. The veterans' organizations do not discriminate on the basis of sex or race in their membership, and any auxiliary, naturally, would follow that. They would all be eligible for tax-exempt status."

#### POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Niemi, with a Rotary Club auxiliary--they call it the Rotary Anns--would they, having an auxiliary, be exempt, or any other service club like the JCs?"

Ms. Niemi: "No, they would not. That is the subject of a lot of litigation and this is aimed at full membership."

Mr. G. Nelson spoke against the committee amendment, and Representatives Niemi and Appelwick spoke in favor of it.

Mr. Garrett demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 18, line 32 of Substitute Senate Bill No. 3434, and the amendment was adopted by the following vote: Yeas, 74; nays, 21; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Sutherland, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky - 74.

Voting nay: Representatives Ballard, Barnes, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Crane, Fuhrman, Hastings, Padden, Patrick, Prince, Schoon, Smith, Struthers, Tanner, Taylor, West, Williams J - 21.

Absent: Representative Nealey - 1.

Excused: Representatives Van Dyken, and Mr. Speaker - 2.

The Speaker appeared at the bar of the House.

Mr. J. King moved adoption of the committee amendment to page 19, following line 3.

Representatives J. King, Tilly and Pruitt spoke in favor of the committee amendment, and Representatives Struthers, G. Nelson and Patrick spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 19 of Substitute Senate Bill No. 3434, and the amendment was not adopted by the following vote: Yeas, 25; nays, 71; absent, 1; excused, 1.

Voting yea: Representatives Belcher, Braddock, Brekke, Charnley, Fuhrman, Galloway, Garrett, Halsan, Haugen, Jacobsen, Kreidler, McDonald, McMullen, Miller, Padden, Powers, Pruitt, Rust, Sayan, Schoon, Sutherland, Tilly, Vander Stoep, Wang, Williams B - 25.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Grimm, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Prince, Ristuben, Sanders, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Todd, Vekich, Walk, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 71.

Absent: Representative Taylor - 1.

Excused: Representative Van Dyken - 1.

Ms. Miller moved adoption of the following amendment:

On page 3, line 4 following "organization" insert "which does not discriminate in full membership on the basis of sex and race."

Mr. Martinis moved adoption of the following amendment to the Miller amendment:

On line 2 after "basis of" strike "sex and"

Representatives Martinis, Taylor, Padden and Lewis spoke in favor of the amendment to the amendment, and Representatives Miller and Kreidler spoke against it.

Mr. Martinis spoke again in favor of the amendment to the amendment, and Ms. Miller again opposed it.

Mr. Wang spoke against the amendment to the amendment.

Mr. Sanders demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Martinis to the Miller amendment to Substitute Senate Bill No. 3434, and the amendment to the amendment was not adopted by the following vote: Yeas, 42; nays, 52; absent, 3; excused, 1.

Voting yea: Representatives Ballard, Barnes, Betzoff, Bond, Braddock, Broback, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fisch, Fuhrman, Gallagher, Halsan, Hastings, Holland, Isaacson, Kaiser, Lewis, Martinis, McMullen, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Sayan, Schoon, Smith, Struthers, Tanner, Taylor, Vekich, Walk, West, Williams J, Wilson, Zellinsky - 42.

Voting nay: Representatives Addison, Allen, Armstrong, Barrett, Belcher, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ellis, Fisher, Fiske, Galloway, Garrett, Hankins, Haugen, Heck, Hine, Jacobsen, Johnson, King J, King P, King R, Kreidler, Locke, Long, Lux, McDonald, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruiitt, Rust, Sanders, Schmidt, Silver, Smitherman, Sommers, Stratton, Sutherland, Tilly, Todd, Vander Sloep, Wang, Williams B, and Mr. Speaker - 52.

Absent: Representatives Appelwick, Grimm, McClure - 3.

Excused: Representative Van Dyken - 1.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Miller to page 3, line 4.

Ms. Miller spoke in favor of the amendment, and Representatives Barrett and Smitherman spoke against it.

#### POINT OF INQUIRY

Ms. Miller yielded to question by Ms. Niemi.

Ms. Niemi: "Representative Miller, I want to make sure that I understand the full impact of your amendment. Does this amendment mean that an organization which discriminated on the basis of race or sex could not take part in anything in the bill?"

Ms. Miller: "That is exactly the intent of the amendment."

Representatives Niemi, J. King, Patrick, Martinis, McMullen and P. King spoke against the amendment, and Ms. Miller spoke again in favor of it.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Kreidler, Appelwick and McMullen:

On page 12, line 25 following "organization" strike "; and (d)" and insert "((~~and~~)) (d) such event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and

(e)"

Representatives Tilly, J. King and Barrett spoke in favor of the amendment, and it was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives J. King and Lewis spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3434 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 22; absent, 1; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Chamley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Todd, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Allen, Ballard, Barnes, Bond, Cantu, Chandler, Dellwo, Fuhrman, Garrett, Johnson, Kaiser, Kreidler, McDonald, Miller, Moon, Nealey, Schoon, Sutherland, Tilly, Vander Stoep, Williams B, Williams J - 22.

Absent: Representative Prince - 1.

Excused: Representative Van Dyken - 1.

Substitute Senate Bill No. 3434 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I was off the floor answering the phone and missed the vote on Substitute Senate Bill No. 3434 as amended by the House. Please record me as opposed to this bill.

EUGENE A. PRINCE, 9th District.

SUBSTITUTE SENATE BILL NO. 3520, by Committee on Local Government (originally sponsored by Senators Woody, Zimmerman and Thompson)

Revising procedures regarding contested elections and challenged voters.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 87th Day, April 6, 1983.)

Mr. Pruitt moved adoption of the committee amendment striking everything after the enacting clause.

Mr. Hastings moved adoption of the following amendment to the committee amendment:

On page 7, line 4 following "affidavit" insert "and after reviewing the facts the county auditor finds the challenge valid"

Representatives Hastings and Pruitt spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Pruitt and Patrick to the committee amendment:

On page 9, after line 4 insert the following:

"Sec. 8. Section 29.36.010, chapter 9, Laws of 1965 as last amended by section 76, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.010 are each amended to read as follows:

~~(In addition to those persons authorized under section 19 of this 1977 amendatory act.)~~

Any duly registered voter may vote an absentee ballot for any primary or election in the manner provided in this chapter.

A voter desiring to cast an absentee ballot must apply in writing to his county auditor no earlier than forty-five days nor later than the day prior to any election or primary: PROVIDED, That an application honored for a primary ballot shall also be honored as an application for a ballot for the following election if the voter so indicates on his application: PROVIDED FURTHER, That a voter admitted to a hospital no earlier than three days before a primary or election and confined to the hospital on election day may apply by messenger for an absentee ballot on the day of the primary or election if a signed statement from the hospital administrator, or designee, verifying the voter's date of admission and status as a patient in the hospital on the day of the primary or election is attached to the absentee ballot application.

Such applications must contain the voter's signature and may be made in person or by mail or messenger: PROVIDED, That no application for an absentee ballot shall be approved unless the voter's signature upon the application compares favorably with the voter's signature upon his permanent registration record.

Sec. 7. Section 29.36.035, chapter 9, Laws of 1965 and RCW 29.36.035 are each amended to read as follows:

The delivery of an absentee ballot for any primary or election shall be subject to the following qualifications:

(1) Only the voter, himself, or a member of his family may pick up an absentee ballot at the office of the issuing officer: PROVIDED, That this subsection does not apply to voters hospitalized on election day who apply by messenger in accordance with RCW 29.36.010 for an absentee ballot on the day of the primary or election.

(2) Except as noted in subsection (1) above, the issuing officer shall mail the absentee ballot directly to each applicant.

(3) No absentee ballot shall be issued on the day of the primary or election concerned, except as provided by RCW 29.36.010, for a voter confined to a hospital on the day of a primary or election.

Remember the remaining sections consecutively and correct internal references accordingly.

Representatives Tilly and Pruitt spoke in favor of the amendment to the committee amendment, and it was adopted.

Ms. Stratton moved adoption of the following amendment by Representatives Stratton, Barrett, Egger, Silver and Pruitt to the committee amendment:

On page 9 of the amendment, after line 4, insert the following:

"Sec. 8. Section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060 are each amended to read as follows:

When a proposed constitution or constitutional amendment or other question is to be submitted to the people of the state for state-wide popular vote, the attorney general shall prepare a concise statement posed as a question and not exceeding twenty words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon.

Questions to be submitted to the people of a county or municipality shall also be advertised as provided for nominees for office, and in such cases there shall also be printed on the ballot a concise statement posed as a question and not exceeding ~~((twenty words, or))~~ seventy-five words ~~((in the case of a school district tax proposition,))~~ containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon, which statement shall be prepared by the city attorney for the city, and by the prosecuting attorney for the county or any other political subdivision of the state, other than cities, situated in the county.

~~((Such))~~ The concise statement ~~((shall))~~ constitutes the ballot title. The secretary of state shall certify to the county auditors the ballot title for a proposed constitution, constitutional amendment, or other state-wide question at the same time and in the same manner as the ballot titles to initiatives and referendums."

Remember the remaining section consecutively.

Representatives Stratton, Barnes and Silver spoke in favor of the amendment to the amendment, and it was adopted.

The committee amendment as amended was adopted.

Mr. Pruitt moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Tilly, the following amendment to the committee title amendment was adopted:

On page 9, line 27 after "RCW," insert "amending section 29.36.010, chapter 9, Laws of 1965 as last amended by section 76, chapter 361, Laws of 1977 ex. sess. and RCW 29.36.010; amending section 29.36.035, chapter 9, Laws of 1965 and RCW 29.36.035;"

On motion of Ms. Stratton, the following amendment to the committee title amendment was adopted:

On page 1, line 7 of the title after "29.65.010;" insert "amending section 29.27.060, chapter 9, Laws of 1965 as last amended by section 3, chapter 4, Laws of 1977 and RCW 29.27.060;"

The committee title amendment as amended was adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3520 as amended by the House was placed on final passage.

Representatives Pruitt and Barnes spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3520 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

Substitute Senate Bill No. 3520 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 SECOND SUBSTITUTE SENATE BILL NO. 3768, by Committee on Ways & Means (originally sponsored by Senators Warnke, Zimmerman, Thompson, Haley, Newhouse, Bauer, Hughes, McDermott, Patterson and Hemstad)

Modifying provisions relating to the public broadcasting commission.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Ms. Galloway moved adoption of the committee amendment striking everything after the enacting clause.

On motion of Mr. B. Williams, the following amendment to the committee amendment was adopted:

On page 1, line 15 strike "1985" and insert "1984"

Mr. Lewis moved adoption of the following amendments by Representatives Lewis and Grimm to the committee amendment:

On page 1, line 22 strike "(4) Section 5, chapter 132, Laws of 1980 and RCW 28A.91.130; and (5)" and insert "and (4)"

On page 1, line 29 strike all of section 4 and insert:

"NEW SECTION, Sec. 4. Section 5, chapter 132, Laws of 1980 and RCW 28A.91.130 are each repealed effective June 30, 1983."

Representatives Lewis, Barrett, Addison, B. Williams, Dickie and Grimm spoke in favor of the amendment to the committee amendment, and Representatives Galloway and Taylor spoke against it.

Mr. Lewis spoke again in favor of the amendment to the committee amendment, and Mr. Taylor again opposed it.

## POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Taylor, relative to this amendment, you were talking about the purpose of The Public Broadcasting Commission. I wonder if you would expand upon that?"

Mr. Taylor: "Basically, it's to save money. We have thirty-one competing stations and five television stations in the state of Washington, all out on their own producing television programs. This is public money--both donations from taxpayers and tax money--some maybe from school districts and some from the state. The idea is to stop them from competing and saying what we need to produce from the radio stations of the state, public radio and television, and then band together to produce higher quality programs. Basically, you need one coordinating body to do this, and this is the only agency that we have that's possible. That's why I strongly urge that we give them another year."



## POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Schoon.

Mr. Schoon: "Representative Taylor, can you give me some idea as to the magnitude of the number of dollars that came into our state over the last year or two as a result of public broadcasting, this commission, or grants from the federal agency?"

Mr. Taylor: "No, I can't, Representative Schoon. I wish I could."

Mr. Schoon spoke against the amendment to the committee amendment, and Ms. Sommers spoke in favor of it.

The amendment was adopted.

On motion of Mr. B. Williams, the following amendment to the committee amendment was adopted:

On page 2, line 6 strike all of section 5.

The committee amendment as amended was adopted.

Ms. Galloway moved adoption of the committee amendment to the title.

On motion of Mr. Lewis, the following amendment to the title amendment was adopted:

On page 3, line 3 strike "making an appropriation."

The committee amendment to the title as amended was adopted.

Engrossed Second Substitute Senate Bill No. 3768 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3522, by Committee on Local Government (originally sponsored by Senator Peterson)

Requiring county assessors to review property tax levies for correctness, validity, and legality.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Heck, further consideration of the bill was deferred, and it was ordered placed at the top of the third reading calendar.

SUBSTITUTE SENATE BILL NO. 3664, by Committee on Parks & Ecology (originally sponsored by Senator Hughes)

Authorizing the use of funds for the protection of certain sole-source aquifers.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Heck, the bill was placed at the top of the third reading calendar.

SENATE BILL NO. 3535, by Senators Hughes, Haley and Hurley

Modifying provisions relating to containers for milk-based and soy-based beverages.

The bill was read the second time. On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Heck, the bill was placed at the top of the third reading calendar.

ENGROSSED SENATE BILL NO. 3674, by Senator Hughes

Relating to pollution control.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 1, 1983.)

On motion of Ms. Rust, the committee amendments were adopted.

On motion of Mr. Heck, further consideration of Engrossed Senate Bill No. 3674 was deferred and the bill was placed on the second reading calendar following Engrossed Substitute Senate Bill No. 3101.

SUBSTITUTE SENATE BILL NO. 3630, by Committee on Agriculture (originally sponsored by Senators Sellar, Hansen, Newhouse and Barr)

Modifying provisions relating to irrigating district board meetings.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass with the following amendment:

On page 1, line 18 after "acres" insert "or more"

On motion of Mr. Kaiser, the committee amendment was adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was advanced to third reading and placed on today's third reading calendar.

SUBSTITUTE SENATE BILL NO. 3812, by Committee on Local Government (originally sponsored by Senator Thompson)

Modifying provisions on fees for filing surveys, plats, etc.

The bill was read the second time.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was advanced to third reading and placed on today's third reading calendar.

SENATE BILL NO. 3531, by Senators Rinehart, Benitz and Goltz

Modifying procedures for refunds of college and university fees.

The bill was read the second time.

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson and McDonald:

On page 1, after line 27 insert a new section as follows:

**NEW SECTION, Sec. 2.** (1) The boards of regents of the state's universities and the boards of trustees of the regional universities and The Evergreen State College and community colleges may establish a surcharge of up to ten percent of scheduled operating fees. Moneys received from this surcharge shall be deposited in the general local fund of the respective institutions to be used for operating and equipment purchase expenditures.

(2) Moneys from operating fees surcharges expended for operating purposes shall be excluded from calculations of expenditures used for tuition setting purposes."

Representatives G. Nelson, McDonald, Taylor and Schoon spoke in favor of the amendment, and Representatives Burns, Prince, Powers, Jacobsen, Miller, Charnley and D. Nelson spoke against it.

Representatives Taylor and G. Nelson spoke again in favor of the amendment, and Representative Powers again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives G. Nelson and McDonald to Senate Bill No. 3531, and the amendment was not adopted by the following vote: Yeas, 31; nays, 64; absent, 2; excused, 1.

Voting yeas: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Dickie, Fiske, Fuhrman, Hastings, Holland, Isaacson, King P, McDonald, Mitchell, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 31.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Cantu, Chamley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Scyan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 64.

Absent: Representatives Chandler, Clayton - 2.

Excused: Representative Van Dyken - 1.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the bill was advanced to third reading and placed on today's third reading calendar.

SUBSTITUTE SENATE BILL NO. 3433, by Committee on Financial Institutions (originally sponsored by Senators Moore, Hayner, Bottiger, McManus, Deccio, McDermott, Hemstad and Hurley - by Lieutenant Governor request)

Creating the Washington higher education facilities authority to provide financing to private non-profit higher education institutions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. Lux, the committee amendment to page 10, line 22 was adopted.

Mr. Lux moved adoption of the committee amendment to page 13, after line 3.

Mr. Lux spoke in favor of the committee amendment, and Mr. Sanders spoke against it.

Mr. Lux spoke again in favor of the amendment, and Mr. Nealey spoke against it.

The committee amendment was adopted by a standing vote.

Mr. Lux moved adoption of the second committee amendment to page 13, line 3.

Representatives Lux and Sanders spoke in favor of the amendment, and it was adopted.

On motion of Mr. Lux, the remaining committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was advanced to third reading and placed on today's third reading calendar.

SENATE BILL NO. 3763, by Senators Fuller and McManus

Modifying the income reporting requirements for guardians.

The bill was read the second time.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was advanced to third reading and placed on today's third reading calendar.

SENATE BILL NO. 3123, by Senators Peterson, Hansen and Sellar (by Department of Licensing request)

Providing that only one transcript recording a conviction must be sent by department of licensing to hearings officers.

The bill was read the second time.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was advanced to third reading and placed on today's third reading calendar.

SUBSTITUTE SENATE BILL NO. 3026, by Committee on Energy & Utilities (originally sponsored by Senators Hurley and Bauer)

Authorizing the state patrol to prohibit transportation of hazardous and radioactive wastes during adverse weather conditions.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass with the following amendment:

On page 1, line 11 after "safety," insert "For the purposes of this section hazardous cargo shall mean hazardous materials as defined in RCW 70.136.020(1)."

On motion of Mr. D. Nelson, the committee amendment was adopted.

On motion of Mr. Patrick, the following amendments by Representatives Patrick, Martinis and D. Nelson were adopted:

On page 1, following line 12 insert:

"NEW SECTION, Sec. 2. There is added to chapter 47.01 RCW a new section to read as follows:

The department of transportation shall adopt regulations to establish procedures for giving notice to transporters of placarded radioactive or hazardous cargo of times when transportation of such cargo is prohibited."

Renumber the remaining sections consecutively.

On page 1, line 2 following "RCW;" insert "adding a new section to chapter 47.01 RCW;"

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage and placed on today's third reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3757, by Committee on Social & Health Services (originally sponsored by Senators McManus, Deccio, Lee, Thompson, Conner, Hansen, Peterson, Kiskaddon, Zimmerman, Bauer, Sellar, Vognild, Guess, Pullen, Hurley, Moore, Fleming, Haley, Hayner and Granlund)

Modifying provisions relating to nursing homes.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage and placed on today's third reading calendar.

SENATE BILL NO. 3393, by Senators Talmadge, Clarke and Hemstad

Permitting judges to belong to the National Guard.

The bill was read the second time.

Mr. Taylor moved adoption of the following amendment:

On page 2, following line 28 insert "Members of the judiciary of the state who serve as active members of the national guard or air national guard shall be required to use vacation time for such service."

Mr. Taylor spoke in favor of the amendment, and Representatives Niemi and Barnes spoke against it.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 7:00 p.m.

#### EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives McClure and Van Dyken, who were excused.

#### MOTION

On motion of Mr. Heck, the House reverted to the third order of business.

#### MESSAGE FROM THE SENATE

April 20, 1983

Mr. Speaker:

The Senate has passed:

## SUBSTITUTE SENATE BILL NO. 3955.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SSB 3955 by Committee on Local Government (originally sponsored by Senator Thompson)

Modifying provisions concerning industrial development facilities.

Referred to Committee on Commerce & Economic Development.

## REPORTS OF STANDING COMMITTEES

April 20, 1983

SSSB 3272 Prime Sponsor, Committee on Ways & Means: Establishing the Coroners' System Improvement Act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 5 beginning with "(1)" strike all language down to and including "corner." on line 11 and insert the following new language:

"(1) up to 40% of the cost of contracting for the services of a pathologist to perform an autopsy; and

(2) up to 25% of the salary of pathologists who are primarily engaged in performing autopsies who are county coroners, county medical examiners, or employees on the staff of a county coroner's or county medical examiner's office."

On page 10, line 26 after "county" strike "commissioners (((" and insert "((commissioners"  
On page 10, beginning on line 29 strike "of all counties may at their" and insert "legislative authority of each county may at ((their)) its"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Charnley, Egger, Hine, Isaacson, Ristuben and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Broback, Ebersole, Grimm, Isaacson, Mitchell, Smitherman and Todd.

Rereferred to Committee on Ways & Means.

April 20, 1983

ESSB 3608 Prime Sponsor, Committee on State Government: Modifying provisions relating to cultural arts, stadium and convention districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 8 strike all of section 2.

On page 1, line 2 of the title after "districts;" insert "and"

On page 1, line 3 of the title after "67.38.030" strike all the matter down to and including "35.21.285" on line 4.

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Brough, Ranking Minority Vice Chair; Allen, Ballard, Chandler, Egger, Isaacson, Mitchell and Todd.

Absent: Representatives Van Dyken, Ranking Minority Chair; Broback, Charnley, Ebersole, Grimm, Hine, Ristuben and Smitherman.

Passed to Committee on Rules for second reading.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO.	23.
HOUSE BILL NO.	203.
SUBSTITUTE HOUSE BILL NO.	232.
HOUSE BILL NO.	260.
HOUSE BILL NO.	446.
SUBSTITUTE HOUSE BILL NO.	476.
SUBSTITUTE HOUSE BILL NO.	646.

	HOUSE BILL NO.	653,
	SUBSTITUTE HOUSE BILL NO.	790,
	SUBSTITUTE HOUSE BILL NO.	793,
	HOUSE BILL NO.	804,
	SUBSTITUTE HOUSE BILL NO.	848,
	HOUSE BILL NO.	905,
	SUBSTITUTE HOUSE BILL NO.	1089,
	SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO.	2.

## MOTION

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

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3522, by Committee on Local Government (originally sponsored by Senator Peterson)

Requiring county assessors to review property tax levies for correctness, validity, and legality.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3522, and the bill passed the House by the following vote: Yeas, 91; nays, 0; absent, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Cantu, Grimm, Hine, Schoon, Williams J - 5.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 3522, having received the 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. 3664, by Committee on Parks & Ecology (originally sponsored by Senator Hughes)

Authorizing the use of funds for the protection of certain sole-source aquifers.

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

Ms. Rust spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3664, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Grimm, Hine, Schoon, Williams J - 4.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 3664, having received the 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. 3535, by Senators Hughes, Haley and Hurley

Modifying provisions relating to containers for milk-based and soy-based beverages.

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

Ms. Rust spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3535, and the bill passed the House by the following vote: Yeas, 92; nays, 0; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Grimm, Hine, Schoon, Williams J - 4.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 3535, having received the 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. 3630 AS AMENDED BY THE HOUSE, by Committee on Agriculture (originally sponsored by Senators Sellar, Hansen, Newhouse and Barr)

Modifying provisions relating to irrigation district board meetings.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3630 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Schoon, Williams J - 2.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 3630 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. 3812, by Committee on Local Government (originally sponsored by Senator Thompson)

Modifying provisions on fees for filing surveys, plats, etc.

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

Ms. Haugen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3812, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Schoon, Williams J - 2.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 3812, having received the 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. 3531, by Senators Rinehart, Benitz and Goltz

Modifying procedures for refunds of college and university fees.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3531, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 3531, having received the 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. 3433 AS AMENDED BY THE HOUSE, by Committee on Financial Institutions (originally sponsored by Senators Moore, Hayner, Bottiger, McManus, Deccio, McDermott, Hemstad and Hurley - by Lieutenant Governor request)

Creating the Washington higher education facilities authority to provide financing to private non-profit higher education institutions.

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

Representatives Lux, O'Brien, Sanders, Vekich and Prince spoke in favor of passage of the bill, and Representative Addison spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3433 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 9; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon,



Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Addison, Betzoff, Brough, Clayton, Dickie, Hastings, Long, Struthers, Vander Stoep - 9.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 3433 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. 3763, by Senators Fuller and McManus

Modifying the income reporting requirements for guardians.

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

Representatives McMullen and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3763, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 3763, having received the 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. 3123, by Senators Peterson, Hansen and Sellar (by Department of Licensing request)

Providing that only one transcript recording a conviction must be sent by department of licensing to hearings officers.

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

Representatives Martinis and Wilson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3123, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 3123, having received the 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. 3757, by Committee on Social & Health Services (originally sponsored by Senators McManus, Deccio, Lee, Thompson, Conner, Hansen, Peterson, Kiskaddon, Zimmerman, Bauer, Sellar, Vogniild, Guess, Pullen, Hurley, Moore, Fleming, Haley, Hayner and Granlund)

Modifying provisions relating to nursing homes.

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

Representatives Kreidler and Lewis 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. 3757, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Engrossed Substitute Senate Bill No. 3757, having received the 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. 3026 AS AMENDED BY THE HOUSE, by Committee on Energy & Utilities (originally sponsored by Senators Hurley and Bauer)

Authorizing the state patrol to prohibit transportation of hazardous and radioactive wastes during adverse weather conditions.

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

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3026 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 3026 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, the House reverted to the sixth order of business.

The Speaker called on Mr. O'Brien to preside.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4019, by Committee on Natural Resources (originally sponsored by Senators Bottiger, Shinpoch and Gaspard)

Providing procedures for extinguishing claims to mineral interests.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

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

Mr. Prince moved adoption of the following amendments:

On page 1, line 6 following "extinguished" strike "and the ownership shall revert to the surface owner"

On page 3, following line 20 insert:

"NEW SECTION. Sec. 7. Any mineral interest extinguished in accordance with this chapter shall be held by the state."

Renumber the remaining sections consecutively and correct internal references.

Mr. Prince spoke in favor of the amendments, and Mr. Halsan spoke against them.

Mr. Prince spoke again in favor of the amendments.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Prince to Engrossed Substitute Senate Bill No. 4019, and the amendments were not adopted by the following vote: Yeas, 44; nays, 51; absent, 1; excused, 2.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P. Lewis, Locke, Long, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G. Padden, Patrick, Prince, Ristuben, Schmidt, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Addison, Appelwick, Armstrong, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J. King R, Kreidler, Lux, McMullen, Monohon, Nelson D. Niemi, O'Brien, Powers, Pruitt, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 51.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Mr. Prince moved adoption of the following amendments:

On page 1, line 5 strike "twenty" and insert "thirty"

On page 2, line 1 strike "twenty-year" and insert "thirty-year"

On page 3, line 24 strike "twenty-year" and insert "thirty-year"

Mr. Prince spoke in favor of the amendments, and Mr. Halsan spoke against them.

Mr. Prince spoke again in favor of the amendments.

## POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Broback.

Mr. Broback: "Representative Halsan, in the event that someone had mineral rights on a piece of property, could he exercise or extend those rights for any period of time without actually using his rights?"

Mr. Halsan: "Under the bill as it is proposed, if you held the mineral rights to a piece of property that I had, I would have to send you notice. Your mineral rights would be registered at the court house. I would have to send you notice that I wanted to get the rights back and you would then have to file your intention to maintain the rights. Once you did that, your rights continue for another twenty years. There is adequate protection in here for the mineral rights by the owners if they are still around."

Mr. Broback: "If I had mineral rights, and after nineteen years I wrote you a letter of intention saying that I wanted to extend it for another twenty years, could I do that?"

Mr. Halsan: "It would be my belief that what you should do is file your intention to regain the mineral rights pursuant to the statute."

Mr. Broback: "This is a point that I would like to make very clear. If we don't have that right to extend, and do not actually use the minerals, we do have the right to extend it?"

Mr. Halsan: "I would direct your attention to page 2, line 10, which is in section 4, talking about a party's filing the current registration of mineral rights within the time provided. It does provide that you can extend that. If you are still around and if you still want it, you can extend it."

Representatives McDonald, Ballard, Struthers and Dickie spoke in favor of the amendments, and Representatives Charnley and Gallagher opposed them.

Mr. Halsan again opposed the amendments.

Mr. Moon demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Prince to Engrossed Substitute Senate Bill No. 4019, and the amendments were not adopted by the following vote: Yeas, 46; nays, 49; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fisch, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Johnson, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 49.

Absent: Representative Schoon - 1.

Excused: Representatives McClure, Van Dyken - 2.

Mr. Prince moved adoption of the following amendment:

On page 2, line 19 following "owner," insert "The surface owner shall exercise diligence in attempting to locate any unknown mineral interest owner, including having a title search completed if necessary to discover the mineral interest owner."

Mr. Prince spoke in favor of the amendment, and Mr. Halsan opposed it.

Representatives Dickie, Isaacson and Locke spoke in favor of the amendment, and Mr. Halsan again opposed it.

The amendment was adopted.

Mr. Mitchell moved adoption of the following amendment:

On page 3, line 5, and page 3, line 17, strike "sixty" and insert "one hundred eighty"

Representatives Mitchell, Barrett and Locke spoke in favor of the amendment, and Mr. Halsan spoke against it.

Mr. Mitchell spoke again in favor of the amendment and it was adopted.

Mr. Dickie moved adoption of the following amendment:

On page 3, line 23 following "Sec. 8," strike the remainder of the section and insert "The provisions of this chapter may be waived by a surface owner to the mineral interest owner."

Mr. Dickie spoke in favor of the amendment, and Representatives Halsan and Locke spoke against it.

The amendment was not adopted.

Mr. Dickie moved adoption of the following amendment:

On page 2, line 22 strike "may" and insert "shall"

Representatives Dickie and Halsan spoke in favor of the amendment, and it was adopted.

Ms. Miller moved adoption of the following amendment:

On page 3, following line 20 insert:

"NEW SECTION, Sec. 8. To insure that all mineral interest owners are notified of the registration provisions of this chapter, the department of natural resources is directed to give notice of the registration provisions of this chapter as follows:

(1) It shall cause a notice in writing to be placed in a prominent and conspicuous place in all newspapers of the state having a circulation of more than fifty thousand copies for each week day, and at least one newspaper published in each county of the state, at least once each year for five consecutive years.

(2) It shall cause a notice substantially the same as a notice in writing to be broadcast by each commercial television station operating in the United States and viewed in the state, and by at least one commercial radio station operating from each county of the state having such a station regularly at six month intervals for five consecutive years.

(3) It shall cause a notice in writing to be placed in a prominent and conspicuous location in each county court house in the state.

(4) The county treasurer of each county shall enclose with each mailing of one or more statements of taxes due issued in 1984 copy of a notice in writing and a declaration that it shall be the duty of the recipient of the statement of taxes due to forward the notice to the mineral interest owner, if known. A sufficient number of copies of the notice and declaration shall be supplied to each county treasurer by the director of the department of natural resources before the fifteenth day of January 1984. In the implementation of this subsection the department of natural resources shall provide reimbursement to the county treasurer for the reasonable additional costs, if any there may be, incurred by said treasurer arising from the inclusion of a notice in writing as required herein.

(5) It shall provide copies of the notice in writing to the press services with offices located in Thurston county during January of the years 1984, 1985, 1986, 1987 and 1988.

The commissioner of public lands may also in his discretion give notice in any other manner which will carry out the purposes of this section. Where notice in writing is given pursuant to subsections (1) and (3) of this section, sections 1 through 6 of this act shall be set forth and quoted in full."

Renumber the remaining sections consecutively and correct internal references.

Ms. Miller spoke in favor of the amendment, and Mr. Halsan spoke against it.

#### POINT OF INQUIRY

Ms. Miller yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Miller, it doesn't say whether the mineral interests are on private property or public property. Is it the intent of this amendment to apply to private mineral interests on private property as well as public property?"

Ms. Miller: "I'm sorry, I can't answer that question, Representative Sanders."

Representatives Sanders and Prince spoke against the amendment.

The amendment was not adopted.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 4019 as amended by the House was placed on final passage.

Representatives Fuhrman, Broback and Clayton spoke against passage of the bill, and Mr. Halsan spoke in favor of it.

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Halsan, we've been talking about 'twenty years' and 'one hundred eighty days' tonight, if this bill were passed tonight and went through all the process and arrives at the Governor's desk, would the first filing be twenty years from now or could it start the day after the Governor signs the bill?"

Mr. Halsan: "Section 1 says, 'Any mineral interest shall, if unused for a period of twenty years, be deemed to have been abandoned....' That's the period of time of nonuse that we are looking at. It would be my interpretation that the intent of the legislation would be that, in fact, a month after the Governor signs the bill, you could start proceedings to extinguish an abandoned mineral claim. It would be my

understanding and my feeling that the legislative intent would be that it could start right away."

Representatives Barrett and Prince spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Wang.

Mr. Wang: "Representative Halsan, after further investigating the previous question asked by Representative Barrett, would you respond as to what the correct time period is for implementation?"

Mr. Halsan: "We went into the second page of the bill. There is a period of time. It's two years--the end of the twenty-day period or within two years after the effective date of this act whichever is later, so the first time would be two years from now that you could actually go through the procedure. I apologize for misleading you and want to make sure this is on the record."

#### POINT OF INQUIRY

Mr. Hastings asked Mr. Halsan to yield to question and Mr. Halsan refused to yield.

Mr. Padden yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Padden, I realize that you have not been caught up in the debate on this, but I want to ask an attorney this question because I think it has something to do with the law. What we're talking about here is the use of the land--or the nonuse of the land, I guess I should say--so my question is: If the best definition of 'nonuse' is the opposite of 'use,' would it be limited simply to the definition that is set forth in section 3?"

Mr. Padden: "Not necessarily, Representative Hastings. I'm sure that could be open for interpretation by the court if it is not specifically defined in the legislation. This legislation is a little unique in that there is no definition section."

Representatives Hastings and Dickie spoke against passage of the bill.

Mr. Fuhrman again opposed passage of the bill.

Mr. Garrett demanded the previous question and the demand was not sustained.

Mr. Isaacson spoke in favor of the bill, and Mr. G. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4019 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Hine, Jacobsen, Kaiser, King J, King P, Locke, Lux, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Heck, Holland, Isaacson, Johnson, King R, Kreidler, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 50.

Excused: Representatives McClure, Van Dyken - 2.

Engrossed Substitute Senate Bill No. 4019 as amended by the House, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Heck, having voted on the prevailing side, served notice that he would move for reconsideration of the vote by which Engrossed Substitute Senate Bill No. 4019 as amended by the House failed to pass the House.

## POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I believe the House rules say that we have to have immediate reconsideration in the last five days of the session."

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

The Speaker (Mr. O'Brien presiding): "It has to be done on the same legislative day. It can't be done tomorrow, for instance."

SENATE BILL NO. 4156, by Senators Bender, Warnke, McManus, Owen, Rinehart and Granlund

Granting free fishing licenses to wheelchair-confined persons.

The bill was read the second time. On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Representatives Stratton, Todd, Crane and Patrick spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4156, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2. Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickle, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Haugen - 1.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 4156, having received the 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. 4066, by Committee on Financial Institutions (originally sponsored by Senator Moore)

Revising certain powers and duties of consumer finance companies.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

Mr. Lux moved adoption of the committee amendment.

Mr. Armstrong moved adoption of the following amendment by Representatives P. King and Armstrong to the committee amendment:

On page 7, line 17 after "thereafter," insert "No licensee shall recover court costs or attorney fees unless they are awarded by a court; an award of attorney fees is limited to one hundred fifty dollars."

Representatives Armstrong and Crane spoke in favor of the amendment to the amendment, and Representatives Padden and Monohon spoke against it.

## POINT OF INQUIRY

Mr. Lux asked Mr. Armstrong to yield to question, and Mr. Armstrong refused to yield.

Mr. Lux spoke against the amendment.

## MOTION

Mr. Taylor moved that the House now adjourn.

## POINT OF ORDER

Mr. Heck: "Mr. Speaker, doesn't this motion have to be to adjourn to a time certain?"

The Speaker (Mr. O'Brien presiding): "We are not required to do that, Representative Heck."

## MOTION

Mr. G. Nelson moved that the House adjourn at 10:01 p.m.

The Speaker (Mr. O'Brien presiding): "Representative Nelson, we already have a motion before us."

Mr. G. Nelson: "I have a higher ranking motion."

The Speaker (Mr. O'Brien presiding): "The motion to adjourn is a higher ranking motion."

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House now adjourn, and the motion was lost by the following vote: Yeas, 43; nays, 53; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives McClure, Van Dyken - 2.

The Speaker resumed the Chair.

The Speaker stated the question before the House to be the amendment to the committee amendment.

Mr. Sanders spoke against the amendment, and it was not adopted.

The committee amendment was adopted.

On motion of Mr. Wang, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Sanders spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4066 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 6; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Armstrong, Clayton, Dellwo, King P, Moon, Wang - 6.

Absent: Representative Locke - 1.

Excused: Representatives McClure, Van Dyken - 2.

Substitute Senate Bill No. 4066 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. 3393, by Senators Talmadge, Clarke and Hemstad

Permitting judges to belong to the National Guard.

The House resumed consideration of the bill on second reading.



The Speaker stated the question before the House to be the amendment by Representative Taylor.

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

On motion of Mr. Taylor, the following amendment by Representatives Taylor and Niemi was adopted:

On page 2, following line 28 insert: "So long as a member of the judiciary of the state of Washington is available for judicial work at such times and under such conditions as may be set forth by local rules and custom that member may serve as an active member of the national guard or air national guard."

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Ms. Niemi spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3393 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 3393 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 JOINT RESOLUTION NO. 112, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Fuller, Talmadge, Bauer, McManus, Hansen, Moore, McDermott, Benitz and Woody)

Allowing the state to provide financing for energy conservation.

The resolution was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

Mr. D. Nelson moved adoption of the committee amendment.

Mr. Isaacson moved adoption of the following amendment to the committee amendment:

On page 2, line 2 of the amendment, following "purposes of conserving energy," strike all material through "energy," on line 7.

Representatives Isaacson and D. Nelson spoke in favor of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

On motion of Mr. Wang, the second reading was considered the third, and the resolution was placed on final passage.

Representatives D. Nelson and Isaacson spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 112 as amended by the House, and the resolution passed the House by the following vote: Yeas, 88; nays, 8; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Chandler,

Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Cantu, Dickie, Fuhrman, McDonald, Moon, Nelson G, West, Wilson - 8.

Excused: Representatives McClure, Van Dyken - 2.

Engrossed Substitute Senate Joint Resolution No. 112 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3101, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Quigg - by Liquor Control Board request)

Modifying provisions relating to the state liquor control board.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendment, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. Tanner, the committee amendment was adopted.

Mr. Tilly moved adoption of the following amendment by Representative Van Dyken:

On page 6, following line 35 insert "The board shall issue no beer retailer license Class A, B, D, or E or wine retailer license Class C or F or Class H license covering any premises not now licensed unless the approval of the legislative authority of the local jurisdiction is obtained."

Representatives Tilly and Schoon spoke in favor of the amendment, and Representatives Tanner, Struthers and Barrett spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Dellwo moved adoption of the following amendments by Representatives Dellwo, Padden, Egger, Van Dyken and Stratton:

On page 7, line 3 after ~~"(church, parochial, or"~~ strike ~~")~~ tax supported public" and insert ~~"tax supported public")"~~

On page 7, line 8 after "license" strike all of the material down through "therewith" on line 18 and insert ~~"(and if, after receipt by the school, church, or public institution of the notice as provided in this subsection, the board receives written notice, within twenty days after posting such notice, from an official representative or representatives of the schools, and/or churches within five hundred feet of said proposed licensed premises, indicating to the board that there is an objection to the issuance of such license because of proximity to a school or church: For the purpose of this section, church shall mean a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith))"~~ Representatives Dellwo, Padden, Fuhrman and Stratton spoke in favor of the amendment, and Representatives Crane, Tanner, Schmidt and J. King spoke against it.

Mr. Padden spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Dellwo and others to Engrossed Substitute Senate Bill No. 3101, and the amendments were not adopted by the following vote: Yeas, 46; nays, 49; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Bond, Broback, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fisch, Fiske, Fuhrman, Galloway, Garrett, Hastings, Holland, Johnson, King R, Kreidler, Lewis, Locke, Long, McDonald, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Pruitt, Sanders, Schoon, Smith, Stratton, Sutherland, Taylor, Tilly, Vander Stoep, Vekich, West, Williams B - 46.

Voting nay: Representatives Appelwick, Armstrong, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Ebersole, Ellis, Fisher, Gallagher, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Lux, Martinis, McMullen, Miller, Mitchell, Monohon, Niemi, Powers, Prince, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Struthers, Tanner, Todd, Walk, Wang, Williams J, Wilson, Zellinsky, and Mr. Speaker - 49.

Absent: Representative Nelson D - 1.

Excused: Representatives McClure, Van Dyken - 2.

Mr. Todd moved adoption of the following amendment by Representatives Todd, Crane, Patrick, Holland and Hine:

On page 7, line 18 after "therewith," insert "No liquor license may be issued by the board to any motor sports facility or licensee operating within the motor sports facility unless the motor sports facility enforces a program reasonably calculated to prevent alcohol or alcoholic beverages not purchased within the facility from entering the facility and such program is approved by local law enforcement agencies."

Mr. Tanner moved adoption of the following amendment by Representatives Tanner and Todd to the amendment:

On line 1 of the amendment after "issued" insert "or reissued"

Representatives Tanner and Barrett spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be the amendment by Representative Todd and others as amended.

Mr. Todd spoke in favor of the amendment as amended.

#### POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Todd, could you give me an idea of what you mean by '...enforces a program reasonably calculated to prevent alcohol or alcoholic beverages not purchased....' Could you tell me what sort of program you would be talking about to back up the intent of the amendment?"

Mr. Todd: "Representative Hastings, we have gone through a very lengthy hearing process before the King County Zoning Examiner, and the finding suggests that a reasonable alcohol-check program would be a turnstile-entrance system to this particular facility."

Representatives Zellinsky and Stratton spoke against the amendment as amended, and Representatives Patrick, Crane and Barnes spoke in favor of it.

Mr. Todd spoke again in favor of the amended amendment, and it was adopted.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and J. King:

On page 7, line 18 after "therewith," insert "It is the intent under this subsection that a retail license shall not be issued by the board where doing so would, in the judgment of the board, adversely affect a private school meeting the requirements for private schools under Title 28A RCW, which school is within five hundred feet of the proposed licensee. The board shall fully consider and give substantial weight to objections filed by private schools. If a license is issued despite the proximity of a private school, the board shall state in a letter addressed to the private school the board's reasons for issuing the license."

Ms. Schmidt spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Schmidt yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Schmidt, what do you mean by 'adversely affect'? What factors would you consider the board should weigh and carefully consider that would affect the private school?"

Ms. Schmidt: "Representative Tilly, it's not for me to decide what is adverse. The people on the Liquor Board have been making a practice of making these decisions. I would say that adverse is probably on a case-by-case basis with the objections of the individual schools, and certainly the type of establishment will be one thing that should be considered."

Representatives Tilly and J. King spoke against the amendment.

The amendment was adopted.

Mr. G. Nelson moved adoption of the following amendment:

On page 7, following line 24 insert:

"NEW SECTION. Sec. 4. There is added to chapter 66.08 RCW a new section to read as follows:

Any state-owned store selling lottery tickets shall cease selling, at retail, beer and wine on June 30, 1986."

#### POINT OF ORDER

Ms. Sommers: "The amendment is out of scope and object, Mr. Speaker."

#### SPEAKER'S RULING

The Speaker: "The Speaker has looked at the amendment. The bill is an act relating to the powers of the State Liquor Control Board to issue licenses to perform services for the State Lottery Commission. The amendment attempts to remove the current authority of the Liquor Control Board to retail beer and wine, thus it is beyond the scope of the title. Your point is well taken, Representative Sommers."

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Mr. Tanner 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. 3101 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 12; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Tanner, Taylor, Todd, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Bond, Dellwo, Fisch, Fuhrman, Kaiser, Miller, Padden, Stratton, Sutherland, Tilly, West - 12.

Excused: Representatives McClure, Van Dyken - 2.

Engrossed 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.

ENGROSSED SENATE BILL NO. 3674 AS AMENDED BY THE HOUSE, by Senator Hughes

Relating to pollution control.

The House resumed consideration of the bill on second reading.

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3674 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McClure, Van Dyken - 2.

Engrossed Senate Bill No. 3674 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. 3184, by Senators Talmadge and Clarke (by Code Reviser request)

Authorizing the code reviser to correct double amendments in the code.

The bill was read the second time.

On motion of Mr. McDonald, the following amendment was adopted:

On page 2, line 2 following "amendment," insert "Any decision of the code reviser, in consultation with the statute law committee, to incorporate amendments in the same section or to decodify a section which was both repealed and amended in the same session shall be clearly noted in the revised code of Washington."

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3184 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Fuhrman - 1.

Excused: Representatives McClure, Van Dyken - 2.

Senate Bill No. 3184 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. 3532, by Senators Gaspard, Benitz and Shipoch

Providing procedures for the removal of members of community college boards of trustees.

The bill was read the second time. On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3532, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives McClure, Van Dyken - 2.

Engrossed Senate Bill No. 3532, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative McClure appeared at the bar of the House.

The Speaker called on Mr. O'Brien to preside.

SENATE BILL NO. 3448, by Senators Hughes and Patterson

Permitting waiver of fees for employees of the intercollegiate center for nursing education.

The bill was read the second time.

Ms. Long moved adoption of the following amendment:

On page 2, after line 8, add a section as follows:

"Sec. 2. Section 22, chapter 279, Laws of 1971 ex. sess. as last amended by section 1, chapter . . . . (HB 848), Laws of 1983 and RCW 28B.15.620 are each amended to read as follows:

Notwithstanding any other provision of law, veterans of the Vietnam conflict who have served in the southeast Asia theater of operations and children of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty, who are attending institutions of higher learning shall be exempted from the payment of any increase in tuition and fees otherwise applicable to any other resident or nonresident student at any institution of higher education, and shall not be required to pay more than the total amount of tuition and fees paid by veterans of the Vietnam conflict on October 1, 1977: PROVIDED, That for the purposes of this exemption, 'veterans of the Vietnam conflict' shall be those persons who have been on active federal service as a member of the armed military or naval forces of the United States between a period commencing August 5, 1964, and ending on May 7, 1975, and who qualify as a resident student under RCW 28B.15.012, and who have enrolled in state institutions of higher education on or before May 7, 1989. This section shall expire June 30, 1995."

#### POINT OF ORDER

Mr. Burns: "Mr. Speaker, would you rule on scope and object of this amendment, please?"

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

The Speaker (Mr. O'Brien presiding): "Representative Burns, the Speaker has examined Senate Bill 3448 and the amendment. While the title of the bill is sufficiently broad, the bill is concerned with the Intercollegiate Center for Nursing Education. The amendment deals with the children of law enforcement of firefighters, thus the amendment is clearly beyond the object of the bill. Your point is well taken."

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Taylor spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3448, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Van Dyken - 1.

Senate Bill No. 3448, having received the 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. 3644, by Senators Goltz, Guess, Rinehart, Thompson and Gaspard

Exempting certain institutions offering continuing education credits from the educational services registration act.

The bill was read the second time. On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3644, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Barnes, Bond, West - 3.

Excused: Representative Van Dyken - 1.

Engrossed Senate Bill No. 3644, having received the 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. 3224, by Senators Goltz, Quigg, Williams, Fuller, Hurley, McManus and Moore (by State Energy Office request)

Authorizing the provisions of heating services by governmental entities.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Representatives D. Nelson and Isaacson spoke in favor of passage of the bill, and Representatives Hastings and Bond spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3224 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Barrett, Betzoff, Bond, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Hastings, McDonald, Miller, Nelson G, Padden, Patrick, Sanders, Schoon, Silver, Smith, Struthers, West, Williams J - 23.

Excused: Representative Van Dyken - 1.

Engrossed Senate Bill No. 3224 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.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3273, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Hurley, Bauer and Talmadge)

Establishing the Washington radioactive waste commission.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, April 13, 1983.)

Mr. D. Nelson moved adoption of the committee amendment striking everything after the enacting clause.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson, D. Nelson, Nealey and Hankins to the committee amendment:

Beginning on page 1 of the amendment, after line 7, strike the remainder of the amendment and insert the following:

**NEW SECTION.** Sec. 1. The legislature finds that the safe transporting, handling, storage, or otherwise caring for radioactive wastes is required to protect the health, safety, and welfare of the citizens of the state of Washington. It is the purpose of this chapter to establish authority for the state to exercise appropriate oversight and care for the safe management and disposal of radioactive wastes; to consult with the federal government and other states on interim or permanent storage of these radioactive wastes; and to carry out the state responsibilities under the federal nuclear waste policy act of 1982.

**NEW SECTION.** Sec. 2. The department of ecology is herein designated as the state agency to carry out the authority and responsibility set forth in this chapter, including state participation in the federal nuclear waste policy act of 1982 and the federal low-level radioactive waste policy act of 1980. The department may receive federal financial assistance for carrying out radioactive waste management activities, including assistance for monitoring and evaluating the program of repository exploration and siting undertaken by the federal government.

The department shall submit a written report at least semiannually to the governor and to each member of the legislature on the radioactive waste program, its progress in carrying out its responsibilities, and any recommendations for legislative or administrative action that will improve the state's management and control activity in maximizing public health and safety.

**NEW SECTION.** Sec. 3. All departments, agencies, and officers of this state and its subdivisions shall cooperate with the department in the furtherance of any of its activities pursuant to this chapter.

**NEW SECTION.** Sec. 4. There is hereby created a nuclear waste policy and review board to assist the department in carrying out its responsibilities under this chapter. The board shall consist of the following members: The chairman of the advisory council who shall also serve as chairman of the review board, the director of the department or the director's designee, the director of the energy office or the director's designee, the commissioner of public lands or the commissioner's designee, the secretary of social and health services or the secretary's designee, the chairman of the energy facility site evaluation council or the chairman's designee, four members of the state senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker, who shall be selected from each of the caucuses in each house, but no more than two members of each house shall be of the same political party. Legislative members shall be ex officio nonvoting members of the board and shall serve while members of the legislature, at the pleasure of the appointing officer. The board shall be responsible for identifying and reviewing state agency policies relating to the management of radioactive wastes; analyzing recommendations of the advisory council to determine how state agencies may be responsive to the needs of the department in carrying out its duties under this chapter; assisting the department in determining ways in which coordination among state agencies can be improved; carrying out such review activities that will enable the governor to effectively evaluate federal actions; reviewing the activities of advisory and technical committees created by the governor; advising the director on the need for additional advisory and technical committees; and assisting the department to participate in the consultation and concurrence process provided for in the federal waste management act of 1982 and the low-level waste policy act of 1980 and to monitor and comment on decisions of the northwest interstate compact committee on low-level radioactive waste management.

Nonlegislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120.

**NEW SECTION.** Sec. 5. (1) An advisory council is hereby established of not less than fifteen members appointed by the governor to provide advice, counsel, and recommendations to the department on all aspects of the radioactive waste management program. The council shall particularly advise the department on maximizing opportunities for public involvement in the program, soliciting public input, and assisting in the need for wide understanding of the issues



involved in nuclear waste management. The governor shall appoint the chairman of the advisory council who shall also serve as chairman of the waste policy and review board. Members of the council shall be selected from all areas of the state and shall include a broad range of citizens, representatives of local governments, and representatives of such other interests as the governor determines will best further the purposes of this chapter. A representative of an affected Indian tribe may be an ex officio nonvoting member of the council. Terms of council members shall not exceed two years and they shall continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members may be reappointed. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 6. The department may establish such additional advisory and technical committees as it deems necessary.

NEW SECTION. Sec. 7. The department of ecology is authorized to adopt such rules as are necessary to carry out its responsibility under this chapter. The department of social and health services is authorized to adopt such rules as are necessary to carry out its responsibilities under chapter 43.145 RCW.

NEW SECTION. Sec. 8. The director of ecology shall, in addition to the powers and duties otherwise imposed by law, have the following special powers and duties:

(1) To fulfill the responsibilities of the state under the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington. The department of ecology may sublease to private or public entities all or a portion of the land for specific purposes or activities which are determined, after public hearing, to be in consonance with the terms of the lease and in the best interests of the citizens of the state consistent with any criteria that may be developed as a requirement by the legislature:

(2) To assume the responsibilities of the state under the perpetual care agreement between the state of Washington and the federal government executed July 29, 1965. In order to finance perpetual surveillance and maintenance under the agreement, the department of ecology shall impose and collect fees from parties holding radioactive materials for waste management purposes. The fees shall be established by rule adopted under chapter 34.04 RCW and shall be an amount determined by the state radiation control agency to be necessary to defray the estimated liability of the state. Such fees shall reflect equity between the disposal facilities of this and other states. All such fees, when received by the department of ecology, shall be transmitted to the state treasurer, who shall act as custodian. The treasurer shall place the money in a special account which may be designated the 'perpetual maintenance account.' Appropriations are required to permit expenditures and payment of obligations from this account, and the condition of the account and its administration shall be reported biennially to the legislature by the director. Moneys in the perpetual maintenance account shall be invested by the state investment board in the same manner as other state moneys. Any interest accruing as a result of investment shall accrue to the perpetual maintenance account. Additional moneys specifically appropriated by the legislature or received from any public or private source may be placed in the perpetual maintenance account. The perpetual maintenance account shall be used exclusively for surveillance and maintenance and maintenance costs, or for otherwise satisfying surveillance and maintenance obligations; and

(3) To assure maintenance of such insurance coverage by state licensees, lessees, or sub-lessees as will adequately, in the opinion of the director, protect the citizens of the state against nuclear accidents or incidents that may occur on privately or state-controlled nuclear facilities.

Sec. 9. Section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030 are each amended to read as follows:

(1) 'Byproduct material' means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

(2) 'Ionizing radiation' means gamma rays and x-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other (~~nuclear~~) subatomic particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

(3) (a) 'General license' means a license effective pursuant to regulations promulgated by the state radiation control agency, without the filing of an application, to transfer, acquire, own, possess, or use quantities of, or devices or equipment utilizing, byproduct, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

(b) 'Specific license' means a license, issued after application to use, manufacture, produce, transfer, receive, acquire, own, or possess quantities of, or devices or equipment utilizing byproduct, source, special nuclear materials, or other radioactive materials occurring naturally or produced artificially.

(4) 'Person' means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or

agency of the foregoing, other than the United States Atomic Energy Commission, or any successor thereto, and other than federal government agencies licensed by the United States Atomic Energy Commission, or any successor thereto.

(5) ~~((“Source material” means (a) uranium, thorium, or any other material which the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such; or (b) ores containing one or more of the foregoing materials, in such concentration as the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material in such concentration to be source material))~~ “Source material” means (a) uranium, thorium, or any other material which is determined by the United States Nuclear Regulatory Commission or its successor pursuant to the provisions of section 61 of the United States Atomic Energy Act of 1954, as amended (42 U.S.C. Sec. 209) to be source material; or (b) ores containing one or more of the foregoing materials, in such concentration as the commission may by regulation determine from time to time.

(6) ~~((“Special nuclear material” means (a) plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor declares by order to be special nuclear material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such, but does not include source material; or (b) any material artificially enriched by any of the foregoing, but does not include source material))~~ “Special nuclear material” means (a) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the United States Nuclear Regulatory Commission or its successor, pursuant to the provisions of section 51 of the United States Atomic Energy Act of 1954, as amended (42 U.S.C. Sec. 2071), determines to be special nuclear material, but does not include source material; or (b) any material artificially enriched by any of the foregoing, but does not include source material.

(7) ‘Registration’ means registration with the state department of social and health services by any person possessing a source of ionizing radiation in accordance with rules, regulations and standards adopted by the department of social and health services.

(8) ‘Radiation source’ means any type of device or substance which is capable of producing or emitting ionizing radiation.

NEW SECTION, Sec. 10. The rules of strict construction do not apply to this act and it shall be liberally construed in order to carry out the objective for which it is designed, in accordance with the legislative intent to give the department of ecology the maximum possible freedom in carrying the provisions of this act into effect.

NEW SECTION, Sec. 11. 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 with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. 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. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 13. Section 12, chapter 295, Laws of 1981 and RCW 43.21F.075 are each repealed.

NEW SECTION, Sec. 14. The governor shall study whether the following powers, duties, and functions should be transferred to the department of ecology:

(1) All powers, duties, and functions authorized to be performed by the department of social and health services and its secretary by chapter 70.121 RCW;

(2) All powers, duties, and functions authorized to be performed by the department of social and health services and its secretary by chapter 70.98 RCW, including those relating to agreements now existing, or hereinafter entered into, with the United States operating under authority of the Atomic Energy Act of 1954, as amended. The functions included in this subsection include, but are not limited to, the licensing and regulation of radiation producing devices and radioactive materials now administered by the licensing program, materials compliance program, x-ray compliance program, and x-ray projects program of such department;

(3) Those of the board of health relating to programs transferred in subsections (1) and (2) of this section; and

(4) The designation as the state radiation control agency under RCW 70.98.050.

The study shall be conducted adhering to the provisions of the open public meetings act, chapter 42.30 RCW. The results shall be reported to the legislature by January 15, 1984.

NEW SECTION, Sec. 15. Sections 1 through 8 and section 14 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION, Sec. 16. 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.”

Representatives Isaacson, D. Nelson, Hankins and Nealey spoke in favor of the amendment, and Mr. Gallagher spoke against it.

The amendment to the committee amendment was adopted and the committee amendment as amended was adopted.

Mr. D. Nelson moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Isaacson, the following amendment to the title amendment was adopted:

On page 26 of the amendment, line 1 of the title amendment, strike everything after "insert" and insert "amending section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030; adding a new chapter to Title 43 RCW; creating new sections; repealing section 12, chapter 295, Laws of 1981 and RCW 43.21F.075; and declaring an emergency."

The committee amendment as amended to the title was adopted.

On motion of Mr. Wang, the second reading was considered the third, and the bill was placed on final passage.

Representatives D. Nelson, Isaacson, Hastings and Hankins spoke in favor of passage of the bill, and Representative Bond spoke against it.

#### MOTION

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

#### THIRD READING

#### MOTION FOR RECONSIDERATION

Mr. Heck, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Substitute Senate Bill No. 4019 as amended by the House failed to pass the House.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Substitute Senate Bill No. 4019 as amended by the House failed to pass the House, and the motion was carried by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Excused: Representative Van Dyken - 1.

The Speaker (Mr. O'Brien presiding) declared the question before the House to be reconsideration of final passage of Engrossed Substitute Senate Bill No. 4019 as amended by the House.

Representatives Prince, Dickie, Patrick, B. Williams, Fuhrman, Padden, Broback, Schoon, Taylor, Chandler, Nealey and Isaacson spoke against passage of the bill, and Representatives Halsan, Sutherland, Charnley, P. King, Stratton and Egger spoke in favor of it.

Mr. Prince demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute Senate Bill No. 4019 as amended by the House, and the bill failed to pass by the following vote: Yeas, 49; nays, 48; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Johnson, King R, Kreidler, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Excused: Representative Van Dyken - 1.

Engrossed Substitute Senate Bill No. 4019, having failed to receive the constitutional majority, was declared lost.

#### MOTION

On motion of Mr. Heck, the House adjourned until 1:00 p.m., Friday, April 22, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ONE HUNDRED THIRD DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Friday, April 22, 1983

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Van Dyken.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Benveniste and Brian Peterson. Prayer was offered by The Reverend David S. Steen, Minister of the Good Shepherd Lutheran 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 22, 1983

HB 983 Prime Sponsor, Representative Martinis: Relating to motor vehicle excise taxes. Reported by Committee on Rules

Referred to Committee on Transportation.

## SECOND READING

## MOTIONS

On motion of Mr. Heck, the following bills were rereferred from the second reading calendar to Committee on Rules: Second Substitute Senate Bill No. 3051, Substitute Senate Bill No. 3259, Senate Bill No. 3379, Engrossed Substitute Senate Bill No. 3387, Engrossed Senate Bill No. 3449, Substitute Senate Bill No. 3616, Senate Bill No. 4010 and Substitute Senate Bill No. 4090.

On motion of Mr. G. Nelson, Substitute Senate Bill No. 3622 was rereferred from the second reading calendar to Committee on Rules.

The Speaker called on Mr. Heck to preside.

## SENATE AMENDMENT TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 116 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, chapter 84, Laws of 1973 as amended by section 3, chapter 94, Laws of 1980 and RCW 4.84.280 are each amended to read as follows:

Offers of settlement shall be served on the adverse party in the manner prescribed by applicable court rules at least ten days prior to trial. Offers of settlement shall not be served until thirty days after the completion of the service and filing of the summons and complaint (~~in an action filed in superior court~~). Offers of settlement shall not be filed or communicated to the trier of the fact until after judgment, at which time a copy of said offer of settlement shall be filed for the purposes of determining attorneys' fees as set forth in RCW 4.84.250." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to Substitute House Bill No. 116.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Substitute House Bill No. 116 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 116 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Van Dyken - 2.

Substitute House Bill No. 116 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, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 185 with the following amendments:

On page 2, after line 10 insert the following:

\*NEW SECTION. Sec. 3. The state highway known as state route number 251 beginning at the junction with state route number 25 at Northport, thence northeasterly to the international boundary in the vicinity of Boundary is returned to Stevens county as a county road.

Sec. 4. Section 106, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.525 are each amended to read as follows:

A state highway to be known as state route number 291 is established as follows:

Beginning at a junction with state route number 2 in Spokane, thence northwesterly along the north bank of the Spokane river to ~~((a point in Stevens county across the Spokane river from the Riverside State Park at the boundary line common to Stevens and Spokane counties))~~ the vicinity of Tumtum; and thence southwesterly along the north shore of Long Lake to a junction with state route number 231 in the vicinity of the Little Falls Dam.

NEW SECTION. Sec. 5. Section 95, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.470 are each repealed."

On page 1, line 3 of the title after "RCW 47.17.200 insert the following: "; and amending section 18, chapter 51, Laws of 1970 ex. sess. as amended by section 1, chapter 63, Laws of 1975 and RCW 47.17.085; amending section 106, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.525; creating a new section; and repealing section 95, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.470."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendment to House Bill No. 185.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of House Bill No. 185 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 185 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt,

Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Van Dyken - 2.

House Bill No. 185 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 15, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 197 with the following amendment:

On page 1, line 17 of the engrossed bill, being page 1, line 17 of the printed bill, after "superior court" insert "a court of limited jurisdiction" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. McMullen moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 197.

Representatives McMullen and Padden spoke in favor of the motion, and it was carried.

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

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 197 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 197 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Deliwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.-

Engrossed Substitute House Bill No. 197 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 13, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 426 with the following amendment:

On page 2, after line 15 insert:

"(6) No employee of a county, city or town shall hold elective public office with the employing county, city or town unless the employee takes a leave of absence from such public employment."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Pruitt moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 426.

Representatives Pruitt and Patrick spoke in favor of the motion, and Representatives Barnes and Sanders spoke against it.

Mr. Barnes again opposed the motion.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 426, and the motion was carried by the following vote: Yeas, 58; nays, 38; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, McDonald, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, West, Williams B, Williams J, Wilson - 38.

Excused: Representatives Bond, Van Dyken - 2.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 426 as amended by the Senate.

Representatives Barnes and Sanders spoke against passage of the bill, and Representatives Pruitt and Patrick spoke in favor of it.

## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Broback.

Mr. Broback: "Representative Pruitt, if a city employee were to take a leave of absence to run for the city council and won that election, and during his term on the city council grants a pay raise to all the city employees, following that, would he be eligible to go back on the city payroll and accept an increase or would he be ineligible?"

Mr. Pruitt: "This particular bill is silent on that. I would think it depends upon a local ordinance. As far as I know, state law does not deal with that particular situation. This bill is not dealing with that."

Representatives Broback, Betzoff and McDonald spoke against the bill, and Representatives Long, Fisch, Schoon and R. King spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 426 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 71; nays, 25; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Barnes, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, McDonald, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Smith, Struthers, Tilly, West, Williams J, Wilson - 25.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed Substitute House Bill No. 426 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 643 with the following amendments:

On page 1, line 28 after "probate" insert "Nothing in this section serves to extend the applicable statute of limitations regardless of the appointment or failure to have appointed a personal representative for an estate."

On page 1, after line 28 of the House bill, being after line 29 of the engrossed House bill, insert a new paragraph as follows:

"NEW SECTION. Sec. 2. The provisions of this 1983 amendatory act apply to causes of actions arising on or after the effective date of this act."

On page 1, line 2 of the title strike "and" and on line 3 after "11.40.011" insert "; and adding a new section" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. McMullen moved that the House do concur in the Senate amendments to Engrossed House Bill No. 643.

Representatives McMullen and Padden spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Engrossed House Bill No. 643 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 643 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 19; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Betrozoff, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Ballard, Barnes, Barrett, Braddock, Broback, Fiske, Fuhrman, Garrett, Hastings, Isaacson, King J, Mitchell, Nelson G, Rust, Sanders, Silver, Struthers, Taylor, West - 19.

Excused: Representatives Bond, Van Dyken - 2.

Engrossed House Bill No. 643 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I was distracted doing research on Senate amendments to House bills other than upon which we were working. It was my intention to cast a "Nay" vote on final passage of Engrossed House Bill No. 643 as amended by the Senate.

JOSEPH WILLIAMS, 41st District.

## SENATE AMENDMENT TO HOUSE BILL

April 17, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 747 with the following amendment:

On page 1, line 19 after "certificate" insert "or statement" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to House Bill No. 747.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of House Bill No. 747 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 747 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzloff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Van Dyken - 2.

House Bill No. 747 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 17, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 239 with the following amendments:

On page 1, line 8 after "place" strike "a building in which a polling place is located"

On page 1, line 9 after "or" insert "in any public area"

On page 1, line 9 after "within" strike "one" and insert "three"

On page 1, line 10 strike "building" and insert "polling place"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

Mr. Pruitt moved that the House do not concur in the Senate amendments to page 1, line 8 and to page 1, line 10.

Mr. Barnes moved that the House do concur in the Senate amendments to page 1, line 8 and page 1, line 10.

Representatives Barnes and Schoon spoke in favor of the motion to concur, and Mr. Pruitt spoke against it.

## POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Pruitt, do you intend to concur with the Senate amendment on page 1, line 9, in reference to the one hundred feet? They changed it from the 300 feet from the polling place."

Mr. Pruitt: "No, my recommendation is that we do not concur with any of the Senate amendments."

Mr. Mitchell spoke in favor of the motion, and Mr. Barnes spoke again in favor of the motion to concur.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to page 1, line 8 and page 1, line 10 of Engrossed House Bill No. 239, and the motion was lost by the following vote: Yeas, 43; nays, 53; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, Wang, West, Williams B, Williams J, Wilson - 43.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Bond, Van Dyken - 2.

## MOTIONS

Mr. Pruitt moved that the House do not concur in the two Senate amendments to page 1, line 9.

Mr. Barnes moved that the House do concur in the Senate amendments to page 1, line 9.

Representatives Barnes, Mitchell and Brough spoke in favor of the motion to concur, and Mr. Pruitt spoke against it.

On motion of Mr. McDonald the question was divided.

The Speaker (Mr. Heck presiding) stated the question before the House to be the motion to concur with the Senate amendment to page 1, line 9, after "or" insert "in any public area"

Representatives Barnes, Schoon and Pruitt spoke in favor of the motion, and it was carried.

The Speaker (Mr. Heck presiding) stated the question before the House to be the motion to concur with the second Senate amendment to page 1, line 9.

Representatives Barnes and Mitchell spoke in favor of the motion, and Representatives Pruitt and Schoon opposed it.

Mr. Barnes spoke again in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to page 1, line 9, and the motion was lost by the following vote: Yeas, 37; nays, 59; excused, 2.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Sanders, Schmidt, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 37.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 59.

Excused: Representatives Bond, Van Dyken - 2.

Representative McDonald was excused.

## MOTION

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-63, by Representatives Hastings, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky.

WHEREAS, The Seattle SuperSonics are currently involved in the first step toward their inevitable championship season; and

WHEREAS, The SuperSonics have been so gracious as to allow their inferiors to the south to win the first game of the playoff series; and

WHEREAS, The SuperSonics will now destroy the creatures to the south in the next two games of the series; and

NOW, THEREFORE, BE IT RESOLVED, That all members of the House of Representatives enthusiastically support the SuperSonics' efforts to return the championship of the National Basketball Association to the State of Washington.

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

The Speaker resumed the Chair.

## MESSAGE FROM THE SENATE

April 21, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3182, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Lux, the House refused to recede from its amendments to Senate Bill No. 3182, and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Lux, Wang and Sanders as conferees on Senate Bill No. 3182.

The Speaker called on Mr. Heck to preside.

## SENATE AMENDMENTS TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 44 with the following amendments:

On page 1, line 8 after "impacts" reinsert "directly"

On page 1, beginning on line 11 reinsert all the stricken material down to and including "impacts))" on line 12.

On page 1, lien 14 after "to be" reinsert "directly"

On page 1, line 16 after "county" insert "following a reasonable period of good faith negotiations, including mediation where appropriate" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Moon, the House concurred in the Senate amendments to Substitute House Bill No. 44.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Substitute House Bill No. 44 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 44 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative West - 1.

Excused: Representatives Bond, Van Dyken - 2.

Substitute House Bill No. 44 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.

Representative Van Dyken appeared at the bar of the House.

## SENATE AMENDMENT TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 76 with the following amendment:

On page 1, line 22 after "by a" insert "two-thirds"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Moon moved that the House do concur in the Senate amendment to House Bill No. 76.

Mr. Moon spoke in favor of the motion, and Ms. Brough spoke against it.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to House Bill No. 76, and the motion was carried by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J - 38.

Excused: Representative Bond - 1.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of House Bill No. 76 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 76 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Nelson G - 2.

Excused: Representative Bond - 1.

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.

## SENATE AMENDMENTS TO HOUSE BILL

April 18, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 117 with the following amendments:

On page 1, line 9 beginning with "A" strike all material down to and including "terminated:)" on page 2, line 6 and insert: "Each community college district shall adopt a procedure by January 1, 1984, relating to reductions-in-force in the event of a financial emergency. Such procedure shall be mutually agreed to by the board of trustees and the representative of the academic employees and shall provide mechanisms for determining whether a financial emergency does exist, the magnitude and specific elements of the financial emergency, whether a reduction-in-force will occur, the magnitude of the reduction-in-force, and how the reduction-in-force will be implemented. It shall be the goals of such procedure to maintain programs and to minimize the number of layoffs. Such procedure shall only be implemented due to the following conditions:

(1) Reduction of allotments by the governor pursuant to RCW 43.88.110(2), or (2) reduction by the legislature from one biennium to the next or within a biennium of appropriated funds based on constant dollars using the implicit price deflator. Such procedure shall provide for a final determination on whether a reduction-in-force will occur within thirty days of such reduction of allotments or such reduction by the legislature. The community college district board of trustees shall have responsibility for the final decision as to whether a financial emergency exists, whether a reduction-in-force should occur, or what the magnitude of such reduction-in-force should be. When ((a district board of trustees determines)) it is determined that a reduction-in-force of tenured or probationary faculty members ((may be)) is necessary due to a financial emergency ((as declared by the state board)), written notice of the reduction-in-force and separation from employment shall be given the faculty members so affected by the president or district president as the case may be. The total cost of the compensation for the employees who are notified shall not exceed the total reduction of allotments by the governor or the reduction of the appropriated funds by the legislature. Said notice shall clearly indicate that separation is not due to the job performance of the employee and hence is without prejudice to such employee and need only state in addition the basis for the reduction-in-force ((as one or more of the reasons enumerated in subsections (1) and (2) of this section)).

Said tenured or probationary faculty members will have a right to request a formal hearing when being dismissed pursuant to ((subsections (1) and (2) of)) this section. The only issue to be determined shall be whether under the applicable policies, rules or collective bargaining agreement the particular faculty member or members advised of severance are the proper ones to be terminated."

On page 2, line 22 after "within" strike "sixty" and insert "((sixty)) forty-five"

On page 3, line 17 after "herein." strike "The right of a faculty member to request a separate hearing is not impaired" and insert "Each faculty member notified of termination because of a reduction-in-force as provided in this section shall have the right to a separate hearing if the issues and material facts concerning such faculty member's termination are not substantially similar to the issues and material facts involved in the termination of other faculty members"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. R. King moved that the House do concur in the Senate amendments to Substitute House Bill No. 117.

Mr. R. King spoke in favor of the motion, and Mr. Prince spoke against it.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur with the Senate amendments to Substitute House Bill No. 117, and the motion was carried by the following vote: Yeas, 56; nays, 41; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Excused: Representative Bond - 1.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Substitute House Bill No. 117 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 117 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; nays, 40; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hastings, Haugen, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Excused: Representative Bond - 1.

Substitute House Bill No. 117 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, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 129 with the following amendment:

On page 2, after line 1 insert the following:

(5) Vacation leave credit acquired and accumulated under this section shall never, regardless of circumstances, be deferred by the employing office, department or institution by filing a statement of necessity under the provisions of RCW 43.01.040.

(6) Notwithstanding any other provision of this chapter, on or after the effective date of this act, a statement of necessity for excess leave, shall as a minimum, include the following: (a) the specific number of days of excess leave; and (b) the date on which it was authorized. A copy of any such authorization shall be sent to the department of retirement systems, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Walk, the House concurred in the Senate amendment to Substitute House Bill No. 129.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Substitute House Bill No. 129 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 129 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Clayton, Dickie, Sanders, West, Wilson - 5.

Excused: Representative Bond - 1.

Substitute House Bill No. 129 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 134 with the following amendments:

On page 3, after line 22 insert a new section to read as follows:

"Sec. 2. Section 8, chapter 10, Laws of 1982 and RCW 41.06.110 are each amended to read as follows:

(1) There is hereby created a state personnel board composed of three members appointed by the governor, subject to confirmation by the senate. The first such board shall be appointed within thirty days after December 8, 1960, for terms of two, four, and six years. Each odd-numbered year thereafter the governor shall appoint a member for a six-year term. Each member shall continue to hold office after the expiration of the member's term until a successor has been appointed. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed:

(2) Each member of the board shall be paid (~~( fifty )~~) one hundred dollars for each day in which he has actually attended a meeting of the board officially held or has performed statutorily prescribed duties approved by the chairperson for which duties compensation shall not exceed two thousand dollars per year. The members of the board may receive any number of daily payments for official meetings of the board actually attended. Members of the board shall also be reimbursed for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) At its first meeting following the appointment of all of its members, and annually thereafter, the board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two members of the board shall constitute a quorum to transact business. A written public record shall be kept by the board of all actions of the board. The director of personnel shall serve as secretary.

(4) The board may appoint and compensate hearing officers to hear and conduct appeals until December 31, 1982. Such compensation shall be paid on a contractual basis for each hearing, in accordance with the provisions of chapter 43.88 RCW and rules adopted pursuant thereto, as they relate to personal service contracts."

Renumber the remaining sections consecutively.

On page 14, line 27 after "~~1984~~;" strike all material down to and including "personnel," on line 31.



On page 1, line 3 of the title after "41.06.020:" insert "amending section 8, chapter 10, Laws of 1982 and RCW 41.06.110:"

On page 2, line 10 of the title after "41.06.215" and before the period insert "; and making an appropriation" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 134.

Mr. Walk spoke in favor of the motion, and Ms. Hankins spoke against it.

The motion was carried.

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

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 134 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 134 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 38.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 134 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

#### SENATE AMENDMENTS TO HOUSE BILL

April 18, 1983

Mr. Speaker:

The Senate has passed SUBSTITUE HOUSE BILL NO. 390 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The purposes of this chapter are to permit the state and local governments to conform with registration requirements of federal law which are necessary to exempt interest payments from federal income taxes when the state or local governments issue bonds or incur other obligations and to authorize the establishment and maintenance of differing systems of registering bonds and other obligations as these systems are developed and recognized, which may be instituted, discontinued, and reinstated from time to time. It is further the purpose of this chapter to grant local governments an alternative flexible authority to structure and sell their bond issues and to include a variety of features on their bonds.

This act shall be liberally construed to effect its purposes.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Bond' means any agreement which may or may not be represented by a physical instrument, including notes, warrants, or certificates of indebtedness, that evidences an indebtedness of the state or a local government or a fund thereof, where the state or local government agrees to pay a specified amount of money, with or without interest, at a designated time or times to either registered owners or bearers.

(2) 'Local government' means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi municipal corporation, including any public corporation created by such an entity.

(3) 'Obligation' means an agreement that evidences an indebtedness of the state or a local government, other than a bond, and includes, but is not limited to, conditional sales contracts, lease obligations, and promissory notes.

(4) 'State' includes the state, agencies of the state, and public corporations created by the state or agencies of the state.

**NEW SECTION.** Sec. 3. (1) The state and local governments are authorized to establish a system of registering the ownership of their bonds or other obligations as to principal and interest, or principal only. Registration may include, without limitation: (a) A book entry system of recording the ownership of a bond or other obligation whether or not a physical instrument is issued; or (b) recording the ownership of a bond or other obligation together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond or other obligation and either the reissuance of the old bond or other obligation or the issuance of a new bond or other obligation to the new owner.

(2) The system of registration shall define the method or methods by which transfer of the registered bonds or other obligations shall be effective, and by which payment of principal and any interest shall be made. The system of registration may permit the issuance of bonds or other obligations in any denomination to represent several registered bonds or other obligations of smaller denominations. The system of registration may also provide for any writing relating to a bond or other obligation that is not issued as a physical instrument, for identifying numbers or other designations, for a sufficient supply of certificates for subsequent transfers, for record and payment dates, for varying denominations, for communications to the owners of bonds or other obligations, for accounting, canceled certificate destruction, registration and release of securing interests, and for such other incidental matters pertaining to the registration of bonds or other obligations as the issuer may deem to be necessary or appropriate.

(3) The state or a local government may appoint one or more of the fiscal agencies appointed from time to time by the state finance committee in accordance with chapter 43.80 RCW to act with respect to an issue of its bonds or other obligations as authenticating trustee, transfer agent, registrar, and paying or other agent and specify the rights and duties and means of compensation of any such fiscal agency so acting. The state and local governments may also enter into agreements with the fiscal agency or agencies in connection with the establishment and maintenance by such fiscal agency or agencies of a central depository system for the transfer or pledge of bonds or other obligations.

(4) Nothing in this section precludes the issuer, or a trustee appointed by the issuer pursuant to any other provision of law, from itself performing, either alone or jointly with other issuers, fiscal agencies, or trustees, any transfer, registration, authentication, payment, or other function described in this section.

**NEW SECTION.** Sec. 4. A local government authorized to issue bonds shall determine for the bond issue its amount, date or dates, terms not in excess of the maximum term otherwise provided in law, conditions, bond denominations, interest rate or rates, which may be fixed or variable, interest payment dates, maturity or maturities, redemption rights, registration privileges, manner of execution, price, manner of sale, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may be as provided in section 3 of this act.

**NEW SECTION.** Sec. 5. Each local government authorized to issue bonds is authorized to establish lines of credit with any qualified public depository to be drawn upon in exchange for its bonds or other obligations, to delegate to its fiscal officer authority to determine the amount of credit extended, and to pay interest and other finance or service charges. The interest rates on such bonds or other obligations may be a fixed rate or rates set periodically or a variable rate or rates determined by agreement of the parties.

**NEW SECTION.** Sec. 6. Where bonds are issued by the state or a local government as physical instruments, the bonds shall be printed, engraved, lithographed, typed, or reproduced and the manual or facsimile signatures of both a designated officer and chairperson of the governing body or chief executive shall be included on each bond.

**NEW SECTION.** Sec. 7. The proceeds of any bonds issued by the state or a local government may be used to pay incidental costs and costs related to the sale and issuance of the bonds. Such costs include payments for fiscal and legal expenses, obtaining bond ratings, printing, engraving, advertising, establishing and funding reserve accounts and other accounts, an amount for working capital, capitalized interest for up to six months, necessary and related engineering, architectural, planning, and inspection costs, and other similar activities or purposes.

**NEW SECTION.** Sec. 8. Sections 1 through 7 of this act shall be deemed to provide a complete, additional, and alternative method for the performance of those subjects authorized by these sections and shall be regarded as supplemental and additional to powers conferred by other state laws. Whenever bonds and other obligations are issued and sold in conformance with sections 1 through 7 of this act, such issuance and sale need not comply with contrary requirements of other state laws applicable to the issuance and sale of bonds or other obligations.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 39 RCW.

NEW SECTION. Sec. 10. The local government committees of the house of representatives and the senate shall cooperate in a study of the provisions of the law related to debt limits, and the issuance and sale of bonds, notes, warrants and other obligations of the state and units of local government. The committees shall report their initial findings and recommended legislation on or before January 1, 1984 and shall submit a final report and any recommended legislation on or before January 1, 1985.

NEW SECTION. Sec. 11. There is added to chapter 43.80 RCW a new section to read as follows:

(1) The fiscal agencies designated pursuant to RCW 43.80.110 and 43.80.120 may be appointed by the state or a local government to act as registrar, authenticating agent, transfer agent, paying agent, or other agent in connection with the issuance by the state or local government of registered bonds or other obligations pursuant to a system of registration as provided by section 3 of this 1983 act and may establish and maintain on behalf of the state or local government a central depository system for the transfer or pledge of bonds or other obligations. The term 'local government' shall be as defined in section 2 of this 1983 act.

(2) Whenever in the judgment of the fiscal agencies, certain services as registrar, authenticating agent, transfer agent, paying agent, or other agent in connection with the establishment and maintenance of a central depository system for the transfer or pledge of registered public obligations, or in connection with the issuance by any public entity of registered public obligations pursuant to a system of registration as provided in chapter ... RCW (sections 1 through 8 of this 1983 act), can be secured from private sources more economically than by carrying out such duties themselves, they may contract out all or any of such services to such private entities as such fiscal agencies deem capable of carrying out such duties in a responsible manner.

Sec. 12. Section 11, chapter 154, Laws of 1915 as last amended by section 2, chapter 56, Laws of 1970 ex. sess. and RCW 8.12.400 are each amended to read as follows:

(1) Such bonds shall be issued only in pursuance of ordinances of the city directing the issuance of the same, and by their terms shall be made payable on or before a date not to exceed twelve years from and after their date, which latter date may be fixed by resolution or ordinance by council or other legislative body of said city and shall bear interest at such rate or rates as may be authorized by the council or other legislative body of said city, which interest shall be payable annually, or semiannually, as may be provided by resolution or ordinance (~~and each bond shall have attached thereto interest coupons for each interest payment~~): PROVIDED, That the legislative body of any city of the first class having a population of three hundred thousand inhabitants, or more, issuing any bonds hereunder may by ordinance, passed by unanimous vote, authorize the issuance of such bonds payable on or before a date not to exceed twenty-two years from and after the date of the issue of such bonds, and shall in such ordinance provide that said bonds shall be sold at not less than par and shall bear interest at such rate or rates as may be authorized by the legislative body.

Such bonds shall be in such denominations as shall be provided in the resolution or ordinance authorizing their issuance and shall be numbered from one upwards, consecutively, and each bond and any coupon shall be signed by the mayor and attested by the clerk or comptroller of such city: PROVIDED, HOWEVER, That (~~said~~) any coupons may in lieu of being so signed have printed thereon a facsimile of the signature of said officers and each bond shall have the seal of such city affixed thereto and shall refer to the improvement to pay for which the same shall be issued and to the ordinance authorizing the same. Each bond shall provide that the principal sum therein named, and the interest thereon, shall be payable out of the local improvement fund created for the payment of the cost and expense of such improvement, and not otherwise. Such bonds shall not be issued in any amount in excess of the cost and expense of the improvement. The bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 13. Section 12, chapter 154, Laws of 1915 and RCW 8.12.410 are each amended to read as follows:

(1) The bonds issued under the provisions of this chapter or any portion thereof may be sold by any authorized officer or officers of the city at not less than their par value and accrued interest, and the proceeds thereof shall be applied in payment of the awards, interest and costs of the improvement.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 14. Section 15, chapter 154, Laws of 1915 and RCW 8.12.440 are each amended to read as follows:

If the city shall fail, neglect or refuse to pay said bonds or to promptly collect any such assessments when due, the owner of any such bonds may proceed in his own name to collect such assessment and foreclose the lien thereof in any court of competent jurisdiction, and shall

in addition to the principal of such bonds and interest thereon, recover five percent of such sum, together with the costs of such suit. Any number of ~~((holders))~~ owners of such bonds for any single improvement may join as plaintiffs and any number of owners of the property on which the same are a lien may be joined as defendants in such suit.

Sec. 15. Section 18, chapter 154, Laws of 1915 and RCW 8.12.460 are each amended to read as follows:

The city treasurer shall pay the interest on the bonds authorized to be issued by this chapter out of the respective local improvement funds from which they are payable. Whenever there shall be sufficient money in any local improvement fund against which bonds have been issued under the provisions of this chapter, over and above sufficient for the payment of interest on all unpaid bonds, to pay the principal of one or more bonds, the treasurer shall call in and pay such bonds. Such bonds shall be called in and paid in their numerical order, commencing with number one. Such call shall be made by publication in the city official newspaper in its first publication following the delinquency of the installment of the assessment or as soon thereafter as is practicable, and shall state that bonds No. . . . . (giving the serial numbers of the bonds called) will be paid on the day the next interest ~~((coupons))~~ payments on said bonds shall become due, and interest on said bonds shall cease upon such date: PROVIDED, That in any city ~~((or town))~~ not having an official newspaper, such publication may be made in any newspaper of general circulation published therein, or in case there be no such newspaper, then in a newspaper published in the county in which such city ~~((or town))~~ is located and of general circulation in such city ~~((or town))~~.

Sec. 16. Section 1, chapter 53, Laws of 1957 as last amended by section 3, chapter 56, Laws of 1970 ex. sess. and RCW 14.08.112 are each amended to read as follows:

(1) Municipalities, including any governmental subdivision which may be hereafter authorized by law to own, control and operate an airport or other air navigation facility, are hereby authorized to issue revenue bonds to provide part or all of the funds required to accomplish the powers granted them by chapter 14.08 RCW, and to construct, acquire by purchase or condemnation, equip, add to, extend, enlarge, improve, replace and repair airports, facilities and structures thereon including but not being limited to facilities for the servicing of aircraft and for the comfort and accommodation of air travelers, and other properties incidental to the operation of airports and to pay all costs incidental thereto.

The legislative body of the municipality shall create a special fund for the sole purpose of paying the principal of and interest on the bonds of each issue, into which fund the legislative body shall obligate the municipality to pay an amount of the gross revenue derived from its ownership, control, use and operation of the airport and all airport facilities and structures thereon and used and operated in connection therewith, including but not being limited to fees charged for all uses of the airport and facilities, rentals derived from leases of part or all of the airport, buildings and any or all air navigation facilities thereon, fees derived from concessions granted, and proceeds of sales of part or all of the airport and any or all buildings and structures thereon or equipment therefor, sufficient to pay the principal and interest as the same shall become due, and to maintain adequate reserves therefor if necessary. Revenue bonds and the interest thereon shall be payable only out of and shall be a valid claim of the ~~((holder))~~ owner thereof only as against the special fund and the revenue pledged to it, and shall not constitute a general indebtedness of the municipality.

Each revenue bond and any interest coupon attached thereto shall name the fund from which it is payable and state upon its face that it is only payable therefrom; however, all revenue bonds and any interest coupons issued under RCW 14.08.112 and 14.08.114 shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state. Each issue of revenue bonds may be bearer coupon bonds or may be registered either as to principal only or as to principal and interest as provided in section 3 of this 1983 act; shall be in the denomination or denominations the legislative body of the municipality shall deem proper; shall be payable at the time or times and at the place or places as shall be determined by the legislative body; shall bear interest at such rate or rates as authorized by the legislative body; shall be signed on behalf of the municipality by the chairman of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, mayor of the city or town, president of the port commission, and similar officer of any other municipality, shall be attested by the county auditor, the clerk or comptroller of the city or town, the secretary of the port commission, and similar officer of any other municipality, one of which signatures may be a facsimile signature, and shall have the seal of the municipality impressed thereon; ~~((each of the))~~ any interest coupons attached thereto shall be signed by the facsimile signatures of said officials. Revenue bonds shall be sold in the manner as the legislative body of the municipality shall deem best, either at public or private sale.

The municipality at the time of the issuance of revenue bonds may provide covenants as it may deem necessary to secure and guarantee the payment of the principal thereof and interest thereon, including but not being limited to covenants to create a reserve fund or account and to authorize the payment or deposit of certain moneys therein for the purpose of securing or guaranteeing the payment of the principal and interest, to establish and maintain rates,

charges, fees, rentals and sales prices sufficient to pay the principal and interest and to maintain an adequate coverage over annual debt service, to appoint a trustee for the ((bondholders)) bond owners and a trustee for the safeguarding and disbursing of the proceeds of sale of the bonds and to fix the powers and duties of the trustee or trustees, and to make any and all other covenants as the legislative body may deem necessary to its best interest and that of its inhabitants to accomplish the most advantageous sale possible of the bonds. The legislative body may also provide that revenue bonds payable out of the same source or sources may later be issued on a parity with revenue bonds being issued and sold.

The legislative body of the municipality may include an amount for working capital and an amount necessary for interest during the period of construction of the airport or any facilities plus six months, in the principal amount of any revenue bond issue; if it deems it to be the best interest of the municipality and its inhabitants, it may provide in any contract for the construction or acquisition of an airport or facilities that payment therefor shall be made only in revenue bonds at the par value thereof.

If the municipality or any of its officers shall fail to carry out any of its or their obligations, pledges or covenants made in the authorization, issuance and sale of bonds, the ((holder)) owner of any bond or the trustee may bring action against the municipality and/or said officers to compel the performance of any or all of the covenants.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 17. Section 2, chapter 53, Laws of 1957 as last amended by section 4, chapter 56, Laws of 1970 ex. sess. and RCW 14.08.114 are each amended to read as follows:

When any municipality has outstanding revenue bonds or warrants payable solely from revenues derived from the ownership, control, use and operation of the airport and all its facilities and structures thereon used and operated in connection therewith, the legislative body thereof may provide for the issuance of funding or refunding bonds to fund or refund outstanding warrants or bonds or any part thereof at or before maturity, and may combine various outstanding warrants and various series and issues of outstanding bonds in the amount thereof to be funded or refunded and may issue funding or refunding bonds to pay any redemption premium and interest payable on the outstanding revenue warrants or bonds being funded or refunded. The legislative body of the municipality shall create a special fund for the sole purpose of paying the principal of and interest on funding or refunding bonds, into which fund the legislative body shall obligate the municipality to pay an amount of the gross revenue derived from its ownership, control, use and operation of the airport and all airport facilities and structures thereon as provided in RCW 14.08.112, sufficient to pay the principal and interest as the same shall become due, and to maintain adequate reserves therefor if necessary. Bonds and the interest thereon shall be payable only out of and shall be a valid claim of the ((holder)) owner thereof only as against the special fund and the revenue pledged to it, and shall not constitute a general indebtedness of the municipality.

The net interest cost to maturity on funding or refunding bonds shall be at such rate or rates as shall be authorized by the legislative body.

The municipality may exchange funding or refunding bonds at par for the warrants or bonds which are being funded or refunded, or it may sell the funding or refunding bonds in the manner as it shall deem for the best interest of the municipality and its inhabitants, either at public or private sale. Funding or refunding bonds shall be governed by and issued under and in accordance with the provisions of RCW 14.08.112 with respect to revenue bonds unless there is a specific provision to the contrary in this section.

Sec. 18. Section 26, chapter 153, Laws of 1957 as last amended by section 4, chapter 195, Laws of 1973 1st ex. sess. and RCW 17.28.260 are each amended to read as follows:

(1) A mosquito control district shall have the power to issue general obligation bonds and to pledge the full faith and credit of the district to the payment thereof, for any authorized purpose or purposes of the mosquito control district: PROVIDED, That a proposition authorizing the issuance of such bonds shall have been submitted to the electors of the mosquito control district at a special or general election and assented to by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said mosquito control district at the last preceding county or state general election.

General obligation bonds shall bear interest at a rate or rates as authorized by the board of trustees. The various annual maturities shall commence not more than two years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies.

Such bonds shall never be issued to run for a longer period than ten years from the date of issue and may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The bonds shall be signed by the presiding officer of the board of trustees of the district and shall be attested by the secretary of the board, one of which signatures may be a facsimile signature and the seal of the mosquito control district shall be impressed thereon. ~~((Each of the))~~ Any interest coupons shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities ~~((of the first class))~~ and towns and at a price not less than par and accrued interest.

There shall be levied by the officers or governing body now or hereafter charged by law with the duty of levying taxes in the manner provided by law an annual levy in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of the principal and interest on the said bonds maturing as herein provided upon all taxable property within the mosquito control district.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 19. Section 6, chapter 59, Laws of 1955 as amended by section 1, chapter 100, Laws of 1980 and RCW 27.12.060 are each amended to read as follows:

(1) The board of library trustees of this district may contract indebtedness, and evidence it by issuing and selling, at par plus accrued interest, ~~((coupon warrants))~~ general obligation bonds of the district in such form as the board of library trustees shall determine, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. ~~((Such warrants may be issued in advance of the tax levy.))~~ Such ~~((warrants))~~ bonds, signed by the chairman and the secretary of the board of library trustees, shall be payable at such times as the board of library trustees shall provide, but shall not ~~((longer than))~~ have maximum term in excess of six years ~~((from the date thereof)).~~

The ~~((warrants))~~ bonds shall ~~((be payable to bearer and shall have interest coupons attached providing))~~ provide for the payment of interest semiannually on the first day of January and of July. At the option of the district board, the aggregate amount of ~~((coupon warrants))~~ bonds may include a sum sufficient to pay the annual interest for a period not exceeding one year from the issuing date of the ~~((coupon warrants))~~ bonds and, in that event, such interest shall be taken from the proceeds of the sale of the ~~((coupon warrants))~~ bonds and immediately placed in the ~~((coupon warrant))~~ general obligation bond fund of the district for payment of ~~((the))~~ interest ~~((coupons maturing))~~ becoming due during the first year of the ~~((coupon warrants. The issuance thereof shall be recorded in the office of the county treasurer in a book kept for that purpose. All district warrants of every kind shall outlaw and become void after six years from their maturity date but only if there is money in the proper fund available for their payment within such period))~~ bonds.

(2) Notwithstanding subsection (1) of this section, such general obligation bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

(3) A rural county library district shall be a public corporation with such powers as are necessary to carry out its functions and for taxation purposes shall have the power vested in municipal corporations for such purposes.

Sec. 20. Section 2, chapter 59, Laws of 1955 as last amended by section 6, chapter 56, Laws of 1970 ex. sess. and RCW 27.12.223 are each amended to read as follows:

(1) Bonds authorized by RCW 27.12.222 shall be serial in form and maturity and numbered from one upward consecutively. Only bond No. 1 of any issue shall be of a denomination other than a multiple of one hundred dollars. The resolution authorizing the issuance of the bonds shall fix the rate or rates of interest the bonds shall bear, and the place and date of payment of principal and interest. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The bonds shall be signed by the chairman of the board of library trustees and attested by the secretary. Any coupons in lieu of being signed may bear the facsimile signature of such officers. Bonds shall be sold in such manner as the board of library trustees deems for the best interests of the district. All such bonds shall be legal securities for any bank or trust company for deposit with the state treasurer or any county or city treasurer as security for deposits in lieu of a surety bond under any law relating to deposits of public moneys.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 21. Section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010 are each amended to read as follows:

The board of directors of any school district may borrow money and issue negotiable ~~((coupon))~~ bonds therefor for the purpose of:

(1) Funding outstanding indebtedness or bonds theretofore issued; or

(2) For the purchase of sites for all buildings, playgrounds, physical education and athletic facilities and structures authorized by law or necessary or proper to carry out the functions of a school district; or

(3) For erecting all buildings authorized by law, including but not limited to those mentioned in subparagraph (2) immediately above or necessary or proper to carry out the functions of a school district, and providing the necessary furniture, apparatus, or equipment therefor; or

(4) For improving the energy efficiency of school district buildings and/or installing systems and components to utilize renewable and/or inexhaustible energy resources; or

(5) For major and minor structural changes and structural additions to buildings, structures, facilities and sites necessary or proper to carrying out the functions of the school district; or

(6) For any or all of these purposes.

Neither the amount of money borrowed nor bonds issued therefor shall exceed the limitation of indebtedness prescribed by chapter 39.36 RCW, as now or hereafter amended.

Bonds may be issued only when authorized by the vote of the qualified electors of the district as provided by law.

The bonds so issued shall be in such form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act, for such terms, bear such rate or rates of interest, be sold in such manner, and be payable and redeemable, as the board of directors shall determine in accordance with this chapter and chapter 39.44 RCW: PROVIDED, That such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 22. Section 28A.51.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.030 are each amended to read as follows:

(1) Upon receipt of a resolution from the board of directors of any school district authorizing the sale of all or any part of bonds authorized by an election as provided for in RCW 28A.51.020, the county treasurer of the county to which said school district belongs shall publish notice of the sale of the said bonds in accordance with the provisions of RCW 39.44.030. Said notices, in addition to such information as required in RCW 39.44.030, must give the amounts of bonds to be sold, the time to run, where payable, the option, if any, of the district to redeem, also naming the hour and day for considering bids, and asking bidders to name the price and rates of interest at which they will purchase such bonds or any of them. Such bonds may be issued in such denominations as provided for in RCW 39.44.011, and shall contain upon their faces the date and series of issue, rate or rates of interest, where payable, time to run, option, if any, of district to redeem and that the whole indebtedness of said district does not exceed the constitutional limit. Each bond so issued must be registered by the county treasurer, in a book to be kept for that purpose, which must show the number and such data as is necessary to secure a complete record of such bond, the series and amount of such bond, the person to whom the same is issued, the number of the district issuing, together with the names of directors signing the same; and the said bond shall be indorsed and bear a statement on the back thereof as provided in RCW 39.44.102: PROVIDED, That in the case of joint school districts the bond or bonds shall be registered by the treasurer of each county in which any part of such school district shall lie: PROVIDED, That these bonds may be registered as provided in section 3 of this 1983 act in lieu of being so registered with the county treasurer.

(2) Notwithstanding subsection (1) of this section, such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 23. Section 28A.51.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.055 are each amended to read as follows:

In addition to the authorization of the use of facsimile signatures in chapter 39.44 RCW, the board of directors of any school district authorized by vote of the electorate to issue bonds for capital purposes or the payment of validated indebtedness, or any officer required by law to sign such bonds, in the manner in RCW 28A.51.055 through 28A.51.058 provided, may authorize one or more bonded persons to affix the signature of the designating officer to such bonds and any coupons. When the signature of such officer is so affixed to any such bond or bonds pursuant to such designation, the bond or bonds shall bind the school district and all persons concerned as though the signature were made by the designating officer.

Sec. 24. Section 28A.51.070, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 257, Laws of 1979 ex. sess. and RCW 28A.51.070 are each amended to read as follows:

(1) At the time named in said notice it shall be the duty of said board of directors to meet with the county treasurer at his office, and with him open said bids, and sell said bonds or any portion thereof to the person or persons making the most advantageous offer: PROVIDED, That said bids and the acceptance or rejection thereof and the sale of such bonds shall be in conformance with the provisions of RCW 39.44.030. Upon the sale of the bonds, the board of directors, as soon thereafter as practicable, shall deliver the bonds, properly executed, to the county treasurer, taking his receipt therefor. The county treasurer, upon payment of the price agreed upon, shall deliver the same to the person or persons to whom sold, and place the moneys arising from such sale to the credit of the general school fund of the district: PROVIDED, That where the bonds have been sold for the purchase of a schoolhouse site or sites or building one or more schoolhouses and providing the same with all necessary furniture, apparatus or equipment, or for any or all of these purposes, he shall place the money derived from such sale to the credit of the building fund of the district, and such fund is hereby created. The board of directors may provide that costs incurred relating to the sale and issuance of the

bonds shall be paid from the bond proceeds. If the board of directors and the person or persons to whom the bonds are sold agree that the delivery of said bonds shall be in installments, the county treasurer shall hold said bonds, and deliver to purchasers only on written order of the board of directors to deliver at specified times the bonds designated by number and series.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 25. Section 28A.51.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.180 are each amended to read as follows:

(1) Whenever any bonds lawfully issued by any school district under the provisions of this chapter shall reach maturity and shall remain unpaid, or may be paid under any option provided in the bonds, the board of directors thereof shall have the power without any vote of the school district to fund the same by issuing ~~((coupon))~~ bonds conformable to the requirements of this chapter and sell the same at not less than their par value and use the proceeds exclusively for the purpose of retiring and canceling such outstanding bonds as aforesaid, or the said directors in their discretion may exchange such refunding bonds par for par for such outstanding bonds: PROVIDED, That such bonds shall be issued in such denominations as the school district issuing such bonds in its discretion shall determine and in accordance with RCW 39.44.011, shall be redeemable within the time provided by RCW 39.44.070, shall be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act, and shall draw a rate of interest not to exceed that allowed by law and as the school district issuing such bonds so designates.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 26. Section 28A.51.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.190 are each amended to read as follows:

Every holder of any of the bonds so issued as a bearer bond as provided in this chapter, within ten days after he shall become the owner or holder thereof, shall notify the county treasurer of the county in which such bonds are issued of his ownership, together with his full name and post office address, and the county treasurer of said county, in addition to the published notice in RCW 28A.51.210 provided for, shall deposit in the post office, properly stamped and addressed to each owner ~~((or holder))~~ of any such bonds subject to redemption or payment, a notice in like form, stating the time and place of the redemption of such bonds and the number of the bonds to be redeemed, and in case any owners of bonds shall fail to notify the treasurer of their ownership as aforesaid, then a notice mailed to the last holder of such bonds shall be deemed sufficient, and any and all such notices so mailed as aforesaid shall be deemed to be personal notice to the holders of such bonds, and at the expiration of the time therein named shall have the force to suspend the interest upon any such bonds.

Sec. 27. Section 28A.51.220, chapter 223, Laws of 1969 ex. sess. and RCW 28A.51.220 are each amended to read as follows:

If bonds issued under this chapter are not sold as in this chapter provided, the ~~((holders))~~ owners of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the date of the election may exchange said warrants at the face value thereof and accrued interest thereon for ~~((coupon))~~ bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

Sec. 28. Section 28A.52.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 43, Laws of 1975 and RCW 28A.52.050 are each amended to read as follows:

(1) If the indebtedness of such school district is validated and ratified, as provided in this chapter, by three-fifths of the voters voting at such election, the board of directors of such school district, without any further vote, may borrow money and issue negotiable ~~((coupon))~~ bonds therefor in accordance with the provisions of chapter 39.44 RCW. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

Except as provided in RCW 39.44.100 for facsimile signatures, in all school districts of the second class, said bonds ~~((with the coupons;))~~ must be signed by the board of directors and countersigned by the school district superintendent and in school districts of the first class said bonds, ~~((with the))~~ and any coupons, must be signed in the corporate name of the district by the president of the board of directors thereof.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 29. Section 28A.52.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.52.055 are each amended to read as follows:

When authorized to issue bonds, as provided in this chapter, the board of directors shall, at a meeting of such board, by resolution provide for the issue, sale, and disposition of the proceeds from the sale of such bonds, and the payment of interest and principal thereon, all in accordance with the provisions of chapter 39.44 RCW, and the money arising from the sale of the bonds issued under this chapter shall be applied as provided in RCW 28A.52.050: PROVIDED, That such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).



Sec. 30. Section 28A.52.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.52.060 are each amended to read as follows:

If bonds issued under this chapter are not sold as herein provided, the ~~((holders))~~ owners of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the time of the adoption of the resolution mentioned in RCW 28A.52.020, may exchange said warrants at the face value thereof and accrued interest thereon for ~~((coupon))~~ bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

Sec. 31. Section 28B.10.310, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 25, Laws of 1972 ex. sess. and RCW 28B.10.310 are each amended to read as follows:

Each issue or series of such bonds: Shall be sold at such price and at such rate or rates of interest; may be serial or term bonds; may mature at such time or times in not to exceed forty years from date of issue; may be sold at public or private sale; may be payable both principal and interest at such place or places; may be subject to redemption prior to any fixed maturities; may be in such denominations; may be payable to bearer or to the purchaser or purchasers thereof or may be registrable as to principal or principal and interest ~~((at the option of the holder))~~ as provided in section 3 of this 1983 act; may be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon, which may include the creation and maintenance of a reserve fund or account to secure the payment of such principal and interest and a provision that additional bonds payable out of the same source or sources may later be issued on a parity therewith, and such other terms, conditions, covenants and protective provisions safeguarding such payment, all as determined and found necessary and desirable by said boards of regents or trustees. If found reasonably necessary and advisable, such boards of regents or trustees may select a trustee for the owners ~~((and holders))~~ of each such issue or series of bonds and/or for the safeguarding and disbursements of the proceeds of their sale for the uses and purposes for which they were issued and, if such trustee or trustees are so selected, shall fix its or their rights, duties, powers, and obligations. The bonds of each such issue or series: Shall be executed on behalf of such universities or colleges by the president of the board of regents or the chairman of the board of trustees, and shall be attested by the secretary or the treasurer of such board, one of which signatures may be a facsimile signature; and shall have the seal of such university or college impressed, printed, or lithographed thereon, and ~~((the))~~ any interest coupons attached thereto shall be executed with the facsimile signatures of said officials. The bonds of each such issue or series and ~~((each))~~ any of the coupons attached thereto shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state even though they shall be payable solely from any special fund or funds.

Sec. 32. Section 28B.10.315, chapter 223, Laws of 1969 ex. sess. as last amended by section 23, chapter 56, Laws of 1970 ex. sess. and RCW 28B.10.315 are each amended to read as follows:

Such boards of regents or trustees may from time to time provide for the issuance of funding or refunding revenue bonds to fund or refund at or prior to maturity any or all bonds of other indebtedness, including any premiums or penalties required to be paid to effect such funding or refunding, heretofore or hereafter issued or incurred to pay all or part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300.

Such funding or refunding bonds and ~~((each of the))~~ any coupons attached thereto shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state.

Such funding or refunding bonds may be exchanged for or applied to the payment of the bonds or other indebtedness being funded or refunded or may be sold in such manner and at such price, and at such rate or rates of interest as the boards of regents or trustees deem advisable, either at public or private sale.

The provisions of this chapter relating to the maturities, terms, conditions, covenants, interest rate, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

Sec. 33. Section 28B.20.396, chapter 223, Laws of 1969 ex. sess. as last amended by section 25, chapter 56, Laws of 1970 ex. sess. and RCW 28B.20.396 are each amended to read as follows:

Bonds issued pursuant to the authority granted under subdivision (4) of RCW 28B.20.392—

(1) shall not constitute (a) an obligation, either general or special, of the state or (b) a general obligation of the University of Washington or of the board;

(2) shall be—

(a) either ~~((registered or))~~ in ~~((coupon))~~ bearer form or in registered form as provided in section 3 of this 1983 act, and

(b) issued in denominations of not less than one hundred dollars;

(3) shall state—

(a) the date of issue, and

(b) the series of the issue and be consecutively numbered within the series, and

(c) that the bond is payable only out of a special fund established for the purpose, and designate the fund;

(4) shall bear interest, payable either annually, or semiannually as the board may determine;

(5) shall be payable solely out of—

(a) revenue derived from operating, managing and leasing the university tract, and

(b) a special fund, created by the board for the purpose, consisting either of (i) a fixed proportion, or (ii) a fixed amount out of and not exceeding a fixed proportion, or (iii) a fixed amount without regard to any fixed proportion, of the revenue so derived;

(6) shall contain covenants by the board in conformity with the provisions of RCW 28B.20.398(2);

(7) shall be payable at such times over a period of not to exceed thirty years, in such manner and at such place or places as the board determines;

(8) shall be executed in such manner as the board by resolution determines;

(9) shall be sold in such manner as the board deems for the best interest of the University of Washington.

Sec. 34. Section 28B.20.398, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.398 are each amended to read as follows:

(1) Any resolution of the board pursuant to the provisions of subdivision (4) of RCW 28B.20.392 shall provide for the creation of a special fund, in conformity with the provisions of subdivision (5)(b) of RCW 28B.20.396.

(2) Any resolution authorizing the issuance of bonds pursuant to the provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 may contain covenants of the board to protect and safeguard the security and rights of the (~~holders~~) owners of any such bonds such as are then customary in connection with similar bonds and considered advisable in order to assure the maximum marketability for said bonds. Without limiting the generality of the foregoing, any such resolution may contain covenants as to—

(a) the creation of a special fund into which the proceeds of all bonds issued pursuant to the provisions of such resolution shall be deposited, the terms and conditions upon which payments may be made from such special fund, and for the payment of interest on bonds issued pursuant to such resolution from the moneys in said fund;

(b) maintaining rental and leasehold rates and other charges at a level sufficient at all times to provide revenue (i) to pay the interest on and principal of all bonds and other obligations payable from said revenue, (ii) to make all other payments from said revenues required under the provisions of any resolution adopted in connection with the issuance of warrants or bonds under RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 and (iii) to pay the operating, management, maintenance, repair and upkeep costs of the university tract;

(c) collection, deposit, custody and disbursement of the revenues from the university tract or any portions thereof including (i) a specification of the depositaries to be designated, and (ii) authorization of such depositaries, or other banks or trust companies, to act as fiscal agent of the board for the custody of the proceeds of bonds and the moneys held in any funds created pursuant to RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398, or any resolution authorizing such bonds, and to represent (~~bondholders~~) bond owners in the event of a default on such bonds or in the event of a default in the performance of any duty or obligation of the board in connection therewith, with such power and duty as such resolution may provide;

(d) creation and administration of reserve and other funds for the payment, at or prior to maturity, of any indebtedness chargeable against the revenues from the university tract and for creation of working funds, depreciation funds, replacement funds, reserves for extraordinary repairs and any other fund deemed necessary or desirable to insure the continued profitable operation of the said university tract;

(e) deposit of collateral security or indemnity bonds to secure the proceeds (i) of bonds issued pursuant to the provisions of such resolution and (ii) of all revenues which are pledged to secure the repayment of bonds issued pursuant to the provisions of such resolution and (iii) of all moneys deposited in any special fund created under the authority of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 or any covenant thereunder;

(f) the obligation of the board to maintain the building or buildings in good condition and to operate and manage the same in an economical and efficient manner;

(g) the amount and kind of insurance to be carried by the board in connection with the building or buildings, the companies in which such insurance shall be carried, the term thereof, the application of the proceeds of any such insurance, and adjustments of losses under any such policy of insurance;

(h) limitations upon the amount of additional bonds, warrants and other obligations payable out of the revenues from the building or buildings which may be thereafter issued and the terms and conditions upon which such additional bonds, warrants or other obligations may be issued;

(i) limitations upon the creation of additional liens or encumbrances on the building or buildings or the personal property used in connection therewith;

(j) the terms and conditions upon which the building or buildings, or any part thereof, may be sold, mortgaged, leased or otherwise disposed of, and the use or other disposition of the proceeds of any such sale, mortgage or lease;

(k) the methods of operation, management and maintenance of the building or buildings;

(l) accounting and auditing and the keeping of records, reports and audits with respect to the building or buildings;

(m) the amendment or modification of any resolution authorizing the issuance of bonds pursuant to the provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398, including the terms and conditions upon which such amendment or modification may be effected and the number, amount or percentage of assenting bonds necessary to effectuate the same;

(n) limitations upon the use of space or facilities in the building or buildings without payment therefor; and

(o) such other matters as may be necessary or desirable to insure a successful and profitable operation of the building or buildings.

(3) The term 'building or buildings' as used in subdivision (2) of this section means the building or buildings or improvements upon the university tract with respect to which the revenues are pledged, under the terms of the resolution, to secure the payment of bonds issued under such resolution.

(4) The provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 and of any resolution adopted in conformity with the provisions of this section shall constitute a contract with the ~~((holders))~~ owners of warrants or bonds issued pursuant thereto, and the provisions thereof shall be enforceable in any court of competent jurisdiction by any owner ~~((or holder))~~ of such warrants or bonds by mandamus or any other appropriate suit, action or proceeding at law or in equity.

(5) Bonds issued pursuant to the provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 may be redeemed, at the option of the board, at such time or times, upon such terms and conditions, and at such premiums as the board specifies in the resolution.

(6) If the board fails to pay the required amounts into the special fund, established in conformity with subdivision (2) of this section, the ~~((holder))~~ owner of any bond or bonds affected thereby may maintain an action against the board to compel compliance with the terms of the resolution in this respect.

(7) Pending the preparation and execution of any bonds the issuance of which is authorized under the provisions of subdivision (2), temporary bonds may be issued in such form as the board determines.

Sec. 35. Section 35.22.590, chapter 7, Laws of 1965 and RCW 35.22.590 are each amended to read as follows:

(1) Whenever the issuance or sale of bonds or other obligations of any city of the first class has been authorized by vote of the people, as provided by any existing charter or laws, for any special improvement or purpose, the proceeds of the sale of such bonds including premiums if any shall be carried in a special fund to be devoted to the purpose for which such bonds were authorized, and no portion of such bonds shall be transferred or diverted to any other fund or purpose: PROVIDED, That nothing herein shall be held to prevent the transfer to the interest and redemption fund of any balance remaining in the treasury after the completion of such improvement or purpose so authorized: PROVIDED FURTHER, That nothing herein shall prevent the city council from disposing of such bonds, or any portion thereof, in such amounts and at such times as it shall direct, but no such bonds shall be sold for less than par. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 36. Section 35.37.090, chapter 7, Laws of 1965 and RCW 35.37.090 are each amended to read as follows:

(1) All general indebtedness bonds and any coupons shall be printed, engraved, or lithographed on good bond paper, signed by the mayor and attested by the clerk under the seal of the city or town. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 37. Section 35.37.100, chapter 7, Laws of 1965 and RCW 35.37.100 are each amended to read as follows:

General indebtedness bonds shall be sold in the manner the city or town authorities deem for the best interest of the city or town. ~~((The city or town treasurer shall keep a register of all bonds showing the number, date, amount, interest, name of payee, and when and where payable of every bond executed, issued and sold under this chapter.))~~

Sec. 38. Section 35.37.120, chapter 7, Laws of 1965 and RCW 35.37.120 are each amended to read as follows:

If the council of any city or town which has issued general indebtedness bonds fails to make any levy necessary to ~~((pay))~~ make principal or interest payments due on the bonds

~~((and interest coupons at maturity)),~~ the owner of any bond or ~~((coupon))~~ interest payment which has been presented to the treasurer and payment thereof refused because of the failure to make a levy may file the bond together with ~~((all))~~ any unpaid coupons with the county auditor, taking his receipt therefor.

The county auditor shall register bonds so filed ~~((in like manner and form as they were originally registered by the city or town treasurer of the city or town which issued them)),~~ and the county ~~((commissioners))~~ legislative authority at ~~((their))~~ its next session at which ~~((they levy))~~ it levies the annual county tax shall add to the city's or town's levy a sum sufficient to realize the amount of principal and interest past due and to become due prior to the next annual levy to be collected and held by the county treasurer and paid out only upon warrants drawn by the county auditor as the payments mature in favor of the owner of the bond as shown by the auditor's register. Similar levies shall be made in each succeeding year until the bonds and any coupons or interest payments are fully satisfied.

This remedy is alternative and in addition to any other remedy which the owner of such a bond or coupon may have.

Sec. 39. Section 35.41.030, chapter 7, Laws of 1965 as last amended by section 2, chapter 223, Laws of 1971 ex. sess. and RCW 35.41.030 are each amended to read as follows:

If the legislative body of a city or town deems it advisable to purchase, lease, condemn, or otherwise acquire, construct, develop, improve, extend, or operate any land, building, facility, or utility, and adopts an ordinance authorizing such purchase, lease, condemnation, acquisition, construction, development, improvement and to provide funds for defraying all or a portion of the cost thereof from the proceeds of the sale of revenue bonds, and such ordinance has been ratified by the voters of the city or town in those instances where the original acquisition, construction, or development of such facility or utility is required to be ratified by the voters under the provisions of RCW 35.67.030 and 35.92.070, such city or town may issue revenue bonds against the special fund or funds created solely from revenues. The revenue bonds so issued shall:

(1) Be registered bonds, as provided in section 3 of this 1983 act, of ~~((coupon))~~ bearer bonds;

(2) Be issued in such denominations as determined by the legislative body of the city or town;

(3) Be numbered from one upwards consecutively;

(4) Bear the date of their issue;

(5) Be serial or term bonds and the final maturity thereof shall not extend beyond the reasonable life expectancy of the facility or utility;

(6) Bear interest at such rate or rates as authorized by the legislative body of the city or town, with interest coupons attached unless such bonds are registered as to interest, in which no case no interest coupons need be attached;

(7) Be payable as to principal and interest at such place or time as may be designated therein;

(8) State upon their face that they are payable from a special fund, naming it, and the ordinance creating it, and that they do not constitute a general indebtedness of the city or town;

(9) Be signed by the mayor and bear the seal of the city or town and be attested by the clerk: PROVIDED, That the facsimile signatures of the mayor and clerk may be used when the ordinance authorizing the issuance of such bonds provides for the signatures thereof by an authenticating officer; and

(10) Be printed upon good bond paper; PROVIDED, That notwithstanding the provisions of this section, such revenue bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 40. Section 35.41.050, chapter 7, Laws of 1965 and RCW 35.41.050 are each amended to read as follows:

(1) Revenue warrants may be issued and such warrants and interest thereon may be payable out of the special fund or refunded through the proceeds of the sale of revenue bonds. Every revenue warrant and the interest thereon issued against the special fund shall be a valid claim of the ~~((holder))~~ owner thereof only as against that fund and the amount of revenue pledged to the fund, and shall not constitute an indebtedness of the city or town. Every revenue warrant shall state on its face that it is payable from a special fund, naming it and the ordinance creating it. Such warrants may be in any form, including bearer warrants or registered warrants as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 41. Section 35.45.030, chapter 7, Laws of 1965 as amended by section 1, chapter 44, Laws of 1967 ex. sess. and RCW 35.45.030 are each amended to read as follows:

(1) Local improvement bonds shall be in such denominations as may be provided in the ordinance authorizing their issue and shall be numbered from one upwards consecutively. Each bond shall ~~((+))~~ (a) be signed by the mayor and attested by the clerk, ~~((?))~~ (b) have the seal of the city or town affixed thereto, ~~((@))~~ (c) refer to the improvement to pay for which it is

issued and the ordinance ordering it, ~~((4))~~ (d) provide that the principal sum therein named and the interest thereon shall be payable out of the local improvement fund created for the cost and expense of the improvement, or out of the local improvement guaranty fund, or, with respect to interest only, out of the general revenues of the city or town, and not otherwise. ~~((5))~~ (e) provide that the ~~(bondholders)~~ bond owners' remedy in case of nonpayment shall be confined to the enforcement of the special assessments made for the improvement and to the guaranty fund, and ~~((6)) have attached thereto interest coupons for each interest payment~~ (f) be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

~~((The))~~ Any interest coupons may be signed by the mayor and attested by the clerk, or in lieu thereof, may have printed thereon a facsimile of their signatures.

(2) Notwithstanding subsection (1) of this section, but subject to RCW 35.45.010, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 42. Section 35.45.040, chapter 7, Laws of 1965 as amended by section 2, chapter 323, Laws of 1981 and RCW 35.45.040 are each amended to read as follows:

(1) Local improvement bonds may be issued to the contractor or sold by the officers authorized by the ordinance directing their issue to do so, in the manner prescribed therein at the price established by the legislative authority of the city or town. Any portion of the bonds of any issue remaining unsold may be issued to the contractor constructing the improvement in payment thereof.

The proceeds of all sales of bonds shall be applied in payment of the cost and expense of the improvement.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 43. Section 35.45.050, chapter 7, Laws of 1965 as amended by section 11, chapter 116, Laws of 1971 ex. sess. and RCW 35.45.050 are each amended to read as follows:

Except when bonds have been issued with a fixed maturity schedule or with a fixed maximum annual retirement schedule as authorized in RCW 35.45.020, the city or town treasurer shall call in and pay the principal of one or more bonds of any issue in their numerical order whenever there is sufficient money in any local improvement fund, against which the bonds have been issued, over and above that which is sufficient for the payment of interest on all unpaid bonds of that issue. The call shall be made for publication in the city or town official newspaper in its first publication following the date of delinquency of any installment of the assessment or as soon thereafter as practicable. The call shall state that bonds No. . . . (giving the serial number or numbers of the bonds called) will be paid on the day the next interest ~~((coupons on the bonds become))~~ payments are due and that interest on those bonds will cease upon that date.

Sec. 44. Section 2, chapter 93, Laws of 1970 ex. sess. as amended by section 2, chapter 156, Laws of 1981 and by section 4, chapter 323, Laws of 1981 and RCW 35.45.150 are each re-enacted and amended to read as follows:

In addition to the issuance of bonds and warrants in payment of the cost and expense of any local improvement, any city or town may also issue and sell installment notes payable out of the local improvement district fund. Such installment notes may be issued any time after the thirty day period allowed by law for the payment of assessments of any district without penalty or interest, and may bear any denomination or denominations, the aggregate of which shall represent the balance of the cost and expense of the local improvement district which is to be borne by the property owners therein.

Application of local improvement district funds for the reduction of the principal and interest amounts due on any notes herein provided to finance said improvement shall be made not less than once each year beginning with the issue date thereof. Appropriate notification of such application of funds shall be made by the city or town treasurer to the registered payees of said notes, except those notes owned by funds of the issuing municipality. Such notes may be registered as provided in section 3 of this 1983 act. If more than one local improvement installment note is issued for a single district, said notes shall be numbered consecutively. All notes issued shall bear on the face thereof: (1) The name of the payee; (2) the number of the local improvement district from whose funds the notes are payable; (3) the date of issue of each note; (4) the date on which the note, or the final installment thereon shall become due; (5) the rate or rates of interest, ~~((not to exceed twelve percent))~~ as provided by the city or town legislative authority, to be paid on the unpaid balance thereof, and; (6) such manual or facsimile signatures and attestations as are required by state statute or city charter to appear on the warrants of each issuing municipality.

The reverse side of each installment note issued pursuant to this section shall bear a tabular payment record which shall indicate at prescribed installment dates, the receipt of any local improvement district funds for the purpose of servicing the debt evidenced by said notes. Such receipts shall first be applied toward the interest due on the unpaid balance of the note, and any additional moneys shall thereafter apply as a reduction of the principal amount thereof. The tabular payment record shall, in addition to the above, show the unpaid principal

balance due on each installment note, together with sufficient space opposite each transaction affecting said note for the manual signature of the city's or town's clerk, treasurer or other properly designated receiving officer of the municipality, or of any other registered payee presenting said note for such installment payments.

Whenever there are insufficient funds in a local improvement district to meet any payment of installment interest due on any note herein authorized, a noninterest-bearing defaulted installment interest certificate shall be issued by the city or town treasurer which shall consist of a written statement certifying the amount of such defaulted interest installment; the name of the payee of the note to whom the interest is due and the number of the local improvement district from whose funds the note and interest thereon is payable. Such certificates may be registered as provided in section 3 of this 1983 act. The certificate herein provided shall bear the manual signature of the city or town treasurer or his authorized agent. The defaulted installment interest certificate so issued shall be redeemed for the face amount thereof with any available funds in the local improvement guaranty fund.

Whenever at the date of maturity of any installment note issued pursuant to this section, there are insufficient funds in a local improvement district, due to delinquencies in the collection of assessments, to pay the final installment of the principal due thereon, the note shall be redeemed with any available funds in the local improvement guaranty fund for the amount of said final installment.

All certificates and notes issued pursuant to this section are to become subject to the same redemption privileges as apply to any local improvement district bonds and warrants now accorded the protection of the local improvement guaranty fund as provided in chapter 35.54 RCW, and whenever the certificates or notes issued as herein provided are redeemed by said local improvement guaranty fund, they shall be held therein as investments thereof in the same manner as prescribed for other defaulted local improvement district obligations.

Notwithstanding any other statutory provisions, local improvement installment notes authorized by this section which are within the protection of the local improvement guaranty fund law shall be considered legal investments for any available surplus funds of the issuing municipality which now or hereafter may be authorized to be invested in the city's or town's local improvement districts' bonds or warrants and shall be considered legal investments for all national and state banks, savings and loan institutions, and any and all other commercial banking or financial institutions to the same extent that the local improvement district bonds and any coupons issued pursuant to the provisions of this chapter have been and are legal investments for such institutions. Any such local improvement installment notes may be transferred or sold by said city or town upon such terms or conditions and in such manner as the local governing body of said city or town may determine, or may be issued to another fund of the city or town: PROVIDED, HOWEVER, That the same shall not be sold at less than par plus accrued interest.

Notwithstanding the provisions of this section, such notes and certificates may be issued, and such notes may be sold, in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 45. Section 35.48.020, chapter 7, Laws of 1965 and RCW 35.48.020 are each amended to read as follows:

Any moneys in such revolving fund may be used for the purchase of unpaid delinquent local improvement warrants, or bonds and interest payments, or bonds and interest coupons thereon, issued by the city or town, payable from a local improvement district fund or condemnation award fund, to which the local improvement guaranty fund law is not applicable. If the assessment, or last installment thereof, against which the bonds or warrants have been issued, has been delinquent not more than thirty-two years. The maximum purchase price to be paid for said bonds or warrants shall be fixed by the municipality, and may from time to time be changed but shall never exceed fifty percent of the face value of the bonds, interest payments, interest coupons, or warrants: PROVIDED, That no warrants shall be issued payable from the revolving fund unless there is sufficient cash in said fund available for payment of such warrants.

Sec. 46. Section 7, chapter 270, Laws of 1975 1st ex. sess. as amended by section 1, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.2721 are each amended to read as follows:

(1) 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. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

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, as now or hereafter amended. The preceding sentence notwithstanding, not more than ten percent of the motor vehicle excise taxes levied and collected pursuant to RCW 35.58.273 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 May 14, 1979, and no motor vehicle excise taxes may be pledged for bonds issued on or after May 14, 1979.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 47, Section 1, chapter 11, Laws of 1970 ex. sess. as last amended by section 24, chapter 195, Laws of 1973 1st ex. sess. and RCW 35.58.450 are each amended to read as follows:

(1) Notwithstanding the limitations of chapter 39.36 RCW and any other statutory limitations otherwise applicable and limiting municipal debt, a metropolitan municipal corporation shall have the power to authorize and to issue general obligation bonds and to pledge the full faith and credit of the corporation to the payment thereof, for any authorized capital purpose of the metropolitan municipal corporation: PROVIDED, That a proposition authorizing the issuance of any such bonds to be issued in excess of three-fourths of one percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015, shall have been submitted to the electors of the metropolitan municipal corporation at a special election and assented to by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the value of the taxable property therein, as the term 'value of the taxable property' is defined in RCW 39.36.015. Both principal of and interest on such general obligation bonds may be made payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the constitutional and/or statutory tax limit or may be made payable from any other taxes or any special assessments which the metropolitan municipal corporation may be authorized to levy or from any other otherwise unpledged revenue which may be derived from the ownership or operation of properties or facilities incident to the performance of the authorized function for which such bonds are issued or may be made payable from any combination of the foregoing sources. The metropolitan council may include in the principal amount of such bond issue an amount for engineering, architectural, planning, financial, legal, urban design and other services incident to acquisition or construction solely for authorized capital purposes and may include an amount to establish a guaranty fund for revenue bonds issued solely for capital purposes.

General obligation bonds shall be sold as provided in RCW 39.44.030 and shall mature in not to exceed forty years from the date of issue. The various annual maturities shall commence not more than five years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

Such bonds shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature and the seal of the metropolitan corporation shall be impressed or imprinted thereon. ~~((Each of the))~~ Any interest coupons which may be attached shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities ~~((of the first class))~~ and towns at a price not less than par and accrued interest.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 48, Section 35.58.460, chapter 7, Laws of 1965 as last amended by section 8, chapter 70, Laws of 1974 ex. sess. and RCW 35.58.460 are each amended to read as follows:

(1) A metropolitan municipal corporation may issue revenue bonds to provide funds to carry out its authorized metropolitan water pollution abatement, water supply, garbage disposal or transportation purposes, without submitting the matter to the voters of the metropolitan

municipal corporation. The metropolitan council shall create a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the metropolitan council may obligate the metropolitan municipal corporation to pay such amounts of the gross revenue of the particular utility constructed, acquired, improved, added to, or repaired out of the proceeds of sale of such bonds, as the metropolitan council shall determine and may obligate the metropolitan municipal corporation to pay such amounts out of otherwise unpledged revenue which may be derived from the ownership, use or operation of properties or facilities owned, used or operated incident to the performance of the authorized function for which such bonds are issued or out of otherwise unpledged fees, tolls, charges, tariffs, fares, rentals, special taxes or other sources of payment lawfully authorized for such purpose, as the metropolitan council shall determine. The principal of, and interest on, such bonds shall be payable only out of such special fund or funds, and the owners ~~((and holders))~~ of such bonds shall have a lien and charge against the gross revenue of such utility or any other revenue, fees, tolls, charges, tariffs, fares, special taxes or other authorized sources pledged to the payment of such bonds.

Such revenue bonds and the interest thereon issued against such fund or funds shall be a valid claim of the ~~((holders))~~ owners thereof only as against such fund or funds and the revenue pledged therefor, and shall not constitute a general indebtedness of the metropolitan municipal corporation.

Each such revenue bond shall state upon its face that it is payable from such special fund or funds, and all revenue bonds issued under this chapter shall be negotiable securities within the provisions of the law of this state. Such revenue bonds may be registered either as to principal only or as to principal and interest as provided in section 3 of this 1983 act, or may be bearer bonds; shall be in such denominations as the metropolitan council shall deem proper; shall be payable at such time or times and at such places as shall be determined by the metropolitan council; shall bear interest at such rate or rates as shall be determined by the metropolitan council; shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature, and the seal of the metropolitan municipal corporation shall be impressed or imprinted thereon; ~~((each of the))~~ any attached interest coupons shall be signed by the facsimile signatures of said officials.

Such revenue bonds shall be sold in such manner, at such price and at such rate or rates of interest as the metropolitan council shall deem to be for the best interests of the metropolitan municipal corporation, either at public or private sale.

The metropolitan council may at the time of the issuance of such revenue bonds make such covenants with the ~~((purchasers and holders))~~ owners of said bonds as it may deem necessary to secure and guarantee the payment of the principal thereof and the interest thereon, including but not being limited to covenants to set aside adequate reserves to secure or guarantee the payment of such principal and interest, to maintain rates sufficient to pay such principal and interest and to maintain adequate coverage over debt service, to appoint a trustee or trustees for the ~~((bondholders))~~ bond owners to safeguard the expenditure of the proceeds of sale of such bonds and to fix the powers and duties of such trustee or trustees and to make such other covenants as the metropolitan council may deem necessary to accomplish the most advantageous sale of such bonds. The metropolitan council may also provide that revenue bonds payable out of the same source may later be issued on a parity with revenue bonds being issued and sold.

The metropolitan council may include in the principal amount of any such revenue bond issue an amount to establish necessary reserves, an amount for working capital and an amount necessary for interest during the period of construction of any such metropolitan facilities plus six months. The metropolitan council may, if it deems it to be the best interest of the metropolitan municipal corporation, provide in any contract for the construction or acquisition of any metropolitan facilities or additions or improvements thereto or replacements or extensions thereof that payment therefor shall be made only in such revenue bonds at the par value thereof.

If the metropolitan municipal corporation shall fail to carry out or perform any of its obligations or covenants made in the authorization, issuance and sale of such bonds, the ~~((holder))~~ owner of any such bond may bring action against the metropolitan municipal corporation and compel the performance of any or all of such covenants.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 49. Section 6, chapter 110, Laws of 1967 and RCW 35.59.060 are each amended to read as follows:

(1) To carry out the purposes of this chapter any municipality shall have the power to appropriate and/or expend any public moneys available therefor and to issue general obligation bonds within the limitations now or hereafter prescribed by the Constitution and laws of this state. Such general obligation bonds shall be authorized, executed, issued and made payable as provided in Title 39 RCW. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. If the governing body of any municipality shall submit a proposition for the approval of general obligation bonds at any general



or special election and shall declare in the ordinance or resolution setting forth such proposition that its purpose is the creation of a single integrated multi-purpose community center or a city-wide or county-wide system of such centers, all pursuant to this chapter, and that the creation of such center or system of centers constitutes a single purpose, such declaration shall be presumed to be correct and, upon the issuance of the bonds, such presumption shall become conclusive. The governing body of the issuing municipality may include in the principal amount of such bond issue an amount for engineering, architectural, planning, financial, legal, and other services incident to the acquisition or construction of multi-purpose community centers.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 50. Section 7, chapter 110, Laws of 1967 and RCW 35.59.070 are each amended to read as follows:

(1) To carry out the purposes authorized by this chapter the legislative body of any municipality shall have the power to issue revenue bonds, and to create a special fund or funds for the sole purpose of paying the principal of and interest on such bonds into which fund or funds the legislative body may obligate the municipality to pay all or part of the revenues derived from any one or more facilities or properties which will form part of the multi-purpose community center. The provisions of chapter 35.41 RCW not inconsistent with this chapter shall apply to the issuance and retirement of any revenue bonds issued for the purposes authorized in this chapter and for such purposes any municipality shall have and may exercise the powers, duties, and functions incident thereto held by cities and towns under such chapter 35.41 RCW. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The legislative body of any municipality may fix the denominations of such bonds in any amount and the manner of executing such bonds, and may take such action as may be necessary and incidental to the issuance of such bonds and the retirement thereof.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 51. Section 35.60.040, chapter 7, Laws of 1965 and RCW 35.60.040 are each amended to read as follows:

(1) Any bonds to be issued by any municipality pursuant to the provisions of RCW 35.60-.030, shall be authorized and issued in the manner and within the limitations prescribed by the Constitution and laws of this state or charter of the municipality for the issuance and authorization of bonds thereof for public purposes generally and secured by a general tax levy as provided by law: PROVIDED, That the provisions of RCW 39.44.070 and 36.67.040 shall not apply to such bond issues. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 52. Section 35.61.100, chapter 7, Laws of 1965 as amended by section 14, chapter 42, Laws of 1970 ex. sess. and RCW 35.61.100 are each amended to read as follows:

Every metropolitan park district through its board of commissioners may contract indebtedness, and evidence this indebtedness by issuing warrants, short-term obligations as provided in chapter 39.50 RCW, or general obligation bonds, for park, boulevard, aviation landings, playgrounds and parkway purposes, and the extension and maintenance thereof, not exceeding three-fortieths of one percent of the value of the taxable property in such metropolitan park district, as the term 'value of the taxable property' is defined in RCW 39.36.015.

Sec. 53. Section 35.61.160, chapter 7, Laws of 1965 and RCW 35.61.160 are each amended to read as follows:

(1) If incurring the indebtedness and issuing bonds therefor has been approved by the people, the commissioners of such metropolitan park district may issue the negotiable bonds of such district for the amount of such indebtedness and may dispose of said bonds either in payment of such indebtedness, or may advertise and sell said bonds in the open market for cash, but in no event shall said bonds be disposed of or negotiated at less than par. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 54. Section 35.61.170, chapter 7, Laws of 1965 as last amended by section 41, chapter 56, Laws of 1970 ex. sess. and RCW 35.61.170 are each amended to read as follows:

(1) Metropolitan park district bonds shall be in denominations of not less than one hundred dollars nor more than one thousand dollars. They shall bear the date of issue, and bear interest at a rate or rates as authorized by the metropolitan park district, payable annually ~~(with coupons attached, for each interest payment)~~. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. They shall be numbered from one consecutively and shall be payable in the order of their number beginning with bond

numbered one. The bonds shall be payable as therein designated in any city of the United States having a national bank.

The bonds and ~~((each))~~ any coupon shall be signed by the president of the board of park commissioners and shall be attested by the clerk of the board. The bonds shall be printed, engraved, or lithographed on good bond paper, and the bond shall state on its face that it is issued in accordance, and in strict compliance, with an act of the legislature of the state of Washington, entitled: 'An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency,' approved March 11, 1907, and reenacted on March 22, 1943.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 55. Section 35.61.180, chapter 7, Laws of 1965 and RCW 35.61.180 are each amended to read as follows:

~~((Before the bonds are delivered to the purchaser, they shall be presented to the county treasurer who shall register them in a book kept for that purpose and known as the "metropolitan park bond register," in which register shall be entered the number of each bond, date of issue and maturity, amount, rate of interest, to whom and when payable.))~~ The county treasurer shall receive no compensation other than his regular salary for receiving and disbursing the funds of a metropolitan park district. ~~((The board of park commissioners shall keep a register of such bonds similar to that provided for the county treasurer.))~~

Sec. 56. Section 35.61.200, chapter 7, Laws of 1965 and RCW 35.61.200 are each amended to read as follows:

~~((The))~~ Any coupons for the payment of interest on metropolitan park district bonds shall be considered for all purposes as warrants drawn upon the metropolitan park district fund against which the bonds were issued, and when presented after maturity to the treasurer of the county having custody of the fund. If there are no funds in the treasury to pay the coupons, the county treasurer shall endorse said coupons as presented for payment, in the same manner as county warrants are endorsed, and thereafter the coupon shall bear interest at the same rate as the bond to which it was attached. If there are no funds in the treasury to make payment on a bond not having coupons, the interest payment shall continue bearing interest at the bond rate until it is paid, unless otherwise provided in the proceedings authorizing the sale of the bonds.

Sec. 57. Section 35.67.080, chapter 7, Laws of 1965 as last amended by section 42, chapter 56, Laws of 1970 ex. sess. and RCW 35.67.080 are each amended to read as follows:

The bonds shall: (1) Be registered bonds as provided in section 3 of this 1983 act or coupon bonds, (2) be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, (3) be numbered from one upwards consecutively, (4) bear the date of their issue, (5) be serial in form finally maturing not more than thirty years from date, (6) bear interest at the rate or rates as authorized by the legislative body of the city or town, payable annually or semiannually, ~~((with interest coupons attached.))~~ and the principal and interest shall be made payable at such place as may be designated: PROVIDED, That such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 58. Section 35.67.090, chapter 7, Laws of 1965 and RCW 35.67.090 are each amended to read as follows:

The bonds and ~~((each))~~ any coupon shall be signed by the mayor and attested by the clerk, and the seal of such city or town shall be affixed to each bond, but not ~~((the))~~ any coupons. Signatures on ~~((the))~~ any coupons may be printed or lithographic facsimile of the signatures of said officials. Said bonds shall be printed, engraved or lithographed, on good bond paper.

Sec. 59. Section 35.67.140, chapter 7, Laws of 1965 as last amended by section 43, chapter 56, Laws of 1970 ex. sess. and RCW 35.67.140 are each amended to read as follows:

A city or town may issue revenue bonds against the special fund or funds created solely from revenues. The revenue bonds so issued shall: (1) Be registered bonds as provided in section 3 of this 1983 act or coupon bonds, (2) be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, (3) be numbered from one upwards consecutively, (4) bear the date of their issue, (5) be serial in form finally maturing not more than thirty years from their date, (6) bear interest at the rate or rates as authorized by the legislative body of the city or town, payable annually or semiannually, ~~((with interest coupons attached.))~~ (7) be payable as to principal and interest at such place as may be designated therein, and (8) shall state upon their face that they are payable from a special fund, naming it and the ordinance creating it: PROVIDED, That such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 60. Section 35.67.150, chapter 7, Laws of 1965 and RCW 35.67.150 are each amended to read as follows:

Every revenue bond and any coupon shall be signed by the mayor and attested by the clerk. The seal of the city or town shall be attached to all bonds but not to ~~((the))~~ any coupons. Signatures on ~~((the))~~ any coupons may be printed or may be the lithographic facsimile of the signatures. The bonds shall be printed, engraved or lithographed upon good bond paper.

Sec. 61. Section 35.67.180, chapter 7, Laws of 1965 and RCW 35.67.180 are each amended to read as follows:

If a city or town fails to set aside and pay into the special fund created for the payment of revenue bonds and warrants the amount which it has obligated itself in the ordinance creating the fund to set aside and pay therein, the (~~holder~~) owner of any bond or warrant issued against the fund may bring suit against the city or town to compel it to do so.

Sec. 62. Section 35.73.060, chapter 7, Laws of 1965 as last amended by section 9, chapter 156, Laws of 1981 and RCW 35.73.060 are each amended to read as follows:

(1) The city may, in its discretion, by general or special ordinance, or both, instead of requiring immediate payment for the said work to be made by the owners of property included in the assessment roll, authorize the issuance of interest bearing bonds or warrants of the local improvement district, payable on or before a date not to exceed twelve years from and after their date. The bonds may be issued subject to call, the amount of the said assessment to be payable in installments or otherwise, and the bonds to be of such terms as may be provided in the ordinances and to bear interest at such rate or rates as may be prescribed in the ordinances. Such bonds or warrants may be of any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds or warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 63. Section 35.73.070, chapter 7, Laws of 1965 and RCW 35.73.070 are each amended to read as follows:

The bonds or warrants shall be payable only from the fund created by the special assessments upon the property in the local improvement district, and the (~~holder~~) owner of any bond or warrant shall look only to (~~that~~) this fund for the payment of the principal and interest thereof and shall have no claim or lien therefor against the city by which the same was issued except from that fund.

Sec. 64. Section 35.81.100, chapter 7, Laws of 1965 as last amended by section 44, chapter 56, Laws of 1970 ex. sess. and RCW 35.81.100 are each amended to read as follows:

(1) A municipality shall have the power to issue bonds from time to time in its discretion to finance the undertaking of any urban renewal project under this chapter, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans for urban renewal projects, and shall also have power to issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall not pledge the general credit of the municipality and shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality derived from, or held in connection with, its undertaking and carrying out of urban renewal projects under this chapter: PROVIDED, That payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source, in aid of any urban renewal projects of the municipality under this chapter.

(2) Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and shall not be subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued under the provisions of this chapter are declared to be issued for an essential public and governmental purpose, and together with interest thereon and income therefrom, shall be exempted from all taxes.

(3) Bonds issued under this section shall be authorized by resolution or ordinance of the local governing body and may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered as provided in section 3 of this 1983 act, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

(4) Such bonds may be sold at not less than ninety-eight percent of par at public or private sale, or may be exchanged for other bonds on the basis of par: PROVIDED, That such bonds may be sold to the federal government at private sale at not less than par and, in the event less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at public or private sale at not less than ninety-eight percent of par at an interest cost to the municipality of not to exceed the interest cost to the municipality of the portion of the bonds sold to the federal government.

(5) The municipality may annually pay into a fund to be established for the benefit of such bonds any and all excess of the taxes received by it from the same property over and above the average of the annual taxes authorized without vote for a five-year period immediately preceding the acquisition of the property by the municipality for renewal purposes, such payment to continue until such time as all bonds payable from the fund are paid in full. Any other

taxing unit in a municipality is authorized to allocate a like amount of such excess taxes to the municipality or municipalities in which it is situated.

(6) In case any of the public officials of the municipality whose signatures appear on any bonds or any coupons issued under this chapter shall cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds, issued pursuant to this chapter shall be fully negotiable.

(7) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this chapter or the security therefor, any such bond reciting in substance that it has been issued by the municipality in connection with an urban renewal project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with the provisions of this chapter.

(8) Notwithstanding subsections (1) through (7) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 65. Section 35.82.140, chapter 7, Laws of 1965 as last amended by section 6, chapter 274, Laws of 1977 ex. sess. and RCW 35.82.140 are each amended to read as follows:

(1) Bonds of an authority shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form, either coupon or registered as provided in section 3 of this 1983 act, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium) as such resolution, its trust indenture or mortgage may provide.

The bonds may be sold at public or private sale.

In case any of the commissioners or officers of the authority whose signatures appear on any bond or any coupons shall cease to be such commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this chapter shall be fully negotiable.

In any suit, action or proceedings involving the validity or enforceability of any bond of an authority or the security therefor, any such bond reciting in substance that it has been issued by the authority to aid in financing a housing project to provide dwelling accommodations for persons of low income shall be conclusively deemed to have been issued for a housing project of such character and said project shall be conclusively deemed to have been planned, located and constructed in accordance with the purposes and provisions of this chapter.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 66. Section 35.89.020, chapter 7, Laws of 1965 as last amended by section 46, chapter 56, Laws of 1970 ex. sess. and RCW 35.89.020 are each amended to read as follows:

(1) Water redemption bonds shall be in denominations of not more than one thousand nor less than one hundred dollars each, and shall bear interest at a rate or rates as authorized by the city or town council, payable semiannually, and shall bear a serial number and shall be signed by the mayor of the city or town and shall be otherwise executed in such manner and payable at such time and place not exceeding twenty years after the date of issue as the city or town council shall determine and such bonds shall be payable only out of the special fund created by authority of this chapter and shall be a valid claim of the ~~(holder)~~ owner thereof only against that fund and the fixed portion or amount of the revenues of the water system pledged to the fund, and shall not constitute an indebtedness of the city or town. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 67. Section 35.92.080, chapter 7, Laws of 1965 as last amended by section 47, chapter 56, Laws of 1970 ex. sess. and RCW 35.92.080 are each amended to read as follows:

(1) When the voters have adopted a proposition for any public utility and have authorized a general indebtedness, general city or town bonds may be issued. The bonds shall be registered bonds as provided in section 3 of this 1983 act or ~~((coupon))~~ bearer bonds; numbered from one up consecutively; bear the date of their issue; and bear interest at a rate or rates as authorized by the city or town council, payable semiannually, ~~((with interest-coupons attached))~~; and the principal and interest shall be made payable at such place as may be designated. Except as otherwise provided in RCW 39.44.100, the bonds and ~~((each))~~ any coupon shall be signed by the mayor and attested by the clerk under the seal of the city or town.

There shall be levied each year a tax upon the taxable property of the city or town sufficient to pay the interest and principal of the bonds then due, which taxes shall become due and collectible as other taxes: PROVIDED, That it may pledge to the payment of such principal and interest the revenue of the public utility being acquired, constructed, or improved out of

the proceeds of sale of such bonds. Such pledge of revenue shall constitute a binding obligation, according to its terms, to continue the collection of such revenue so long as such bonds or any of them are outstanding, and to the extent that revenues are insufficient to meet the debt service requirements on such bonds, the governing body of the municipality shall provide for the levy of taxes sufficient to meet such deficiency.

The bonds shall be printed and engraved, or lithographed, on good bond paper. The bonds shall be sold in such manner as the corporate authorities shall deem for the best interest of the city or town. ~~((A register shall be kept of all the bonds, which shall show the number, date, amount, interest, to whom delivered, if coupon bonds, and the name of the payee, if registered bonds, and when and where payable, and each bond issued or sold.))~~

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 68. Section 35.92.100, chapter 7, Laws of 1965 as last amended by section 57, chapter 3, Laws of 1983 and RCW 35.92.100 are each amended to read as follows:

(1) When the voters of a city or town, or the corporate authorities thereof, have adopted a proposition for any public utility and either no general indebtedness has been authorized or the corporate authorities do not desire to incur a general indebtedness, and when the corporate authorities are authorized to exercise any of the powers conferred by this chapter without submitting the proposition to a vote, the corporate authorities may create a special fund for the sole purpose of defraying the cost of the public utility or addition, betterment, or extension thereto, into which special fund they may obligate and bind the city or town to set aside and pay a fixed proportion of the gross revenues of the utility, or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount without regard to any fixed proportion, and issue and sell bonds or warrants bearing interest at a rate or rates as authorized by the corporate authorities; payable semiannually, executed in such manner and payable at such times and places as the corporate authorities shall determine, but the bonds or warrants and the interest thereon shall be payable only out of the special fund and shall be a lien and charge against payments received from any utility local improvement district assessments pledged to secure such bonds. Such bonds shall be negotiable instruments within the meaning of the negotiable instruments law, Title 62A RCW, notwithstanding same are made payable out of a particular fund contrary to the provisions of RCW 62A.3-105. Such bonds and warrants may be of any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act.

When corporate authorities deem it necessary to construct any sewage disposal plant, it may be considered as a part of the waterworks department of the city or town and the cost of construction and maintenance thereof may be chargeable to the water fund of the municipality, or to any other special fund which the corporate authorities may by ordinance designate.

In creating a special fund, the corporate authorities shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants, or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Rates shall be maintained adequate to service such bonds and to maintain the utility in sound financial condition.

The bonds or warrants and interest thereon issued against any such fund shall be a valid claim of the ~~((holder))~~ owner thereof only as against the special fund and its fixed proportion or amount of the revenue pledged thereto, and shall not constitute an indebtedness of the city or town within the meaning of constitutional provisions and limitations. Each bond or warrant shall state upon its face that it is payable from a special fund, naming it and the ordinance creating it. The bonds and warrants shall be sold in such manner as the corporate authorities shall deem for the best interest of the city or town, and they may provide in any contract for the construction and acquirement of the proposed improvement that payment therefor shall be made only in such bonds and warrants at par value thereof.

When a special fund is created and any such obligation is issued against it, a fixed proportion, or a fixed amount out of and not exceeding such fixed proportion, or a fixed amount without regard to any fixed proportion, of revenue shall be set aside and paid into such fund as provided in the ordinance creating it, and in case the city or town fails to thus set aside and pay such fixed proportion or amount, the ~~((holder))~~ owner of any bond or warrant against the fund may bring action against the city or town and compel such setting aside and payment: PROVIDED, That whenever the corporate authorities of any city or town shall so provide by ordinance then all such bonds thereafter issued shall be on a parity, without regard to date of issuance or authorization and without preference or priority of right or lien with respect to participation of special funds in amounts from gross revenues for payment thereof.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 69. Section 35.92.150, chapter 7, Laws of 1965 and RCW 35.92.150 are each amended to read as follows:

(1) Such funding or refunding bonds, together with the interest thereon, issued against the special fund shall be a valid claim of the (~~holder~~) owner thereof only as against such fund, and the amount of the revenue of the utility pledged thereto, and shall not constitute an indebtedness of the city or town within the meaning of constitutional or statutory provisions and limitations. They shall be sold in such manner as the corporate authorities shall deem for the best interest of the municipality. The effective rate of interest on the bonds shall not exceed the effective rate of interest on warrants or bonds to be funded or refunded thereby. Interest on the bonds shall be paid semiannually. The bonds shall be executed in such manner and payable at such time and place as the legislative authority shall by ordinance determine. Nothing in this chapter shall prevent a city or town from funding or refunding any of its indebtedness in any other manner provided by law. Such bonds may be of any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 70. Section 35.92.160, chapter 7, Laws of 1965 and RCW 35.92.160 are each amended to read as follows:

When such funding or refunding bonds have been issued and the city or town fails to set aside and pay into the special fund from which they are payable, the amount without regard to any fixed proportion out of the gross revenue of the public utility which the city or town has, by ordinance, bound and obligated itself to set aside and pay into the special fund, the (~~holder~~) owner of any funding or refunding bond may bring action against the city or town and compel such setting aside and payment.

Sec. 71. Section 6, chapter 175, Laws of 1982 and RCW 36.58.150 are each amended to read as follows:

(1) A solid waste disposal district shall not have the power to levy an annual levy without voter approval, but it shall have the power to levy a tax, in excess of the one percent limitation, upon the property within the district for a one year period to be used for operating or capital purposes whenever authorized by the electors of the district pursuant to RCW 84.52.052 and Article VII, section 2(a) of the state Constitution.

A solid waste disposal district may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligated indebtedness of the district, equal to three-eighths of one percent of the value of the taxable property within the district, and may provide for the retirement of the bonds by voter-approved bond retirement tax levies pursuant to Article VII, section 2(b) of the state Constitution and RCW 84.52.056. Such general obligation bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

A solid waste disposal district may issue revenue bonds to fund its activities. Such revenue bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such general obligation bonds or revenue bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 72. Section 36.62.070, chapter 4, Laws of 1963 as last amended by section 49, chapter 56, Laws of 1970 ex. sess. and RCW 36.62.070 are each amended to read as follows:

(1) Should a majority of all the votes cast upon the proposition be in favor of establishing the hospital, the (~~board of~~) county (~~commissioners~~) legislative authority shall proceed to issue bonds of the county not to exceed the amount specified in the proposition, in denominations of not less than one hundred dollars nor more than one thousand dollars, bearing interest at a rate or rates as authorized by the (~~board of~~) county (~~commissioners~~) legislative authority, and payable annually or semiannually. The bonds shall be serial bonds (~~finally maturing in~~) with maturities not in excess of twenty years ((from date of issuance)). Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 73. Section 36.62.080, chapter 4, Laws of 1963 and RCW 36.62.080 are each amended to read as follows:

The county treasurer shall dispose of the bonds in the same manner as other county bonds, and they shall not be sold for less than par with accrued interest: PROVIDED, That such bonds may also be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 74. Section 36.67.030, chapter 4, Laws of 1963 as amended by section 79, chapter 3, Laws of 1983 and RCW 36.67.030 are each amended to read as follows:

Whenever any debt is incurred under the provisions of RCW 36.67.010, the (~~board of commissioners~~) legislative authority of the county may issue its negotiable bonds in the name of the county for the purposes designated in resolution or notice of election. Such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 75. Section 36.67.040, chapter 4, Laws of 1963 as last amended by section 10, chapter 156, Laws of 1981 and RCW 36.67.040 are each amended to read as follows:

(1) The bonds shall bear the date of issue ~~(:)~~ and shall ~~((be made payable to the bearer and))~~ bear interest at a rate or rates determined by the county legislative authority, payable semiannually ~~((with coupons attached for each interest payment))~~. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. Except as otherwise provided in RCW 39.44.100, the bonds and ~~((each))~~ any coupon shall be signed by the chairman of the county legislative authority, or in counties having an elected executive, the elected executive officer, and shall be attested by the clerk of the county legislative authority, and the seal of the county legislative authority shall be affixed to each bond, but not to ~~((the))~~ any coupon. Each bond shall be printed, engraved, or lithographed on good bond paper.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 76. Section 36.67.050, chapter 4, Laws of 1963 and RCW 36.67.050 are each amended to read as follows:

The bonds may be exchanged at not less than their par value and accrued interest for an equal amount of warrants of the county issuing them or they may be sold by the county ~~((commissioners))~~ legislative authority at not less than their par value and accrued interest, in which event the proceeds shall be applied only for the purpose for which the bonds were issued: PROVIDED, That such bonds may also be sold in accordance with section 3 of this 1983 act.

Sec. 77. Section 36.67.060, chapter 4, Laws of 1963 as amended by section 1, chapter 188, Laws of 1975 1st ex. sess. and RCW 36.67.060 are each amended to read as follows:

Bonds issued under this chapter shall be serial in form and maturity and interest shall be paid and the principal of the bonds retired by an annual tax levy in accordance with the provisions of chapter 39.44 RCW and by any other moneys lawfully available and pledged therefor: PROVIDED, That such bonds may also be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 78. Section 36.67.070, chapter 4, Laws of 1963 and RCW 36.67.070 are each amended to read as follows:

~~((The))~~ Any coupons for the payment of interest on the bonds shall be considered for all purposes as warrants drawn upon the current expense fund of the county issuing bonds, and if when presented to the treasurer of the county no funds are in the treasury to pay them, the treasurer shall indorse the coupons as presented for payment, in the same manner as county warrants are indorsed, and thereafter they shall bear interest at the same rate as county warrants presented and unpaid. If there are no funds in the treasury to make payment on a bond not having coupons, the interest payment shall continue bearing interest at the bond rate until it is paid, unless otherwise provided in the proceedings authorizing the sale of the bonds.

Sec. 79. Section 1, chapter 142, Laws of 1965 and RCW 36.67.510 are each amended to read as follows:

The ~~((board of))~~ county ~~((commissioners))~~ legislative authority of any county is hereby authorized for the purpose of carrying out the lawful powers granted to the counties by the laws of the state to contract indebtedness and to issue revenue bonds evidencing such indebtedness in conformity with this chapter. Such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 80. Section 3, chapter 142, Laws of 1965 as last amended by section 13, chapter 313, Laws of 1981 and RCW 36.67.530 are each amended to read as follows:

(1) When revenue bonds are issued for authorized purposes, said bonds shall be either registered as to principal only or as to principal and interest as provided in section 3 of this 1983 act, or shall be bearer bonds; shall be in such denominations, shall be numbered, shall bear such date, shall be payable at such time or times up to a maximum period of not to exceed thirty years and payable at the office of the county treasurer, and such other places as determined by the county ~~((commissioners))~~ legislative authority of the county; shall bear interest payable and evidenced to maturity on bonds not registered as to interest by coupons attached to said bonds bearing a coupon interest rate or rates as authorized by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority; shall be executed by the chairman of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, and attested by the clerk of the ~~((board))~~ legislative authority, and the seal of such ~~((board))~~ legislative authority shall be affixed to each bond, but not to ~~((the))~~ any coupon; and may have facsimile signatures of the chairman and the clerk imprinted on each bond and ~~((the))~~ any interest coupons in lieu of original signatures and the facsimile seal imprinted on each bond.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 81. Section 4, chapter 142, Laws of 1965 and RCW 36.67.540 are each amended to read as follows:

Bonds issued under the provisions of this chapter shall be payable solely out of the operating revenues of the county. Such bonds shall be authorized by resolution adopted by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, which resolution shall create a special fund or funds into which the ~~((board of))~~ county ~~((commissioners))~~ legislative authority may

obligate and bind the county to set aside and pay any part or parts of, or all of, or a fixed proportion of, or fixed amounts of gross revenue received by the county from moneys for services or activities as stated in the resolution, for the purpose of paying the principal of and interest on such bonds as the same shall become due, and if deemed necessary to maintain adequate reserves therefor. Such fund or funds shall be drawn upon solely for the purpose of paying the principal and interest upon the bonds issued pursuant to this chapter.

The bonds shall be negotiable instruments within the provision and intent of the negotiable instruments law of this state, even though they shall be payable solely from such special fund or funds, and the tax revenue of the county may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. The bonds and ~~((the))~~ any coupons attached thereto shall state upon their face that they are payable solely from such special fund or funds. If the county fails to set aside and pay into such fund or funds, the payments provided for in such resolution, the ~~((holder))~~ owner of any such bonds may bring suit to compel compliance with the provisions of the resolution.

Sec. 82. Section 6, chapter 142, Laws of 1965 as last amended by section 51, chapter 56, Laws of 1970 ex. sess. and RCW 36.67.560 are each amended to read as follows:

(1) The ((board-of)) county ((commissioners)) legislative authority of any county may by resolution, from time to time, provide for the issuance of funding or refunding revenue bonds to fund or refund any outstanding revenue bonds and any interest and premiums due thereon((; and matured coupons evidencing interest upon any such bonds)) at or before the maturity of such bonds, and parts or all of various series and issues of outstanding revenue bonds ((and matured coupons)) in the amount thereof to be funded or refunded. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The ((board)) county legislative authority shall create a special fund for the sole purpose of paying the principal of and interest on such funding or refunding revenue bonds, into which fund the ((commission)) legislative authority shall obligate and bind the county to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a fixed amount of the revenue of the facility of the county sufficient to pay such principal and interest as the same shall become due, and if deemed necessary to maintain adequate reserves therefor.

Such funding or refunding bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, and the tax revenue of the county may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds.

The county may exchange such funding or refunding bonds for the bonds, and any coupons being funded or refunded, or it may sell such funding or refunding bonds in the manner, at such price and at such rate or rates of interest as the ~~((board))~~ legislative authority shall deem to be for the best interest of the county and its inhabitants, either at public or private sale.

The provisions of this chapter relating to the terms, conditions, covenants, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 83. Section 13, chapter 218, Laws of 1963 as last amended by section 10, chapter 210, Laws of 1981 and RCW 36.68.520 are each amended to read as follows:

(1) A park and recreation service area shall not have power to levy an annual authorized levy, but it shall have the power to levy a tax upon the property included within the service area in the manner prescribed by section 2, Article ((7)) VII of the Constitution and by RCW 84.52.052.

The special voted levy may be either for operating fund or for capital outlay, or for a cumulative reserve fund.

(2) A service area may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness, equal to three-eighths of one percent of the value of the taxable property within the district, and may provide for the retirement thereof by levies in excess of dollar rate in accordance with the provisions of Article ((7)) VII, section 2 of the Constitution and RCW 84.52.056; PROVIDED, That such districts may issue bonds equal to two and one-half percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36-.015, when such bonds are approved by the voters of the district at a special election called for the purpose. Such bonds may be in any form, including coupon bonds or registered bonds as provided in section 3 of this 1983 act.

(3) Notwithstanding subsection (2) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 84. Section 36.69.140, chapter 4, Laws of 1963 as last amended by section 19, chapter 210, Laws of 1981 and RCW 36.69.140 are each amended to read as follows:

(1) A park and recreation district shall have the power to levy an excess levy upon the property included within the district, in the manner prescribed by Article VII, section 2, of the Constitution and by RCW 84.52.052. Such excess levy may be either for operating funds or for



capital outlay, or for a cumulative reserve fund. A park and recreation district may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness equal to three-eighths of one percent of the value of the taxable property within such district, as the term 'value of the taxable property' is defined in RCW 39.36.015. A park and recreation district may additionally issue bonds equal to one and one-fourth percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015, when such bonds are approved by three-fifths of the voters of the district at a general or special election called for that purpose and may provide for the retirement thereof by levies in excess of dollar rate limitations in accordance with the provisions of RCW 84.52.056. When authorized by the voters of the district, the district may issue interest bearing warrants payable out of and to the extent of excess levies authorized in the year in which the excess levy was approved. Such bonds and warrants may be in any form, including coupon bonds or coupon warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 85. Section 36.69.200, chapter 4, Laws of 1963 as amended by section 80, chapter 3, Laws of 1983 and RCW 36.69.200 are each amended to read as follows:

(1) Whenever the board of park and recreation commissioners of any district shall determine that any proposed capital improvement would be of special benefit to all or any portion of the district, it may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in the improvement district to be repaid by the collection of local improvement assessments. The method of establishment, levying, collection and enforcement of such assessments and issuance and redemption of local improvement warrants and bonds and the provisions regarding the conclusiveness of the assessment roll and the review by the superior court of any objections thereto shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local improvement bonds by cities ~~((of the first class))~~ and towns, insofar as consistent herewith. The duties devolving upon the city treasurer are hereby imposed upon the county treasurer for the purposes hereof. The mode of assessment shall be determined by the board. Such bonds may be in any form, including coupon bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 86. Section 5, chapter 94, Laws of 1972 ex. sess. and RCW 36.69.370 are each amended to read as follows:

(1) When revenue bonds are issued for authorized purposes, said bonds shall be either registered as to principal only or principal and interest as provided in section 3 of this 1983 act or shall be bearer bonds; shall be in such denominations, shall be numbered, shall bear such date, shall be payable at such time or times up to a maximum period of not to exceed thirty years and payable ~~((at the office of the county treasurer, and such other places))~~ as determined by the park and recreation commissioners of the district; shall bear interest payable semiannually ~~((and evidenced to maturity by coupons attached to said bonds bearing a coupon interest rate or rates as authorized by the board of park and recreation commissioners))~~; shall be executed by the chairman of the board of park and recreation commissioners, and attested by the secretary of the board, and the seal of such board shall be affixed to each bond, but not to ~~((the))~~ any coupon; and may have facsimile signatures of the chairman and the secretary imprinted on ~~((the))~~ any interest coupons in lieu of original signatures.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 87. Section 6, chapter 94, Laws of 1972 ex. sess. and RCW 36.69.380 are each amended to read as follows:

Bonds issued under the provisions of this chapter shall be payable solely out of the operating revenues of the park and recreation district. Such bonds shall be authorized by resolution adopted by the board of park and recreation commissioners, which resolution shall create a special fund or funds into which the board of park and recreation commissioners may obligate and bind the district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or fixed amounts of gross revenue received by the district from moneys for services or activities as stated in the resolution, for the purpose of paying the principal of and interest on such bonds as the same shall become due, and if deemed necessary to maintain adequate reserves therefor. Such fund or funds shall be drawn upon solely for the purpose of paying the principal and interest upon the bonds issued pursuant to this chapter.

The bonds shall be negotiable instruments within the provision and intent of the negotiable instruments law of this state, even though they shall be payable solely from such special fund or funds, and the tax revenue of the district may not be used to pay, secure, or guarantee the

payment of the principal of and interest on such bonds. The bonds and ~~((the))~~ any coupons attached thereto shall state upon their face that they are payable solely from such special fund or funds. If the county fails to set aside and pay into such fund or funds, the payments provided for in such resolution, the ~~((holder))~~ owner of any such bonds may bring suit to compel compliance with the provisions of the resolution.

Sec. 88. Section 7, chapter 94, Laws of 1972 ex. sess. and RCW 36.69.390 are each amended to read as follows:

The board of park and recreation commissioners may provide covenants as it may deem necessary to secure the payment of the principal of and interest on such bonds and may, but shall not be required to, include covenants to create a reserve fund or account and to authorize the payment or deposit of certain moneys therein for the purpose of securing the payment of such principal and interest; to establish, maintain, and collect rates, charges, fees, rentals, and the like on the facilities and service the income of which is pledged for the payment of such bonds, sufficient to pay or secure the payment of such principal and interest and to maintain an adequate coverage over annual debt service; and to make any and all other covenants not inconsistent with the provisions of this chapter which will increase the marketability of such bonds. The board may also provide that revenue bonds payable out of the same source or sources may later be sold on a parity with any revenue bonds being issued and sold. The provisions of this chapter and any resolution or resolutions providing for the authorization, issuance, and sale of such bonds shall constitute a contract with the ~~((holder))~~ owner of such bonds, and the provisions thereof shall be enforceable by any owner ~~((or-holder))~~ of such bonds by mandamus or any appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction.

Sec. 89. Section 8, chapter 94, Laws of 1972 ex. sess. and RCW 36.69.400 are each amended to read as follows:

(1) The board of parks and recreation commissioners of any district may by resolution, from time to time, provide for the issuance of funding or refunding revenue bonds to fund or refund any outstanding revenue bonds and any interest and premiums due thereon ~~((and matured coupons evidencing interest upon any such bonds))~~ at or before the maturity of such bonds, and parts or all of various series and issues of outstanding revenue bonds ~~((and matured coupons))~~ in the amount thereof to be funded or refunded.

The board shall create a special fund for the sole purpose of paying the principal of and interest on such funding or refunding revenue bonds, into which fund the board shall obligate and bind the district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a fixed amount of the revenue of the recreational facility of the district sufficient to pay such principal and interest as the same shall become due, and if deemed necessary to maintain adequate reserves therefor.

Such funding or refunding bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, and the tax revenue of the district may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The district may exchange such funding or refunding bonds for the bonds, and any coupons being funded or refunded, or it may sell such funding or refunding bonds in the manner, at such price and at such rate or rates of interest as the board shall deem to be for the best interest of the district and its inhabitants, either at public or private sale.

The provisions of this chapter relating to the terms, conditions, covenants, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 90. Section 36.76.080, chapter 4, Laws of 1963 as last amended by section 2, chapter 76, Laws of 1971 and RCW 36.76.080 are each amended to read as follows:

The ~~((board))~~ legislative authority of any county may, whenever a majority thereof so decides, submit to the voters of their county the question whether the ~~((board))~~ legislative authority shall be authorized to issue negotiable ~~((coupon))~~ road bonds of the county in an amount subject to the limitations on indebtedness provided for in RCW 39.36.020(2), for the purpose of constructing a new road or roads, or improving established roads within the county, or for aiding in so doing, as herein prescribed.

The word 'improvement' wherever used in this ~~((act))~~ section and RCW 36.76.090, 36.76.100, 36.76.110, 36.76.120, and 36.76.130 shall embrace any undertaking for any or all of such purposes. The word 'road' shall embrace all highways, roads, streets, avenues, bridges, and other public ways.

The provisions of this ~~((act))~~ section and RCW 36.76.090, 36.76.100, 36.76.110, 36.76.120, and 36.76.130 shall apply not only to roads which are or shall be under the general control of the county, but also to all parts of state roads in such county and to all roads which are situated or are to be constructed wholly or partly within the limits of any incorporated city or town therein, provided the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority finds that they form or

will become a part of the public highway system of the county, and will connect the existing roads therein. Such finding may be made by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority at any stage of the proceedings before the actual delivery of the bonds.

The constructing or improving of any and all such roads, or the aiding therein, is declared to be a county purpose.

The question of the issuance of bonds for any undertaking which relates to a number of different roads or parts thereof, whether intended to supply the whole expenditure or to aid therein, may be submitted to the voters as a single proposition in all cases where such course is consistent with the provisions of the state Constitution. If the county ~~((commissioners))~~ legislative authority, in submitting a proposition relating to different roads or parts thereof, finds that such proposition has for its object the furtherance and accomplishment of the construction of a system of public and county highways in such county, and constitutes and has for its object a single purpose, such finding shall be presumed to be correct, and upon the issuance of the bonds the presumption shall become conclusive.

No proposition for bonds shall be submitted which proposes that more than forty percent of the proceeds thereof shall be expended within any city or town, or within any number of cities and towns.

Sec. 91. Section 36.76.090, chapter 4, Laws of 1963 as last amended by section 53, chapter 56, Laws of 1970 ex. sess. and RCW 36.76.090 are each amended to read as follows:

(1) The election may be held at such times and in the manner provided for holding general elections in this state, or it may be held as a special election ~~((at such time))~~ on one of the special election dates provided in RCW 29.13.010 as the ~~((board))~~ county legislative authority may designate. The ballots used must contain the words, 'Bonds, Yes,' and 'Bonds, No'. If three-fifths of the legal ballots cast on the question of issuing bonds for the improvement contemplated in RCW 36.76.080 are in favor of bonds, the ~~((board))~~ county legislative authority must issue negotiable bonds in due and legal form, and negotiate them in such manner as they may deem to be the best advantage of the county, at not less than par value. The bonds authorized by this section shall be issued in the name of the county, in denominations of not less than one hundred nor more than one thousand dollars; they shall ~~((be payable either (1) to some person or corporation (named therein) or the bearer, or (2) simply to the bearer, at such time as shall be stated therein;))~~ not ~~((more than))~~ have a maximum term in excess of twenty years ~~((after the date of issue;))~~ and shall bear interest at a rate or rates as authorized by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, payable semiannually. The bonds may be in any form, including bearer bonds or may be registered as provided in section 3 of this 1983 act. They may be made payable in any city of the United States containing a national bank. They shall bear the signature of the chairman of the ~~((board))~~ county legislative authority, and be countersigned by the county auditor of the county with the seal of the county thereunto attached, and ~~((the))~~ any interest coupons shall be signed by said chairman and said county auditor ~~((; and each bond so issued must be registered in the office of the county treasurer in a book provided for that purpose, which must show the date, number and amount of the bond, date of maturity, rate of interest, and the name and address of the person to whom issued;)).~~ The county seal need not be affixed to ~~((the))~~ any coupons. ~~((Each))~~ Any coupon must show the number of the bond to which it belongs. The bonds and any coupons shall be printed, engraved or lithographed on good bond paper.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 92. Section 36.76.120, chapter 4, Laws of 1963 and RCW 36.76.120 are each amended to read as follows:

The county ~~((commissioners))~~ legislative authority must ascertain and levy annually a tax sufficient to pay the interest on all such bonds whenever it becomes due and to meet the annual maturities of principal as required by Title 39 RCW. All taxes levied either for interest or principal shall be a lien upon all property within the county and must be collected in the same manner as other taxes are collected. The county treasurer must pay out of any money accumulated from the taxes levied to pay the interest as aforesaid, the interest upon all such bonds when it becomes due as provided on the bond or, if coupons are attached to a bond, upon presentation at the place of payment of the proper coupon. ~~((All))~~ Any interest payments or coupons so paid must be reported to the county ~~((commissioners))~~ legislative authority at ~~((their))~~ its first meeting thereafter. Whenever ~~((the))~~ any coupons are payable at any place other than the city in which the county treasurer keeps his office, the county treasurer shall seasonably remit to the state fiscal agent the amount of money required for the payment of any coupons which are about to fall due. When any such bonds or any coupons are paid, the county treasurer shall suitably and indelibly cancel them.

Sec. 93. Section 36.88.190, chapter 4, Laws of 1963 and RCW 36.88.190 are each amended to read as follows:

(1) The ~~((board))~~ county legislative authority may provide for the payment of the whole or any portion of the cost and expense of any duly authorized road improvement by bonds and/or warrants of the improvement district which bonds shall be issued and sold as herein provided, but no bonds shall be issued in excess of the cost and expense of the project nor shall

they be issued prior to twenty days after the thirty days allowed for the payment of assessments without penalty or interest.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 94. Section 36.88.200, chapter 4, Laws of 1963 as last amended by section 5, chapter 100, Laws of 1980 and RCW 36.88.200 are each amended to read as follows:

(1) Such bonds shall be numbered from one upwards consecutively, shall be in such denominations as may be provided by the county legislative authority in the resolution authorizing their issuance, shall mature on or before a date not to exceed twenty-two years from and after their date, shall bear interest at such rate or rates as authorized by the legislative authority payable annually or semiannually as may be provided by the legislative authority, shall be signed by the chairman of the legislative authority and attested by the county auditor, shall have the seal of the county affixed thereto, and shall be payable at the office of the county treasurer or elsewhere as may be designated by the legislative authority ~~(and shall have attached thereto interest coupons for each interest payment which said coupons shall be signed by the chairman of the legislative authority and attested by the auditor)~~. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. In lieu of any signatures required in this section, the bonds and any coupons may bear the printed or engraved facsimile signatures of said officials.

Such bonds shall refer to the improvement for which they are issued and to the resolution creating the road improvement district therefor.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 95. Section 36.88.210, chapter 4, Laws of 1963 and RCW 36.88.210 are each amended to read as follows:

(1) The bonds issued under the provisions of this chapter may be issued to the contractor or sold by the ~~(board)~~ county legislative authority as authorized by the resolution directing their issuance at not less than their par value and accrued interest to the date of delivery. No bonds shall be sold except at public sale upon competitive bids and a notice calling for bids shall be published once a week for two consecutive weeks in the official newspaper of the county. Such notice shall specify a place and designate a day and hour subsequent to the date of last publication thereof when sealed bids will be received and publicly opened for the purchase of said bonds. The proceeds of all sales of bonds shall be deposited in the county road improvement district fund and applied to the cost and expense of the district.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 96. Section 36.88.230, chapter 4, Laws of 1963 as amended by section 12, chapter 156, Laws of 1981 and RCW 36.88.230 are each amended to read as follows:

Whenever there shall be paid out of a guaranty fund any sum on account of principal or interest of a road improvement district bond or warrant, the county, as trustee for the fund, shall be subrogated to all the rights of the ~~(holder)~~ owner of the bond or any interest coupon or warrant so paid, and the proceeds thereof, or of the assessment underlying the same, shall become part of the guaranty fund. There shall also be paid into each guaranty fund the interest received from bank deposits or government securities of the fund, as well as any surplus remaining in any local improvement fund guaranteed hereunder after the payment of all outstanding bonds or warrants payable primarily out of such road improvement fund. Warrants drawing interest at a rate or rates not to exceed the rate determined by the county legislative authority shall be issued, as other warrants are issued by the county, against a guaranty fund to meet any liability accruing against it, and at the time of making its annual budget and tax levy the county shall provide from funds available for road purposes for the deposit in the guaranty fund of a sum sufficient with other resources of such fund to pay warrants so issued during the preceding fiscal year. As among the several issues of bonds or warrants guaranteed by the fund no preference shall exist, but defaulted ~~((interest coupons))~~ bonds, interest payments, and warrants shall be purchased out of the fund in the order of their presentation.

Every county establishing a guaranty fund for road improvement district bonds or warrants shall prescribe by resolution appropriate rules and regulations for the maintenance and operation of the guaranty fund not inconsistent herewith. So much of the money of a guaranty fund as is necessary may be used to purchase underlying bonds or warrants guaranteed by the fund, or to purchase certificates of delinquency for general taxes on property subject to local improvement assessments, or to purchase such property at tax foreclosures, for the purpose of protecting the guaranty fund. Said fund shall be subrogated to the rights of the county, and the county, acting on behalf of said fund, may foreclose the lien of general tax certificates of delinquency and purchase the property at the foreclosure sale for the account of said fund. Whenever the ~~((governing))~~ legislative authority of any county shall so cause a lien of general tax certificates of delinquency to be foreclosed and the property to be so purchased at a foreclosure sale, the court costs and costs of publication and expenses for clerical work and/or other expense incidental thereto, shall be chargeable to and payable from the guaranty fund. After so acquiring title to real property, a county may lease or sell and convey the same at

public or private sale for such price and on such terms as may be determined by resolution of the ~~((board of commissioners or other))~~ county legislative body, and all proceeds resulting from such sales shall belong to and be paid into the guaranty fund.

Sec. 97. Section 36.88.240, chapter 4, Laws of 1963 and RCW 36.88.240 are each amended to read as follows:

~~((Neither the holder nor))~~ The owner of any bond or warrant issued under the provisions of this chapter shall ~~not~~ have any claim therefor against the county by which the same is issued, except for payment from the special assessments made for the improvement for which said bond or warrant was issued and except as against the improvement guaranty fund of such county, and the county shall not be liable to any ~~((holder or))~~ owner of such bond or warrant for any loss to the guaranty fund occurring in the lawful operation thereof by the county. The remedy of the ~~((holder or))~~ owner of a bond, or warrant in case of nonpayment, shall be confined to the enforcement of any assessments made in such road improvement district and to the guaranty fund. In case the bonds are guaranteed in accordance herewith a copy of the foregoing part of this section shall be plainly written, printed or engraved on each bond issued and guaranteed hereunder.

Sec. 98. Section 7, chapter 194, Laws of 1967 as amended by section 13, chapter 156, Laws of 1981 and RCW 36.88.470 are each amended to read as follows:

Whenever there shall be paid out of the guaranty fund any sum on account of principal or interest of a county road improvement district bond or warrant, the county, as trustee for the fund, shall be subrogated to all the rights of the ~~((holder))~~ owner of the bond or any interest coupon or warrant so paid, and the proceeds thereof, or of the assessment underlying the same, shall become part of the guaranty fund. There shall also be paid into each guaranty fund the interest received from investments of the fund, as well as any surplus remaining in any county road improvement fund guaranteed hereunder after the payment of all outstanding bonds or warrants payable primarily out of such utility conversion county road improvement district fund. Warrants drawing interest at a rate or rates not to exceed the rate determined by the county legislative authority shall be issued, as other warrants are issued by the county, against the guaranty fund to meet any liability accruing against it, and at the time of making its annual budget and tax levy the county shall provide from funds available for the deposit in the guaranty fund of a sum sufficient with other resources of such fund to pay warrants so issued during the preceding fiscal year. As among the several issues of bonds or warrants guaranteed by the fund no preference shall exist, but defaulted ~~((interest coupons))~~ bonds, interest payments, and warrants shall be purchased out of the fund in the order of their presentation.

Every county establishing a guaranty fund for utility conversion road improvement district bonds or warrants shall prescribe by resolution appropriate rules and regulations for the maintenance and operation of such guaranty fund not inconsistent herewith. So much of the money of a guaranty fund as is necessary may be used to purchase underlying bonds or warrants guaranteed by the fund, or to purchase certificates of delinquency for general taxes on property subject to local improvement assessments, or to purchase such property at tax foreclosures, for the purpose of protecting the guaranty fund. The fund shall be subrogated to the rights of the county and the county, acting on behalf of the fund, may foreclose the lien of general tax certificates of delinquency and purchase the property at the foreclosure sale for the account of said fund. Whenever the ~~((governing))~~ legislative authority of any county shall so cause a lien of general tax certificates of delinquency to be foreclosed and the property to be so purchased at a foreclosure sale, the court costs and costs of publication and expenses for clerical work and/or other expense incidental thereto, shall be chargeable to and payable from the guaranty fund. After so acquiring title to real property, a county may lease or sell and convey the same at public or private sale for such price and on such terms as may be determined by resolution of the ~~((board of))~~ county ~~((commissioners or other))~~ legislative ~~((body))~~ authority, and all proceeds resulting from such sales shall belong to and be paid into the guaranty fund.

Sec. 99. Section 4, chapter 109, Laws of 1967 as amended by section 4, chapter 30, Laws of 1970 ex. sess. and RCW 36.89.040 are each amended to read as follows:

(1) To carry out the purposes of this chapter counties shall have the power to issue general obligation bonds within the limitations now or hereafter prescribed by the Constitution and laws of this state. Such general obligation bonds shall be authorized, issued and made payable as provided in Title 39 RCW. The ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall determine the manner of execution of such bonds and may provide in the principal amount of such bond issue for costs of engineering, architectural, planning, financial, legal and other services incident to the purpose of such bonds. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The question of issuance of bonds for any undertaking which relates to a number of different highways or parts thereof, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein, may be submitted to the voters of the county as a single proposition. If

the ((board-of)) county ((commissioners)) legislative authority in submitting a proposition relating to different highways or parts thereof declare that such proposition has for its object the furtherance and accomplishment of the construction of a system of connected public highways within such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different open spaces, park, recreation and community facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the ((board-of)) county ((commissioners)) legislative authority in submitting a proposition relating to different open spaces, park, recreation and community facilities declare that such proposition has for its object the furtherance, accomplishment or preservation of an open space, park, recreation and community facilities system available to, and for the benefit of, all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different public health and safety facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the ((board-of)) county ((commissioners)) legislative authority in submitting a proposition relating to different public health and safety facilities declare that such proposition has for its object the furtherance or accomplishment of a system of public health and safety facilities for the benefit of all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different storm water control facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the ((board-of)) county ((commissioners)) legislative authority in submitting a proposition relating to different storm water control facilities declare that such proposition has for its object the furtherance, accomplishment or preservation of a storm water control facilities system for the benefit of all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 100. Section 9, chapter 30, Laws of 1970 ex. sess. as amended by section 20, chapter 313, Laws of 1981 and RCW 36.89.100 are each amended to read as follows:

(1) Any county legislative authority may authorize the issuance of revenue bonds to finance any storm water control facility. Such bonds may be issued by the ((board)) county legislative authority in the same manner as prescribed in RCW 36.67.510 through 36.67.570. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

Each revenue bond shall state on its face that it is payable from a special fund, naming such fund and the resolution creating the fund.

Revenue bond principal, interest, and all other related necessary expenses shall be payable only out of the appropriate special fund or funds. Revenue bonds shall be payable from the revenues of the storm water control facility being financed by the bonds, a system of these facilities and, if so provided, from special assessments, installments thereof, and interest and penalties thereon, levied in one or more utility local improvement districts authorized by this 1981 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 101. Section 20, chapter 72, Laws of 1967 as amended by section 2, chapter 313, Laws of 1981 and RCW 36.94.200 are each amended to read as follows:

(1) The legislative authority of any county is hereby authorized for the purpose of carrying out the lawful powers granted by this chapter to contract indebtedness and to issue general obligation bonds pursuant to and in the manner provided for general county bonds in chapter 36.67 RCW and other applicable statutes; and to issue revenue bonds pursuant to and in the manner provided for revenue bonds in chapter 36.67 RCW and other applicable statutes. The county legislative authority may also issue local improvement district bonds in the manner provided for cities and towns. These general obligation bonds, revenue bonds, and local improvement district bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, any of these bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 102. Section 13, chapter 155, Laws of 1971 ex. sess. as amended by section 2, chapter 100, Laws of 1980 and RCW 36.95.130 are each amended to read as follows:

In addition to other powers provided for under this chapter, the board shall have the following powers:

(1) To perform all acts necessary to assure that the purposes of this chapter will be carried out fairly and efficiently;

(2) To acquire, build, construct, repair, own, maintain, and operate any necessary stations retransmitting simultaneous visual and aural signals intended to be received by the general public, relay stations, pick-up stations, or any other electrical or electronic system necessary: PROVIDED, That the board shall have no power to originate programs;

(3) To make contracts to compensate any owner of land or other property for the use of such property for the purposes of this chapter;

(4) To make contracts with the United States, or any state, municipality, or any department or agency of those entities for carrying out the general purposes for which the district is formed;

(5) To acquire by gift, devise, bequest, lease, or purchase real and personal property, tangible or intangible, including lands, rights of way, and easements, necessary or convenient for its purposes;

(6) To make contracts of any lawful nature (including labor contracts or those for employees' benefits), employ engineers, laboratory personnel, attorneys, other technical or professional assistants, and any other assistants or employees necessary to carry out the provisions of this chapter;

(7) To contract indebtedness or borrow money(;;) and to issue warrants or bonds to be paid from district revenues: PROVIDED, That the bonds, warrants, or other obligations may be in any form, including bearer or registered as provided in section 3 of this 1983 act: PROVIDED FURTHER, That such warrants and bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act);

(8) To prescribe tax rates for the providing of services throughout the area in accordance with the provisions of this chapter; and

(9) To apply for, accept, and be the holder of any permit or license issued by or required under federal or state law.

Sec. 103. Section 16, chapter 155, Laws of 1971 ex. sess. as amended by section 4, chapter 52, Laws of 1981 and RCW 36.95.160 are each amended to read as follows:

The treasurer of the county in which a district is located shall be ex officio treasurer of the district. The treasurer shall collect the excise tax provided for under this chapter and shall send notice of payment due to persons owing the tax: PROVIDED, That districts with fewer than twelve hundred persons subject to the excise tax and levying an excise tax of forty dollars or more per television set per year shall have the option of having the district (1) send the tax notices bimonthly, and (2) collect the excise taxes which shall then be forwarded to the county treasurer for deposit in the district account. There shall be deposited with him all funds of the district. All district payments shall be made by him from such funds upon warrants issued by the county auditor, except the sums to be paid out of any bond fund (upon coupons or bonds presented to the treasurer) for principal and interest payments on bonds. All warrants shall be paid in the order of issuance. The treasurer shall report monthly to the board, in writing, the amount in the district fund or funds.

Sec. 104. Section 3, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.030 are each amended to read as follows:

The state finance committee shall by resolution determine the amount, date or dates, ((form:)) terms, conditions, denominations, maximum interest rate or rates, which may be fixed or variable, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, ((and)) covenants, and form, including bearer or registered as provided in section 3 of this 1983 act, of all evidences of indebtedness including the funding or refunding of any existing indebtedness.

Sec. 105. Section 1, chapter 151, Laws of 1923 as last amended by section 1, chapter 74, Laws of 1965 ex. sess. and RCW 39.44.010 are each amended to read as follows:

Hereafter ((all)) general obligation bonds, including refunding bonds, issued under lawful authority by any political subdivision, or municipal or quasi municipal corporation now or hereafter existing under the laws of the state of Washington, hereinafter in this amendatory act called the 'issuer', ((shall)) may be issued as provided in this section. Such bonds may be serial in form and maturity and numbered from one upward consecutively. Except for the first interest payment which may be at any time not more than twelve months from date of issue, interest on all such bonds ((shall)) may be payable semiannually. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The interest on ((coupon)) bearer bonds may only be evidenced by a single coupon and no more than one coupon rate may be fixed for all bonds maturing on the same date. The various annual maturities of such bonds, except refunding bonds, ((shall)) may commence not less than two years or more than five years from the date of issue and shall be fixed in the ordinance or resolution authorizing the sale of the same in amounts that will result in a difference of not more

than five thousand dollars between the highest and lowest annual payment of principal and interest, excluding the years up to and including the year in which principal payments commence, computed on the anticipated effective interest rate such governing body shall in its discretion determine will be borne by such bonds. The provisions of this section shall not constitute any limitation on the number of coupon rates of interest or the amount of difference between the highest and lowest interest rates that may be specified by bidders: PROVIDED, That such governing body may, in its discretion, in the sale proceedings, limit the number of interest rates and the amount of difference between the highest and lowest rates bid.

Sec. 106. Section 3, chapter 151, Laws of 1923 as last amended by section 11, chapter 216, Laws of 1982 and RCW 39.44.030 are each amended to read as follows:

(1) Before any general obligation bonds issued by any county, city, town, school district, port district, or metropolitan park district shall be offered for sale the governing body issuing such bonds shall designate the maximum effective rate of interest said bonds shall bear, which shall not be in excess of that allowed by law. Except as provided in ~~((section 94, chapter 292; Laws of 1969 ex. sess.))~~ this section and RCW 39.44.900, when a vote of the electors shall have been taken on the question of the issuance of such bonds and the proposition submitted to the electors shall have specified the maximum effective rate of interest to be borne by said bonds, no increase of such maximum effective rate of interest shall be made by the governing body. All such bonds, including refunding bonds, shall be sold at public sale, and a notice calling for bids for the purchase of said bonds shall be published once a week for two consecutive weeks in the official newspaper of the issuer, and such other notice shall be given as the governing body may direct: or, if there be no official newspaper of the issuer, the publication shall be made in a newspaper of general circulation in the county in which the issuer is located. Such notice shall specify a place, and designate a day and hour, subsequent to the date of the last publication and at least ten days subsequent to the date of the first publication thereof when sealed bids will be received and publicly opened for the purchase of said bonds. The notice shall specify the maturity schedule and the maximum effective rate of interest such bonds shall bear, and shall require bidders to submit a bid specifying ~~((+))~~ (a) the lowest rate or rates of interest and premium, if any, above par, at which such bidder will purchase said bonds; or ~~((?))~~ (b) the lowest rate or rates of interest at which the bidder will purchase said bonds at par. The bonds shall be sold to the bidder offering to purchase the same at the lowest net interest cost to the issuer over the life thereof, subject to the right of the governing body to reject any and all bids. None of such bonds shall be sold at less than par and accrued interest, nor shall any discount or commission be allowed or paid to the purchaser or purchasers of such bonds. All bids shall be sealed and, except the bid of the state of Washington, if one is received, shall be accompanied by a good faith deposit of five percent, either in cash or by cashier's or certified check made payable to the treasurer of the issuer, of the amount of the principal par value of such bonds which shall be promptly returned if the bid is not accepted; and if the successful bidder shall fail or neglect to complete the purchase of said bonds by the time specified in the notice of sale for the delivery of said bonds, the amount of his deposit shall be forfeited to the issuer, and in that event the governing body may accept the bid of the one making the next best bid if such bidder agrees to purchase said bonds under the terms provided in his bid, or if all bids be rejected such governing body, if it decides to reoffer such bonds for sale, shall readvertise said bonds for sale in the same manner as herein provided for the original advertisement. If there be two or more equal bids and such bids are the best bids received, the governing body shall determine by lot which bid will be accepted.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 107. Section 1, chapter 52, Laws of 1941 as last amended by section 3, chapter 141, Laws of 1961 and RCW 39.44.100 are each amended to read as follows:

On all bonds hereafter issued by the state or any agency thereof or by any county, city, town, municipal corporation, quasi municipal corporation, junior taxing district, school district or other political subdivision of the state, the printed, engraved or lithographed facsimile signatures of the officers required by law to sign the bonds or any interest coupons thereon shall be sufficient signature on such bonds or coupons: PROVIDED, That such facsimile signatures shall not be used on the bonds of issues of less than one hundred thousand dollars par value and may always be used on interest coupons.

Whenever such facsimile signature reproduction of the signature of any officer is used in place of the personal signature of such officer, the issuing authority shall specify in a written order or requisition to the printer, engraver, or lithographer, the number of bonds or coupons upon which such facsimile signature is to be printed, engraved, or lithographed, and the manner of numbering the bonds or coupons upon which such signature shall be placed. Within ninety days after the completion of the printing, engraving, or lithographing of such bonds or coupons, the plate or plates used for the purpose of affixing the facsimile signature shall be destroyed and it shall be the duty of the issuing authority, within ninety days after receipt of the completed bonds or coupons, to ascertain that such plate or plates have been destroyed.

Sec. 108. Section 1, chapter 91, Laws of 1915 as amended by section 4, chapter 141, Laws of 1961 and RCW 39.44.110 are each amended to read as follows:



Upon the presentation at the office of the officer or agent hereinafter provided for, any bond which is bearer in form that has heretofore been or may hereafter be issued by any county, city, town, port, school district, or other municipal or quasi municipal corporation in this state, may, if so provided in the proceedings authorizing the issuance of the same, be registered as to principal in the name of the owner upon the books of such municipality to be kept in said office, such registration to be noted on the reverse of the bond by such officer or agent. The principal of any bond so registered shall be payable only to the payee, his legal representative, successors or assigns, and such bond shall be transferable to another registered holder or back to bearer only upon presentation to such officer or agent, with a written assignment duly acknowledged or proved. The name of the assignee shall be written upon any bond so transferred and in the books so kept in the office of such officer or agent.

Sec. 109. Section 2, chapter 91, Laws of 1915 as amended by section 5, chapter 141, Laws of 1961 and RCW 39.44.120 are each amended to read as follows:

If so provided in the proceedings authorizing the issuance of any such bonds, upon the registration thereof as to principal, or at any time thereafter, the coupons thereto attached, evidencing all interest to be paid thereon to the date of maturity, may be surrendered to the officer or agent hereinafter provided and the bonds shall also become registered as to interest. Such coupons shall be canceled by such officer or agent, who shall sign a statement endorsed upon such bond of the cancellation of all unmatured coupons and the registration of such bond. Thereafter the interest evidenced by such canceled coupons shall be paid at the times provided therein to the registered ((holder)) owner of such bond in lawful money of the United States of America mailed to his address.

Sec. 110. Section 3, chapter 91, Laws of 1915 as amended by section 1, chapter 79, Laws of 1971 ex. sess. and RCW 39.44.130 are each amended to read as follows:

The duties ((herein)) prescribed in this chapter as to the registration of bonds of any city or town shall be performed by the treasurer thereof, and as to those of any county, port or school district by the county treasurer of the county in which such port or school district lies; but any county, city, town, port or school district may designate by resolution any other officer for the performance of such duties, and any county, city, town, port or school district may designate by resolution its legally designated fiscal agency or agencies for the performance of such duties, after making arrangements with such fiscal agency therefor, which arrangements may include provision for the payment by the ((bondholder)) bond owner of a fee ((not exceeding twenty-five cents)) for each registration.

Sec. 111. Section 1, chapter 229, Laws of 1977 ex. sess. and RCW 39.44.140 are each amended to read as follows:

Any county, city, town, political subdivision, or other municipal or quasi municipal corporation authorized to issue revenue bonds may include in the amount of any such issue funds for the purpose of establishing, maintaining or increasing reserves to:

- (1) Secure the payment of the principal of and interest on such revenue bonds; or
- (2) Provide for replacements or renewals of or repairs or betterments to revenue producing facilities; or
- (3) Provide for contingencies, including, but not limited to, loss of revenue caused by such contingencies.

The authority granted pursuant to this section is additional and supplemental to any existing authority to issue revenue bonds and nothing in this section shall prevent the issuance of such bonds pursuant to any other law: PROVIDED, That no such bond issue may include an amount in excess of fifteen percent thereof for the purpose of establishing, maintaining or increasing reserves as enumerated above.

Sec. 112. Section 4, chapter 216, Laws of 1982 and RCW 39.50.030 are each amended to read as follows:

(1) The issuance of short-term obligations shall be authorized by ordinance of the governing body which ordinance shall fix the maximum amount of the obligations to be issued or, if applicable, the maximum amount which may be outstanding at any time, the maximum term and interest rate or rates to be borne thereby, the manner of sale, maximum price, form including bearer or registered as provided in section 3 of this 1983 act, terms, conditions, and the covenants thereof: PROVIDED, That general obligation short-term obligations shall be sold at not less than the par value thereof. The ordinance may provide for designation and employment of a paying agent for the short-term obligations and may authorize a designated representative of the municipal corporation to act on its behalf and subject to the terms of the ordinance in selling and delivering short-term obligations authorized and fixing the dates, price, interest rates, and other details as may be specified in the ordinance. Short-term obligations issued under this section shall bear such fixed or variable rate or rates of interest as the governing body considers to be in the best interests of the municipal corporation. Variable rates of interest may be fixed in relationship to such standard or index as the governing body designates.

The governing body may make contracts for the future sale of short-term obligations pursuant to which the purchasers are committed to purchase the short-term obligations from time to time on the terms and conditions stated in the contract, and may pay such consideration as it

considers proper for the commitments. Short-term obligations issued pursuant to these contracts shall mature no later than three years after the date of the contract, but obligations issued in anticipation of the receipt of taxes shall be paid within six months from the end of the fiscal year in which they are issued.

(2) Notwithstanding subsection (1) of this section, such short-term obligations may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 113. Section 2, chapter 170, Laws of 1895 as last amended by section 60, chapter 56, Laws of 1970 ex. sess. and RCW 39.52.020 are each amended to read as follows:

(1) Funding bonds authorized to be issued by this chapter shall be in denominations of not less than one hundred dollars, nor more than one thousand dollars, and shall be signed by the following corporate authorities: When issued by a county, the chairman of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, countersigned by the county treasurer and attested by the county auditor, who shall affix his official seal; when issued by a city or town, by its mayor, countersigned by its treasurer and attested by its clerk, who shall affix his official seal. They shall bear interest at a rate or rates as authorized by the corporate authorities, payable semiannually ~~((which interest shall be evidenced by proper coupons attached to each bond))~~. Such corporate authorities shall, by ordinance or resolution, provide for the manner of issuing and the form of said bonds, including bearer bonds or registered bonds as provided in section 3 of this 1983 act, and the time or times when the same shall be made payable; but no bonds issued under this chapter shall be issued for a longer period than twenty years, and when they shall be made payable at different periods within said twenty years, they shall be divided into series not to exceed twenty in number, but there shall be as many series as there are different times of payment, and all bonds included in each series shall be made payable at the same time. The principal and interest may be made payable at any place in the United States designated by the corporate authorities of such county, city or town. Such bonds shall not be issued to an aggregate amount in excess of the warrants or other outstanding indebtedness proposed to be funded thereby. They may be exchanged at not less than their par value for such warrants or other outstanding indebtedness, or may be sold at not less than their par value, and the proceeds used exclusively for the purpose of retiring and canceling such warrants and interest thereon or other indebtedness: PROVIDED, That nothing in this chapter contained shall be deemed to authorize the issuing of any funding bonds which, other than that proposed to be funded under the provisions of this chapter, shall exceed any constitutional limitation of indebtedness, or any indebtedness which might be incurred with the assent of three-fifths of the voters of such county, city or town voting at an election to be held for that purpose.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 114. Section 3, chapter 170, Laws of 1895 as last amended by section 1, chapter 204, Laws of 1909 and RCW 39.52.030 are each amended to read as follows:

(1) Bonds may be issued without notice under the provisions of this chapter for the purpose of funding or refunding outstanding warrants in cases where the issuance of such bonds shall have been previously authorized by the voters of such county, city or town, when exchanged at not less than par value, or for the purpose of funding or refunding outstanding bonds, when exchanged at not less than par value, but before any other bonds shall be issued under the provisions of this chapter, such corporate authorities shall cause a notice of the proposed issuance of such bonds to be given by publication in a daily or weekly newspaper of general circulation published in the county proposing to issue such bonds, or in which county such city or town is situated, at least once a week for four consecutive weeks. Such notice shall state for what purpose and the total amount for which it is so proposed to issue bonds, and if to be divided into series, then into how many series the same are to be divided, and the amount of and period for which each series is to run, also the hour and day for considering bids for such bonds, and asking bidders to name the price and rate of interest at which they will purchase such bonds, and if such bonds are to be divided into series then to name such price and rate for each series of such bonds, separately; and at the time named in such notice it shall be the duty of the corporate authorities to meet with the treasurer of the county, city, or town proposing to issue such bonds, at his office, and with him open said bids, and shall sell said bonds to the person or persons making the most advantageous offer therefor: PROVIDED, HOWEVER, That said bonds shall never be sold or disposed of below par, and such corporate authorities shall have the right to reject any and all bids, and if all said bids shall be rejected, such corporate authorities shall proceed to readvertise the sale of said bonds in the manner herein provided.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 115. Section 10, chapter 300, Laws of 1981 and RCW 39.84.100 are each amended to read as follows:

(1) The principal of and the interest on any revenue bonds issued by a public corporation shall be payable solely from the funds provided for this payment from the revenues of the industrial development facilities funded by the revenue bonds. Each issue of revenue bonds

shall be dated, shall bear interest at such rate or rates, and shall mature at such time or times as may be determined by the board of directors, and may be made redeemable before maturity at such price or prices and under such terms and conditions as may be fixed by the board of directors prior to the issuance of the revenue bonds or other revenue obligations.

(2) The board of directors shall determine the form and the manner of execution of the revenue bonds (~~(including any interest coupons to be attached thereto;)~~) and shall fix the denomination or denominations of the revenue bonds and the place or places of payment of principal and interest. If any officer whose signature or a facsimile of whose signature appears on any revenue bonds or any coupons ceases to be an officer before the delivery of the revenue bonds, the signature shall for all purposes have the same effect as if he had remained in office until delivery. The revenue bonds may be issued in coupon or in registered form, as provided in section 3 of this 1983 act, or both as the board of directors may determine, and provisions may be made for the registration of any coupon revenue bonds as to the principal alone and also as to both principal and interest and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. A public corporation may sell revenue bonds at public or private sale for such price and bearing interest at such fixed or variable rate as may be determined by the board of directors.

(3) The proceeds of the revenue bonds of each issue shall be used solely for the payment of all or part of the project cost of or for the making of a loan in the amount of all or part of the project cost of the industrial development facility for which authorized and shall be disbursed in such manner and under such restrictions, if any, provided in the resolution authorizing the issuance of the revenue bonds or in the trust agreement securing the bonds. If the proceeds of the revenue bonds of any series issued with respect to the cost of any industrial development facility exceeds the cost of the industrial development facility for which issued, the surplus shall be deposited to the credit of the debt service fund for the revenue bonds or used to purchase revenue bonds in the open market.

(4) A public corporation may issue interim notes in the manner provided for the issuance of revenue bonds to fund industrial development facilities prior to issuing other revenue bonds to fund such facilities. A public corporation may issue revenue bonds to fund industrial development facilities that are exchangeable for other revenue bonds when these other revenue bonds are executed and available for delivery.

(5) The principal of and interest on any revenue bonds issued by a public corporation shall be secured by a pledge of unexpended bond proceeds and the revenues and receipts received by the public corporation from the industrial development facilities funded by the revenue bonds pursuant to financing documents. The resolution under which the revenue bonds are authorized to be issued and any financing document may contain agreements and provisions respecting the maintenance or use of the industrial development facility covered thereby, the fixing and collection of rents, purchase price payments or loan payments, the creation and maintenance of special funds from such revenues or from revenue bond proceeds, the rights and remedies available in the event of default, and other provisions relating to the security for the bonds, all as the board of directors consider advisable which are not in conflict with this chapter.

(6) The governing body of the municipality under whose auspices the public corporation is created shall approve by resolution any agreement to issue revenue bonds adopted by a public corporation, which agreement and resolution shall set out the amount and purpose of the revenue bonds. Additionally, no issue of revenue bonds, including refunding bonds, may be sold and delivered by a public corporation without a resolution of the governing body of the municipality under whose auspices the public corporation is created, adopted no more than sixty days before the date of sale of the revenue bonds specifically, approving the resolution of the public corporation providing for the issuance of the revenue bonds.

(7) All revenue bonds issued under this chapter and ~~(and)~~ any interest coupons applicable thereto are negotiable instruments within the meaning of Article 8 of the Uniform Commercial Code, Title 62A RCW, regardless of form or character.

(8) Notwithstanding subsections (1) and (2) of this section, such bonds and interim notes may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 116. Section 43.52.3411, chapter 8, Laws of 1965 as amended by section 2, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.3411 are each amended to read as follows:

For the purposes provided for in this chapter, an operating agency shall have power to issue revenue bonds or warrants payable from the revenues of the utility properties operated by it. Whenever the board of a joint operating agency shall deem it advisable to issue bonds or warrants to construct or acquire any public utility or any works, plants or facilities or any additions or betterments thereto or extensions thereof it shall provide therefor by resolution, which shall specify and adopt the system or plan proposed and declare the estimated cost thereof as near as may be. Such cost may include funds for working capital, for payment of expenses incurred in the acquisition or construction of the utility and for the repayment of advances made to the operating agency by any public utility district or city. Except as otherwise provided in RCW 43.52.343, all the provisions of law as now or hereafter in effect relating

to revenue bonds or warrants of public utility districts shall apply to revenue bonds or warrants issued by the joint operating agency including, without limitation, provisions relating to: The creation of special funds and the pledging of revenues thereto; the time and place of payment of such bonds or warrants and the interest rate or rates thereon; the covenants that may be contained therein and the effect thereof; the execution, issuance, sale, funding, or refunding, redemption and registration of such bonds or warrants; and the status thereof as negotiable instruments, as legal securities for deposits of public moneys and as legal investments for trustees and other fiduciaries and for savings and loan associations, banks and insurance companies doing business in this state. However, for revenue bonds or warrants issued by an operating agency, the provisions under RCW 54.24.030 relating to additional or alternate methods for payment may be made a part of the contract with the ~~((holders))~~ owners of any revenue bonds or warrants of an operating agency. The board may authorize the managing director or the treasurer of the operating agency to sell revenue bonds or warrants maturing one year or less from the date of issuance, and to fix the interest rate or rates on such revenue bonds or warrants with such restrictions as the board shall prescribe. Such bonds and warrants may be in any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act. Such bonds and warrants may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 117. Section 2, chapter 80, Laws of 1969 ex. sess. as amended by section 1, chapter 216, Laws of 1982 and RCW 43.80.110 are each amended to read as follows:

Fiscal agencies shall be appointed for the payment of bonds and any coupons issued by this state or by any subdivision thereof. The appointed fiscal agencies may be located in any major city of the country. No bonds hereafter issued by this state or by any affected subdivision thereof, shall be by their terms made payable at a specific place other than: (1) The office of the designated fiscal agencies; (2) offices of the state or local treasurers or fiscal offices of any affected subdivision; or (3) the offices of trustees if provided for in the indenture, as provided for by the terms of the bonds. As used in this chapter, bonds do not include short-term obligations. Fiscal agencies may be authorized to register bonds in accordance with section 3 of this 1983 act.

Bonds and any coupons of subdivisions may be paid at one or more of the state's fiscal agents and/or at the office of the state treasurer or offices of local treasurers as provided for in the terms of the bonds.

Sec. 118. Section 47.56.140, chapter 13, Laws of 1961 as last amended by section 62, chapter 56, Laws of 1970 ex. sess. and RCW 47.56.140 are each amended to read as follows:

The revenue bonds may be issued and sold by the ~~((authority))~~ department of transportation from time to time and in such amounts as it deems necessary to provide sufficient funds for the construction of the bridge, and to pay interest on outstanding bonds issued for its construction during the period of actual construction and for six months after completion thereof.

The ~~((authority))~~ department of transportation shall determine the form, conditions, and denominations of the bonds, and the maturity dates which the bonds to be sold shall bear and the interest rate thereon. All bonds of the same issue need not bear the same interest rate. Principal and interest of the bonds ~~((shall))~~ may be payable at such place as determined by the ~~((authority, and may contain provisions for registration as to principal or interest, or both))~~ department. They ((shall)) may be in ((coupon)) any form including bearer bonds or registered bonds as provided in section 3 of this 1983 act, with interest payable at such times as determined by the ((authority)) department, and shall mature at such times and in such amounts as the ((authority)) department prescribes. The ((authority)) department may provide for the retirement of the bonds at any time prior to maturity, and in such manner and upon payment of such premiums as it may determine in the resolution providing for the issuance of the bonds. All such bonds shall be signed by the state auditor and countersigned by the governor and any interest coupons appertaining thereto shall bear the signature of the state auditor. The countersignature of the governor on such bonds and the signature of the state auditor on ((such)) any coupons may be their printed or lithographed facsimile signatures. Successive issues of such bonds within the limits of the original authorization shall have equal preference with respect to the redemption thereof and the payment of interest thereon. The ((authority)) department may fix different maturity dates, serially or otherwise, for successive issues under any one original authorization. The bonds shall be negotiable instruments under the law merchant. All bonds issued and sold hereunder shall be sold on sealed bids to the highest and best bidder after such advertising for bids as the ((authority)) department deems proper. The ((authority)) department may reject any and all bids and may thereafter sell the bonds at private sale under such terms and conditions as it deems most advantageous to its own interests; but not at a price below that of the best bid which was rejected. The ((authority)) department may contract loans and borrow money through the sale of bonds of the same character as those herein authorized, from the United States or any agency thereof, upon such conditions and terms as may be agreed to and the bonds shall be subject to all the provisions of this chapter, except the requirement that they be first offered at public sale.

Temporary or interim bonds, certificates, or receipts, of any denomination, and with or without coupons attached, signed by the state auditor, may be issued and delivered until bonds are executed and available for delivery.

Sec. 119. Section 49, chapter 145, Laws of 1967 ex. sess. and RCW 47.56.243 are each amended to read as follows:

After transfer of such moneys pursuant to RCW 47.56.242, all valid claims against such accounts, including proper claims for refunds for unused commute media and other prepaid toll fees, may be satisfied, and any outstanding bonds or any coupons may be redeemed by payment from the motor vehicle fund upon proper application to and approval by the (~~highway commission~~) department of transportation.

Neither the provisions of this section nor of RCW 47.56.242 shall be construed to preclude any remedy otherwise available to bond owners or coupon holders.

Sec. 120. Section 34, chapter 34, Laws of 1939 as last amended by section 1, chapter 221, Laws of 1959 and RCW 52.16.020 are each amended to read as follows:

In each county in which a fire protection district is situated, there are hereby created in the county treasurer's office, for the use of each said district, the following funds: (1) Expense fund; (2) (~~coupon warrant fund~~; (3)) reserve fund; (~~(4)~~) (3) local improvement district No. . . . . fund; and (~~(5)~~) (4) general obligation bond fund. All taxes levied for administrative, operative, and maintenance purposes and for the purchase of firefighting equipment and apparatus and for the housing thereof, when collected, and proceeds from the sale of (~~coupon warrants~~) general obligation bonds shall be placed by the county treasurer in the expense fund. All taxes levied for the payment of (~~coupon warrants~~) general obligation bonds and interest thereon, when collected, shall be placed by the county treasurer in the (~~coupon warrant~~) general obligation bond fund. (~~Proceeds from the sale of general obligation bonds shall be placed by the county treasurer in the expense fund.~~) The board of fire commissioners may include in its annual budget items of possible outlay to be provided for and held in reserve for any district purpose, and taxes shall be levied therefor, and all such taxes, when collected, shall be placed by the county treasurer in the reserve fund; said reserve fund, or any part thereof, may be transferred by the county treasurer to any other funds of the district at any time upon order of the board of fire commissioners. All special (~~taxes~~) assessments levied against the lands in any improvement district within the district, when collected, shall be placed by the county treasurer in the local improvement district fund for such local improvement district.

Sec. 121. Section 37, chapter 34, Laws of 1939 and RCW 52.16.050 are each amended to read as follows:

The county treasurer shall pay out money received for the account of the district upon warrants issued by the county auditor against the proper funds of the district. Said warrants shall be issued on vouchers approved and signed by a majority of the district board and by the secretary thereof. The county treasurer shall also be authorized to pay (~~coupon warrants~~) general obligation bonds and the accrued interest thereon in accordance with their terms out of the (~~coupon warrant~~) general obligation bond fund (~~upon presentation of such warrants or interest coupons thereof~~) when interest or principal payments become due. The county treasurer shall report in writing monthly to the secretary of the district the amount of money held by him in each fund and the amounts of receipts and disbursements for each fund during the preceding month.

Sec. 122. Section 3, chapter 176, Laws of 1953 as last amended by section 66, chapter 56, Laws of 1970 ex. sess. and RCW 52.16.061 are each amended to read as follows:

(1) The board of fire commissioners of the district shall have authority to contract indebtedness and to refund same for any general district purpose, including expenses of maintenance, operation and administration, and the acquisition of firefighting facilities, and evidence the same by the issuance and sale at par plus accrued interest of (~~coupon warrants~~) general obligation bonds of the district in such denominations, in such form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act, and payable at such time or times not longer than six years from the issuing date of (~~said coupon warrants~~) the bonds; said date to be specified thereon, as the board shall determine and provide. Such (~~coupon warrants~~) bonds shall pay interest at such rate or rates as authorized by the board, payable semiannually on the first day of January and of July following in each year: PROVIDED, That at the option of district board the aggregate amount of (~~coupon warrants~~) bonds may include a sum sufficient to pay the annual interest thereon for a period not exceeding one year from the issuing date of the (~~coupon warrants~~) bonds and in that event such interest shall be taken from the proceeds of the sale of the (~~coupon warrants~~) bonds and immediately placed in the (~~coupon warrant~~) general obligation fund of the district, for the payment of the interest (~~coupons maturing~~) payments becoming due during the first year of the (~~coupon warrants~~) The issuance of the coupon warrants, prior to delivery thereof to the purchaser, shall be recorded in the office of the county treasurer in a book kept for that purpose. Said coupon warrants when issued shall constitute general obligations of the district. All outstanding district warrants of every kind shall outlaw and become void after six years, from the maturity date thereof where money shall be available in the proper fund of the district within that time for their

payment)) bonds. Such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 123. Section 39, chapter 34, Laws of 1939 as last amended by section 1, chapter 130, Laws of 1975 1st ex. sess. and RCW 52.16.070 are each amended to read as follows:

Except as authorized by virtue of the issuance and sale of (~~district coupon warrants and~~) general obligation bonds, and the creation of local improvements districts and the issuance of local improvement bonds and warrants of the fire protection district, the board of fire commissioners shall have no authority to incur expenses or other financial obligations payable in any year in excess of the aggregate amount of taxes levied for that year, revenues derived from contracts, leases and fire protection services rendered to any other municipal corporation, person, firm or corporation, or state agency, grants, bequests, gifts or donations whether received from governmental or nongovernmental sources, and the cash balances on hand in the expense and reserve funds of the district on the first day of that year. In the event that there are any unpaid warrants drawn on any district fund or funds for expenses and obligations incurred outstanding at the end of any calendar year, the same may be paid from taxes collected in the subsequent year or years, revenues, grants, bequests, gifts or donations.

Sec. 124. Section 5, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 67, chapter 56, Laws of 1970 ex. sess. and RCW 52.16.100 are each amended to read as follows:

(1) Bonds issued pursuant to RCW 52.16.080 and 52.16.090 shall be serial in form and maturity and numbered from one up consecutively. They shall bear interest at a rate or rates as authorized by the board of fire commissioners, payable semiannually from date of said bonds until the principal thereof is paid (~~with interest coupons evidencing such interest to be attached thereto~~). The first annual maturity shall be two years from the date of issue of (~~said~~) such bonds and the various annual maturities shall be as nearly as practicable in such amounts as will, together with the interest on all outstanding bonds, be met by equal annual tax levies for the payment of the principal and interest of said bonds. Bonds issued under (~~this act~~) RCW 52.16.080 and 52.16.090 may not run for more than twenty years from the date of issue and except for bond No. 1, may only be in multiples of one hundred dollars. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 125. Section 6, chapter 24, Laws of 1951 2nd ex. sess. and RCW 52.16.110 are each amended to read as follows:

(1) Such bonds shall be signed by the chairman of the board of fire commissioners and attested by the secretary of said board under the seal of the district and (~~the~~) any interest coupons to be attached thereto shall be signed with the facsimile signatures of said officials. Said bonds shall be sold in such manner as the board of fire commissioners shall deem to be for the best interest of the district and at a price not less than par.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 126. Section 8, chapter 24, Laws of 1951 2nd ex. sess. as last amended by section 52, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.130 are each amended to read as follows:

To carry out the purposes for which fire protection districts are created, the board of fire commissioners of any such district is hereby authorized to levy each year, in addition to the levy or levies provided in (~~this act~~) RCW 52.16.120 for the payment of the principal and interest of any outstanding general obligation bonds (~~and the levies necessary to pay the principal and interest of any coupon warrants heretofore issued and outstanding~~), an ad valorem tax on all taxable property located in such district not to exceed fifty cents per thousand dollars of assessed value: PROVIDED, That in no case may the total general levy for all purposes, except the levy for the retirement of general obligation bonds, exceed one dollar per thousand dollars of assessed value. Levies in excess of one dollar per thousand dollars of assessed value or in excess of aggregate dollar rate limitations or both may be made for any district purpose when so authorized at a special election under the provisions of RCW 84.52.052. Any such tax when so levied shall be certified to the proper county officials for the collection of the same as for other general taxes. Such taxes when collected shall be placed in the appropriate district fund or funds as provided by law, and shall be paid out on warrants of the auditor of the county in which the district is situated, upon authorization of the board of fire commissioners of such district.

Sec. 127. Section 9, chapter 24, Laws of 1951 2nd ex. sess. as amended by section 53, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.140 are each amended to read as follows:

Notwithstanding the limitation of dollar rates contained in RCW 52.16.130, the board of fire commissioners of any such district is hereby authorized to levy, in addition to any levy for the payment of the principal and interest of any outstanding general obligation bonds (~~and levies necessary to pay the principal and interest of any coupon warrants heretofore issued and outstanding~~), an ad valorem tax on all property located in such district of not to exceed fifty cents

per thousand dollars of assessed value when such levy will not take dollar rates which other taxing districts may lawfully claim and which will not cause the combined levies to exceed the constitutional and/or statutory limitations, and such additional levy, or any portion thereof, may also be made when dollar rates of other taxing units is released therefor by agreement with the other taxing units from their authorized levies.

Sec. 128. Section 9, chapter 53, Laws of 1961 as last amended by section 54, chapter 195, Laws of 1973 1st ex. sess. and RCW 52.16.160 are each amended to read as follows:

Notwithstanding the limitation of dollar rates contained in RCW 52.16.130, and in addition to any levy for the payment of the principal and interest of any outstanding general obligation bonds ~~((and levies necessary to pay the principal and interest of any coupon warrants heretofore issued and outstanding))~~ and in addition to any levy authorized by RCW 52.16.130, 52.16.140 or any other statute, if in any county where there are one or more townships in existence making annual tax levies and such township or townships are disorganized as a result of a county-wide disorganization procedure prescribed by statute and is no longer making any tax levy, or any township or townships for any other reason no longer makes any tax levy, the board of fire commissioners of any fire protection district within such county is hereby authorized to levy each year an ad valorem tax on all taxable property within such district of not to exceed fifty cents per thousand dollars of assessed value, which levy may be made only if it will not cause the combined levies to exceed the constitutional and/or statutory limitations.

Sec. 129. Section 45, chapter 34, Laws of 1939 as last amended by section 68, chapter 56, Laws of 1970 ex. sess. and RCW 52.20.060 are each amended to read as follows:

(1) Said district board shall also have authority, if in accordance with the adopted means of financing said local improvement district, to issue and sell at par and accrued interest coupon or registered warrants payable within three years from the date thereof exclusively from the local improvement fund of the district. Such coupon or registered warrants shall ~~((be payable with))~~ bear semiannual interest ~~((to bearer))~~ and shall be in such form as the board shall determine and shall state on their face that they are payable exclusively from the local improvement fund of the district ~~((and shall be registered in the county treasurer's office, as provided herein for the registry of general coupon warrants of the district))~~. Interest ~~((coupons thereon))~~ shall be payable on the first day of January and of July. Such warrants may be registered as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 130. Section 1, chapter 255, Laws of 1947 and RCW 52.34.010 are each amended to read as follows:

The board of fire commissioners of any fire protection district now existing or which may hereafter be organized under the laws of the state of Washington may commence a special proceeding in the superior court of the state of Washington in and by which the proceedings for the organization of the fire district or for the formation of any local improvement district therein, or proceedings for the authorization, issuance and sale of coupon or registered warrants or general obligation bonds issued pursuant to RCW 52.16.061, either of the fire district or for a local improvement district therein, or both, whether such bonds or coupon or registered warrants, or any of them, have or have not been sold, or proceedings for any contract of the district involving the fire district or any local improvement district therein and any other proceedings which may affect the legality of the proceedings concerned or any or all of the proceedings above outlined, may be judicially examined, approved and confirmed.

Sec. 131. Section 6, chapter 255, Laws of 1947 and RCW 52.34.060 are each amended to read as follows:

Upon the hearing of such special proceedings, the court shall have power and jurisdiction to examine and determine the legality and validity of, and to approve and confirm, each and all of the proceedings for the organization of the fire protection district and for the formation of any local improvement district therein under the provisions of the law relating to such districts from and including the petition for the organization of the fire district and for the formation of any local improvement district therein and all other proceedings which affect the legality of said districts, or the validity and legality of any coupon or registered warrants or bonds either of the fire district or for a local improvement district therein and all proceedings had by the fire district for any contract of the district involving the fire district or any local improvement district therein, and any other proceeding which may affect the legality of any of the proceedings concerned.

Sec. 132. Section 6, chapter 65, Laws of 1955 and RCW 53.08.050 are each amended to read as follows:

(1) A district may establish local improvement districts within the district, and levy special assessments, in annual installments extending over a period not exceeding ten years on all property specially benefited by the local improvement, on the basis of special benefits, to pay in whole or in part the damages or costs of the local improvement, and issue local improvement bonds to be paid from local improvement assessments. The levy and collection of such assessments and issuance of such bonds shall be as provided for the levy and collection of local improvement assessments and the issuance of local improvement bonds by cities ~~((of the~~

~~first-class~~) and towns, insofar as consistent with this title: PROVIDED, That the duties of the treasurers of such cities and towns in connection therewith shall be performed by the county treasurer. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 133. Section 3, chapter 236, Laws of 1959 as last amended by section 69, chapter 56, Laws of 1970 ex. sess. and RCW 53.34.030 are each amended to read as follows:

Whenever any port district shall determine to acquire or construct any one or more projects authorized under the provisions of this chapter, the commission of such district shall have the power and is authorized to issue negotiable revenue bonds and notes from time to time in one or more series or installments in such principal amount as, in the opinion of the commission, shall be necessary to provide sufficient money for the acquisition, construction, reconstruction, extension or improvement thereof as set forth in RCW 53.34.010, including engineering, inspection, legal and financial fees and costs, working capital, interest on such bonds and notes during construction and for a reasonable period thereafter, establishment of reserves to secure such bonds and notes and all other expenditures of such district incidental, necessary or convenient to the establishment of such projects on a sound financial basis, and to issue negotiable revenue bonds and notes for the purpose of renewing or refunding such outstanding bonds and notes in whole or in part at or prior to maturity. All such revenue bonds or notes (~~and coupons thereto attached~~) shall be negotiable instruments within the meaning and purposes of the negotiable instruments law and shall be sold by the commission in such manner and for such price as the commission deems for the best interests of the district: PROVIDED, That the bonds and warrants may be in any form, including bearer bonds or bearer notes, or registered bonds or registered notes as provided in section 3 of this 1983 act. The commission may provide in any contract for the construction or acquisition of all or any part of a project or projects or for the additions or betterments thereto or extensions or improvements thereof that payment therefor shall be made only in such revenue bonds or notes (~~PROVIDED FURTHER: That~~). Any revenue bonds issued under the authority of this act shall have a final maturity not to exceed forty years from date of issue.

Sec. 134. Section 4, chapter 236, Laws of 1959 as last amended by section 70, chapter 56, Laws of 1970 ex. sess. and RCW 53.34.040 are each amended to read as follows:

(1) Revenue bonds and notes may be issued by one or more resolutions and may be secured by trust agreement by and between the district and one or more corporate trustees, depositories, or fiscal agents, which may be any trust company or state or national bank having powers of a trust company within or without the state of Washington. Such bonds or notes shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denominations, be in such form either coupon or registered as provided in section 3 of this 1983 act, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places within or without the state of Washington, and be subject to such terms of redemption and at such redemption premiums as such resolution, resolutions, or trust agreements may provide. No proceedings for the issuance of such bonds or notes shall be required other than those required by the provisions of this chapter, and none of the provisions of any other laws relative to the terms and conditions for the issuance, payment, redemption, registration, sale or delivery of bonds of public bodies, corporation, or political subdivisions of this state shall be applicable to bonds or notes issued by port districts pursuant to this chapter.

(2) Notwithstanding subsection (1) of this section, such bonds and notes may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 135. Section 5, chapter 236, Laws of 1959 and RCW 53.34.050 are each amended to read as follows:

Any resolution, resolutions, or trust agreements authorizing the issuance of any bonds or notes of a port district may contain covenants and agreements on the part of the district to protect and safeguard the security and payment of such bonds or notes, which shall be a part of the contract with the (~~holders~~) owners of such obligations thereby authorized as to:

(1) Pledging all or any part of the revenues, income, receipts, profits and other moneys derived by the district issuing such obligations from the ownership, operation, management, lease, or sale of any one or more of the projects constructed from the proceeds thereof to secure the payment of bonds or notes;

(2) The establishment and collection of rates, rentals, tolls, charges, license, and other fees to be charged by the district and the amounts to be raised in each year for the services and commodities sold, leased, furnished, or supplied by any one or more of the projects established from the proceeds of such obligations, and the deposit, use, and disposition of the revenues of the district received therefrom;

(3) The setting aside of reserves or sinking funds for such obligations, and the deposit, investment, and disposition thereof;



(4) Limitations on the purpose or purposes to which the proceeds of sale of any issue of bonds or notes then or thereafter issued payable from the revenues of any such project or projects may be applied, and pledging such proceeds to secure the payment of such bonds or notes;

(5) Limitations on the issuance of additional revenue bonds or notes of the district, the terms and conditions upon which such additional revenue bonds or notes may be issued and secured, and the refunding of outstanding or other bonds or notes;

(6) The procedure, if any, by which the terms of any contract with ~~((bondholders))~~ bond owners may be amended or abrogated, the amount of bonds or notes the ~~((holders))~~ owners of which must consent thereto, and the manner in which such consent may be given;

(7) Limitations on the amount of moneys derived from any project or projects to be expended for operating, administrative or other expenses of the district in connection with any such project or projects;

(8) The employment of independent auditors and engineers or other technical consultants to advise and assist the district in the operation, management, and improvement of any project or projects;

(9) Limitations or prohibitions on rendering free service in connection with any project or projects;

(10) Specifying conditions constituting events of default and vesting in one or more trustees including trustees which may be appointed by the ~~((bondholders and noteholders))~~ bond owners and note owners, such special rights, property rights, powers, and duties with respect to the property and revenues of any project or projects as the commission of the district may deem advisable the better to secure the payment of such bonds and notes;

(11) Prescribing conditions controlling the acquisition, sale, lease, or other disposition of real and personal property used or useful in connection with any project or projects, the amount and kinds of policies of insurance to be carried by the district in connection therewith, and the use and disposition of the proceeds of policies of insurance; and

(12) Any other matters of like or different character which in any way affect the security or protection of bonds or notes of the district.

Sec. 136. Section 12, chapter 92, Laws of 1911 as amended by section 2, chapter 179, Laws of 1921 and RCW 53.36.040 are each amended to read as follows:

(1) Any port commission is hereby authorized, prior to the receipt of taxes raised by levy, to borrow money or issue the warrants of the district in anticipation of the revenues to be derived by such district and such warrants shall be redeemed from the first money available from such taxes when collected. Such warrants may be in any form, including bearer warrants or registered warrants as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 137. Section 4, chapter 59, Laws of 1957 as last amended by section 73, chapter 56, Laws of 1970 ex. sess. and RCW 53.40.030 are each amended to read as follows:

(1) The port commission shall determine the form, conditions, and denominations of all such bonds, the maturity date or dates which the bonds so sold shall bear, and the interest rate or rates thereon. It shall not be necessary that all bonds of the same authorized issue bear the same interest rate or rates. Principal and interest of the bonds shall be payable at such place or places as may be fixed and determined by the port commission. The bonds may contain provisions for registration thereof as to principal only or as to both principal and interest as provided in section 3 of this 1983 act. The bonds shall ~~((be issued in coupon form with))~~ have interest payable at such time or times as may be determined by the port commission and in such amounts as it may prescribe. The port commission may provide for retirement of bonds issued under this chapter at any time or times prior to their maturity, and in such manner and upon the payment of such premiums as may be fixed and determined by resolution of the port commission.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 138. Section 4, chapter 122, Laws of 1949 as last amended by section 4, chapter 183, Laws of 1959 and RCW 53.40.040 are each amended to read as follows:

Bonds issued under the provisions of this chapter shall be payable solely out of operating revenues of the port district. Such bonds shall be authorized by resolution adopted by the port commission, which resolution shall create a special fund or funds into which the port commission may obligate and bind the port district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a fixed amount of the gross revenue of the port district for the purpose of paying the principal of and interest on such bonds as the same shall become due, and if deemed necessary to maintain adequate reserves therefor. Such fund or funds shall be drawn upon solely for the purpose of paying the principal and interest upon the bonds issued pursuant to this chapter.

The bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, even though they shall be payable solely from such special

fund or funds, and the tax revenue of the port district may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. The bonds and ~~((the))~~ any coupons attached thereto shall state upon their face that they are payable solely from such special fund or funds. If the port commission fails to set aside and pay into such fund or funds the payments provided for in such resolution, the ~~((holder))~~ owner of any such bonds may bring suit to compel compliance with the provisions of the resolution.

Sec. 139. Section 9, chapter 122, Laws of 1949 as last amended by section 74, chapter 56, Laws of 1970 ex. sess. and RCW 53.40.110 are each amended to read as follows:

(1) The bonds issued pursuant to the provisions of this chapter shall bear interest at such rate or rates as authorized by the port commission; shall be signed on behalf of the port district by the president of the port commission and shall be attested by the secretary of the port commission, one of which signatures may be a facsimile signature, and shall have the seal of the port district impressed thereon; ~~((each of the))~~ any interest coupons attached thereto shall be signed by the facsimile signatures of said officials. Such bonds shall be sold in the manner and at such price as the port commission shall deem best, either at public or private sale.

The port commission may provide such covenants as it may deem necessary to secure the payment of the principal of and interest on such bonds and may but shall not be required to include covenants to create a reserve fund or account and to authorize the payment or deposit of certain moneys therein for the purpose of securing the payment of such principal and interest; to establish, maintain, and collect tariffs, rates, charges, fees, rentals, and sales prices on facilities and services the income of which is pledged for the payment of such bonds, sufficient to pay or secure the payment of such principal and interest and to maintain an adequate coverage over annual debt service; and to make any and all other covenants not inconsistent with the provisions of this chapter which will increase the marketability of such bonds. The port commission may also provide that revenue bonds payable out of the same source or sources may later be issued on a parity with any revenue bonds being issued and sold. The provisions of this chapter and any resolution or resolutions providing for the authorization, issuance, and sale of such bonds shall constitute a contract with the ~~((holders))~~ owners of such bonds, and the provisions thereof shall be enforceable by any owner ~~((or holder))~~ of such bonds by mandamus or any appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 140. Section 8, chapter 122, Laws of 1949 as last amended by section 75, chapter 56, Laws of 1970 ex. sess. and RCW 53.40.130 are each amended to read as follows:

(1) The port commission of any port district may by resolution, from time to time, provide for the issuance of funding or refunding revenue bonds to fund or refund any outstanding revenue warrants, bonds, and any premiums and interest due thereon ~~((and matured coupons evidencing interest upon any such bonds))~~ at or before the maturity of such warrants or bonds, and may combine various outstanding revenue warrants and parts or all of various series and issues of outstanding revenue bonds and any matured coupons in the amount thereof to be funded or refunded.

The port commission shall create a special fund for the sole purpose of paying the principal of and interest on such funding or refunding revenue bonds, into which fund the commission shall obligate and bind the port district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a fixed amount of the gross revenue of the port district sufficient to pay such principal and interest as the same shall become due, and if deemed necessary to maintain adequate reserves therefor.

Such funding or refunding bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, and the tax revenue of the port district may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The port district may exchange such funding or refunding bonds for the warrants, bonds, and any coupons being funded or refunded, or it may sell such funding or refunding bonds in the manner, at such rate or rates of interest and at such price as the port commission shall deem to be for the best interest of the district and its inhabitants, either at public or private sale.

The provisions of this chapter relating to the terms, conditions, covenants, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 141. Section 3, chapter 7, Laws of 1941 and RCW 53.43.030 are each amended to read as follows:

(1) Such funding or refunding bonds shall be the general obligation bonds of the district issuing the same, payable out of and from annual taxes upon all the taxable property within the port district levied and collected as are other port district taxes. Such bonds shall run for a period of not exceeding twenty years from date thereof, and shall mature and be payable on

the amortization plan prescribed by RCW 39.44.010: PROVIDED, HOWEVER, That any such bonds may be issued to mature commencing at the end of the first year after date thereof, and the foregoing amortization plan may be departed from when, in view of other taxation and financial burdens of any such port district, it shall be to the advantage of the port district and of the owners of the property therein, in the judgment of the board of commissioners thereof, to depart from such amortization plan; and said bonds or any part thereof maturing on or after ten years from date thereof may be made redeemable on any interest payment date prior to their dates of fixed maturity, at the option of the port district, upon such prior notice thereof as shall be determined by resolution of said board and as expressed upon the face of the bonds thus subjected to the right of prior redemption. The board of commissioners shall have the right to apply to the payment of said bonds and to the prior redemption thereof any other moneys or funds belonging to said port district which are legally available for such purpose.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act): PROVIDED, That the issuance of such bonds shall be subject to RCW 53.43.040(2).

Sec. 142. Section 4, chapter 7, Laws of 1941 as amended by section 17, chapter 156, Laws of 1981 and RCW 53.43.040 are each amended to read as follows:

(1) Such funding or refunding bonds shall bear interest at a rate or rates fixed by the board after the sale of said bonds, or, in the event of the issuance thereof by exchange, prior to such exchange; and the form of said bonds (~~and interest coupons which shall be attached thereto~~), which may be bearer or registered as provided in section 3 of this 1983 act, their execution, and said bonds in all other respects, shall be as permitted by law and as provided by resolution of said board. Funding or refunding bonds may be issued by way of sale, or by exchange of such funding or refunding bonds for the warrants, bonds, or other instruments evidencing the indebtedness thus to be funded or refunded (~~PROVIDED, That~~).

(2) Such funding or refunding bonds (~~thus~~) issued after sale (~~thereof~~) of such bonds, or by exchange thereof, shall not exceed, in principal amount, the principal and interest of the indebtedness thereby funded or refunded, and the funding or refunding bonds shall bear a lower rate of interest than the rate of interest borne by the indebtedness funded or refunded thereby.

(3) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 143. Section 2, chapter 239, Laws of 1947 as last amended by section 76, chapter 56, Laws of 1970 ex. sess. and RCW 53.44.020 are each amended to read as follows:

(1) Such funding or refunding bonds shall bear interest as fixed by the board after the sale of the bonds, or, in the event of the issuance thereof by exchange, prior to such exchange; and the form of the bonds (~~and interest coupons which shall be attached thereto~~), which may be bearer or registered as provided in section 3 of this 1983 act, their execution, and the bonds in all other respects, shall be as permitted by law and as provided by resolution of the board.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 144. Section 8, chapter 390, Laws of 1955 as amended by section 1, chapter 218, Laws of 1959 and RCW 54.16.070 are each amended to read as follows:

(1) A district may contract indebtedness or borrow money for any corporate purpose on its credit or on the revenues of its public utilities, and to evidence such indebtedness may issue general obligation bonds or revenue obligations, the general obligation bonds not to be sold for less than par and accrued interest; may issue and sell local utility district bonds of districts created by the commission, and may purchase with surplus funds such local utility district bonds, and may create a guaranty fund to insure prompt payment of all local utility district bonds.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 145. Section 14, chapter 390, Laws of 1955 and RCW 54.16.130 are each amended to read as follows:

The commission shall by resolution establish the method of procedure in all matters relating to local utility districts. A public utility district may determine by resolution what work shall be done or improvements made at the expense, in whole or in part, of the property specially benefited thereby; and adopt and provide the manner, machinery and proceedings in any way relating to the making and collecting of assessments therefor in pursuance thereof. Except as herein otherwise provided or as may hereafter be set forth by resolution, all matters and proceedings relating to the local utility district, the levying and collection of assessments, the issuance and redemption of local improvement warrants and bonds, and the enforcement of local assessment liens hereunder, shall be governed, as nearly as may be, by the laws relating to local improvements for cities (~~of the first class~~) and towns: PROVIDED, That no protest against a local utility district improvement shall be received after twelve o'clock noon of the day set for hearing. Such bonds and warrants may be in any form, including bearer bonds or bearer warrants, or registered warrants or registered bonds as provided in section 3 of this

1983 act. Such bonds and warrants may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

The commission may determine to finance the project by bonds or warrants secured by assessments against the property within the local utility district: Or it may finance the project by revenue bonds, in which case no bonds or warrants shall be issued by the local utility district, but assessments shall be levied upon the taxable property therein on the basis of special benefits up to, but not exceeding the total cost of the improvement and in such cases the entire principal and interest of such assessments shall be paid into a revenue bond fund of the district, to be used for the sole purpose of the payment of revenue bonds.

Sec. 146. Section 1, chapter 12, Laws of 1971 and RCW 54.24.018 are each amended to read as follows:

(1) Whenever the commission shall deem it advisable that the public utility district purchase, purchase and condemn, acquire, or construct any such public utility, or make any additions or betterments thereto, or extensions thereof, the commission shall provide therefor by resolution, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and specify whether general or utility indebtedness is to be incurred, the amount of such indebtedness, the amount of interest and the time in which all general bonds (if any) shall be paid, not to exceed thirty years. In the event the proposed general indebtedness to be incurred will bring the indebtedness of the public utility district to an amount exceeding three-fourths of one percent of the value of the taxable property of the public utility district, as the term 'value of the taxable property' is defined in RCW 39.36.015, the proposition of incurring such indebtedness and the proposed plan or system shall be submitted to the qualified electors of said public utility district for their assent at the next general election held in such public utility district.

Whenever the commission (or a majority of the qualified voters of such public utility district, voting at said election, when it is necessary to submit the same to said voters) shall have adopted a system or plan for any such public utility, as aforesaid, and shall have authorized indebtedness therefor by a three-fifths vote of the qualified voters of such district, voting at said election, general or public utility bonds may be used as hereinafter provided. Said general bonds shall be serial in form and maturity and numbered from one upwards consecutively. The various annual maturities shall commence not later than the tenth year after the date of issue of such bonds. The general bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The resolution authorizing the issuance of the bonds shall fix the rate or rates of interest the bonds shall bear and the place and date of the payment of both principal and interest. The bonds shall be signed by the president of the commission, attested by the secretary of the commission, and the seal of the public utility district shall be affixed to each bond but not to ~~((the))~~ any coupons: PROVIDED, HOWEVER, That ~~((said))~~ any coupons, in lieu of being so signed, may have printed thereon ~~((a))~~ facsimiles of the signature of such officers. The principal and interest of such general bonds shall be paid from the revenue of such public utility district after deducting costs of maintenance, operation, and expenses of the public utility district, and any deficit in the payment of principal and interest of said general bonds shall be paid by levying each year a tax upon the taxable property within said district sufficient to pay said interest and principal of said bonds, which tax shall be due and collectible as any other tax. Said bonds shall be sold in such manner as the commission shall deem for the best interest of the district.

(2) All bonds and warrants issued under the authority of this ~~((act))~~ chapter shall be legal securities, which may be used by any bank or trust company for deposit with the state treasurer, or any county or city treasurer, as security for deposits, in lieu of a surety bond, under any law relating to deposits of public moneys.

(3) When the commission shall not desire to incur a general indebtedness in the purchase, condemnation and purchase, acquisition, or construction of any such public utility, or addition or betterment thereto, or extension thereof, it shall have the power to create a special fund or funds for the sole purpose of defraying the cost of such public utility, or addition or betterment thereto, or extension thereof, into which special fund or funds it may obligate and bind the district to set aside and pay a fixed proportion of the gross revenues of such public utility, or any fixed amount out of, and not exceeding a fixed proportion of, such revenues, or a fixed amount without regard to any fixed proportion, and to issue and sell revenue bonds or warrants bearing interest at such rate or rates, payable semiannually, executed in such manner, and payable at such times and places as the commission shall determine, but such bonds or warrants and the interest thereon, shall be payable only out of such special fund or funds. In creating any such special fund or funds, the commission shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenues previously pledged as a fund for the payment of bonds or warrants, and shall not set aside into such special fund or funds a greater amount or proportion of the revenues and proceeds than, in its judgment, will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenues so previously pledged. Any such bonds or warrants, and interest thereon, issued against any such fund, as herein provided, shall be a valid claim of the ~~((holder))~~ owner thereof only as against the said

special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming such fund and the resolution creating it. Said bonds and warrants shall be sold in such manner as the commission shall deem for the best interests of the district ~~(-and)~~. The commission may provide in any contract for the construction and acquisition of a proposed improvement or utility that payment therefor shall be made only in such bonds or warrants at the par value thereof. In all other respects, the issuance of such utility bonds or warrants and payment therefor shall be governed by the public utility laws for cities and towns. The revenue or utility bonds or warrants may be in any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act.

(4) Notwithstanding subsections (1) through (3) of this section, any of such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 147. Section 2, chapter 182, Laws of 1941 as amended by section 4, chapter 218, Laws of 1959 and RCW 54.24.030 are each amended to read as follows:

(1) Whenever the commission shall deem it advisable to issue revenue obligations for the purpose of defraying the cost or part of the cost of such public utility or any additions or betterments thereto or extensions thereof, it shall have power as a part of such plan and system to create a special fund or funds for the purpose of defraying the cost of such public utility, or additions or betterments thereto or extensions thereof, into which special fund or funds it may obligate and bind the district to set aside and pay a fixed proportion of the gross revenues of such public utility, and all additions or betterments thereto or extensions thereof, or any fixed amount out of, and not exceeding a fixed proportion of such revenues, or a fixed amount without regard to any fixed proportion, or an amount of such revenues equal to a fixed percentage of the aggregate principal amount of revenue obligations at any time issued against the special fund or funds, and to issue and sell revenue obligations payable as to both principal and interest only out of such fund or funds.

Such revenue obligations shall bear such date or dates, mature at such time or times, be in such denominations, be in such form, either coupon or registered, as provided in section 3 of this 1983 act, or both, carry such registration privileges, be made transferable, exchangeable, and interchangeable, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption as the commission shall by resolution determine.

Any resolution or resolutions authorizing the issuance of any revenue obligations maturing in not exceeding six years from the date thereof (hereinafter in this section referred to as 'short term obligations') may contain, in addition to all other provisions authorized by this title, and as an alternate method for the payment thereof, provisions which shall be a part of the contract with the holders of the short term obligations thereby authorized as to:

((1)) (a) Refunding the short term obligations at or prior to maturity and, if so provided, outstanding bonds by the issuance of revenue bonds of the district either by the sale of bonds and application of the proceeds to the payment of the short term obligations and outstanding bonds or by the exchange of bonds for the short term obligations;

((2)) (b) Satisfying, paying, or discharging the short term obligations at the election of the district by the tender or delivery of revenue bonds of the district in exchange therefor: PROVIDED, That the aggregate principal amount of bonds shall not exceed by more than five percent the aggregate principal amount of the short term obligations, to satisfy, pay, or discharge said short term obligations for which the bonds are tendered or delivered;

((3)) (c) Exchanging or converting the short term obligations at the election of the ~~(holder)~~ owner thereof for or into the bonds of the district: PROVIDED, That the aggregate principal amount of the bonds shall not exceed by more than five percent the aggregate principal amount of the short term obligations to be exchanged for or converted into bonds;

((4)) (d) Pledging bonds of the district as collateral to secure payment of the short term obligations and providing for the terms and conditions of the pledge and the manner of enforcing the pledge, which terms and conditions may provide for the delivery of the bonds in satisfaction of the short term obligations: PROVIDED, That the aggregate principal amount of the bonds pledged shall not exceed by more than five percent the aggregate principal amount of the short term obligations to secure said short term obligations for which they are pledged;

((5)) (e) Depositing bonds in escrow or in trust with a trustee or fiscal agent or otherwise providing for the issuance and disposition of the bonds as security for carrying out any of the provisions in any resolution adopted pursuant to this section and providing for the powers and duties of the trustee, fiscal agent, or other depository and the terms and conditions upon which the bonds are to be issued, held and disposed of;

((6)) (f) Any other matters of like or different character which relate to any provision or provisions of any resolution adopted pursuant to this section.

A district shall have power to make contracts for the future sale from time to time of revenue obligations by which the purchasers shall be committed to purchase such revenue obligations from time to time on the terms and conditions stated in such contract; and a district shall have power to pay such consideration as it shall deem proper for such commitments.

(2) Notwithstanding subsection (1) of this section, such revenue obligations may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 148. Section 5, chapter 182, Laws of 1941 as amended by section 5, chapter 218, Laws of 1959 and RCW 54.24.040 are each amended to read as follows:

In creating any special fund for the payment of revenue obligations, the commission shall have due regard to the cost of operation and maintenance of the plant or system constructed or added to, and to any proportion or amount of the revenues previously pledged as a fund for the payment of revenue obligations, and shall not set aside into such special fund or funds a greater amount or proportion of the revenues and proceeds than in its judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenues so previously pledged. Any such revenue obligations and interest thereon issued against any such fund as herein provided shall be a valid claim of the ((holder)) owner thereof only as against such special fund and the proportion or amount of the revenues pledged to such fund, but shall constitute a prior charge over all other charges or claims whatsoever, including the charge or lien of any general obligation bonds against such fund and the proportion or amount of the revenues pledged thereto. Such revenue obligations shall not constitute an indebtedness of such district within the meaning of the constitutional provisions and limitations. Each revenue obligation shall state on its face that it is payable from a special fund, naming such fund and the resolution creating it, or shall describe such alternate method for the payment thereof as shall be provided by the resolution authorizing same.

It is the intention hereof that any pledge of the revenues or other moneys or obligations made by a district shall be valid and binding from the time that the pledge is made; that the revenues or other moneys or obligations so pledged and thereafter received by a district shall immediately be subject to the lien of such pledge without any physical delivery or further act, and that the lien of any such pledge shall be valid and binding as against any parties having claims of any kind in tort, contract, or otherwise against a district irrespective of whether such parties have notice thereof. Neither the resolution or other instrument by which a pledge is created need be recorded.

Sec. 149. Section 3, chapter 182, Laws of 1941 as last amended by section 6, chapter 218, Laws of 1959 and RCW 54.24.050 are each amended to read as follows:

Any resolution creating any such special fund or authorizing the issue of revenue obligations payable therefrom, or by such alternate method of payment as may be provided therein, shall specify the title of such revenue obligations as determined by the commission and may contain covenants by the district to protect and safeguard the security and the rights of the ((holders)) owners thereof, including covenants as to, among other things:

(1) The purpose or purposes to which the proceeds of sale of such obligations may be applied and the use and disposition thereof;

(2) The use and disposition of the gross revenues of the public utility, and any additions or betterments thereto or extensions thereof, the cost of which is to be defrayed with such proceeds, including the creation and maintenance of funds for working capital to be used in the operation of the public utility and for renewals and replacements to the public utility;

(3) The amount, if any, of additional revenue obligations payable from such fund which may be issued and the terms and conditions on which such additional revenue obligations may be issued;

(4) The establishment and maintenance of adequate rates and charges for electric energy, water, and other services, facilities, and commodities sold, furnished, or supplied by the public utility;

(5) The operation, maintenance, management, accounting, and auditing of the public utility;

(6) The terms and prices upon which such revenue obligations or any of them may be redeemed at the election of the district;

(7) Limitations upon the right to dispose of such public utility or any part thereof without providing for the payment of the outstanding revenue obligations; and

(8) The appointment of trustees, depositaries, and paying agents to receive, hold, disburse, invest, and reinvest all or any part of the income, revenues, receipts, and profits derived by the district from the operation, ownership, and management of its public utility.

Sec. 150. Section 4, chapter 182, Laws of 1941 as last amended by section 78, chapter 56, Laws of 1970 ex. sess. and RCW 54.24.060 are each amended to read as follows:

(1) Such utility revenue obligations shall be sold and delivered in such manner, at such rate or rates of interest and for such price or prices and at such time or times as the commission shall deem for the best interests of the district. The commission may, if it deem it to be the best interest of the district, provide in any contract for the construction or acquisition of the public utility, or the additions or betterments thereto or extensions thereof, that payment therefor shall be made only in such revenue obligations at the par value thereof.

(2) Notwithstanding subsection (1) of this section, such obligations may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 151. Section 9, chapter 182, Laws of 1941 as last amended by section 2, chapter 37, Laws of 1981 and RCW 54.24.100 are each amended to read as follows:

(1) All revenue obligations, including funding and refunding revenue obligations, shall be executed in such manner as the commission may determine: PROVIDED, That warrants may be signed as provided in RCW 54.24.010. ~~((The))~~ Any interest coupons attached to any revenue obligations may be executed with facsimile or lithographed signatures, or otherwise, as the commission may determine.

(2) Notwithstanding subsection (1) of this section, such obligations may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 152. Section 1, chapter 150, Laws of 1957 and RCW 54.24.200 are each amended to read as follows:

Every public utility district in the state is hereby authorized, by resolution, to create a fund for the purpose of guaranteeing, to the extent of such fund, and in the manner hereinafter provided, the payment of such of its local improvement bonds and/or warrants as the commission may determine issued to pay for any local improvement within any local utility district established within the boundaries of the public utility district. Such fund shall be designated "local improvement guaranty fund, public utility district No. ....". For the purpose of maintaining such fund the public utility district shall set aside and pay into it such proportion as the commissioners may direct by resolution of the monthly gross revenues of its public utilities for which local improvement bonds and/or warrants have been issued and guaranteed by said fund: PROVIDED, HOWEVER, That any obligation to make payments into said fund as herein provided shall be junior to any pledge of said gross revenues for the payment of any outstanding or future general obligation bonds or revenue bonds of the district. The proportion may be varied from time to time as the commissioners deem expedient: PROVIDED, FURTHER, That under the existence of the conditions set forth in subdivisions (1) and (2), hereunder, and when consistent with the covenants of a public utility district securing its bonds, the proportion shall be as therein specified, to wit:

(1) When bonds and/or warrants of a local utility district have been guaranteed and are outstanding and the guaranty fund does not have a cash balance equal to twenty percent of all bonds and/or warrants originally guaranteed hereunder, excluding bonds and/or warrants which have been retired in full, then twenty percent of the gross monthly revenues from each public utility for which such bonds and/or warrants have been issued and are outstanding but not necessarily from users in other parts of the public utility district as a whole, shall be set aside and paid into the guaranty fund: PROVIDED, That when, under the requirements of this subdivision, the cash balance accumulates so that it is equal to twenty percent of the total original guaranteed bonds and/or warrants, exclusive of any issue of bonds and/or warrants of a local utility district which issue has been paid and/or redeemed in full, or equal to the full amount of all bonds and/or warrants guaranteed, outstanding and unpaid, which amount might be less than twenty percent of the original total guaranteed, then no further revenue need be set aside and paid into the guaranty fund so long as such condition continues:

(2) When warrants issued against the guaranty fund remain outstanding and uncalled, for lack of funds, for six months from date of issuance, or when ~~((coupons:))~~ bonds ~~((and/or))~~, warrants, or any coupons or interest payments guaranteed hereunder have been matured for six months and have not been redeemed, then twenty percent of the gross monthly revenue, or such portion thereof as the commissioners determine will be sufficient to retire the warrants or redeem the coupons, interest payments, bonds and/or warrants in the ensuing six months, derived from all the users of the public utilities for which such bonds and/or warrants have been issued and are outstanding in whole or in part, shall be set aside and paid into the guaranty fund: PROVIDED, That when under the requirements of this subdivision all warrants, coupons, bonds and/or warrants specified in this subdivision have been redeemed and interest payments made, no further income need be set aside and paid into the guaranty fund under the requirements of this subdivision unless other warrants remain outstanding and unpaid for six months or other coupons, bonds and/or warrants default or interest payments are not made: PROVIDED, FURTHER, HOWEVER, That no more than a total of twenty percent of the gross monthly revenue shall be required to be set aside and paid into the guaranty fund by these subdivisions (1) and (2).

Sec. 153. Section 3, chapter 150, Laws of 1957 as amended by section 19, chapter 156, Laws of 1981 and RCW 54.24.220 are each amended to read as follows:

When a ~~((coupon:))~~ bond ~~((and/or))~~, warrant, or any coupon or interest payment guaranteed ~~((hereby))~~ by the guaranty fund matures and there are not sufficient funds in the local utility district bond redemption fund to pay it, the county treasurer shall pay it from the local improvement guaranty fund of the public utility district; if there are not sufficient funds in the guaranty fund to pay it, it may be paid by issuance and delivery of a warrant upon the local improvement guaranty fund.

When the cash balance in the local improvement guaranty fund is insufficient for the required purposes, warrants drawing interest at a rate determined by the commission may be

issued by the district auditor, against the fund to meet any liability accrued against it and shall issue them upon demand of the ~~((holders))~~ owners of any matured coupons, bonds, interest payments, and/or warrants guaranteed hereby, or to pay for any certificate of delinquency for delinquent installments of assessments as provided hereinafter. Guaranty fund warrants shall be a first lien in their order of issuance upon the guaranty fund.

Sec. 154. Section 6, chapter 150, Laws of 1957 and RCW 54.24.250 are each amended to read as follows:

When there is paid out of a guaranty fund any sum on the principal or interest upon local improvement bonds, and/or warrants, or on the purchase of certificates of delinquency, the public utility district, as trustee, for the fund, shall be subrogated to all rights of the ~~((holder))~~ owner of the bonds, and/or warrants, any interest coupons, or delinquent assessment installments so paid; and the proceeds thereof, or of the assessment underlying them, shall become a part of the guaranty fund. There shall also be paid into the guaranty fund the interest received from the bank deposits of the fund, as well as any surplus remaining in the local utility district funds guaranteed hereunder, after the payment of all outstanding bonds and/or warrants payable primarily out of such local utility district funds. As among the several issues of bonds and/or warrants guaranteed by the fund, no preference shall exist, but defaulted interest coupons and bonds and/or warrants shall be purchased out of the fund in the order of their presentation.

The commissioners shall prescribe, by resolution, appropriate rules for the guaranty fund consistent herewith. So much of the money of a guaranty fund as is necessary and not required for other purposes hereunder may be used to purchase property at county tax foreclosure sales or from the county after foreclosure in cases where the property is subject to unpaid local improvement assessments securing bonds and/or warrants guaranteed hereunder and such purchase is deemed necessary for the purpose of protecting the guaranty fund. In such cases the funds shall be subrogated to all rights of the district. After so acquiring title to real property, the district may lease or resell and convey it in the same manner that county property may be leased or resold and for such prices and on such terms as may be determined by resolution of the commissioners. All proceeds resulting from such resales shall belong to and be paid into the guaranty fund.

Sec. 155. Section 18, chapter 210, Laws of 1941 as last amended by section 65, chapter 195, Laws of 1973 1st ex. sess. and RCW 56.16.040 are each amended to read as follows:

(1) Whenever any such sewer district shall hereafter adopt a plan for a sewer system as herein provided, or any additions and betterments thereto, or whenever any reorganized sewer district shall hereafter adopt a plan for any additions or betterments thereto, and the qualified voters of any such sewer district or reorganized sewer district shall hereafter authorize a general indebtedness for all the said plan, or any part thereof, or any additions and betterments thereto or for refunding in whole or in part bonds theretofore issued, general obligation bonds for the payment thereof may be issued as hereinafter provided.

The bonds shall be serial in form and maturity and numbered from one up consecutively. The bonds shall bear interest at such rate or rates as authorized by the board of sewer commissioners, payable semiannually from date of said bonds until principal thereof is paid ~~((with interest coupons, evidencing such interest to maturity, attached))~~. The various annual maturities shall commence with the second year after the date of issue of the bonds, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of said bonds and interest: PROVIDED, That only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars. Such bonds may be of any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

((Such)) The general obligation bonds shall never be issued to run for a longer period than thirty years from the date of the issue and shall as nearly as practicable be issued for a period which will be equivalent to the life of the improvement to be acquired by the issue of the bonds.

The bonds shall be signed by the presiding officer of the board of sewer commissioners and shall be attested by the secretary of such board under the seal of the sewer district, and ~~((the))~~ any interest coupons shall be signed by the facsimile signature of the presiding officer of the board of sewer commissioners and shall be attested by the facsimile signature of the secretary of such board.

There shall be levied by the officers or governing body now or hereafter charged by law with the duty of levying taxes in the manner provided by law an annual levy in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of principal and interest on the said bonds maturing as herein provided upon all taxable property within such sewer district.

Said bonds shall be sold in such manner as the sewer commissioners shall deem for the best interest of the sewer district, and at a price not less than par and accrued interest.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).



Sec. 156. Section 19, chapter 210, Laws of 1941 as last amended by section 1, chapter 25, Laws of 1975 1st ex. sess. and RCW 56.16.060 are each amended to read as follows:

(1) When sewer revenue bonds are issued for authorized purposes, said bonds shall be in bearer form or registered as to principal or interest or both, as provided in section 3 of this 1983 act, and may provide for conversion between registered and coupon bonds; shall be in such denominations, shall be numbered, shall bear such date, shall be payable at such time or times up to a maximum period of not to exceed thirty years and at such place or places one of which must be the office of the treasurer of the county in which the district is located, or of the county in which fifty-one percent or more of the area of the district is located such place or places to be determined by the board of commissioners of the district; shall bear interest at such rate or rates payable at such time or times as authorized by the board of sewer commissioners; shall be executed by the president of the board of commissioners and attested by the secretary thereof, one of which signatures may, with the written permission of the signator whose facsimile signature is being used, be a facsimile and have the seal of the district impressed thereon; and may have facsimile signatures of the president and secretary imprinted on ~~((the))~~ any interest coupons in lieu of original signatures.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 157. Section 21, chapter 210, Laws of 1941 as last amended by section 2, chapter 25, Laws of 1975 1st ex. sess. and RCW 56.16.080 are each amended to read as follows:

(1) In creating any special fund or funds the sewer commissioners of such sewer district shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds, and the interest thereon, issued against any such fund as herein provided, shall be a valid claim of the ~~((holder))~~ owner thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such sewer district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state upon its face that it is payable from a special fund, naming the said fund and the resolution creating it. Said bonds shall be sold in such manner, at such prices and at such rate or rates of interest as the sewer commissioners shall deem for the best interests of the sewer district, either at public or private sale, and the said commissioners may provide in any contract for the construction and acquirement of the proposed improvement that payment therefor shall be made in such bonds at par value thereof.

When any such special fund shall have been heretofore or shall be created and any such bonds shall have been heretofore or shall hereafter be issued against the same, a fixed proportion or a fixed amount out of and not to exceed such fixed proportion, or a fixed amount without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the resolution creating such fund or authorizing such bonds. In case any sewer district shall fail thus to set aside and pay said fixed proportion or amount as aforesaid, the ~~((holder))~~ owner of any bond payable from such special fund may bring suit or action against the sewer district and compel such setting aside and payment.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 158. Section 45, chapter 210, Laws of 1941 and RCW 56.16.130 are each amended to read as follows:

~~((The))~~ Any coupons ~~((hereinbefore mentioned))~~ for the payment of interest on bonds of any sewer district shall be considered for all purposes as warrants drawn upon the general fund of the said sewer district issuing such bonds, and when presented to the treasurer of the county having custody of the funds of such sewer district at maturity, or thereafter, and when so presented, if there are not funds in the treasury to pay the said coupons, it shall be the duty of the county treasurer to endorse said coupons as presented for payment, in the same manner as county warrants are indorsed, and thereafter said coupons shall bear interest at the same rate as the bonds to which they were attached. When there are no funds in the treasury to make interest payments on bonds not having coupons, the overdue interest payment shall continue bearing interest at the bond rate until it is paid, unless otherwise provided in the proceedings authorizing the sale of the bonds.

Sec. 159. Section 4, chapter 58, Laws of 1974 ex. sess. as last amended by section 5, chapter 45, Laws of 1981 and RCW 56.20.015 are each amended to read as follows:

In addition to all of the powers and authorities set forth in Title 56 RCW, any sewer district shall have all of the powers of cities as set forth in chapter 35.44 RCW. Sewer districts may also exercise all of the powers permitted to a water district under Title 57 RCW, except that a sewer district may not exercise water district powers in any area within its boundaries which is part of an existing district which previously shall have been duly authorized to exercise water district

powers in such area without the consent by resolution of the board of commissioners of such district.

A sewer district shall have the power to issue general obligation bonds for water system purposes: PROVIDED, That a proposition to authorize general obligation bonds payable from excess tax levies for water system purposes pursuant to chapters 57.16 and 57.20 RCW shall be submitted to all of the qualified voters within that part of the sewer district which is not contained within another existing district duly authorized to exercise water district powers, and the taxes to pay the principal of and interest on the bonds approved by such voters shall be levied only upon all of the taxable property within such part of the sewer district. Such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 160. Section 8, chapter 18, Laws of 1959 as last amended by section 4, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.030 are each amended to read as follows:

(1) The commissioners may, without submitting a proposition to the voters, authorize by resolution the district to issue revenue bonds for the construction costs, interest during the period of construction and six months thereafter, working capital or other costs of any part or all of the general comprehensive plan. The amount of the bonds to be issued shall be included in the resolution submitted.

Any resolution authorizing the issuance of revenue bonds may include provision for refunding any local improvement district bonds of a district, out of the proceeds of sale of revenue bonds, and a district may pay off any outstanding local improvement bonds with such funds either by purchase in the open market below their par value and accrued interest or by call at par value and accrued interest at the next succeeding ~~((coupon maturity))~~ interest payment date. The bonds may be in any form, including bearer bonds or registered bonds as provided by section 3 of this 1983 act.

When a resolution authorizing revenue bonds has been adopted the commissioners may forthwith carry out the general comprehensive plan to the extent specified.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 161. Section 9, chapter 114, Laws of 1929 as last amended by section 15, chapter 17, Laws of 1982 1st ex. sess. and RCW 57.16.050 are each amended to read as follows:

(1) A district may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in the improvement district to be repaid by the collection of local improvement assessments. Such bonds may be of any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The levying, collection and enforcement of such assessments and issuance of bonds shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local improvement bonds by cities ~~((of the first class))~~ and towns insofar as consistent herewith. The duties devolving upon the city or town treasurer are hereby imposed upon the county treasurer of the county in which the real property is located for the purposes hereof. The mode of assessment shall be determined by the water commissioners by resolution. When in the petition or resolution for the establishment of a local improvement district, and in the comprehensive plan or amendment thereto or plan providing for additions and betterments to the original plan, previously adopted, it is provided that the assessments shall be for the sole purpose of payment into the revenue bond fund for the payment of revenue bonds, then the local improvement district shall be designated as a 'utility local improvement district.' No warrants or bonds shall be issued in a utility local improvement district, but the collection of interest and principal on all assessments in the utility local improvement district shall be paid into the revenue bond fund.

(2) Such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 162. Section 11, chapter 114, Laws of 1929 as last amended by section 71, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.20.010 are each amended to read as follows:

(1) When general district indebtedness payable from annual tax levies to be made in excess of the constitutional and/or statutory tax limitations has been authorized, the district may issue its general obligation bonds in payment thereof. The bonds shall be serial in form and maturity and numbered from one up consecutively and shall bear interest at such rate or rates as authorized by the board of water commissioners payable semiannually ~~((with interest coupons attached))~~. The various annual maturities shall commence with the second year after the date of the issue, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of the bonds and interest. Only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars. The bonds may be of any form, including bearer bonds and registered bonds as provided in section 3 of this 1983 act.

The bonds shall not ((be issued to run for a longer period than)) have terms in excess of twenty years ((from the date of issue)) and shall as nearly as practicable be issued for a period which will be equivalent to the life of the improvement to be acquired by the issuance of the bonds. The bonds shall be signed by the president of the board and attested by the secretary, under the seal of the district. ((The)) Any interest coupons shall be signed by the facsimile signature of the president and attested by the facsimile signature of the secretary.

There shall be levied by the officers or governing body charged with the duty of levying taxes, an annual levy in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of principal and interest on the bonds upon all taxable property within the district.

The bonds shall be sold in such manner as the commissioners deem for the best interest of the district, and at a price not less than par and accrued interest.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 163. Section 16, chapter 251, Laws of 1953 as amended by section 72, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.20.015 are each amended to read as follows:

(1) The board of water commissioners of any water district may by resolution, without submitting the matter to the voters of the district, provide for the issuance of refunding general obligation bonds to refund any outstanding general obligation bonds, or any part thereof, at maturity thereof, or before the maturity thereof if they are subject to call for prior redemption or all of the ((holders)) owners thereof consent thereto.

(2) The total cost to the district over the life of the refunding bonds shall not exceed the total cost to the district which the district would have incurred but for such refunding over the remainder of the life of the bonds to be refunded thereby.

(3) The refunding bonds may be exchanged for the bonds to be refunded thereby, or may be sold in such manner as the board of water commissioners deems to be for the best interest of the district, and the proceeds of such sale used exclusively for the purpose of paying, retiring, and canceling the bonds to be refunded and interest thereon. Such bonds may be of any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(4) The provisions of RCW 57.20.010, ((specifying)) concerning the form and maturities of general obligation bonds and providing for annual tax levies in excess of the constitutional and/or statutory tax limitations shall apply to the refunding general obligation bonds issued under this section.

(5) Notwithstanding subsections (1) and (4) of this section, such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 164. Section 3, chapter 128, Laws of 1939 as last amended by section 3, chapter 25, Laws of 1975 1st ex. sess. and RCW 57.20.020 are each amended to read as follows:

(1) Whenever any issue or issues of water revenue bonds have been authorized in compliance with the provisions of RCW 57.16.010 through 57.16.040, said bonds shall be in bearer form or registered as to principal or interest or both, as provided in section 3 of this 1983 act, and may provide for conversion between registered and coupon bonds; shall be in such denominations, shall be numbered, shall bear such date, and shall be payable at such time or times up to a maximum period of not to exceed thirty years as shall be determined by the board of water commissioners of the district; shall bear interest at such rate or rates payable at such time or times as authorized by the board; shall be payable at the office of the county treasurer of the county in which the water district is located and may also be payable at such other place or places as the board of water commissioners may determine; shall be executed by the president of the board of water commissioners and attested and sealed by the secretary thereof, one of which signatures may, with the written permission of the signator whose facsimile signature is being used, be a facsimile; and may have facsimile signatures of said president or secretary imprinted on ((the)) any interest coupons in lieu of original signatures.

The water district commissioners shall have power and are required to create a special fund or funds for the sole purpose of paying the interest and principal of such bonds into which special fund or funds the said water district commissioners shall obligate and bind the water district to set aside and pay a fixed proportion of the gross revenues of the water supply system or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount or amounts without regard to any fixed proportion and such bonds and the interest thereof shall be payable only out of such special fund or funds, but shall be a lien and charge against all revenues and payments received from any utility local improvement district or districts pledged to secure such bonds, subject only to operating and maintenance expenses.

In creating any such special fund or funds the water district commissioners of such water district shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds and interest thereon issued against any such fund as herein provided shall be a valid claim of the

((holder)) owner thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such water district within the meaning of the constitutional provisions and limitations. Each such bond ((or warrant)) shall state upon its face that it is payable from a special fund, naming the said fund and the resolution creating it. Said bonds shall be sold in such manner, at such price and at such rate or rates of interest as the water district commissioners shall deem for the best interests of the water district, either at public or private sale, and the said commissioners may provide in any contract for the construction and acquirement of the proposed improvement (and for the refunding of outstanding local improvement district obligations, if any) that payment therefor shall be made in such bonds at par value thereof.

When any such special fund shall have been heretofore or shall be hereafter created and any such bonds shall have been heretofore or shall hereafter be issued against the same a fixed proportion or a fixed amount out of and not to exceed such fixed proportion, or a fixed amount or amounts without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the resolution creating such fund or authorizing such bonds, and in case any water district shall fail thus to set aside and pay said fixed proportion or amount as aforesaid, the ((holder)) owner of any bond payable from such special fund may bring suit or action against the water district and compel such setting aside and payment.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

(3) The water district commissioners of any water district, in the event that such water revenue bonds are issued, shall provide for revenues by fixing rates and charges for the furnishing of water supply to those receiving such service, such rates and charges to be fixed as deemed necessary by such water district commissioners, so that uniform charges will be made for the same class of customer or service.

In classifying customers served or service furnished by such water supply system, the board of water commissioners may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the district; the difference in cost of maintenance, operation, repair and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Such rates shall be made on a monthly basis as may be deemed proper by such commissioners and as fixed by resolution and shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements and all other charges necessary for efficient and proper operation of the system.

Sec. 165. Section 2, chapter 82, Laws of 1935 as amended by section 2, chapter 102, Laws of 1937 and RCW 57.20.080 are each amended to read as follows:

Whenever there shall be paid out of a guaranty fund any sum on account of principal or interest upon a local improvement bond, or on account of purchase of certificates of delinquency, the water district, as trustee for the fund, shall be subrogated to all rights of the ((holder)) owner of the bonds, or any interest ((coupons)), or delinquent assessment installments, so paid; and the proceeds thereof, or of the assessment or assessments underlying the same, shall become a part of the guaranty fund. There shall also be paid into each guaranty fund the interest received from the bank deposits of the fund, as well as any surplus remaining in the local improvement funds guaranteed ((under this act) by the guaranty fund, after the payment of all outstanding bonds payable primarily out of such local improvement funds. As among the several issues of bonds guaranteed by the fund, no preference shall exist, but defaulted ((interest coupons:)) bonds and any defaulted interest payments shall be purchased out of the fund in the order of their presentation.

The commissioners of every water district operating under ((the provisions of this act)) RCW 57.20.030, 57.20.080, and 57.20.090 shall prescribe, by resolution, appropriate rules and regulations for the guaranty fund, not inconsistent herewith. So much of the money of a guaranty fund as is necessary and is not required for other purposes under ((the terms of this act)) RCW 57.20.030, 57.20.080, and 57.20.090 may, at the discretion of the commissioners of the water district, be used to purchase property at county tax foreclosure sales or from the county after foreclosure in cases where such property is subject to unpaid local improvement assessments securing bonds guaranteed ((under this act) by the guaranty fund and such purchase is deemed necessary for the purpose of protecting the guaranty fund. In such cases the said fund shall be subrogated to all rights of the water district. After so acquiring title to real property, the water district may lease or resell and convey the same in the same manner that county property is authorized to be leased or resold and for such prices and on such terms as may be determined by resolution of the board of water commissioners. Any provision of law to the contrary notwithstanding, all proceeds resulting from such resales shall belong to and be paid into the guaranty fund.

Sec. 166. Section 3, chapter 82, Laws of 1935 as amended by section 3, chapter 102, Laws of 1937 and RCW 57.20.090 are each amended to read as follows:

~~((Neither the holder nor))~~ The owner of any local improvement bonds guaranteed under the provisions of ~~((this act))~~ RCW 57.20.030, 57.20.080, and 57.20.090 shall not have any claim therefor against the water district by which the same is issued, except for payment from the special assessments made for the improvement for which said local improvement bonds were issued, and except as against the local improvement guaranty fund of said water district; and the water district shall not be liable to any ~~((holder or))~~ owner of such local improvement bond for any loss to the guaranty fund occurring in the lawful operation thereof by the water district. The remedy of the ~~((holder or))~~ owner of a local improvement bond, in case of nonpayment, shall be confined to the enforcement of the assessment and to the guaranty fund. A copy of the foregoing part of this section shall be plainly written, printed or engraved on each local improvement bond guaranteed by ~~((this act))~~ RCW 57.20.030, 57.20.080, and 57.20.090. The establishment of a local improvement guaranty fund by any water district shall not be deemed at variance from any comprehensive plan heretofore adopted by such water district.

In the event any local improvement guaranty fund hereunder authorized at any time has a balance therein in cash, and the obligations guaranteed thereby have all been paid off, then such balance shall be transferred to the maintenance fund of the water district.

Sec. 167, Section 22, chapter 114, Laws of 1929 and RCW 57.20.130 are each amended to read as follows:

~~((The))~~ Any coupons ~~((hereinbefore mentioned))~~ for the payment of interest on said bonds shall be considered for all purposes as warrants drawn upon the general fund of the said water district issuing such bonds, and when presented to the treasurer of the county having custody of the funds of such water district at maturity, or thereafter, and when so presented, if there are not funds in the treasury to pay the said coupons, it shall be the duty of the county treasurer to endorse said coupons as presented for payment, in the same manner as county warrants are indorsed, and thereafter said coupons shall bear interest at the same rate as the bond to which it was attached. When there are no funds in the treasury to make interest payments on bonds not having coupons, the overdue interest payment shall continue bearing interest at the bond rate until it is paid, unless otherwise provided in the proceedings authorizing the sale of the bonds.

Sec. 168, Section 9, chapter 236, Laws of 1967 as last amended by section 3, chapter 222, Laws of 1979 ex. sess. and RCW 67.28.160 are each amended to read as follows:

(1) To carry out the purposes of this chapter the legislative body of any municipality shall have the power to issue revenue bonds without submitting the matter to the voters of the municipality: PROVIDED, That the legislative body shall create a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the legislative body may obligate the municipality to pay all or part of amounts collected from the special taxes provided for in RCW 67.28.180, and/or to pay such amounts of the gross revenue of all or any part of the facilities constructed, acquired, improved, added to, repaired or replaced pursuant to this chapter, as the legislative body shall determine: PROVIDED, FURTHER, That the principal of and interest on such bonds shall be payable only out of such special fund or funds, and the owners ~~((and holders))~~ of such bonds shall have a lien and charge against the gross revenue pledged to such fund.

Such revenue bonds and the interest thereon issued against such fund or funds shall constitute a claim of the ~~((holders))~~ owners thereof only as against such fund or funds and the revenue pledged therefor, and shall not constitute a general indebtedness of the municipality.

Each such revenue bond shall state upon its face that it is payable from such special fund or funds, and all revenue bonds issued under this chapter shall be negotiable securities within the provisions of the law of this state. Such revenue bonds may be registered either as to principal only or as to principal and interest as provided in section 3 of this 1983 act, or may be bearer bonds; shall be in such denominations as the legislative body shall deem proper; shall be payable at such time or times and at such places as shall be determined by the legislative body; shall be executed in such manner and bear interest at such rate or rates as shall be determined by the legislative body.

Such revenue bonds shall be sold in such manner as the legislative body shall deem to be for the best interests of the municipality, either at public or private sale.

The legislative body may at the time of the issuance of such revenue bonds make such covenants with the ~~((purchasers and holders))~~ owners of said bonds as it may deem necessary to secure and guaranty the payment of the principal thereof and the interest thereon, including but not being limited to covenants to set aside adequate reserves to secure or guaranty the payment of such principal and interest, to pledge and apply thereto part or all of any lawfully authorized special taxes provided for in RCW 67.28.180, to maintain rates, charges or rentals sufficient with other available moneys to pay such principal and interest and to maintain adequate coverage over debt service, to appoint a trustee or trustees for the ~~((bondholders))~~ bond owners, to safeguard the expenditure of the proceeds of sale of such bonds and to fix the powers and duties of such trustee or trustees and to make such other covenants as the legislative body may deem necessary to accomplish the most advantageous sale of such bonds. The legislative body may also provide that revenue bonds payable out of the same source may later be issued on a parity with revenue bonds being issued and sold.

The legislative body may include in the principal amount of any such revenue bond issue an amount for engineering, architectural, planning, financial, legal, and other services and charges incident to the acquisition or construction of public stadium facilities, convention center facilities, performing arts center facilities, and/or visual arts center facilities, an amount to establish necessary reserves, an amount for working capital and an amount necessary for interest during the period of construction of any facilities to be financed from the proceeds of such issue plus six months. The legislative body may, if it deems it in the best interest of the municipality, provide in any contract for the construction or acquisition of any facilities or additions or improvements thereto or replacements or extensions thereof that payment therefor shall be made only in such revenue bonds.

If the municipality shall fail to carry out or perform any of its obligations or covenants made in the authorization, issuance and sale of such bonds, the ((holder)) owner of any such bond may bring action against the municipality and compel the performance of any or all of such covenants.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 169. Section 11, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.110 are each amended to read as follows:

(1) To carry out the purpose of this chapter, any cultural arts, stadium and convention district shall have the power to issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness equal to three-eighths of one percent of the value of taxable property within such district, as the term 'value of taxable property' is defined in RCW 39.36.015. A cultural arts, stadium and convention district is additionally authorized to issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to three-fourths of one percent of the value of the taxable property within the district, as the term 'value of taxable property' is defined in RCW 39.36.015, and to provide for the retirement thereof by excess levies when approved by the voters at a special election called for that purpose in the manner prescribed by section 6, Article VIII and section 2, Article VII of the Constitution and by RCW 84.52.056. General obligation bonds may not be issued with ((a maturity)) maturities in excess of forty years. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 170. Section 12, chapter 22, Laws of 1982 1st ex. sess. and RCW 67.38.120 are each amended to read as follows:

(1) To carry out the purposes of this chapter, the cultural arts, stadium and convention district shall have the power to issue revenue bonds: PROVIDED, That the district governing body shall create or have created a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the governing body may obligate the district to pay such amounts of the gross revenue of all or any part of the facilities constructed, acquired, improved, repaired or replaced pursuant to this chapter, as the governing body shall determine: PROVIDED FURTHER, That the principal of and interest on such bonds shall be payable only out of such special fund or funds, and the owners ((and holders)) of such bonds shall have a lien and charge against the gross revenue pledged to such fund. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The governing body of a district shall have such further powers and duties in carrying out the purposes of this chapter as provided in RCW 67.28.160.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 171. Section 5, chapter 147, Laws of 1974 ex. sess. as amended by section 1, chapter 121, Laws of 1981 and RCW 70.37.050 are each amended to read as follows:

The authority shall establish rules concerning its exercise of the powers authorized by this chapter. The authority shall receive from applicants requests for the providing of bonds for financing of health care facilities and shall investigate and determine the need and the feasibility of providing such bonds. Whenever the authority deems it necessary or advisable for the benefit of the public health to provide financing for a health care facility, it shall adopt a system and plan therefor and shall declare the estimated cost thereof, as near as may be, including as part of such cost funds necessary for the expenses incurred in the financing as well as in the construction or purchase or other acquisition or in connection with the rental or other payment for the use thereof, interest during construction, reserve funds and any funds necessary for initial start-up costs, and shall issue and sell its bonds for the purposes of the proposed plan or system: PROVIDED, That if a certificate of need is required for the proposed project no such plan and system shall be adopted until such certificate has been issued pursuant to chapter 70.38 RCW by the secretary of the department of social and health services. The authority shall have power as a part of such system or plan to create a special fund or funds for the purpose of defraying the cost of such project and for other projects of the same participant subsequently

or at the same time approved by it and for their maintenance, improvement, reconstruction, remodeling and rehabilitation, into which special fund or funds it shall obligate and bind the participant to set aside and pay from the gross revenues of the project or from other sources an amount sufficient to pay the principal and interest of the bonds being issued, reserves and other requirements of the special fund and to issue and sell bonds payable as to both principal and interest out of such fund or funds relating to the project or projects of such participant.

Such bonds shall bear such date or dates, mature at such time or times, be in such denominations, be in such form, either coupon or registered, or both, as provided in section 3 of this 1983 act, carry such registration privileges, be made transferable, exchangeable, and interchangeable, be payable in such medium of payment, at such place or places, be subject to such terms of redemption, bear such rate or rates of interest, and be sold in such manner, at such price, as the authority shall determine. Such bonds shall be executed by the chairman, by either its duly elected secretary or its executive director, and by the trustee if the authority determines to utilize a trustee for the bonds. Execution of the bonds may be by manual or facsimile signature: PROVIDED, That at least one signature placed thereon shall be manually subscribed.

Sec. 172. Section 6, chapter 264, Laws of 1945 as last amended by section 15, chapter 84, Laws of 1982 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.

(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) of this section.

(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 and sell (a) revenue bonds (or), revenue warrants, or other revenue obligations 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, warrants, or other obligations to be issued and sold in the same manner and subject to the same provisions as provided for the issuance of revenue bonds, warrants, or other obligations by cities or towns under the Municipal Revenue Bond Act, chapter 35.41 RCW, as may hereafter be amended, (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, or (c) interest-bearing warrants to be drawn on a fund pending deposit in such fund of money sufficient to redeem such warrants and to be issued and paid in such manner and upon such terms and conditions as the board of commissioners may deem to be in the best interest of the district; 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. Any of such bonds, warrants, or other obligations may be in any form, including bearer or registered as provided in section 3 of this 1983 act. Notwithstanding the provisions of this subsection, such bonds, warrants, or other obligations may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

(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 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) 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) 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) 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.

Sec. 173. Section 13, chapter 264, Laws of 1945 as last amended by section 86, chapter 56, Laws of 1970 ex. sess. and RCW 70.44.120 are each amended to read as follows:

(1) All general obligation bonds shall be serial in form and maturity and numbered from one upwards consecutively. The various annual maturities shall commence not later than the tenth year after the date of issue of such bonds. The resolution authorizing the issuance of the bonds shall fix the rate or rates of interest the bonds shall bear and the place and dates of the payment of both principal and interest. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The bonds shall be signed by the president of the commission, attested by the secretary of the commission, and the seal of the public hospital district shall be affixed to each bond but not to ~~((the))~~ any coupons: PROVIDED, HOWEVER, That ~~((said))~~ any coupons, in lieu of being so signed, may have printed thereon a facsimile of the signatures of such officers.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 174. Section 5, chapter 132, Laws of 1973 as amended by section 3, chapter 6, Laws of 1975 and RCW 70.95A.040 are each amended to read as follows:



(1) All bonds issued by a municipality under the authority of this chapter shall be secured solely by revenues derived from the lease or sale of the facility. Bonds and any interest coupons issued under the authority of this chapter shall not constitute nor give rise to a pecuniary liability of the municipality or a charge against its general credit or taxing powers. Such limitation shall be plainly stated upon the face of each of such bonds. The use of the municipality's name on revenue bonds authorized hereunder shall not be construed to be the giving or lending of the municipality's financial guarantee or pledge, i.e. credit to any private person, firm, or corporation as the term credit is used in Article 8, section 7 of the Washington state Constitution.

(2) The bonds referred to in subsection (1) of this section, may (a) be executed and delivered at any time and from time to time, (b) be in such form and denominations, (c) be of such tenor, (d) be in (~~registered or~~) bearer or registered form either as to principal or interest or both, as provided in section 3 of this 1983 act, and may provide for conversion between registered and coupon bonds of varying denominations, (e) be payable in such installments and at such time or times not exceeding forty years from their date, (f) be payable at such place or places, (g) bear interest at such rate or rates as may be determined by the governing body, payable at such place or places within or without this state and evidenced in such manner, (h) be redeemable prior to maturity, with or without premium, and (i) contain such provisions not inconsistent herewith, as shall be deemed for the best interest of the municipality and provided for in the proceedings of the governing body whereunder the bonds shall be authorized to be issued.

(3) Any bonds issued under the authority of this chapter, may be sold at public or private sale in such manner and at such time or times as may be determined by the governing body to be most advantageous. The municipality may pay all expenses, premiums and commissions which the governing body may deem necessary or advantageous in connection with the authorization, sale and issuance thereof from the proceeds of the sale of said bonds or from the revenues of the facilities.

(4) All bonds issued under the authority of this chapter, and (~~and~~) any interest coupons applicable thereto shall be investment securities within the meaning of the uniform commercial code and shall be deemed to be issued by a political subdivision of the state.

(5) The proceeds from any bonds issued under this chapter shall be used only for purposes qualifying under Section 103(c)(4)(f) of the Internal Revenue Code of 1954, as amended.

(6) Notwithstanding subsections (2) and (3) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 175, Section 6, chapter 132, Laws of 1973 and RCW 70.95A.050 are each amended to read as follows:

(1) The principal of and interest on any bonds issued under the authority of this chapter (a) shall be secured by a pledge of the revenues derived from the sale or lease of the facilities out of which such bonds shall be made payable, (b) may be secured by a mortgage covering all or any part of the facilities, (c) may be secured by a pledge or assignment of the lease of such facilities, or (d) may be secured by a trust agreement or such other security device as may be deemed most advantageous by the governing body.

(2) The proceedings under which the bonds are authorized to be issued under the provisions of this chapter, and any mortgage given to secure the same may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting (a) the fixing and collection of rents for any facilities covered by such proceedings or mortgage, (b) the terms to be incorporated in the lease of such facilities, (c) the maintenance and insurance of such facilities, (d) the creation and maintenance of special funds from the revenues of such facilities, and (e) the rights and remedies available in the event of a default to the (~~bondholders~~) bond owners or to the trustee under a mortgage or trust agreement, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this chapter: PROVIDED, That in making any such agreements or provisions a municipality shall not have the power to obligate itself except with respect to the facilities and the application of the revenues therefrom, and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers.

(3) The proceedings authorizing any bonds under the provisions of this chapter and any mortgage securing such bonds may provide that, in the event of a default in the payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the facilities in accordance with such proceedings or the provisions of such mortgage.

(4) Any mortgage made under the provisions of this chapter, to secure bonds issued thereunder, may also provide that, in the event of a default in the payment thereof or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed and the mortgaged property sold under proceedings in equity or in any other manner now or hereafter permitted by law. Such mortgage may also provide that any trustee under such mortgage

or the (~~holder~~) owner of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon a municipality or any charge upon their general credit or against their taxing powers.

(5) The proceedings authorizing the issuance of bonds hereunder may provide for the appointment of a trustee or trustees for the protection of the (~~holders~~) owners of the bonds, whether or not a mortgage is entered into as security for such bonds. Any such trustee may be a bank with trust powers or a trust company and shall be located in the United States, within or without the state of Washington, shall have the immunities, powers and duties provided in said proceedings, and may, to the extent permitted by such proceedings, hold and invest funds deposited with it in direct obligations of the United States, obligations guaranteed by the United States or certificates of deposit of a bank (including the trustee) which are continuously secured by such obligations of or guaranteed by the United States. Any bank acting as such trustee may, to the extent permitted by such proceedings, buy bonds issued hereunder to the same extent as if it were not such trustee. Said proceedings may provide for one or more co-trustees, and any co-trustee may be any competent individual over the age of twenty-one years or a bank having trust powers or trust company within or without the state. The proceedings authorizing the bonds may provide that some or all of the proceeds of the sale of the bonds, the revenues of any facilities, the proceeds of the sale of any part of a facility, of any insurance policy or of any condemnation award be deposited with the trustee or a co-trustee and applied as provided in said proceedings.

Sec. 176. Section 8, chapter 132, Laws of 1973 and RCW 70.95A.070 are each amended to read as follows:

Any bonds issued under the provisions of this chapter and at any time outstanding may at any time and from time to time be refunded by a municipality by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding an amount sufficient to refund the principal of the bonds to be so refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith: PROVIDED, That an issue of refunding bonds may be combined with an issue of additional revenue bonds on any facilities. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby: PROVIDED FURTHER, That the (~~holders~~) owners of any bonds to be so refunded shall not be compelled without their consent to surrender their bonds for payment or exchange except on the terms expressed on the face thereof. Any refunding bonds issued under the authority of this chapter shall be subject to the provisions contained in RCW 70.95A.040 and may be secured in accordance with the provisions of RCW 70.95A.050.

Sec. 177. Section 29, chapter 117, Laws of 1895 as amended by section 1, chapter 87, Laws of 1921 and RCW 85.05.290 are each amended to read as follows:

(1) Upon the establishment of any district under the provisions of this chapter and the establishment of a system of diking therein as provided for in this act, the board of commissioners of such diking district may, upon petition of the landowners owning a majority of all the lands within such district to be benefited thereby, issue bonds for the total amount of the cost of construction of said improvements, together with the costs of the establishment thereof, including damages assessed and compensation made to landowners for right of way and the expenses and costs of the entire proceeding payable at a time not less than five years nor longer than ten years from the date thereof(~~(-and such)~~). The commissioners may, at any time thereafter without such petition issue bonds for the purpose of funding any outstanding warrants or obligations of such district, and in case of such last named issue, all the outstanding warrants of such district shall immediately become due and payable upon receipt of the money by the county treasurer from the sale of said bonds, and upon a call of such outstanding obligations to be issued by him(~~(-which)~~). The call shall be made by said treasurer immediately upon receipt of the proceeds from the sale of said bonds by publication for two weeks successively in the county paper authorized to do the county printing(~~(-and)~~). Such warrants and outstanding obligations shall cease to draw interest at the end of thirty days after the date of the first publication of said call, such last named bonds shall be payable at a time not less than five years nor longer than ten years from the date thereof: PROVIDED, That no bonds shall, under the provisions hereof, be sold for less than their par value.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 178. Section 30, chapter 117, Laws of 1895 as last amended by section 87, chapter 56, Laws of 1970 ex. sess. and RCW 85.05.300 are each amended to read as follows:

(1) Said bonds shall be numbered from one upwards, consecutively, and be in denominations of not less than one hundred dollars nor more than one thousand dollars. They shall bear the date of issue, shall be (~~(made)~~) payable (~~(to the bearer)~~) in not more than ten years nor less than five years from the date of their issue, and bear interest at a rate or rates as authorized by the commissioners of the diking district payable annually(~~(-with coupons attached for each~~

interest payment)). The bonds may be in any form, including bearer bonds or registered bonds as provided in section 1 of this 1983 act. The bonds and ((each)) any coupon shall be signed by the chairman of the board of diking commissioners, and shall be attested by the secretary of said board, and the seal of such district shall be affixed to each bond, but not to ((the)) any coupons.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 179. Section 34, chapter 117, Laws of 1895 and RCW 85.05.340 are each amended to read as follows:

It shall be the duty of such diking commissioners, annually, to levy an assessment sufficient for the payment of ~~((the coupons hereinbefore mentioned as they fall due. Said))~~ principal and interest on any bonds issued by the diking district. Any coupons shall be considered for all purposes as warrants drawn upon the funds of the district issuing bonds under the provisions of this act, and, when presented to the county treasurer and no funds are in the treasury to pay said coupons, it shall be his duty to indorse said coupons as presented for payment in the same manner as other warrants upon the funds of said district are indorsed, and thereafter said coupons shall bear interest at the same rate as other warrants so presented and unpaid. When there are no funds in the treasury to make interest payments on bonds not having coupons, the overdue interest payments shall bear interest at the same rate as unpaid warrants that are presented to the county treasurer.

Sec. 180. Section 1, chapter 156, Laws of 1913 as last amended by section 88, chapter 56, Laws of 1970 ex. sess. and RCW 85.05.480 are each amended to read as follows:

(1) Whenever by reason of any extraordinary occurrence or other casualty there occur such changes in conditions as to warrant, in the opinion of the commissioners of any diking district, an estimate for making repairs and improvements, including the yearly maintenance expense in an amount equal to twenty-five percent of the estimated cost of the original improvements, as provided for in RCW 85.05.090 the funds therefor may be provided by the issuance of bonds of said diking district, payable in not to exceed ten years, and to pay the same, such commissioners shall make a levy extending over such period of time and in such amount as shall be necessary to take care of such bonds and interest, and such levy when made shall state the year for which it is made and the amount thereof, and thereafter, the county auditor shall each year extend such levy without any further orders from said commissioners: PROVIDED, HOWEVER, That if for any cause whatsoever, said levy shall not be sufficient to take care of said bonds and interest or pay said fixed estimate a further levy shall be made for that purpose. The bonds may be in any form, including bearer bonds and registered bonds as provided in section 3 of this 1983 act. Said bonds shall be sold at not less than par and shall bear interest at such rate or rates as authorized by the commissioners of the diking district, and the proceeds thereof shall be used in such repairs, improvements or maintenance or warrants issued in payment therefor and for no other purpose: PROVIDED, HOWEVER, That such bonds shall only be issued when they are presented to and filed with such commissioners and shall become a part of their record, a petition of property owners owning at least sixty percent of all the acreage in such district requesting the issuance of such bonds.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 181. Section 1, chapter 69, Laws of 1925 ex. sess. and RCW 85.05.510 are each amended to read as follows:

(1) Where a diking district shall have been organized under this chapter ((+7 of the Laws of 1895 as amended)), and the lands of such district shall consist wholly of tidelands as defined by law, or other unsurveyed lands, and the object of such district is to reclaim said lands and place them under cultivation, and such a district((s shall have)) has adopted a system of dikes for said district, including a pumping plant, if necessary, the board of commissioners of such district may, upon the petition of the landowners owning a majority of all the lands within the district, in addition to the method now provided by law for the issuance of bonds of diking districts, issue bonds under the provisions of RCW 85.05.510 through 85.05.550 for the total estimated or actual cost of constructing said improvements, including the cost of the establishment of said district and the damages awarded and compensation paid to landowners for right of way, and the expenses and costs of all necessary court proceedings. Where bonds by such district are issued under the provisions of RCW 85.05.510 through 85.05.550, the board shall determine under which of the three following schedules said bonds shall be payable:

SCHEDULE 1

If the board shall determine on ten annual payments, commencing one and ending ten years after date of such bonds, the installments thereof shall become due and collectible as follows:

For the first year .....	5%
For the second year .....	5%
For the third year .....	5%
For the fourth year .....	10%
For the fifth year .....	10%

For the sixth year .....	10%
For the seventh year .....	10%
For the eighth year .....	15%
For the ninth year .....	15%
For the tenth year .....	15%

## SCHEDULE 2

If the board shall determine on fifteen annual payments, commencing in the first year and ending in the fifteenth year, the installments thereof shall become due and collectible as follows:

For the first year .....	5%
For the second year .....	5%
For the third year .....	5%
For the fourth year .....	5%
For the fifth year .....	6%
For the sixth year .....	6%
For the seventh year .....	6%
For the eighth year .....	6%
For each succeeding year .....	8%

## SCHEDULE 3

The board may, however, determine on ten annual installments, the first of such annual installments to be collected at a time to be specified by the board, commencing not later than six years after the date of such bonds, in which event the following schedule shall be adopted for collection thereof:

For the first installment .....	5%
For the second installment .....	5%
For the third installment .....	5%
For the fourth installment .....	10%
For the fifth installment .....	10%
For the sixth installment .....	10%
For the seventh installment .....	10%
For the eighth installment .....	15%
For the ninth installment .....	15%
For the tenth installment .....	15%

The commissioners may at any time, without petition issue bonds for the purpose of funding any outstanding warrant indebtedness of such district. In case of such an issue all the outstanding warrants of such district to be refunded shall immediately become due and payable upon receipt of the money by the county treasurer, and it shall be the duty of the county treasurer to issue a call for the payment of such warrants and to publish notice thereof in two successive weekly issues of the official county paper of such county. Such warrants so refunded shall cease to draw interest at the end of thirty days after the date of the first publication of said notice. Bonds to refund warrants shall be payable as specified in this section. No bonds shall be sold for less than their par value. Where bonds are authorized to cover the estimated cost of an improvement, any unsold portion of such issue shall, upon the completion of said improvement, be canceled.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 182. Section 2, chapter 69, Laws of 1925 ex. sess. as amended by section 21, chapter 156, Laws of 1981 and RCW 85.05.520 are each amended to read as follows:

(1) Said bonds shall be numbered from one upwards consecutively and shall be in denominations of not less than one hundred dollars nor more than one thousand dollars. They shall bear the date of issue and an interest rate or rates determined by the commission, payable annually or semiannually, as the commissioners shall direct (~~with coupons attached for each interest payment, and shall be made payable to bearer~~). The bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. Said bonds and any coupons shall be signed by the chairman of the board and attested by the secretary, and the seal of such district shall be affixed to each bond, but not to (~~said~~) any coupons. Bonds shall be paid in the order of their numbers, and each bond shall specify its due date.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 183. Section 3, chapter 69, Laws of 1925 ex. sess. and RCW 85.05.530 are each amended to read as follows:

Before (~~said~~) principal and interest payments on bonds shall become due and in time to pay the annual installments thereof, the commissioners of said district shall, on or before the first Monday in October in each year, levy an assessment against the property of the district benefited sufficient to pay said installments of interest and/or interest and principal at their maturity, including any default in either principal or interest. Said assessment shall be in proportion to benefits and shall be collected by the county treasurer and kept as a separate fund for the sole

purpose of paying the said interest and principal on said bonds, and every bond issue of such district shall constitute an irrevocable pledge of a sufficient amount of determined benefits to pay the principal and interest upon said bonds as the same mature. Said bonds and any interest coupons (~~shall~~) may be payable at the office of the county treasurer (~~(-provided that)~~). Where an authorized issue exceeds the sum of one hundred thousand dollars the same may be made payable at the office of the fiscal agency of the state of Washington in New York City.

Sec. 184. Section 26, chapter 115, Laws of 1895 and RCW 85.06.260 are each amended to read as follows:

(1) Upon the establishment of any district under the provisions of this chapter and the establishment of a system of drainage therein as provided for in this chapter, the board of commissioners of such drainage district may, upon petition of a majority of all the landowners owning land within such district to be benefited thereby, issue bonds for the total amount of the costs of construction of said improvement, together with the costs of the establishment thereof, including damages assessed and compensation made to landowners for right-of-way and the expenses and costs of the entire proceeding, payable at a time not less than five years nor longer than ten years from the date thereof (~~(-and)~~). Such commissioners may, at any time thereafter, issue such bonds in the manner and form herein prescribed for the purpose of funding any outstanding warrants or obligations of such district, and in case of such last named issue all the outstanding warrants shall immediately become due and payable upon receipt of the money by the county treasurer from the sale of said bonds, and upon a call of such outstanding obligations to be issued by him (~~(-which)~~). The call shall be made by said treasurer immediately upon receipt of the proceeds from the sale of said bonds by publication for two successive weeks in the county paper authorized to do the county printing (~~(-and)~~). Such warrants and outstanding obligations shall cease to draw interest at the end of thirty days after the date of the first publication: PROVIDED, That no bonds shall, under the provisions hereof, be sold for less than their par value.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 185. Section 27, chapter 115, Laws of 1895 as last amended by section 89, chapter 56, Laws of 1970 ex. sess. and RCW 85.06.270 are each amended to read as follows:

(1) Said bonds shall be numbered from one upwards, consecutively, and be in denominations of not less than one hundred dollars nor more than one thousand dollars. They shall bear the date of issue, shall be made payable (~~(to the bearer)~~) in not more than ten years nor less than five years from the date of their issue, and bear interest at a rate or rates as authorized by the commissioners of the drainage district, payable annually (~~(-with coupons attached for each interest payment)~~). The bonds may be in any form, including bearer or registered, as provided in section 3 of this 1983 act. The bonds and (~~(each)~~) any coupon shall be signed by the chairman of the board of drainage commissioners, and shall be attested by the secretary of said board, and the seal of such district shall be affixed to each bond, but not to (~~(the)~~) any coupons.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 186. Section 31, chapter 115, Laws of 1895 and RCW 85.06.310 are each amended to read as follows:

It shall be the duty of such drainage commissioners annually to levy an assessment sufficient for the payment of (~~(the coupons hereinbefore mentioned as they fall due. Said)~~) principal and interest on any bonds issued by the drainage district. Any coupons shall be considered for all purposes as warrants drawn upon the funds of the district issuing bonds under the provisions of this chapter, and, when presented to the county treasurer, and no funds are in the treasury to pay said coupons, it shall be his duty to indorse said coupons as presented for payment in the same manner as other warrants upon the funds of said district are indorsed, and thereafter said coupons shall bear interest at the same rate as other warrants so presented and unpaid. When there are no funds in the treasury to make interest payments on bonds not having coupons, the overdue interest payments shall bear interest at the same rate as unpaid warrants that are presented to the county treasurer.

Sec. 187. Section 1, chapter 174, Laws of 1927 as last amended by section 90, chapter 56, Laws of 1970 ex. sess. and RCW 85.06.321 are each amended to read as follows:

(1) If any default shall have occurred in the payment of interest or principal of bonds of a drainage district and the board of drainage commissioners finds that any considerable number of owners of assessed lands are not and will not be able to pay assessments sufficient to meet without further default the principal of bonds still outstanding, the district, with the assent of the (~~(holders)~~) owners of all outstanding bonds not yet callable for payment, may issue refunding bonds pursuant to the plan prescribed in RCW 85.06.321 through 85.06.329, and use the proceeds, together with money derived from assessments, to pay the outstanding bonds. The (~~(maturity date)~~) maximum terms of refunding bonds shall be either twelve or seventeen years from their date, as the board shall determine, but they may be paid before maturity as hereinafter provided. Bonds shall be numbered consecutively from one up, be in denominations of one hundred, five hundred or one thousand dollars, be dated the first day of the month

in which they are issued, ~~((be payable to bearer.))~~ draw interest ~~((evidenced by coupons))~~ payable semiannually at such rate or rates as authorized by the board of drainage commissioners, and be executed in the name and under the seal of the district by the president and the secretary of the board. Interest shall be payable on the first days of January and July of each year except that the first interest payment date shall be July first of the year following that in which the bonds were issued. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 188. Section 1, chapter 174, Laws of 1927 and RCW 85.06.327 are each amended to read as follows:

~~((Before refunding bonds are delivered the county treasurer shall register them in a book kept for that purpose to be known as the bond register, in which shall be entered the number and amount of each bond, the dates of issue, maturity, call and payment, the rate of interest, and to whom payable.))~~ Proceeds of a sale of bonds shall be paid by the purchaser to the treasurer, and every exchange of refunding bonds for outstanding bonds shall be made through the treasurer.

Sec. 189. Section 1, chapter 103, Laws of 1935 and RCW 85.07.060 are each amended to read as follows:

(1) Any board of commissioners of any diking or drainage district may, at any time, without petition and on its own motion, issue bonds of such district for the purpose of funding any outstanding warrants of such district. No bonds so issued shall be sold for less than their par value. They may be sold at public or private sale. Any department or agency of the state of Washington having power to invest funds is hereby authorized and empowered to use the same to buy such bonds.

(2) Such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 190. Section 2, chapter 103, Laws of 1935 as last amended by section 91, chapter 56, Laws of 1970 ex. sess. and RCW 85.07.070 are each amended to read as follows:

(1) Said bonds shall be numbered consecutively from one upwards and shall be in denominations of not less than one hundred dollars nor more than one thousand dollars each. They shall bear the date of issue, shall be made payable ~~((to the bearer))~~ in not more than ten years from the date of their issue, and shall bear interest at a rate or rates as authorized by the board of commissioners, payable annually ~~((with coupons attached for each interest payment)).~~ The bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. The bonds and ~~((each))~~ any coupon shall be signed by the chairman of the board of commissioners of each district and shall be attested by the secretary of said board. The seal, if any, of such district shall be affixed to each bond, but it need not be affixed to ~~((the))~~ any coupon.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 191. Section 3, chapter 103, Laws of 1935 and RCW 85.07.080 are each amended to read as follows:

~~((When said bonds are sold, but before they are delivered to the purchaser, they shall be presented to the county treasurer who shall register them in a book kept for that purpose and known as the bond register, in which he shall enter the number of each bond, the date of issue, the maturity, amount and rate of interest, when payable, and to whom sold.))~~ The proceeds derived from the sale of said bonds shall be paid by the purchaser thereof to the county treasurer for the use, benefit, and account of the district issuing same.

Sec. 192. Section 6, chapter 103, Laws of 1935 and RCW 85.07.110 are each amended to read as follows:

It shall be the duty of the commissioners of such district annually to levy ~~((an))~~ assessments sufficient to pay ~~((the coupons upon))~~ interest on such bonds as they fall due. They may at any time levy such additional assessment as they deem best to redeem and retire such bonds. Commencing not less than five years before the due date of such bonds, they shall determine the number of equal annual levies necessary to retire such bonds at maturity, and annually thereafter levy an assessment sufficient to liquidate all of said bonds by maturity. Such levies for interest and redemption of the bonds shall be added to the annual cost of the maintenance of the diking or drainage system of said district. Such assessments shall be collected by the county treasurer and kept as a special fund for the sole purpose of paying interest upon and liquidating said bonds.

Sec. 193. Section 17, chapter 176, Laws of 1913 as last amended by section 1, chapter 125, Laws of 1933 and RCW 85.08.240 are each amended to read as follows:

(1) The cost of improvement shall be paid by assessments upon the property benefited, said assessments to be levied and apportioned as hereinafter prescribed. At the hearing provided for in RCW 85.08.160, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall determine in what manner and within how many years said assessments shall be paid, and shall also at such hearing determine whether the evidence of indebtedness for the cost of said

improvement shall be bonds or warrants. If bonds, it shall fix either ten or fifteen annual installments for the payment of said assessment. If warrants, it shall fix not to exceed five annual installments for the payment of said assessment. In case bonds are to be issued and the ((board)) county legislative authority shall determine on ten annual installments for the payment of said assessment, the installments thereof shall become due and collectible as follows:

For the 1st year .....	5%
For the 2nd year .....	5%
For the 3rd year .....	5%
For the 4th year .....	10%
For the 5th year .....	10%
For the 6th year .....	10%
For the 7th year .....	10%
For the 8th year .....	15%
For the 9th year .....	15%
For the 10th year .....	15%

In case bonds are to be issued and the ((board)) county legislative authority shall determine on fifteen annual installments for the payment of said assessment, the installments thereof shall become due and collectible as follows:

For the 1st year .....	5%
For the 2nd year .....	5%
For the 3rd year .....	5%
For the 4th year .....	5%
For the 5th year .....	6%
For the 6th year .....	6%
For the 7th year .....	6%
For the 8th year .....	6%
For each succeeding year .....	8%

PROVIDED, That if at any time before the bonds of the district, or any thereof, are sold it shall appear to the ((board)) county legislative authority that it will be for the best interests of the district that the bonds of the district to be paid in fifteen annual installments, shall be paid in annual installments beginning after the expiration of five years from the date of the bonds, the ((board)) county legislative authority shall be authorized to provide, by resolution entered in its minutes, that such bonds shall be paid in fifteen annual installments and shall become due and collectible as follows:

For the 6th year .....	5%
For the 7th year .....	5%
For the 8th year .....	5%
For the 9th year .....	5%
For the 10th year .....	6%
For the 11th year .....	6%
For the 12th year .....	6%
For the 13th year .....	6%
For each succeeding year .....	8%

AND, PROVIDED FURTHER, That the ((board)) county legislative authority may by resolution to that effect provide that the bonds sold shall include a sum sufficient to pay the first four years' interest or less, to accrue on said bonds.

In case warrants are to be issued no annual installments shall be less than one-tenth nor more than one-half of the entire assessment.

In the event that the entire assessment upon any single tract or parcel of land, or contiguous tracts or groups of tracts belonging to the same owner is twenty-five dollars or less, such assessment shall become due and payable at the time the first general taxes next after the date of the levy shall become due, and the terms of this chapter relating to the payment of assessments in installments shall not apply to such assessments. The bonds shall be of such denomination, not less than one hundred dollars or more than five hundred dollars as the county ((commissioners)) legislative authority shall by resolution prescribe. The interest thereon shall be payable semiannually and the bonds shall be numbered consecutively, be ((coupon)) in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act, and shall recite that they are secured to be paid by assessments upon the property of drainage (or diking or sewerage) improvement district number ..... of ..... county, and that they are not a general obligation of such county. They shall be payable in their serial order, on any ((semiannual coupon)) interest payment date, on the call of the treasurer whenever there shall be sufficient money in the bond redemption fund of the district against which they are issued, over and above that necessary for the payment of interest on all outstanding bonds, to pay the principal of one or more bonds at the next ((coupon)) interest payment date: PROVIDED, That the proportionate amount of the entire issue of bonds called in the respective years shall not be in excess of the following bond redemption schedule:

First, in case the assessment is payable in ten annual installments:	
For the 1st year .....	10%

For the 2nd year .....	10%
For the 3rd year .....	10%
For the 4th year .....	10%
For the 5th year .....	10%
For the 6th year .....	10%
For the 7th year .....	10%
For the 8th year .....	15%
For the 9th year .....	15%
Second, in case the assessment is payable in fifteen annual installments:	
For the 1st year .....	10%
For the 2nd year .....	6%
For the 3rd year .....	6%
For the 4th year .....	6%
For the 5th year .....	6%
For the 6th year .....	6%
For the 7th year .....	5%
For the 8th year .....	5%
For the 9th year .....	10%
For the 10th year .....	10%
For the 11th year .....	10%
For the 12th year .....	10%
For the 13th year .....	10%

And in case the assessment is payable commencing five years after the issue of said bonds the proportionate amount of the entire issue of bonds called in the respective years shall not be in excess of the following bond redemption schedule:

For the 6th year .....	10%
For the 7th year .....	6%
For the 8th year .....	6%
For the 9th year .....	6%
For the 10th year .....	6%
For the 11th year .....	6%
For the 12th year .....	5%
For the 13th year .....	5%
For the 14th year .....	10%
For the 15th year .....	10%
For the 16th year .....	10%
For the 17th year .....	10%
For the 18th year .....	10%

The treasurer shall give notice of such call by publication in the county official newspaper once each week for two consecutive weeks, the first publication of which notice shall be at least fifteen days prior to the next ~~((coupon))~~ interest payment date, stating that bonds number ~~.....~~ (giving their serial number or numbers) will be paid on the date the next ~~((coupons))~~ interest payments on said bonds shall become due, and interest upon such bonds shall thereupon cease upon such date. Each warrant and bond shall bear the date of its issuance and recite that it is payable on or before the first day of January of the third year after the last installment of the assessment upon which it is based shall become due. Each bond shall state on its face that bonds of the district cannot be called for payment at an earlier maturity than in accordance with the schedule therefor applicable thereto as herein provided, which schedule shall be printed on the face of the bonds. Each warrant and bonds shall be signed by a majority of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority and attested by the county auditor under his seal, and ~~((each))~~ any coupon shall have printed thereon a facsimile of the signature of such officers. ~~Where coupons are attached, interest coupon number 1 ((on such bonds)) shall be for the amount of interest due from the date of the issuance of said bonds to the first day of July in the year in which the first installment of the assessment becomes due and payable. ((The county treasurer shall register said bonds and warrants before the issuance thereof in a book kept for that purpose and shall certify on each thereof under his seal that it has been so registered, and that the signatures thereon are the genuine signatures of said county commissioners and the county auditor, and that the seal attached is the seal of the county auditor.))~~ Neither bonds nor warrants shall be issued until after the expiration of the thirty days from the first publication of the notice given by the treasurer as provided in ~~((section 4435))~~ RCW 85.08.420 and shall not be issued in any amount in excess of that portion of the assessment remaining unpaid after the expiration of such thirty day period.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 194, Section 18, chapter 176, Laws of 1913 as amended by section 24, chapter 130, Laws of 1917 and RCW 85.08.280 are each amended to read as follows:

(1) The ((board of)) county ((commissioners)) legislative authority shall offer for sale the warrants and bonds or any part thereof, issued under the provisions of this chapter, and pay



the proceeds thereof into the construction fund. Such sale shall be at public offering and under such rules and regulations and on such notice as they may determine, and the ~~((commissioners))~~ county legislative authority may accept the highest and best bid for such bonds or warrants received at such offering, or may reject any or all bids received. Any warrants or bonds issued under the provisions of this chapter or such portions thereof as shall remain unsold or undisposed of may be issued to the contractor constructing the improvement or any part thereof in payment therefor, and in case the improvement or any part thereof shall be constructed by the board of supervisors as in this chapter provided, may be issued in payment for work, labor and material performed and furnished therefor.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 195. Section 30, chapter 176, Laws of 1913 as last amended by section 24, chapter 156, Laws of 1981 and RCW 85.08.430 are each amended to read as follows:

After the expiration of said thirty-day period, payment of assessments in full, with interest to the next ~~((coupon))~~ interest payment date which is more than thirty days from the date of such payment, may be made at any time; PROVIDED, That the aggregate amount of such advance payments in any year, together with the total amount of the assessments due at the beginning of said year, shall not exceed the total amount of the bonds which may be called in that year according to the applicable bond redemption schedule. The treasurer shall accept payments of assessments in advance, in the order tendered, until the limit herein set forth has been reached.

The assessments contained in the assessment roll shall bear interest from the expiration of the thirty-day period at a rate determined by the county legislative authority and interest upon the entire assessment then unpaid shall be due and payable at the time each of said installments becomes due and payable as a part thereof.

The assessments contained in said assessment roll shall be liens upon the property assessed, such lien shall be of equal rank with other liens assessed against the property for local improvements and paramount to all other liens except the lien of general taxes, and shall relate back to and take effect as of the date when the county legislative authority determined to proceed with the construction of the improvement as provided in RCW 85.08.220.

Sec. 196. Section 1, chapter 211, Laws of 1929 as last amended by section 1, chapter 38, Laws of 1933 ex. sess. and RCW 85.09.010 are each amended to read as follows:

(1) Whenever any bonds and/or warrants of any diking or drainage improvement district of this state shall become payable or be outstanding and the ~~((board or boards of county commissioners))~~ legislative authority or authorities of the county or counties wherein such district lies shall determine that it will be for the best interests of the owners of the lands included in such district to issue refunding bonds and to levy ~~((am))~~ assessments to meet such obligations, they may levy such assessments and fix the time for the payment thereof and fix the installments in which such assessment shall be paid; and they may issue refunding bonds of the district in the manner hereinafter provided, to provide funds with which to pay such outstanding bonds and/or warrants.

Such refunding bonds (except in case the refunding loan shall be from the United States) shall be payable in such series and at such time or times over a period not exceeding twenty-five years as the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall determine; they shall bear interest payable semiannually on January first and July first of each year at such rate or rates as the said ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall determine; and all bonds shall be payable at any interest paying date on or before the due date thereof.

The assessments to support such refunding bonds shall become due in annual installments over a period not exceeding twenty-five years in amounts and installments adequate to retire the bonds as they fall due, as may be fixed by the ~~((board of))~~ county ~~((commissioners, and shall bear the same rate of interest as the said bonds))~~ legislative authority; and any and all assessments may be paid at any time, with interest to next interest paying date.

If such refunding bonds are to be deposited with, and the refunding loan to be procured from the Reconstruction Finance Corporation or any other loaning agency created by act of the congress of the United States, or from the United States, pursuant to any act of the congress of the United States, the assessment to support said refunding bonds may be spread over such period of years, and shall become due in such installments, and bear such interest as shall be required by the Reconstruction Finance Corporation or such other loaning agency or by such proper official of the United States or by said act of congress; and the bonds shall be payable in such series, and at such times, and shall bear such rate or rates of interest as may be prescribed by the Reconstruction Finance Corporation or such other loaning agency or by such official of the United States or by such act of congress. The ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall have power to contract for the sale of said bonds to the United States, the Reconstruction Finance Corporation or other loaning agency created by act of congress, and to procure a refunding loan from the United States, the Reconstruction Finance Corporation or other loaning agency, on such terms and under such regulations, and to levy an assessment to pay said bonds in such installments or series, and over such period, as the Reconstruction

Finance Corporation or such other loaning agency or the proper official of the United States or such act of congress may prescribe; and it shall not in such case be necessary to sell such refunding bonds at public sale.

In case no sale of such refunding bonds can in the judgment of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority be made on more advantageous terms, the county ~~((commissioners))~~ legislative authority may exchange such refunding bonds of the district at not less than par value and at not more than the rate of interest of the old bonds and/or warrants for an equal or greater amount of the outstanding bonds and/or warrants of said district without offering them at public sale.

When any assessment or installments of assessments to meet such refunding bonds, shall be delinquent for a period of two years, certificates of delinquency thereon shall be issued to the county, and foreclosure thereof shall forthwith be effected in the manner provided for such foreclosure of assessments in drainage and diking improvement districts.

When any land subject to an assessment to support refunding bonds issued pursuant to this chapter shall be conveyed by a county treasurer's deed to satisfy irrigation district assessments, such irrigation district deed shall eliminate all such drainage and/or diking assessments or installments thereof which are delinquent at the date of issuance thereof; but all such drainage and/or diking assessments or installments thereof not yet delinquent at the date of issuance of such deed shall remain a lien against such land and the title conveyed by the irrigation district deed shall be subject thereto.

Except as herein otherwise provided, all the provisions of chapter ~~((176 of the Laws of 1913 and acts amendatory thereof))~~ 85.08 RCW including joint action by the ~~((boards of commissioners))~~ legislative authorities of both counties in case of a district extending into two counties shall apply to and be the law and shall govern the form and manner of said sale and issuance and payment of the refunding bonds, the rate or rates of interest they shall bear, and the form of such bonds, including bearer bonds or registered bonds as provided in section 3 of this 1983 act, the levy of the assessment to support the ~~((same))~~ bonds, appeals to the courts from actions by the county ~~((commissioners))~~ legislative authority, the manner of the collection of said assessments, and all other matters pertaining to the said refunding bonds and the assessment to meet the same, and except as herein otherwise provided, refunding bonds authorized, issued and disposed of under the provisions of this chapter shall entitle the ~~((holders and))~~ owners thereof to the same rights and privileges, shall constitute a lien on the same property and be paid in the same manner as the original bonds refunded by said bond issue.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 197. Section 3, chapter 26, Laws of 1949 and RCW 85.16.030 are each amended to read as follows:

(1) In maintaining a system of improvements of any such district the supervisors thereof may at any time, with the approval of the ((board)) county legislative authority and upon determination by such ((board)) county legislative authority that an emergency exists, make expenditures in excess of the last annual maintenance levy theretofore made, which excess amount or amounts shall in such event be included in the maintenance levy for the succeeding year except as otherwise herein provided.

When, owing to floods, earthquakes, inadequate maintenance or any other cause, it shall be found by the ~~((board))~~ county legislative authority, after consideration of the supervisors' recommendations, plans and specifications and schedules of estimated costs of maintenance work required, that necessary maintenance work will require extraordinary maintenance expenditures and the ~~((board))~~ county legislative authority shall have authorized such extraordinary maintenance work to be done as herein provided, the ~~((board))~~ county legislative authority may provide that the levy to meet such extraordinary expenditures shall be spread over a term of years and warrants or bonds issued to meet the same. Such terms shall not exceed five years if warrants are issued, and shall be either ten or fifteen years if bonds are issued, all as the ~~((board))~~ county legislative authority shall determine. The form, tenor, and amount of such bonds and warrants, the number of installments in which the assessments shall be paid, and the time and method of payment of assessments shall be the same as provided in RCW 85.08.240, for the original construction cost of a system of improvements: PROVIDED HOWEVER, That said bonds and warrants may be in denominations of one thousand dollars. Such bonds and warrants may be in any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act. In case maintenance bonds or warrants to cover extraordinary maintenance expenditures are issued as herein provided, then a maintenance bond or warrant redemption fund for each separate issue of bonds or warrants shall be created into which all moneys derived from assessments levied to pay each issue shall be paid. Such redemption fund shall be applied first to the payment of the interest due upon such bonds or warrants and second to the payment of the principal thereof. After payment in full of principal and interest of any such issue of bonds or warrants, any balance thereafter remaining in any such redemption fund shall be paid into the district's maintenance fund.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 198. Section 13, chapter 26, Laws of 1949 as last amended by section 92, chapter 56, Laws of 1970 ex. sess. and RCW 85.16.180 are each amended to read as follows:

(1) The ~~((board))~~ county legislative authority shall thereupon enter an order authorizing the contemplated extraordinary maintenance work to be done and authorizing the issuance of temporary construction warrants to pay the cost of said work as it progresses, which warrants may bear interest at such rate or rates of interest as the ~~((board))~~ county legislative authority shall determine. Bonds or warrants to pay the costs of such extraordinary maintenance may be issued and sold at one time or from time to time and in such series and amounts as may be found practicable and as determined by the board.

(2) Notwithstanding subsection (1) of this section, such bonds and warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 199. Section 17, chapter 225, Laws of 1909 and RCW 85.24.160 are each amended to read as follows:

The owner of any lot or parcel of land charged with any assessment, as hereinbefore provided, may redeem the same from all liability by paying the entire assessment charged against such lot or parcel of land, or part thereof, without interest, within thirty days after notice to him of such assessment, as herein provided, or may redeem same any time after the bonds ~~((above specified))~~ authorized in RCW 85.24.230 shall have been issued by paying the full amount of all the principal and interest to the end of the interest year then expiring or next to expire. The board shall pay the interest on the bonds authorized to be issued under this chapter out of the respective local improvement funds, from which they are payable, and whenever there shall be sufficient money in any of such funds against which bonds have been issued under provisions of this chapter, over and above the amount necessary for the payment of interest on all unpaid bonds, and sufficient to pay the principal of one or more bonds, the board shall call in and pay such bond: PROVIDED, Said bonds shall be called in and paid in their numerical order: PROVIDED FURTHER, That such call shall be made by publication in one or more newspapers on the day following the delinquencies of the installment of the assessment, or as soon thereafter as practicable and shall state that bonds Nos. . . . . (giving serial number and numbers of the bonds called) will be paid on the day the interest ~~((coupons))~~ payments on such bonds shall become due, and interest upon such bonds shall cease upon such date.

Sec. 200. Section 16, chapter 225, Laws of 1909 as last amended by section 27, chapter 156, Laws of 1981 and RCW 85.24.230 are each amended to read as follows:

(1) Any such district by and through its board of commissioners, may, by resolution of such board, cause to be issued in the name of the district, bonds for the whole cost of the improvement, less such amounts as shall have been paid within the thirty days provided for redemption, as herein specified. Such bonds shall be called Local Improvement Bonds, Diking and Drainage District No. . . . . in . . . . . and . . . . . counties, state of Washington, and shall be payable in not more than ten years after date, and shall be subject to annual call by the board, in such manner and amount as there may be cash on hand to pay, in the respective local improvement fund, from which such bonds are payable ~~((interest to be paid at the office of the treasurer of the fund))~~.

The board shall have the right to fix the beginning of the maturity of said bonds at not later than five years from date thereof. Said bonds shall bear interest at a rate or rates determined by the board, and shall be in such denominations as the board may determine, and shall be sold at not less than par and accrued interest, or said bonds may be exchanged at not less than par and accrued interest for outstanding warrants. All warrants and bonds provided for in this chapter shall be retired in their numerical order. In making sale of said bonds the board shall advertise the same for sale to the highest bidder, upon such notice as it may determine. Such bonds and warrants may be in any form, including bearer bonds or bearer warrants, or registered bonds or registered warrants as provided in section 3 of this 1983 act.

Any bonds issued hereunder shall be subject to annual call by the treasurer of the board at the expiration of any year before maturity, in such manner and amounts as there may be cash on hand with which to pay the same in the said fund from which the same may be payable. Such call for payment shall be made by publishing notice of such call in a newspaper in each county in which said district is situated for three consecutive issues beginning not more than twenty days before the expiration of any year from the date of such bond, and interest on said bonds shall cease at the date named in such call.

~~((Said bonds shall have attached thereto interest coupons representing the annual or semiannual interest for the term of said bond.))~~

The bonds and any interest coupons shall be signed by the chairman and secretary of said board, provided that ~~((the))~~ any interest coupons may be executed by a facsimile of said signatures in lieu thereof.

~~((It shall be the duty of the board to keep a register of all such bonds.))~~

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 201. Section 109, chapter 72, Laws of 1937 and RCW 86.09.325 are each amended to read as follows:

The ex officio district treasurer shall pay out moneys collected or deposited with him in behalf of the district, or portions thereof, upon warrants issued by the county auditor against the proper funds of the districts, except the sums to be paid out of the bond fund (~~upon the coupons or bonds presented to the treasurer~~) for interest and principal payments on bonds.

Sec. 202. Section 188, chapter 72, Laws of 1937 and RCW 86.09.562 are each amended to read as follows:

Said county treasurer shall pay out the moneys received or deposited with him or any portion thereof upon warrants issued by the county auditor of the same county of which the district treasurer is an officer against the proper funds of the district except the sums to be paid out of the bond funds (~~upon the coupons or bonds presented to such treasurer~~) for interest and principal payments on bonds.

Sec. 203. Section 191, chapter 72, Laws of 1937 and RCW 86.09.571 are each amended to read as follows:

(1) Said bonds shall on their face pledge the full faith and credit of the district to their payment, shall be in such form as the ~~((state director))~~ department of ecology shall prescribe, shall be in such denominations as the board shall determine, shall be serial and with maturities providing a definite schedule of amortization, shall be payable at such place as shall be designated thereon, not more than thirty-five years from their date, and shall be numbered consecutively: PROVIDED, That the annual levy for bond purposes shall not in any year exceed by more than thirty percent the normal annual levy required by the amortized plan of payment of said bonds and interest against all the assessable lands in the district. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 204. Section 194, chapter 72, Laws of 1937 as last amended by section 93, chapter 56, Laws of 1970 ex. sess. and RCW 86.09.580 are each amended to read as follows:

(1) Said bonds shall bear the date of their issue, shall ~~((be made payable to bearer with))~~ have interest at a rate or rates as authorized by the district board, payable semiannually on the first day of January and of July in each year until paid ((and with coupons attached, for each interest payment)). Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 205. Section 195, chapter 72, Laws of 1937 and RCW 86.09.583 are each amended to read as follows:

(1) Said bonds shall be signed by the president of the district board and shall be attested by the secretary and the seal of the district affixed to each bond but not to ~~((the))~~ any coupons. ~~((The))~~ Any coupons shall be signed by the same officers but the signature on the coupons may appear by lithographic facsimile.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 206. Section 196, chapter 72, Laws of 1937 and RCW 86.09.586 are each amended to read as follows:

(1) Said bonds shall express upon their face that they were issued by authority of this chapter, stating its title and date of approval and shall also state the number of issue of which said bonds are a part.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 207. Section 200, chapter 72, Laws of 1937 as last amended by section 94, chapter 56, Laws of 1970 ex. sess. and RCW 86.09.598 are each amended to read as follows:

(1) Said utility bonds shall be numbered consecutively, shall mature in series amortized in a definite schedule during a period not to exceed twenty years from the date of their issuance, shall be in such denominations and form and shall be payable, with annual or semiannual interest at such rate or rates and at such place as the ~~((state director))~~ department of ecology shall provide. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 208. Section 202, chapter 72, Laws of 1937 and RCW 86.09.604 are each amended to read as follows:

(1) Upon approval of the ~~((state director))~~ department of ecology first obtained, the district board shall have authority to issue and dispose of short term general obligation bonds of the district in such amount or amounts, not exceeding the aggregate amount of the district's collected revenue for the year next previous to the date of their issue, on such conditions and in such form as said ~~((state director))~~ department of ecology shall prescribe including issuance and sale in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act). Such bonds

shall not run for a longer term than five years and may be issued without a district election authorizing them: PROVIDED, That a second issue of such bonds shall not be authorized until all outstanding short term bonds of the previous issue have been paid. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

Sec. 209. Section 203, chapter 72, Laws of 1937 and RCW 86.09.607 are each amended to read as follows:

(1) Bonds of flood control districts issued under the provisions of this chapter shall not be sold nor disposed of for less than ninety percent of par and where issued in exchange for labor or service, materials or machinery and appliances, such labor or service and/or property given in exchange shall be appraised in writing and approved by the ~~((state director))~~ department of ecology.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 210. Section 205, chapter 72, Laws of 1937 and RCW 86.09.613 are each amended to read as follows:

General obligation bonds of the district ~~((and their interest coupons))~~ of an earlier issue shall carry no preference as to payment over those of subsequent issue. Such bonds ~~((and their coupons))~~ shall be paid in the order of their respective maturity dates. When there is not sufficient money in the general bond fund to pay all bond maturities and interest then due, the county treasurer shall pay the interest on the due and unpaid bond or bonds of the earliest maturity in accordance with their numerical order, beginning with the bond having the smallest number, to the extent of the available money in the general bond fund.

Sec. 211. Section 17, chapter 153, Laws of 1961 and RCW 86.15.170 are each amended to read as follows:

(1) The ~~((board))~~ county legislative authority may authorize the issuance of general obligation bonds to finance any flood control improvement. Such general obligation bonds may be issued only when authorized by the voters pursuant to RCW 84.52.056. Such bonds shall be issued on behalf of the zone or participating zones and be approved by the voters of the zone or participating zones when the improvement has by the resolution, provided in RCW 86.15.110, been found to be of benefit to a zone or participating zones. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Such bonds may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 212. Section 8, chapter 136, Laws of 1967 ex. sess. and RCW 86.15.178 are each amended to read as follows:

(1) The ~~((board))~~ county legislative authority may authorize the issuance of revenue bonds to finance any flood control improvement. Such bonds may be issued and sold by the ~~((board))~~ county legislative authority in the same manner as prescribed in RCW 36.67.510 through 36.67.570 pertaining to counties. Such bonds shall be issued on behalf of the zone or participating zones when the improvement has by the resolution, provided in RCW 86.15.110, been found to be of benefit to a zone or participating zones. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

Each revenue bond shall state on its face that it is payable from a special fund, naming such fund and the resolution creating the fund.

Revenue bond principal, interest, and all other related necessary expenses shall be payable only out of the appropriate special fund.

A zone or participating zones shall have a lien for delinquent service charges, including interest thereon, against the premises benefited by a flood control improvement, which lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. Such lien shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67.200 through 35.67.290.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 213. Section 15, page 679, Laws of 1889-90 as last amended by section 1, chapter 119, Laws of 1977 ex. sess. and RCW 87.03.200 are each amended to read as follows:

(1) At ~~((such))~~ the election provided for in RCW 87.03.190, there shall be submitted to the electors of said district possessing the qualifications prescribed by law the question of whether or not the bonds of said district in the amount and of the maturities determined by the board of directors shall be issued. Bonds issued under the provisions of this act shall be serial bonds payable in legal currency of the United States in such series and amounts as shall be determined and declared by the board of directors in the resolution calling the election: PROVIDED, That the first series shall mature not later than ten years and the last series not later than forty years from the date thereof: PROVIDED FURTHER, That bonds, authorized by a special election held in the district under the provisions of a former statute, which has subsequent to said authorization been amended, but not issued prior to the amendment of said former statute, may be issued in the form provided in said former statute, and any such bonds heretofore or hereafter so issued and sold are hereby confirmed and validated.

Notice of such bond election must be given by publication of such notice in some newspaper published in the county where the office of the board of directors of such district is required to be kept, once a week for at least two weeks (three times). Such notices must specify the time of holding the election, and the amount and maturities of bonds proposed to be issued; and said election must be held and the results thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of law governing the election of the district officers: PROVIDED, That no informality in conducting such election shall invalidate the same, if the election shall have been otherwise fairly conducted. At such election the ballots shall contain the words 'Bonds Yes' and 'Bonds No,' or words equivalent thereto. If a majority of the votes cast are cast 'Bonds Yes,' the board of directors shall thereupon have authority to cause bonds in said amount and maturities to be issued. If the majority of the votes cast at any bond election are 'Bonds No,' the result of such election shall be so declared and entered of record; but if contract is made or is to be made with the United States as in RCW 87.03.140 provided, and bonds are not to be deposited with the United States in connection with such contract, the question submitted at such special election shall be whether contract shall be entered into with the United States. The notice of election shall state under the terms of what act or acts of congress contract is proposed to be made, and the maximum amount of money payable to the United States for construction purposes exclusive of penalties and interest. The ballots for such election shall contain the words 'Contract with the United States Yes' and 'Contract with the United States No,' or words equivalent thereto. And whenever thereafter said board, in its judgment, deems it for the best interest of the district that the question of issuance of bonds for said amount, or any amount, or the question of entering into a contract with the United States, shall be submitted to said electors, it shall so declare, by resolution recorded in its minutes, and may thereupon submit such question to said electors in the same manner and with like effect as at such previous election.

(2) All bonds issued under this act shall bear interest at such rate or rates as the board of directors may determine, payable semiannually on the first day of January and of July of each year. The principal and interest shall be payable at the office of the county treasurer of the county in which the office of the board of directors is situated, or if the board of directors shall so determine at the fiscal agency of the state of Washington in New York City, said place of payment to be designated in the bond. The bonds may be in such denominations as the board of directors may in its discretion determine, except that bonds other than bond number one of any issue shall be in a denomination that is a multiple of one hundred dollars. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. Said bonds shall be negotiable in form, signed by the president and secretary, and the seal of the district shall be affixed thereto. ~~((The county treasurer shall register said bonds before the issuance thereof in a book kept for that purpose, and shall certify on each thereof under his seal that it has been so registered.))~~ The printed, engraved, or lithographed facsimile signatures of the president and secretary of the district's board of directors ~~((and the county treasurer))~~ shall be sufficient signatures on the bonds or any coupons: PROVIDED, That such facsimile signatures on the bonds may be used only after the filing, by the officer whose facsimile signature is to be used, with the secretary of state of his manual signature certified by him under oath, whereupon that officer's facsimile signature has the same legal effect as his manual signature: PROVIDED, FURTHER, That either the president of the board of directors' or the secretary's signature on the bonds shall be manually subscribed: AND PROVIDED FURTHER, That whenever such facsimile reproduction of the signature of any officer is used in place of the manual signature of such officer, the district's board of directors shall specify in a written order or requisition to the printer, engraver, or lithographer the number of bonds or any coupons upon which such facsimile signature is to be printed, engraved, or lithographed and the manner of numbering the bonds or any coupons upon which such signature shall be placed. Within ninety days after the completion of the printing, engraving, or lithographing of such bonds or any coupons, the plate or plates used for the purpose of affixing the facsimile signature shall be destroyed, and it shall be the duty of the district's board of directors, within ninety days after receipt of the completed bonds or any coupons, to ascertain that such plate or plates have been destroyed. Every printer, engraver, or lithographer who, with the intent to defraud, prints, engraves, or lithographs a facsimile signature upon any bond or any coupon without written order of the district's board of directors, or fails to destroy such plate or plates containing the facsimile signature upon direction of such issuing authority, shall be guilty of felony.

(3) Whenever the electors shall vote to authorize the issuance of bonds of the district such authorization shall nullify and cancel all unsold bonds previously authorized, and if the question is submitted to and carried by the electors at the bond election, any bond issue may be exchanged in whole or in part, at par, for any or all of a valid outstanding bond issue of the district when mutually agreeable to the owner or owners thereof and the district, and the amount of said last bond issue in excess, if any, of that required for exchange purposes, may be sold as in the case of an original issue. The bonds of any issue authorized to be exchanged in whole or in part for outstanding bonds shall state on their face the amount of such issue so exchanged, and shall contain a certificate of the treasurer of the district as to the amount of the

bonds exchanged, and that said outstanding bonds have been surrendered and canceled: PROVIDED FURTHER, That where bonds have been authorized and unsold, the board of directors may submit to the qualified voters of the district the question of canceling said previous authorization, which question shall be submitted upon the same notice and under the same regulations as govern the submission of the original question of authorizing a bond issue. At such election the ballots shall contain the words 'Cancellation Yes,' and 'Cancellation No,' or words equivalent thereto. If at such election a majority of the votes shall be 'Cancellation Yes,' the said issue shall be thereby canceled and no bonds may be issued thereunder. If the majority of said ballots shall be 'Cancellation No,' said original authorization shall continue in force with like effect as though said cancellation election had not been held: PROVIDED, That bonds deposited with the United States in payment or in pledge may call for the payment of such interest at such rate or rates, may be of such denominations, and call for the repayment of the principal at such times as may be agreed upon between the board and the secretary of the interior.

(4) Each issue shall be numbered consecutively as issued, and the bonds of each issue shall be numbered consecutively and bear date at the time of their issue. ~~((Coupons for the interest shall be attached to each bond, signed by the president of the board and the secretary. The signatures of the president and secretary may, however, appear by printed, engraved or lithographed facsimile.))~~ The bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act. Said bonds shall express upon their face that they were issued by authority of this act, stating its title and date of approval, and shall also state the number of issue of which such bonds are a part. ~~((The secretary shall keep a record of bonds sold, their number, the date of sale, the price received and the name of the purchaser.))~~ In case the money received by the sale of all bonds issued be insufficient for the completion of plans of the canals and works adopted, and additional bonds be not voted, or a contract calling for additional payment to the United States be not authorized and made, as the case may be, it shall be the duty of the board of directors to provide for the completion of said plans by levy of assessments therefor. It shall be lawful for any irrigation districts which have heretofore issued and sold bonds under the law then in force, to issue in place thereof an amount of bonds not in excess of such previous issue, and to sell the same, or any part thereof, as hereinafter provided, or exchange the same, or any part thereof, with the ~~((holders))~~ owners of such previously issued bonds which may be outstanding, upon such terms as may be agreed upon between the board of directors of the district and the holders of such outstanding bonds: PROVIDED, That the question of such reissue of bonds shall have been previously voted upon favorably by the legally qualified electors of such district, in the same manner as required for the issue of original bonds, and the said board shall not exchange any such bonds for a less amount in par value of the bonds received; all of such old issue in place of which new bonds are issued shall be destroyed whenever lawfully in possession of said board. Bonds issued under the provisions of this section may, when so authorized by the electors, include a sum sufficient to pay the interest thereon for a period not exceeding the first four years. Whenever an issue of bonds shall have been authorized pursuant to law, and any of the earlier series shall have been sold, and the later series, or a portion thereof, remain unsold, the directors may sell such later series pursuant to law, or such portion thereof as shall be necessary to pay the earlier series, or said directors may exchange said later series for the earlier series at not less than the par value thereof, said sale or exchange to be made not more than six months before the maturity of said earlier series and upon said exchange being made the maturing bonds shall be disposed of as hereinbefore provided in the case of bonds authorized to be exchanged in whole or in part for outstanding bonds.

(5) Notwithstanding subsections (1) through (4) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 214, Section 16, page 681, Laws of 1889-90 as last amended by section 2, chapter 43, Laws of 1933 and RCW 87.03.210 are each amended to read as follows:

(1) The board may sell the bonds of the district or pledge the same to the United States from time to time in such quantities as may be necessary and most advantageous to raise money for the construction, reconstruction, betterment or extension of such canals and works, the acquisition of said property and property rights, the payment of outstanding district warrants when consented to in writing by the director of conservation and development, and to such extent as shall be authorized at said election, the assumption of indebtedness to the United States for the district lands, and otherwise to fully carry out the objects and purposes of the district organization, and may sell such bonds, or any of them, at private sale whenever the board deems it for the best interest of the district so to do: PROVIDED, That no election to authorize bonds to refund outstanding warrants shall be held and canvassed after the expiration of the year 1934. The board of directors shall also have power to sell said bonds, or any portion thereof, at private sale, and accept in payment therefor, property or property rights, labor and material necessary for the construction of its proposed canals or irrigation works, power plants, power sites and lines in connection therewith, whenever the board deems it for the best interests of the district so to do. If the board shall determine to sell the bonds of the district, or any portion thereof, at public sale, the secretary shall publish a notice of such sale for

at least three weeks in such newspaper or newspapers as the board may order. The notice shall state that sealed proposals will be received by the board, at its office, for the purchase of the bonds to be sold, until the day and hour named in the notice. At the time named in the notice, the board shall open the proposals and award the purchase of the bonds to the highest responsible bidder and may reject all bids: PROVIDED, That such bonds shall not be sold for less than ninety percent of their face value: AND PROVIDED, FURTHER, That the proceeds of all bonds sold for cash must be paid by the purchaser to the county treasurer of the county in which the office of the board is located, and credited to the bond fund.

(2) Notwithstanding subsection (1) of this section, such bonds may also be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 215, Section 17, page 681, Laws of 1889-90 as last amended by section 16, chapter 209, Laws of 1981 and RCW 87.03.215 are each amended to read as follows:

Said bonds and interest thereon and all payments due or to become due to the United States or the state of Washington under any contract between the district and the United States or the state of Washington accompanying which bonds of the district have not been deposited with the United States or the state of Washington, as in RCW 87.03.140 provided, shall be paid by revenue derived from an annual assessment upon the real property of the district, and all the real property in the district shall be and remain liable to be assessed for such payments until fully paid as hereinafter provided. And in addition to this provision and the other provisions herein made for the payment of said bonds and interest thereon as the same may become due, said bonds, or the contract with the United States or the state of Washington accompanying which bonds have not been deposited with the United States or the state of Washington, shall become a lien upon all the water rights and other property acquired by any irrigation district formed under the provisions of this chapter, and upon any canal or canals, ditch or ditches, flumes, feeders, storage reservoirs, machinery and other works and improvements acquired, owned or constructed by said irrigation district, and if default shall be made in the payment of the principal of said bonds or interest thereon, or any payment required by the contract with the United States, or the state of Washington, according to the terms thereof, the ((holder)) owner of said bonds, or any part thereof or the United States or the state of Washington as the case may be, shall have the right to enter upon and take possession of all the water rights, canals, ditches, flumes, feeders, storage reservoirs, machinery, property and improvements of said irrigation district, and to hold and control the same, and enjoy the rents, issues and profits thereof, until the lien hereby created can be enforced in a civil action in the same manner and under the same proceedings as given in the foreclosure of a mortgage on real estate. This section shall apply to all bonds heretofore issued or any contract heretofore made with the United States, or which may hereafter be issued or made by any district: PROVIDED, That when any such contract made after December 1, 1981, between any district and the United States or the state of Washington covers only the real property in a portion or portions of the district, all payments due or to become due to the United States or the state of Washington shall be paid by revenue derived from an annual assessment upon the real property only in that portion or portions of the district covered by the contract and the real property shall be and remain liable to be assessed for such payments until fully paid and any assessment lien which attaches thereto shall be the exclusive lien notwithstanding other liens provided for in this section. In the event of a contract between the district and the United States or the state of Washington accompanying which bonds of the district have not been deposited with the United States or the state of Washington as provided in RCW 87.03.140 and the contract covers real property in only a portion or portions of the district, the question of whether the district should enter the contract shall be submitted only to those qualified electors who hold title or evidence of title to real property within that portion or portions of the district and in the same manner as provided in RCW 87.03.200.

Sec. 216, Section 22, page 683, Laws of 1889-90 as last amended by section 1, chapter 169, Laws of 1967 and RCW 87.03.260 are each amended to read as follows:

The board of directors shall in each year before said roll is delivered by the secretary to the respective county treasurers, levy an assessment sufficient to raise the ensuing annual interest on the outstanding bonds, and all payments due or to become due in the ensuing year to the United States or the state of Washington under any contract between the district and the United States or the state of Washington accompanying which bonds of the district have not been deposited with the United States or the state of Washington as in this act provided. Beginning in the year preceding the maturity of the first series of the bonds of any issue, the board must from year to year increase said assessment for the ensuing years in an amount sufficient to pay and discharge the outstanding bonds as they mature. Similar levy and assessment shall be made for the expense fund which shall include operation and maintenance costs for the ensuing year. The board shall also at the time of making the annual levy, estimate the amount of all probable delinquencies on said levy and shall thereupon levy a sufficient amount to cover the same and a further amount sufficient to cover any deficit that may have resulted from delinquent assessments for any preceding year. The board shall also, at the time of making the annual levy, estimate the amount of the assessments to be made against lands owned by the district, including local improvement assessments, and shall levy a sufficient amount to



pay said assessments. All lands owned by the district shall be exempt from general state and county taxes: PROVIDED, HOWEVER, That in the event any lands, and any improvements located thereon, acquired by the district by reason of the foreclosure of irrigation district assessments, shall be by said district resold on contract, then and in that event, said land, and any such improvements, shall be by the county assessor immediately placed upon the tax rolls for taxation as real property and shall become subject to general property taxes from and after the date of said contract, and the secretary of the said irrigation district shall be required to immediately report such sale within ten days from the date of said contract to the county assessor who shall cause the property to be entered on the tax rolls as of the first day of January following.

The board may also at the time of making the said annual levy, levy an amount not to exceed twenty-five percent of the whole levy for the said year for the purpose of creating a surplus fund. This fund may be used for any of the district purposes authorized by law. The assessments, when collected by the county treasurer, shall constitute a special fund, or funds, as the case may be, to be called respectively, the 'Bond Fund of . . . . . Irrigation District,' the 'Contract Fund of . . . . . Irrigation District,' the 'Expense Fund of . . . . . Irrigation District,' the '(Coupon) Warrant Fund of . . . . . Irrigation District,' the 'Surplus Fund of . . . . . Irrigation District'.

If the annual assessment roll of any district has not been delivered to the county treasurer on or before the 15th day of January in the year 1927, and in each year thereafter, he shall notify the secretary of the district by registered mail that said assessment roll must be delivered to the office of the county treasurer forthwith. If said assessment roll is not delivered within ten days from the date of mailing of said notice to the secretary of the district, or if said roll when delivered is not equalized and the required assessments levied as required by law, or if for any reason the required assessment or levy has not been made, the county treasurer shall immediately notify the (~~board of county commissioners~~) legislative authority of the county in which the office of the board of directors is situated, and said (~~board of~~) county (~~commissioners~~) legislative authority shall cause an assessment roll for the said district to be prepared and shall equalize the same if necessary and make the levy required by this chapter in the same manner and with like effect as if the same had been equalized and made by the said board of directors, and all expenses incident thereto shall be borne by the district. In case of neglect or refusal of the secretary of the district to perform the duties imposed by law, then the treasurer of the county in which the office of the board of directors is situated must perform such duties, and shall be accountable therefor, on his official bond, as in other cases.

At the time of making the annual levy in the year preceding the final maturity of any issue of district bonds, the board of directors shall levy a sufficient amount to pay and redeem all bonds of said issue then remaining unpaid. All surplus remaining in any bond fund after all bonds are paid in full must be transferred to the surplus fund of the district.

Any surplus moneys in the surplus fund or any surplus moneys in the bond fund when so requested by the board of directors shall be invested by the treasurer of said county under the direction of said board of directors in United States (~~gold bearing~~) bonds or bonds of the state of Washington, or any bonds pronounced by the treasurer of the state of Washington as valid security for the deposit of public funds, and in addition thereto any bonds or warrants of said district, all of which shall be kept in the surplus fund until needed by the district for the purposes authorized by law.

Sec. 217. Section 34, page 688, Laws of 1889-90 as last amended by section 22, chapter 129, Laws of 1921 and RCW 87.03.430 are each amended to read as follows:

(~~Upon the presentation of the coupons due to~~) Whenever interest payments on bonds are due, the treasurer of said county (~~:-he~~) shall pay the same from the bond fund belonging to such district and deposited with such treasurer. Whenever, after ten years from the issuance of said bonds, said fund shall amount to the sum of ten thousand dollars, the board of directors may direct the treasurer to pay such an amount of said bonds not due as the money in said fund will redeem, at the lowest value at which they may be offered for liquidation, after advertising in some daily newspaper for such period of time not less than four weeks as the board shall order for sealed proposals for the redemption of said bonds. Said proposals shall be opened by the board in open meeting, at a time to be named in the notice, and the lowest bid for said bonds must be accepted: PROVIDED, That no bond shall be redeemed under the foregoing provision at a rate above par. In case the bids are equal, the lowest numbered bond shall have the preference. In case none of the (~~holders~~) owners of said bonds shall desire to have the same redeemed, as herein provided for, said money shall be invested by the treasurer of said county, under the direction of the board, in United States (~~gold bearing~~) bonds, or the bonds of the state, which shall be kept in said bond fund, and may be used to redeem said district bonds whenever the (~~holders~~) owners thereof may desire.

Sec. 218. Section 2, chapter 276, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1979 and RCW 87.03.440 are each amended to read as follows:

The treasurer of the county in which is located the office of the district shall be ex officio treasurer of the district, and any county treasurer handling district funds shall be liable upon his official bond and to criminal prosecution for malfeasance and misfeasance, or failure to

perform any duty as county or district treasurer. The treasurer of each county in which lands of the district are located shall collect and receipt for all assessments levied on lands within his county. There shall be deposited with the district treasurer all funds of the district. He shall pay out such funds upon warrants issued by the county auditor against the proper funds of the district, ~~except the sums to be paid out of the bond fund ((upon coupons or bonds presented to the treasurer)) for interest and principal payments on bonds:~~ PROVIDED, That in those districts which designate their own treasurer, the treasurer may issue the warrants or any checks when the district is authorized to issue checks. All warrants shall be paid in the order of their issuance. The district treasurer shall report, in writing, on the first Monday in each month to the directors, the amount in each fund, the receipts for the month preceding in each fund, and file the report with the secretary of the board. The secretary shall report to the board, in writing, at the regular meeting in each month, the amount of receipts and expenditures during the preceding month, and file the report in the office of the board.

The preceding paragraph of this section notwithstanding, the board of directors or board of control of an irrigation district which lies in more than one county and which had assessments in each of two of the preceding three years equal to at least five hundred thousand dollars may designate some other person having experience in financial or fiscal matters as treasurer of the district. In addition, the board of directors of an irrigation district which lies entirely within one county may designate some other person having experience in financial or fiscal matters as treasurer of the district if the board has the approval of the county treasurer to designate some other person. If the board designates a treasurer, it shall require a bond with a surety company authorized to do business in the state of Washington in an amount and under the terms and conditions which it finds from time to time will protect the district against loss. The premium on the bond shall be paid by the district. The designated treasurer shall collect and receipt for all irrigation district assessments on lands within the district and shall act with the same powers and duties and be under the same restrictions as provided by law for county treasurers acting in matters pertaining to irrigation districts, except the powers, duties, and restrictions in RCW 87.56.110 and 87.56.210 which shall continue to be those of county treasurers.

In those districts which have designated their own treasurers, the provisions of law pertaining to irrigation districts which require certain acts to be done and which refer to and involve a county treasurer or the office of a county treasurer or the county officers charged with the collection of irrigation district assessments, except RCW 87.56.110 and 87.56.210 shall be construed to refer to and involve the designated district treasurer or the office of the designated district treasurer.

Any claim against the district for which it is liable under existing laws shall be presented to the board as provided in RCW 4.96.020 and upon allowance it shall be attached to a voucher and approved by the chairman and signed by the secretary and directed to the proper official for payment: PROVIDED, That in the event claimant's claim is for crop damage the claimant in addition to filing his claim within the one hundred twenty day limit and in the manner specified in RCW 4.96.020 must file with the secretary of the district, or in his absence one of the directors, not less than three days prior to the severance of the crop alleged to be damaged, a written preliminary notice pertaining to the crop alleged to be damaged. Such preliminary notice, so far as claimant is able, shall advise the district; that the claimant has filed a claim or intends to file a claim against the district for alleged crop damage; shall give the name and present residence of the claimant; shall state the cause of the damage to the crop alleged to be damaged and the estimated amount of damage; and shall accurately locate and describe where the crop alleged to be damaged is located. Such preliminary notice may be given by claimant or by anyone acting in his behalf and need not be verified. No action may be commenced against an irrigation district for crop damages unless claimant has complied with the provisions of RCW 4.96.020 and also with the preliminary notice requirements of this section.

Sec. 219, Section 3, chapter 276, Laws of 1961 as amended by section 2, chapter 83, Laws of 1979 and RCW 87.03.441 are each amended to read as follows:

The directors may provide by resolution that the secretary may deposit the following temporary funds in a local bank in the name of the district: (1) A fund to be known as 'general fund' in which shall be deposited all moneys received from the sale of land, except such portion thereof as may be obligated for bond redemption, and all rentals, tolls, and all miscellaneous collections. This fund shall be transmitted to the district treasurer or disbursed in such manner as the directors may designate. (2) A fund to be known as 'fiscal fund' in which shall be deposited all collections made by the district as fiscal agent of the United States. (3) A 'revolving fund' in such amount as the directors shall by resolution determine, acquired by the issue of coupon or registered warrants or by transfer of funds by warrant drawn upon the expense fund. This fund may be disbursed by check signed by the secretary or such other person as the board may designate, in the payment of such expenditures as the board may deem necessary. This fund shall be reimbursed by submitting copies of approved vouchers and/or copy of payrolls to the county auditor with a claim voucher specifying the fund upon which warrants for such reimbursements shall be drawn. The warrants for such reimbursements shall be made out by the auditor to the 'secretary's revolving fund.'

Sec. 220. Section 41, page 692, Laws of 1889-90 as last amended by section 28, chapter 156, Laws of 1981 and RCW 87.03.470 are each amended to read as follows:

(1) The board of directors may, at any time when in their judgment it may be advisable, call a special election and submit to the qualified electors of the district the question whether or not a special assessment shall be levied for the purpose of raising money to be applied to any of the purposes provided in this chapter including any purpose for which the bonds of the district or the proceeds thereof might be lawfully used. Such election must be called upon the notice prescribed, and the same shall be held and the result thereof determined and declared in all respects in conformity with the provisions of RCW 87.03.200. The notice must specify the amount of money proposed to be raised and the purpose for which it is intended to be used and the number of installments in which it is to be paid. At such election the ballot shall contain the words 'Assessment Yes' and 'Assessment No.' If the majority of the votes cast are 'Assessment Yes' the board may immediately or at intervals thereafter incur indebtedness to the amount of said special assessment for any of the purposes for which the proceeds of said assessment may be used, and may provide for the payment of said indebtedness by the issue and sale of ((coupon)) notes of the district to an amount equal to said authorized indebtedness, which ((coupon)) notes shall be payable in such equal installments not exceeding three in number as the board shall direct. Said ((coupon)) notes shall be payable by assessments levied at the time of the regular annual levy each year thereafter until fully paid. The amount of the assessments to be levied shall be ascertained by adding fifteen percent for anticipated delinquencies to the whole amount of the indebtedness incurred and interest. Each assessment so levied shall be computed and entered on the assessment roll by the secretary of the board, and collected at the same time and in the same manner as other assessments provided for herein, and when collected shall be paid to the county treasurer of the county to the credit of said district, for the purposes specified in the notice of such special election: PROVIDED, HOWEVER, That the board of directors may at their discretion issue said ((coupon)) notes in payment for labor or material, or both, used in connection with the purposes for which such indebtedness was authorized. ((Coupon)) Notes issued under this section shall bear interest at a rate determined by the board, payable semiannually. Such notes may be in any form, including bearer notes or registered notes as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such notes may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 221. Section 42, page 693, Laws of 1889-90 as last amended by section 29, chapter 156, Laws of 1981 and RCW 87.03.475 are each amended to read as follows:

(1) The board shall incur no debt or liability in excess of the express provisions of this title. It may without an election and levy therefor pay the necessary costs and expenses of organizing and may make surveys, do engineering work, and conduct a general investigation to determine the feasibility of the proposed irrigation project, and may incur an indebtedness therefor prior to levy, which indebtedness on account of surveys, engineering and investigations shall not exceed fifty cents an acre, and shall be assessable against the lands within the district. In cases of emergency, making it necessary to incur indebtedness in order to continue the operation of the irrigation system or any part thereof, the board by resolution may incur such indebtedness not exceeding the amount actually necessary to meet the requirements of the emergency. It may incur indebtedness necessary to carry on the ordinary administrative affairs of the district and if the district acquires an irrigation system before making its first regular annual levy, the board may incur such indebtedness necessary to pay the ordinary expenses of operation and maintenance until the regular annual levy is made.

The board may issue warrants for the payment of any indebtedness incurred under this section, which shall bear interest at a rate or rates determined by the board, and it shall include in its next annual levy for the payment of the expenses of operation and maintenance, the amount of all warrants issued by virtue hereof.

The board may issue as a general obligation of the district coupon or registered warrants in denominations not in excess of five hundred dollars, bearing interest ((evidenced by coupons payable semiannually at a rate)) as determined by the board. Such warrants may be registered as provided in section 3 of this 1983 act. Such warrants shall mature in not more than five years and may be used, or the proceeds thereof, in the purchase of grounds and buildings, machinery, vehicles, tools or other equipment for use in operation, maintenance, betterment, reconstruction or local improvement work, and for creating a revolving fund for carrying on such work as in this title provided. The proceeds of the warrants shall be paid to the district treasurer who shall place them in an appropriate fund and pay them out upon warrants of the district. The maximum indebtedness hereby authorized shall not exceed one dollar per acre of the total irrigable area within the district. No warrant shall be sold for less than par. They shall state on their face that they are a general obligation of the district, the purposes for which they are used, and that they are payable on or before maturity. They shall be retired by assessments levied in accordance with the provisions of this title at the time other assessments are levied.

The board may accumulate by assessment a fund to be designated as the 'capital fund' to be used for the purposes for which the above warrants may be used. The total of such fund

shall not exceed one dollar per acre of the total irrigable area in the district and shall be accumulated in not less than five annual installments. The fund shall not be permanently depleted or reduced but shall be replaced from year to year by assessments on any lands of the district benefited by the use thereof. The reasonable value of all grounds, buildings, machinery, vehicles, tools or other equipment on hand, purchased with such fund, and the revolving fund, if any, derived from such fund, shall be a part of the capital fund.

(2) Notwithstanding subsection (1) of this section, such warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 222. Section 11, chapter 162, Laws of 1917 as last amended by section 7, chapter 185, Laws of 1979 ex. sess. and RCW 87.03.485 are each amended to read as follows:

In the event that the said board shall approve said petition, the board shall fix a time and place for the hearing thereof and shall publish a notice once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date and shall mail such a notice on or before the second publication date by first class mail, postage prepaid, to each owner or reputed owner of real property within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed. Such notice must be published in a newspaper of general circulation in each county in which any portion of the land proposed to be included in such local improvement district lies. Such notice shall state that the lands within said described boundaries are proposed to be organized as a local improvement district, stating generally the nature of the proposed improvement; that bonds for such local improvement district are proposed to be issued as the bonds of the irrigation district, or that a contract is proposed to be entered into between the district and the United States or the state of Washington, or both, that the lands within said local improvement district are to be assessed for such improvement, that such bonds or contract will be a primary obligation of such local improvement district and a general obligation of the irrigation district and stating a time and place of hearing thereon. At the time and place of hearing named in said notice, all persons interested may appear before the board and show cause for or against the formation of the proposed improvement district and the issuance of bonds or the entering into of a contract as aforesaid. Upon the hearing the board shall determine as to the establishment of the proposed local improvement district. Any landowner whose lands can be served or will be benefited by the proposed improvement, may make application to the board at the time of hearing to include such land and the board of directors in such cases shall, at its discretion, include such lands within such district. The board of directors may exclude any land specified in said notice from said district provided, that in the judgment of the board, the inclusion thereof will not be practicable.

As an alternative plan and subject to all of the provisions of this chapter, the board of directors may initiate the organization of a local improvement district as herein provided. To so organize a local improvement district the board shall adopt and record in its minutes a resolution specifying the lands proposed to be included in such local improvement district or by describing the exterior boundaries of such proposed district or by both. Said resolution shall state generally the plan, character and extent of the proposed improvements, that the land proposed to be included in such improvement district will be assessed for such improvements; and that ((coupon)) local improvement district bonds of the irrigation district will be issued or a contract entered into as hereinabove in this section provided to meet the cost thereof and that such bonds or contract will be a primary obligation of such local improvement district and a general obligation of the irrigation district. Said resolution shall fix a time and place of hearing thereon and shall state that unless a majority of the holders of title or of evidence of title to lands within the proposed local improvement district file their written protest at or before said hearing, consent to the improvement will be implied.

A notice containing a copy of said resolution must be published once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date, and shall be mailed on or before the second publication date by first class mail, postage prepaid, to each owner or reputed owner of real property within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed, and the hearing thereon shall not be held in less than twenty days from the adoption of such resolution. Such notice must be published in one newspaper, of general circulation, in each county in which any portion of the land proposed to be included in such local improvement district lies. Said hearing shall be held and all subsequent proceedings conducted in accordance with the provisions of this act relating to the organization of local improvement districts initiated upon petition.

Sec. 223. Section 12, chapter 162, Laws of 1917 as last amended by section 30, chapter 156, Laws of 1981 and RCW 87.03.490 are each amended to read as follows:

(1) If decision shall be rendered in favor of the improvement, the board shall enter an order establishing the boundaries of the said improvement district and shall adopt plans for the proposed improvement and determine the number of annual installments not exceeding fifty in

which the cost of said improvement shall be paid. The cost of said improvement shall be provided for by the issuance of local improvement district (~~coupon~~) bonds of the district from time to time, therefor, either directly for the payment of the labor and material or for the securing of funds for such purpose, or by the irrigation district entering into a contract with the United States or the state of Washington, or both, to repay the cost of said improvement. Said bonds shall bear interest at a rate or rates determined by the board, payable semiannually (~~evidenced by coupons~~), and shall state upon their face that they are issued as bonds of the irrigation district; that all lands within said local improvement district shall be primarily liable to assessment for the principal and interest of said bonds and that said bonds are also a general obligation of the said district. The bonds may be in such denominations as the board of directors may in its discretion determine, except that bonds other than bond number one of any issue shall be in a denomination that is a multiple of one hundred dollars, and no bond shall be sold for less than par. Any contract entered into for said local improvement by the district with the United States or the state of Washington, or both although all the lands within said local improvement district shall be primarily liable to assessment for the principal and interest thereon, shall be a general obligation of the irrigation district. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

No election shall be necessary to authorize the issuance of such local improvement bonds or the entering into of such a contract. Such bonds, when issued, shall be signed by the president and secretary of the irrigation district with the seal of said district affixed (~~and shall be registered by the treasurer of the irrigation district with his seal affixed~~). The printed, engraved, or lithographed facsimile signatures of the president and secretary of the district's board of directors shall be sufficient signatures on the bonds or any coupons: PROVIDED, That such facsimile signatures on the bonds may be used only after the filing, by the officer whose facsimile signature is to be used, with the secretary of state of his manual signature certified by him under oath, whereupon that officer's facsimile signature has the same legal effect as his manual signature: PROVIDED, FURTHER, That either the president of the board of directors' or the secretary's signature on the bonds shall be manually subscribed: AND PROVIDED FURTHER, That whenever such facsimile reproduction of the signature of any officer is used in place of the manual signature of such officer, the district's board of directors shall specify in a written order or requisition to the printer, engraver, or lithographer the number of bonds or any coupons upon which such facsimile signature is to be printed, engraved, or lithographed and the manner of numbering the bonds or any coupons upon which such signature shall be placed. Within ninety days after the completion of the printing, engraving, or lithographing of such bonds or any coupons, the plate or plates used for the purpose of affixing the facsimile signature shall be destroyed, and it shall be the duty of the district's board of directors, within ninety days after receipt of the completed bonds or any coupons, to ascertain that such plate or plates have been destroyed. Every printer, engraver, or lithographer who, with the intent to defraud, prints, engraves, or lithographs a facsimile signature upon any bond or coupon without written order of the district's board of directors, or fails to destroy such plate or plates containing the facsimile signature upon direction of such issuing authority, shall be guilty of felony.

The proceeds from the sale of such bonds shall be deposited with the treasurer of the district, who shall place them in a special fund designated 'Construction fund of local improvement district number \_\_\_\_\_.'

Whenever such improvement district has been organized, the boundaries thereof may be enlarged to include other lands which can be served or will be benefited by the proposed improvement upon petition of the owners thereof and the consent of the United States or the state of Washington, or both, in the event the irrigation district has contracted with the United States or the state of Washington, or both, to repay the cost of the improvement: PROVIDED, That at such time the lands so included shall pay their equitable proportion upon the basis of benefits of the improvement theretofore made by the said local improvement district and shall be liable for the indebtedness of the said local improvement district in the same proportion and same manner and subject to assessment as if said lands had been incorporated in said improvement district at the beginning of its organization.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 224. Section 2, chapter 128, Laws of 1935 as last amended by section 31, chapter 156, Laws of 1981 and RCW 87.03.510 are each amended to read as follows:

There is hereby established for each irrigation district in this state having local improvement districts therein a fund for the purpose of guaranteeing to the extent of such fund and in the manner herein provided, the payment of its local improvement bonds and warrants issued or contract entered into to pay for the improvements provided for in this act. Such fund shall be designated 'local improvement guarantee fund' and for the purpose of maintaining the same, every irrigation district shall hereafter levy from time to time, as other assessments are levied, such sums as may be necessary to meet the financial requirements thereof: PROVIDED, That such sums so assessed in any year shall not be more than sufficient to pay the outstanding warrants or contract indebtedness on said fund and to establish therein a balance which shall not exceed five percent of the outstanding obligations thereby guaranteed. Whenever any

bond ~~((or))~~ redemption payment, interest ~~((coupon))~~ payment, or contract payment of any local improvement district shall become due and there is insufficient funds in the local improvement district fund for the payment thereof, there shall be paid from said local improvement district guarantee fund, by warrant or by such other means as is called for in the contract, a sufficient amount, which together with the balance in the local improvement district fund shall be sufficient to redeem and pay said bond or coupon or contract payment in full. Said warrants against said guarantee fund shall draw interest at a rate determined by the board and said bonds and ~~((coupons))~~ and interest payments shall be paid in their order of presentation or serial order. Whenever there shall be paid out of the guarantee fund any sum on account of principal or interest of a local improvement bond or warrant or contract the irrigation district, as trustee for the fund, shall be subrogated to all of the rights of the ~~((holder))~~ owner of the bond ((or interest coupon)) or contract amount so paid, and the proceeds thereof, or of the assessment underlying the same shall become part of the guarantee fund. There shall also be paid into such guarantee fund any interest received from bank deposits of the fund, as well as any surplus remaining in any local improvement district fund, after the payment of all of its outstanding bonds or warrants or contract indebtedness which are payable primarily out of such local improvement district fund.

Sec. 225. Section 15, chapter 162, Laws of 1917 as amended by section 30, chapter 129, Laws of 1921 and RCW 87.03.515 are each amended to read as follows:

It shall be lawful for any irrigation district which has issued local improvement district bonds for said improvements, as in this chapter provided, to issue in place thereof an amount of general bonds of the irrigation district not in excess of such issue of local improvement district bonds, and to sell the same, or any part thereof, or exchange the same, or any part thereof, with the ~~((holders))~~ owners of such previously issued local improvement district bonds for the purpose of redeeming said bonds: PROVIDED, HOWEVER, That all the provisions of this chapter regarding the authorization and issuing of bonds shall apply, and: PROVIDING, FURTHER, That the issuance of said bonds shall not release the lands of the local improvement district or districts from liability for special assessments for the payment thereof: AND PROVIDED FURTHER, That the lien of any issue of bonds of the district prior in point of time to the issue of bonds or local improvement district bonds herein provided for, shall be deemed a prior lien.

Sec. 226. Section 8, chapter 70, Laws of 1970 ex. sess. and RCW 87.03.522 are each amended to read as follows:

In lieu of the issuance of local improvement district ~~((coupon))~~ bonds or the entering into a contract with the United States or the state of Washington, or both, to secure the funds for or to repay the cost of any improvement to be charged, in whole or in part, against any local improvement district organized pursuant to this chapter, any irrigation district may finance the cost of said local improvement with any general district funds which may be available for said purpose and provide, in such manner as the district's directors may determine, for the repayment, with or without interest as the district's directors determine, through assessments against the lands in the local improvement district levied in the same manner authorized by this chapter of said general district moneys thus advanced.

Sec. 227. Section 2, chapter 161, Laws of 1923 and RCW 87.19.010 are each amended to read as follows:

Whenever the board of directors of any irrigation district shall deem it for the best interest of said district that any or all outstanding bonds of said district be refunded, they shall so declare by resolution duly adopted and recorded in the minutes of said board and shall, with the written approval of the state director of the department of ~~((conservation and development))~~ ecology, submit the question to the legally qualified electors of said district at a general election or at a special election called for that purpose and if a majority of said electors voting at said election vote in favor thereof the directors of said district shall issue and exchange said bonds for those outstanding, or sell said bonds and retire said outstanding bonds. The bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 228. Section 3, chapter 161, Laws of 1923 as last amended by section 96, chapter 56, Laws of 1970 ex. sess. and RCW 87.19.030 are each amended to read as follows:

(1) Said bonds shall be issued in series and in denominations of not less than one hundred dollars nor more than one thousand dollars. The first series shall mature not later than ten years and the last series not later than forty years. Each series shall be numbered from one, up consecutively, shall bear the date of their issue, and shall bear interest at any rate or rates as authorized by the board of directors of said district, payable semiannually on the first day of January and July of each year, ~~((with interest coupons attached))~~ and the principal and interest ~~((shall))~~ may be made payable at the office of the county treasurer of the county in which the office of the board of directors is situated, or at any fiscal agency of the state of Washington. Said bonds shall be negotiable in form and the bonds ~~((and interest coupons))~~ shall be signed by the president and secretary of the board of directors of said district and the seal of said district, affixed. The signatures of the president and secretary may, however, appear by lithographic facsimile. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 229. Section 2, chapter 120, Laws of 1929 and RCW 87.22.020 are each amended to read as follows:

Before any proposition for the issuance of limited liability refunding bonds, as provided for in this chapter, of an irrigation district in this state shall be submitted to the electors thereof, the board of directors of said district shall at their option have authority, upon the written consent of the ~~((holders))~~ owners of at least fifty-one percent of the face value of the bonds proposed to be refunded, and upon the written approval of the state department of ~~((conservation and development))~~ ecology, and of the owners of fifty-one percent of the acreage of the land within the district, to institute proceedings in the superior court of the proper county to determine the irrigable acreage of the lands which shall be subject to assessment for the payment of said refunding bonds and the interest thereon, and to determine the maximum benefits to be received by said lands from said proposed refunding bonds, in the manner herein provided.

Sec. 230. Section 3, chapter 120, Laws of 1929 and RCW 87.22.030 are each amended to read as follows:

The said board of directors shall institute such proceedings by filing a petition in the superior court of the county in which the greater part of the lands in the district are situated. Said petition shall give the name of the district, shall set out the nature of its water rights and the general character of its irrigation works and distribution system, shall state the amount, maturity schedule of minimum annual installments of principal and maximum interest rate of the proposed refunding bonds, shall state the approximate irrigable acreage in the district and the probable approximate aggregate annual income therefrom during the life of the proposed refunding bonds, shall recite that the required consent of the ~~((holders))~~ owners of the bonds to be refunded has been obtained and shall state such other matter, if any, the said board of directors may deem pertinent to the proceedings, shall pray for the determination of the irrigable acreage and of the maximum benefits aforesaid and shall be signed and verified by the president of the said board of directors.

Sec. 231. Section 19, chapter 120, Laws of 1929 and RCW 87.22.145 are each amended to read as follows:

Refunding bonds provided for under this chapter may be exchanged for any or all of the bonds to be refunded on such basis as may be agreed upon between the board of directors of the district and the ~~((bondholders))~~ bond owners: PROVIDED, That said refunding bonds shall not be issued in a greater sum than the total aggregate face value of the bonds to be refunded.

Sec. 232. Section 20, chapter 120, Laws of 1929 as last amended by section 97, chapter 56, Laws of 1970 ex. sess. and RCW 87.22.150 are each amended to read as follows:

(1) Said refunding bonds shall be issued in such denominations as the board shall determine, but in the same denominations so far as practicable as the bonds to be refunded and shall mature at the date specified in the notice of election but not in any event later than thirty years from the date thereof, and shall be payable in minimum annual installments specified on a percentage basis and amortized to provide for full payment of the bonds with interest at maturity: PROVIDED, That in lieu of the annual payments of principal and semiannual payments of interest as provided in this chapter, the court may prescribe the form, manner of payment, and interest rate or rates of the refunding bonds, in the decree determining maximum benefits and irrigable acreage; and said decree may grant the district the right to pay at the date of any annual or semiannual payment, one or more next accruing annual or semiannual installments less the interest on that part of the principal thus paid in advance: AND PROVIDED, In all cases in which the court determines the form, manner of payment, and interest rate of the refunding bonds in the decree determining maximum benefits, all notices provided in this chapter and any other provision thereof, shall be given and construed in conformity with the terms and conditions of said bond prescribed in said decree. Such bonds may be in any registered form as provided for in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued in any registered form and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 233. Section 24, chapter 120, Laws of 1929 and RCW 87.22.175 are each amended to read as follows:

Said bonds ~~((shall provide for registration as to both principal and interest in the county treasurer's office at which they are payable;))~~ shall be signed by the president of the board and secretary of the district and the seal of the district shall be impressed thereon. The term 'registration book' as used in chapter 87.22 RCW shall constitute the method of registration adopted in conformance with section 3 of this 1983 act.

Sec. 234. Section 26, chapter 120, Laws of 1929 and RCW 87.22.190 are each amended to read as follows:

Said bonds shall be transferable only on the registration book ~~((of the county treasurer's office at which the same are payable;))~~ and any attempted transfer of said bonds not recorded in said registration book shall be void so far as the rights of the district are concerned.

Sec. 235. Section 37, chapter 120, Laws of 1929 as amended by section 7, chapter 42, Laws of 1931 and RCW 87.22.275 are each amended to read as follows:

Except as herein otherwise specifically provided, refunding bonds, authorized, issued and disposed of under the provisions of this chapter shall entitle the (~~holders and~~) owners thereof to the same rights and privileges, shall constitute a lien on the same property and shall be paid in the same manner as the original bonds refunded by said bond issue, and said refunding bonds shall be retired by the exaction of annual assessments levied against all the lands in the district: PROVIDED, HOWEVER, That any lands in the district against which no benefits are determined by the decree determining maximum benefits may be excluded from the district in the same manner in which lands may now be excluded from the districts against which there are no bond issues, and said lands so excluded shall be forever free of the liens of said refunding bonds; AND PROVIDED FURTHER, That no assessments against any tract of land shall exceed the amount specified under RCW 87.22.230.

Sec. 236. Section 18, chapter 185, Laws of 1979 ex. sess. and RCW 87.28.015 are each amended to read as follows:

Irrigation districts may also issue interest bearing warrants to provide interim financing pending the issuance of district revenue bonds. The items, form and content, and the manner of the issuance and sale of such interest bearing warrants as well as any covenants for the redemption of such warrants shall be established by resolution of the district's board of directors. Such warrants may be in any form, including bearer warrants or registered warrants as provided in section 3 of this 1983 act. Such warrants may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 237. Section 2, chapter 57, Laws of 1949 as last amended by section 9, chapter 185, Laws of 1979 ex. sess. and RCW 87.28.020 are each amended to read as follows:

(1) Said bonds shall be in such form as the board of directors shall determine; shall be in bearer form or registered as to principal or interest or both as provided in section 3 of this 1983 act, and may provide for conversion between registered and coupon bonds; shall be in such denominations, shall be numbered, shall bear such date and shall be payable at such time or times up to a maximum of not to exceed forty years as shall be determined by the board of directors; shall bear interest at such rate or rates, payable at such time or times as authorized by the board of directors; shall be payable at the office of the county treasurer of the county in which the principal office of the district is located or at such other place as the board of directors shall provide and specify in the bonds; shall be executed by the president of the board of directors and attested and sealed by the secretary thereof and may have facsimile signatures of the president and secretary imprinted on (~~the~~) any interest coupons in lieu of original signatures and the facsimile seal of the district and the facsimile signature of either the president or the secretary on the bonds in lieu of a manual signature. Said bonds may provide that the same or any part thereof at the option of the board of directors may be redeemed in advance of maturity on any interest payment date upon the terms and conditions established by the board, may include in the amount of the issue funds for the purpose of paying interest on the bonds during the period of construction of the facility being financed by the proceeds of the bonds, and may include in the amount of the issue funds for the purpose of establishing, maintaining, or increasing reserves in the manner, for the purposes, and subject to the restrictions set forth in RCW 39.44.140.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 238. Section 5, chapter 57, Laws of 1949 as amended by section 12, chapter 185, Laws of 1979 ex. sess. and RCW 87.28.040 are each amended to read as follows:

Any such bonds, and interest thereon, issued against a special fund as herein provided shall be a valid claim of the (~~holder~~) owner thereof only as against said special fund or funds and its fixed proportion or amount of the revenue pledged to such fund or funds and shall not constitute a general indebtedness against the issuing irrigation district. Each such bond shall state upon its face that it is payable from a special fund or funds only, naming the special fund or funds and the resolution creating the fund or funds.

Sec. 239. Section 6, chapter 57, Laws of 1949 as last amended by section 100, chapter 56, Laws of 1970 ex. sess. and RCW 87.28.070 are each amended to read as follows:

(1) Such revenue bonds shall be sold in such manner as the board of directors shall deem for the best interests of the irrigation district, either at public or at private sale and at any price and at any rate or rates of interest, but if the board of directors shall dispose of said bonds in exchange for construction of improvements or for materials, such bonds shall not be disposed of for less than par for value received by the district.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 240. Section 8, chapter 57, Laws of 1949 as amended by section 13, chapter 185, Laws of 1979 ex. sess. and RCW 87.28.100 are each amended to read as follows:

When a special fund has been created and bonds have been issued as herein provided, the fixed proportion or amount of the revenues pledged to the payment of the bonds and interest shall be set aside and paid into the special fund monthly as collected, as provided in



the resolution creating the fund, and in case any irrigation district shall fail thus to set aside and pay said fixed proportion or amount as aforesaid, the ~~((holder))~~ owner of any bond against the special fund may bring appropriate court action against the district and compel such setting aside and payment.

Sec. 241. Section 11, chapter 57, Laws of 1949 and RCW 87.28.110 are each amended to read as follows:

Said county treasurer shall have authority to pay said bonds and any appurtenant coupons in accordance with their terms from any moneys on hand in said special fund and when said bonds with interest have been fully paid, any moneys remaining in the fund shall be transferred to the expense fund of the district and the special fund closed.

Sec. 242. Section 22, chapter 185, Laws of 1979 ex. sess. and RCW 87.28.150 are each amended to read as follows:

The board of directors of any irrigation district may, by resolution, without submitting the matter to the voters of the district, provide for the issuance of refunding revenue bonds to refund one or more of the following: Outstanding assessment bonds, revenue bonds, contracts with the United States or state of Washington, or any part thereof, and all outstanding local improvement district bonds, at maturity thereof, or before maturity thereof if they are subject to call for prior redemption or if all of the ~~((holders))~~ owners thereof consent thereto. The refunding bonds shall be issued in the manner and for the purposes set forth in chapter 39.53 RCW.

Whenever district bonds or contracts payable in whole or part from assessments have been refunded pursuant to this section, all assessments remaining unpaid shall thereafter when collected be paid into the revenue bond redemption fund established for payment of the refunding revenue bonds, and the cash balances, if any, in the reserve or guaranty funds for such refunded bonds and the proceeds received from any other assets owned by such funds shall be used in whole or in part as a reserve or guaranty fund for the refunding revenue bonds or be transferred in whole or in part to any other funds of the district as the board of directors may determine. In the event that any warrants are outstanding against the local improvement guaranty fund of the district at the time of the issuance of such refunding revenue bonds, said bonds shall be issued in an amount sufficient also to fund and pay such outstanding warrants.

Sec. 243. Section 2, chapter 121, Laws of 1929 as amended by section 1, chapter 39, Laws of 1941 and RCW 87.64.010 are each amended to read as follows:

Whenever the state shall now or hereafter own, the entire issue of the bonds of any irrigation, diking or drainage district, and in the judgment of the director of ~~((conservation and development))~~ ecology such district is, or will be, unable to meet its obligations to the state as they mature, and in the judgment of the director of ~~((conservation and development))~~ ecology the investment of the state can be made more secure by extending, without refunding, the time of payment of any or all said bonds and ~~((or appurtenant))~~ interest ~~((coupons))~~ payments, or by the exchange of the bonds held by the state for refunding bonds of such district issued as in the manner provided by law at the same or a lower rate of interest and/or for a longer term, or by the cancellation of a portion of the bonds held by the state and/or interest accrued thereon, and the exchange of the remaining bonds held by the state for the refunding bonds of the district issued in the manner provided by law at the same or a lower rate of interest and/or for the same or a longer term, the director of ~~((conservation and development))~~ ecology shall be and is hereby authorized and empowered to enter into contract with the district so extending the time of payment of said bonds and ~~((or appurtenant))~~ interest ~~((coupons))~~ payments, without refunding or to so exchange the bonds held by the state for such refunding bonds or to cancel a portion of the bonds held by the state and/or interest accrued thereon, and exchange the remaining bonds held by the state for such refunding bonds as in his judgment will be for the best interest of the state.

Sec. 244. Section 3, chapter 121, Laws of 1929 as last amended by section 3, chapter 39, Laws of 1941 and RCW 87.64.020 are each amended to read as follows:

Whenever the state shall, now or hereafter, own a portion of the bonds of any irrigation, diking or drainage district, and in the judgment of the director of ~~((conservation and development))~~ ecology such district is, or will be, unable to meet its obligations as they mature, and in the judgment of the director of ~~((conservation and development))~~ ecology the investment of the state can be made more secure by extending, without refunding, the time of payment of any or all said bonds and ~~((or appurtenant))~~ interest ~~((coupons))~~ payments or by exchanging the bonds held by the state for the refunding bonds of the district issued in the manner provided by law at the same or a lower rate of interest and/or for a longer term, or by the cancellation of a portion of the bonds held by the state and/or interest accrued thereon, and the exchange of the remaining bonds held by the state for the refunding bonds of the district issued in the manner provided by law at the same or a lower rate of interest and/or for a longer term, the director of ~~((conservation and development))~~ ecology shall be and is hereby authorized and empowered to enter into contract with the district so extending the time of payment of said bonds and ~~((or appurtenant))~~ interest ~~((coupons))~~ payments, without refunding, or to so exchange the bonds held by the state for such refunding bonds or to cancel a portion of the bonds held by the state and/or interest accrued thereon, and exchange the remaining bonds

held by the state for such refunding bonds as in his judgment will be for the best interest of the state: PROVIDED, That the ~~((holders))~~ owners of at least ninety percent of all the other bonds of said district shall make and execute the same arrangement with the district: AND PROVIDED FURTHER, That when, in addition to owning a portion of the first issue of bonds of any such irrigation, diking or drainage district, the state also owns all the outstanding second issue of bonds of such district, the director of ~~((conservation and development))~~ ecology shall be and he is hereby authorized and empowered to surrender and cancel said second issue of bonds held by the state upon whatsoever terms and conditions he shall deem to be the best interest of the state: AND PROVIDED FURTHER, That whenever ~~((those holding))~~ the owners of at least ninety percent of all other bonds of such district and/or other evidences of indebtedness are willing to release their existing obligations against said district and to substitute therefor a contract to pay such existing indebtedness in whole or in part from the proceeds of the sale of lands owned by the district at the time of such settlement, or acquired by the district through levies then existing, the director of ~~((conservation and development))~~ ecology shall be and he is hereby authorized and empowered to cancel the bonds held by the state upon whatsoever terms that he shall deem most beneficial for the state, or if deemed beneficial to the state, he may release the state's bonds and join with the other holders in the above mentioned contract for the sale of the district land as hereinbefore stated: AND PROVIDED FURTHER, That the director of ~~((conservation and development))~~ ecology be and he is hereby authorized to accept in any settlement made under this chapter, refunding bonds of any irrigation district that may be issued in accordance with chapter ~~((120 of the Session Laws of 1929 of the state of Washington (chapter 87.22 RCW))~~ 87.22 RCW, or any amendment thereto, and he is hereby authorized, when in his judgment it is to the interest of the state, to participate in the refunding of bonds of an irrigation district held under said chapter ~~((120))~~ 87.22 RCW, or any amendment thereto.

Sec. 245. Section 10, chapter 236, Laws of 1907 as last amended by section 101, chapter 56, Laws of 1970 ex. sess. and RCW 88.32.140 are each amended to read as follows:

(1) In all cases, the county, as the agent of the local improvement district, shall, by resolution of its ~~((board of))~~ county ~~((commissioners))~~ legislative authority, cause to be issued in the name of the county, the bonds for such local improvement district for the whole estimated cost of such improvement, less such amounts as shall have been paid within the thirty days provided for redemption, as hereinabove specified. Such bonds shall be called 'Local Improvement Bonds, District No. ...., County of ....., State of Washington', and shall be payable not more than ten years after date, and shall be subject to annual call by the county treasurer, in such manner and amounts as he may have cash on hand to pay the same in the respective local improvement fund from which such bonds are payable, interest to be paid at the office of the county treasurer. Such bonds shall be issued and delivered to the contractor for the work from month to month in such amounts as the engineer of the government, in charge of the improvement, shall certify to be due on account of work performed, or, if said ~~((board of))~~ county ~~((commissioners))~~ legislative authority resolves so to do, such bonds may be offered for sale after thirty days public notice thereof given, to be delivered to the highest bidder therefor, but in no case shall such bonds be sold for less than par, the proceeds to be applied in payment for such improvement: PROVIDED, That unless the contractor for the work shall agree to take such bonds in payment for his work at par, such work shall not be begun until the bonds shall have been sold and the proceeds shall have been paid into a fund to be called 'Local Improvement Fund No. ...., County of ....., and the ~~((holder))~~ owner or ~~((holders))~~ owners of such bonds shall look only to such fund for the payment of either the principal or interest of such bonds.

Such bonds shall be issued in denominations of one hundred dollars each, and shall be substantially in the following form:

'Local Improvement Bond, District Number ..... of the County of ....., State of Washington.

No. .... N.B. .... \$.....

This bond is not a general debt of the county of ..... and has not been authorized by the voters of said county as a part of its general indebtedness. It is issued in pursuance of an act of the legislature of the state of Washington, passed the ..... day of ....., A.D. 1907, and is a charge against the fund herein specified and its issuance and sale is authorized by the resolution of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, passed on the ..... day of ....., A.D. 1907. The county of ....., a municipal corporation of the state of Washington, hereby promises to pay to ....., or bearer, one hundred dollars, lawful money of the United States of America, out of the fund established by resolution of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority on the ..... day of ....., A.D. 19...., and known as local improvement fund district number ..... of ..... county, and not otherwise.

This bond is payable ten years after date, and is subject to annual call by the county treasurer at the expiration of any year before maturity in such manner and amounts as he may have cash on hand to pay the same in the said fund from which the same is payable, and shall bear interest at the rate of ..... percent per annum, payable semiannually; both principal and interest payable at the office of the county treasurer. ~~((A coupon is hereto attached for~~

each installment of interest to accrue thereon, and said interest shall be paid only on presentation and surrender of such coupon to the county treasurer, but in case this bond is called for payment before maturity each and every coupon representing interest not accrued at the expiration of the call shall be void.)) The ((board of)) county ((commissioners)) legislative authority of said county, as the agent of said local improvement district No. ...., established by resolution No. ...., has caused this bond to be issued in the name of said county, as the bond of said local improvement district, the proceeds thereof to be applied in part payment of so much of the cost of the improvement of the rivers, lakes, canals or harbors of ..... county, under resolution No. ...., as is to be borne by the owners of property in said local improvement district, and the said local improvement fund, district No. .... of ..... county, has been established by resolution for said purpose; and the ((holder or holders)) owner or owners of this bond shall look only to said fund for the payment of either the principal or interest of this bond.

The call for the payment of this bond or any bond, issued on account of said improvement, may be made by the county treasurer by publishing the same in an official newspaper of the county for ten consecutive issues, beginning not more than twenty days before the expiration of any year from date hereof, and if such call be made, interest on this bond shall cease at the date named in such call.

This bond is one of a series of ..... bonds, aggregating in all the principal sum of ..... dollars, issued for said local improvement district, all of which bonds are subject to the same terms and conditions as herein expressed.

In witness whereof the said county of ..... has caused these presents to be signed by its chairman of its ((board of)) county ((commissioners)) legislative authority, and countersigned by its county auditor and sealed with its corporate seal, attested by its county clerk, this ..... day of ..... in the year of our Lord one thousand nine hundred and .....

The County of .....  
By .....  
Chairman ((Board of)) County ((Commissioners)) Legislative Authority.

Countersigned, ..... County Auditor.  
Attest, ..... Clerk.

((There shall be attached to each bond such number of coupons, not exceeding twenty, as shall be required to represent the interest thereon, payable semiannually, for the term of said bonds, which coupon shall be substantially in the following form:

Number ..... \$ .....  
On the ..... day of ..... A.D. 19 ....., the county of ..... Washington, promises to pay to the bearer at the office of its county treasurer ..... dollars, being one-half year's interest due that day on Bond No. .... of the bonds of local improvement district No. .... the same being payable only from the fund of said district known as 'Local Improvement Fund, District No. .... of ..... county,' and not otherwise. PROVIDED, That this coupon is subject to all the terms and conditions contained in the bond to which it is annexed, and if said bond be called for payment before maturity hereof, then this coupon shall be void.

.....  
County Auditor-))

The bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 246. Section 11, chapter 236, Laws of 1907 and RCW 88.32.160 are each amended to read as follows:

Each and every bond issued for any such improvement shall be signed by the chairman of the ((board of)) county ((commissioners)) legislative authority and the county auditor, sealed with the corporate seal of the county, and attested by the county clerk. ((Each of such coupons shall bear the signature of the county auditor.)) The bonds issued for each local improvement district shall be in the aggregate for such an amount as authorized by the resolution of the ((board of)) county ((commissioners)) legislative authority with reference to such river, lake, canal or harbor improvement, and each issue of such bonds shall be numbered consecutively, beginning with number 1. ((The county auditor shall keep in his office a register of all such bonds, in which he shall enter the local improvement district, for which the same are issued, and the number and total amount of each bond, and the term of payment.))

Sec. 247. Section 12, chapter 236, Laws of 1907 and RCW 88.32.170 are each amended to read as follows:

The owner of any lot or parcel of land charged with any assessment as provided for hereinabove, may redeem the same from all liability by paying the entire assessment charged against such lot or parcel of land, or part thereof, without interest, within thirty days after notice to him of such assessment, as herein provided, or may redeem the same at any time after the bonds above specified shall have been issued, by paying the full amount of all the principal

and interest to the end of the interest year then expiring, or next to expire. The county treasurer shall pay the interest on the bonds authorized to be issued under RCW 88.32.010 through 88.32.220 out of the respective local improvement funds from which they are payable, and whenever there shall be sufficient money in any local improvement fund, against which bonds have been issued under the provisions of RCW 88.32.010 through 88.32.220, over and above the amount necessary for the payment of interest on all unpaid bonds, and sufficient to pay the principal of one or more bonds, the county treasurer shall call in and pay such bonds, provided that such bonds shall be called in and paid in their numerical order: PROVIDED, FURTHER, That such call shall be made by publication in the county official newspaper, on the day following the delinquency of the installment of the assessment, or as soon thereafter as practicable, and shall state that bonds numbers . . . . . (giving the serial number or numbers of the bonds called), will be paid on the day the ((proper)) interest ((coupon)) payment on said bonds shall become due, and interest upon such bonds shall cease upon such date. If the county shall fail, neglect or refuse to pay said bonds or promptly to collect any of said assessments when due, the owner of any such bonds may proceed in his own name to collect such assessment and foreclose the lien thereof in any court of competent jurisdiction, and shall recover in addition to the amount of such bonds and interest thereon, five percent, together with the costs of such suit. Any number of ((holders)) owners of such bonds for any single improvement, may join as plaintiffs and any number of owners of the property on which the same are a lien may be joined as defendants in such suit.

Sec. 248. Section 5, chapter 158, Laws of 1919 as last amended by section 93, chapter 75, Laws of 1977 and RCW 89.16.050 are each amended to read as follows:

In carrying out the purposes of this chapter, the director of the department of ecology of the state of Washington shall be authorized and empowered:

To make surveys and investigations of the wholly or partially unreclaimed and undeveloped lands in this state and to determine the relative agricultural values, productiveness and uses, and the feasibility and cost of reclamation and development thereof;

To formulate and adopt a sound policy for the reclamation and development of the agricultural resources of the state, and from time to time select for reclamation and development such lands as may be deemed advisable, and the director may in his discretion advise as to the formation and assist in the organization of reclamation districts under the laws of this state;

To purchase the bonds of any reclamation district whose project is approved by the director and which is found to be upon a sound financial basis, to contract with any such district for making surveys and furnishing engineering plans and supervision for the construction of its project, or for constructing or completing its project and to advance money to the credit of the district for any or all of such purposes, and to accept the bonds, ((coupon)) notes or ((coupon)) warrants of such district in payment therefor, and to expend the moneys appropriated from the reclamation account in the purchase of such bonds, notes or warrants or in carrying out such contracts: PROVIDED, That interest not to exceed the annual rate provided for in the bonds, notes or warrants agreed to be purchased, shall be charged and received for all moneys advanced to the district prior to the delivery of the bonds, notes or warrants and the amount of such interest shall be included in the purchase price of such bonds, notes or warrants: PROVIDED FURTHER, That no district, the bonds, notes or warrants of which have been purchased by the state under the provisions of the state reclamation act, shall thereafter during the life of said bonds, notes or warrants make expenditures of any kind from the bond or ((coupon)) warrant funds of the district or incur obligations chargeable against such funds or issue any additional ((coupon)) notes without previous written approval of the director of ecology of the state of Washington, and any obligations incurred without such approval shall be void;

To sell and dispose of any reclamation district bonds acquired by the director, at public or private sale, and to pay the proceeds of such sale into the reclamation account: PROVIDED, That such bonds shall not be sold for less than the purchase price plus accrued interest, except in case of a sale to an agency supplied with money by the United States of America, or to the United States of America in furtherance of refunding operations of any irrigation district, diking or drainage district, or diking or drainage improvement district, now pending or hereafter carried on by such district, in which case the director shall have authority to sell any bonds of such district owned by the state of Washington under the provisions of the state reclamation act, to the United States of America, or other federal agency on such terms as said United States of America, or other federal agency shall prescribe for bonds of the same issue of such district as that held by the state of Washington in connection with such refunding operations;

To borrow money upon the security of any bonds, including refunding bonds, of any reclamation district, acquired by the director, on such terms and rate of interest and over such period of time as the director may see fit, and to hypothecate and pledge reclamation district bonds or refunding bonds acquired by the director as security for such loan. Such loans shall have, as their sole security, the bonds so pledged and the revenues therefrom, and the director shall not have authority to pledge the general credit of the state of Washington: PROVIDED, That in reloading any money so borrowed, or obtained from a sale of bonds it shall be the duty

of the director to fix such rates of interest as will prevent impairment of the reclamation revolving account:

To purchase delinquent general tax or delinquent special assessment certificates chargeable against lands included within any reclamation district obligated to the state under the provisions of the state reclamation act, and to purchase lands included in such districts and placed on sale on account of delinquent taxes or delinquent assessments with the same rights, privileges and powers with respect thereto as a private holder and owner of said certificates, or as a private purchaser of said lands: PROVIDED, That the director shall be entitled to a delinquent tax certificate upon application to the proper county treasurer therefor without the necessity of a resolution of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority authorizing the issuance of certificates of delinquency required by law in the case of the sale of such certificates to private purchasers;

To sell said delinquent certificates or the lands acquired at sale on account of delinquent taxes or delinquent assessments at public or private sale, and on such conditions as the director shall determine;

To, whenever the director shall deem it advisable, require any district with which he may contract, to provide such safeguards as he may deem necessary to assure bona fide settlement and development of the lands within such district, by securing from the owners of lands therein agreements to limit the amount of their holdings to such acreage as they can properly farm and to sell their excess land holdings at reasonable prices;

To employ all necessary experts, assistants and employees and fix their compensation and to enter into any and all contracts and agreements necessary to carry out the purposes of this chapter;

To have the assistance, cooperation and services of, and the use of the records and files in, all the departments and institutions of the state, particularly the office of the commissioner of public lands, the state department of agriculture, Washington State University, and the University of Washington; and all state officers and the governing authorities of all state institutions are hereby authorized and directed to cooperate with the director in furthering the purpose of this chapter;

To cooperate with the United States in any plan of land reclamation, land settlement or agricultural development which the congress of the United States may provide and which may effect the development of agricultural resources within the state of Washington, and the director shall have full power to carry out the provisions of any cooperative land settlement act that may be enacted by the United States.

Sec. 249. Section 109, chapter 254, Laws of 1927 and RCW 89.30.325 are each amended to read as follows:

Said county treasurer shall pay out the moneys received or deposited with him or any portion thereof upon warrants issued by the county auditor against the proper funds of the district except the sums to be paid out of the bond fund ~~((upon the coupons or))~~ for principal and interest payments on bonds ((presented to such treasurer)).

Sec. 250. Section 138, chapter 254, Laws of 1927 and RCW 89.30.412 are each amended to read as follows:

The reclamation district board shall have authority to evidence district indebtedness by the issuance and sale of negotiable general obligation bonds of the district. Such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 251. Section 139, chapter 254, Laws of 1927 and RCW 89.30.415 are each amended to read as follows:

Said bonds shall be in such denominations as the board shall determine, shall be serial in form with maturities providing a definite schedule of amortization and shall be payable at such place as shall be designated thereon: PROVIDED, That such bonds may also be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 252. Section 140, chapter 254, Laws of 1927 as last amended by section 102, chapter 56, Laws of 1970 ex. sess. and RCW 89.30.418 are each amended to read as follows:

Said bonds shall bear the date of their issue, shall be ~~((made payable to bearer))~~ in any form, including bearer or registered as provided in section 3 of this 1983 act, with interest at a rate or rates as authorized by the reclamation district board, payable semiannually on the first day of January and of July in each year ~~((with coupons attached, for each interest payment))~~; PROVIDED, That such bonds may also be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 253. Section 141, chapter 254, Laws of 1927 and RCW 89.30.421 are each amended to read as follows:

(1) Said bonds shall be signed by the president of the district board and shall be attested by the secretary and the seal of the district affixed to each bond but not to ~~((the))~~ any coupons. ~~((The))~~ Any coupons shall be signed by the same officers but the signature on ~~((the))~~ any coupons may appear by lithographic facsimile.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 254. Section 143, chapter 254, Laws of 1927 as amended by section 15, chapter 149, Laws of 1933 and RCW 89.30.427 are each amended to read as follows:

(1) In any instance where the district, general improvement or divisional district is selling, renting or leasing water or electric energy under the provisions of this chapter and there is reasonable certainty of a permanent fixed income from this source, the district board shall have authority to create a special fund derived from a fixed proportion of the gross income thus obtained and to issue bonds of the district payable from such special fund and to sell the same to raise revenue for the payment or amortization of the cost of the construction and/or the operation and maintenance of the reclamation district or general improvement or divisional district works and for such other purposes as the state of Washington and/or the United States may require: PROVIDED, That the state of Washington may, through the director of ~~((conservation and development))~~ ecology, enter into a contract with the reclamation district, improvement or divisional district or districts or the United States to purchase, rent or lease and to sell or resell and/or distribute all or any part of the electric energy developed or to be developed at the reclamation, improvement or divisional district works at a price sufficient to amortize the cost of power development over a period of fifty years after the completion of such power development and to provide a surplus sufficient to reduce the cost of reclaiming the lands of the district or districts within economic limits: AND PROVIDED FURTHER, That no contract or contracts as in this section provided shall be finally consummated or become binding in any way whatsoever until the legislature of the state of Washington in special or regular session shall approve the same, and provided further in such sale and/or distribution of power by the director of ~~((conservation and development))~~ ecology preference in the purchase and/or distribution thereof shall be given to municipal corporations and cooperative associations: AND PROVIDED FURTHER, That general improvement and divisional districts shall have (in addition to the powers granted them in chapter 254 of the Session Laws of 1927 and in this act) the same powers as are given to the reclamation districts under RCW 89.30.007.

(2) Such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 255. Section 145, chapter 254, Laws of 1927 as last amended by section 33, chapter 156, Laws of 1981 and RCW 89.30.433 are each amended to read as follows:

Said bonds shall mature in series amortized in a definite schedule during a period not to exceed sixty years from the date of their issuance, shall be in such denominations and form including bearer bonds or registered bonds as provided in section 3 of this 1983 act, and shall be payable, with annual or semiannual interest at a rate or rates the board shall provide: PROVIDED, That such bonds may also be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 256. Section 173, chapter 254, Laws of 1927 and RCW 89.30.517 are each amended to read as follows:

(1) For the purpose of furthering or carrying out any of the objects for which a general improvement or divisional district was organized, for the purpose of raising additional moneys for that purpose or for refunding outstanding improvement or divisional district bonds, the district board shall have authority to issue and sell ~~((the))~~ negotiable ~~((coupon))~~ bonds ~~((of the district))~~ in such amounts as shall be approved by the electors of the general improvement or divisional district at an election called for that purpose, as herein provided.

(2) Notwithstanding the provisions of RCW 89.30.520 through 89.30.568, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 257. Section 174, chapter 254, Laws of 1927 as last amended by section 103, chapter 56, Laws of 1970 ex. sess. and RCW 89.30.520 are each amended to read as follows:

(1) Bonds issued under the provisions of this chapter shall be negotiable, serial bonds, in such series, maturities and denominations as the board shall determine, payable in legal currency of the United States, at such place as the board shall provide, from funds derived from the levy and collection of special assessments against the benefited lands within the operation of the general improvement or divisional district and shall draw interest at a rate or rates as the board shall authorize. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 258. Section 182, chapter 254, Laws of 1927 and RCW 89.30.544 are each amended to read as follows:

The reclamation district board shall tabulate said abstracts of election returns and if it appears that a majority of the votes cast at any such election are in favor of the proposition submitted at said election, the board shall so declare and enter a resolution authorizing the issuance of bonds in the amounts and maturities and for the objects proposed. Such bonds may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 259. Section 183, chapter 254, Laws of 1927 and RCW 89.30.547 are each amended to read as follows:

(1) General improvement or divisional district bonds issued under the provisions of this chapter shall not be sold for less than ninety percent of their par value, and refunding bonds shall not be sold or exchanged for less than their par value.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 260. Section 186, chapter 254, Laws of 1927 and RCW 89.30.556 are each amended to read as follows:

(1) All general improvement or divisional district bonds issued under the provisions of this chapter shall be negotiable in form, shall be signed by the president of the reclamation district board and secretary of said district and shall have the seal of the district impressed thereon.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 261. Section 206, chapter 254, Laws of 1927 and RCW 89.30.616 are each amended to read as follows:

Assessments against lands in any general improvement or divisional district authorized under this chapter, when collected by the county treasurer shall constitute a special fund or funds as the case may be, to be called respectively, the 'bond fund of general improvement or divisional district No. ....', the 'contract fund of general improvement or divisional district No. ....', the '(coupon) warrant fund of general improvement or divisional district No. ....', and any other special fund authorized by law.

Sec. 262. Section 260, chapter 254, Laws of 1927 and RCW 89.30.778 are each amended to read as follows:

Said board in such event may provide for the payment of said indebtedness by the issue and sale of ((coupon)) notes of the district to an amount equal to said authorized indebtedness which ((coupon)) notes shall be payable in such equal installments, not exceeding three in number, as the board shall direct. Such notes may be in any form, including bearer notes or registered notes as provided in section 3 of this 1983 act. Such notes may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 263. Section 261, chapter 254, Laws of 1927 and RCW 89.30.781 are each amended to read as follows:

Said ((coupon)) notes shall be payable exclusively by assessments levied at the time of the regular annual levy each year thereafter until fully paid. All the lands within the general improvement district or divisional district as the case may be, shall be and remain liable to an annual assessment for the payment of said ((coupon)) notes with interest until fully paid.

Sec. 264. Section 262, chapter 254, Laws of 1927 and RCW 89.30.784 are each amended to read as follows:

((Coupon)) (1) Notes issued under the provisions of this chapter shall bear interest at a rate ((not to exceed seven percent per annum)) or rates authorized by the district board, payable semiannually.

(2) Notwithstanding subsection (1) of this section, such notes may be issued in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 265. Section 45, chapter 23, Laws of 1911 and RCW 91.08.465 are each amended to read as follows:

Should the owners of any lands assessed to pay for an improvement contemplated by this chapter, fail to pay the assessments thereon in full on or before the day fixed by the treasurer's notice as the time for payment without interest, the board shall provide and issue bonds of the district to the total amount of the unpaid assessments, which bonds may either be issued to persons contracting to perform the work of making the improvement, or exchange with them for warrants; or be issued in exchange for work or materials; or they may be sold outright as hereinafter provided. Such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 266. Section 46, chapter 23, Laws of 1911 as last amended by section 105, chapter 56, Laws of 1970 ex. sess. and RCW 91.08.480 are each amended to read as follows:

(1) Such bonds shall be issued pursuant to an order made by the board and by their terms shall be made payable on or before a date not to exceed ten years from and after the date of their issue, which latter date shall also be fixed by such order. They shall bear interest at the rate or rates as authorized by the board, which interest shall be payable semiannually at periods named; ~~((shall have attached thereto interest coupons for each interest payment;))~~ shall be of such denomination as shall be provided in the order directing the issue, but not less than one hundred dollars nor more than one thousand dollars; shall be numbered from one upward consecutively and each bond shall be signed by the president of the board and attested by its clerk: PROVIDED, HOWEVER, That ((said)) any coupons may, in lieu of being so signed, have printed thereon facsimile signatures of said officers. Each bond shall in the body thereof refer to the improvement to pay for which the same is issued; shall provide that the principal sum therein named and the interest thereon shall be payable out of the fund created for the payment of the cost and expense of said improvement, and not otherwise; and shall not be issued in an amount which, together with the assessments already paid, will exceed the cost

and expense of the said condemnation and improvement. Such bonds may be in any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 267. Section 47, chapter 23, Laws of 1911 and RCW 91.08.485 are each amended to read as follows:

(1) Said bonds, whether sold or exchanged, shall be disposed of for not less than their par value and accrued interest.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 268. Section 48, chapter 23, Laws of 1911 and RCW 91.08.490 are each amended to read as follows:

(1) Before making any sale of such bonds the board shall advertise the sale and invite sealed bids therefor, by publication in the county official newspaper at least once, and in such other manner as it sees fit, for a period of thirty days. At the time and place fixed for receiving bids the board shall open all bids presented and may either award the bonds to the highest bidder or reject all bids. Delivery of the bonds and payment therefor may be as required by the board. The purchaser of any such bonds shall pay the money due therefor to the county treasurer, who shall place it in the district fund.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 269. Section 50, chapter 23, Laws of 1911 and RCW 91.08.510 are each amended to read as follows:

~~(Neither)~~ The ~~(holder nor)~~ owner of any bond issued under authority of this chapter shall ~~not~~ have any claim therefor against any person, body or corporation, except from the special assessment made for the improvement for which such bond was issued; but his remedy in case of nonpayment shall be confined to the enforcement of such assessment. A copy of this section shall be plainly written, printed or engraved on each bond so issued.

NEW SECTION, Sec. 270. The following acts or parts of acts are each repealed:

- (1) Section 35.41.040, chapter 7, Laws of 1965 and RCW 35.41.040;
- (2) Section 36.67.080, chapter 4, Laws of 1963 and RCW 36.67.080;
- (3) Section 5, chapter 170, Laws of 1895 and RCW 39.52.040;
- (4) Section 1, chapter 218, Laws of 1941 and RCW 53.39.010;
- (5) Section 2, chapter 218, Laws of 1941 and RCW 53.39.020;
- (6) Section 3, chapter 218, Laws of 1941, section 82, chapter 232, Laws of 1969 ex. sess., section 72, chapter 56, Laws of 1970 ex. sess. and RCW 53.39.030;
- (7) Section 4, chapter 218, Laws of 1941 and RCW 53.39.040;
- (8) Section 5, chapter 218, Laws of 1941, section 1, chapter 33, Laws of 1943, section 1, chapter 62, Laws of 1947 and RCW 53.39.050;
- (9) Section 2, chapter 33, Laws of 1943 and RCW 53.39.060;
- (10) Section 6, chapter 218, Laws of 1941, section 3, chapter 33, Laws of 1943 and RCW 53.39.070;
- (11) Section 7, chapter 218, Laws of 1941, section 4, chapter 33, Laws of 1943 and RCW 53.39.080;
- (12) Section 8, chapter 218, Laws of 1941 and RCW 53.39.900;
- (13) Section 5, chapter 33, Laws of 1943 and RCW 53.39.910;
- (14) Section 6, chapter 33, Laws of 1943 and RCW 53.39.920;
- (15) Section 9, chapter 218, Laws of 1941 and RCW 53.39.930;
- (16) Section 35, chapter 117, Laws of 1895 and RCW 85.05.350;
- (17) Section 32, chapter 115, Laws of 1895 and RCW 85.06.320;
- (18) Section 3, chapter 103, Laws of 1935 and RCW 85.07.080;
- (19) Section 7, chapter 161, Laws of 1923 and RCW 87.19.070;
- (20) Section 25, chapter 120, Laws of 1929 and RCW 87.22.180;
- (21) Section 27, chapter 120, Laws of 1929 and RCW 87.22.195;
- (22) Section 10, chapter 57, Laws of 1949 and RCW 87.28.105;
- (23) Section 187, chapter 254, Laws of 1927 and RCW 89.30.559; and
- (24) Section 188, chapter 254, Laws of 1927 and RCW 89.30.562.

Sec. 271. Section 13, chapter 218, Laws of 1963 as last amended by section 83, chapter ... (SHB 390), Laws of 1983 and RCW 36.68.520 are each amended to read as follows:

(1) A park and recreation service area shall not have power to levy an annual authorized levy, but it shall have the power to levy a tax upon the property included within the service area in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.052.

The special voted levy may be either for operating fund or for capital outlay, or for a cumulative reserve fund.

(2) A service area may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness, equal to three-eighths of one percent of the value of the taxable property within the district, and may



provide for the retirement thereof by levies in excess of dollar rate in accordance with the provisions of Article VII, section 2 of the Constitution and RCW 84.52.056: PROVIDED, That such districts may issue general obligation bonds equal to two and one-half percent of the value of the taxable property within the district, as the term 'value of the taxable property' is defined in RCW 39.36.015, when such bonds are approved by the voters of the district at a special election called for the purpose in accordance with the provisions of Article VIII, section 6 of the state Constitution. Such bonds may be in any form, including coupon bonds or registered bonds as provided in section 3 of this 1983 act.

(3) Notwithstanding subsection (2) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

Sec. 272, Section 18, chapter 210, Laws of 1941 as last amended by section 155, chapter ... (SHB 390), Laws of 1983 and RCW 56.16.040 are each amended to read as follows:

(1) Whenever any such sewer district shall hereafter adopt a plan for a sewer system as herein provided, or any additions and betterments thereto, or whenever any reorganized sewer district shall hereafter adopt a plan for any additions or betterments thereto, and the qualified voters of any such sewer district or reorganized sewer district shall hereafter authorize both bond retirement property tax levies and a general indebtedness for all the said plan, or any part thereof, or any additions and betterments thereto or for refunding in whole or in part bonds theretofore issued, general obligation bonds for the payment thereof may be issued ~~((as hereinafter provided)).~~ The authorizations for the general obligation bonds and the bond retirement levies shall be as provided in Article VIII, section 6 and Article VII, section 2(b) of the state Constitution and RCW 84.52.056. Such authorizations may be presented to the voters in a single proposition.

The bonds shall be serial in form and maturity and numbered from one up consecutively. The bonds shall bear interest at such rate or rates as authorized by the board of sewer commissioners, payable semiannually from date of said bonds until principal thereof is paid. The various annual maturities shall commence with the second year after the date of issue of the bonds, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of said bonds and interest: PROVIDED, That only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars. Such bonds may be of any form, including bearer bonds or registered bonds as provided in section 3 of this 1983 act.

The general obligation bonds shall never be issued to run for a longer period than thirty years from the date of the issue and shall as nearly as practicable be issued for a period which will be equivalent to the life of the improvement to be acquired by the issue of the bonds.

The bonds shall be signed by the presiding officer of the board of sewer commissioners and shall be attested by the secretary of such board under the seal of the sewer district, and any interest coupons shall be signed by the facsimile signature of the presiding officer of the board of sewer commissioners and shall be attested by the facsimile signature of the secretary of such board.

~~((There shall be levied by the officers or governing body now or hereafter charged by law with the duty of levying taxes in the manner provided by law an annual levy in excess of the constitutional and/or statutory tax limitations sufficient to meet the annual or semiannual payments of principal and interest on the said bonds maturing as herein provided upon all taxable property within such sewer district:))~~

Said bonds shall be sold in such manner as the sewer commissioners shall deem for the best interest of the sewer district, and at a price not less than par and accrued interest.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter ... RCW (sections 1 through 8 of this 1983 act).

NEW SECTION. Sec. 273. 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. 274. 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, except sections 271 and 272 shall take effect July 1, 1985."

On page 12 of the title, line 7, beginning with "amending" strike all material down to and including "35.92.080;" on line 9 and on line 18, strike "repealing section 14, chapter 236, Laws of 1959 and RCW 53.34.140;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Moon, the House concurred in the Senate amendments to Substitute House Bill No. 390.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 390 as amended by the Senate.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 390 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Substitute House Bill No. 390 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 436 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is added to chapter 43.51 RCW a new section to read as follows:

Persons over the age of sixty-five are exempt from any permit or other administrative fee imposed by the commission for the collection of wood debris in state parks, if such wood is for personal use.

NEW SECTION, Sec. 2. Section 2, chapter 114, Laws of 1981 and RCW 43.51.390 are each repealed."

On page 1, line 1 of the title after "commission;" strike the remainder of the title and insert "adding a new section to chapter 43.51 RCW; and repealing section 2, chapter 114, Laws of 1981 and RCW 43.51.390."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Monohon, the House concurred in the Senate amendments to Engrossed House Bill No. 436.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 436 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 436 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 4; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd,

Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Fiske, Haugen, Stratton, West - 4.

Absent: Representative Broback - 1.

Excused: Representative Bond - 1.

Engrossed House Bill No. 436 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

April 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 458 with the following amendments:

On page 4, line 10 after "and" insert "final orders of"

On page 4, line 24 after "proceeding" insert "in which there is a request for injunctive relief"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendments to Substitute House Bill No. 458.

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

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 458 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 458 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Jacobsen - 1.

Excused: Representative Bond - 1.

Substitute House Bill No. 458 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 865 with the following amendment:

On page 1, line 16 of the engrossed bill, being the House amendment on page 1, line 15, after "received" strike all material down to and including "districts" on line 19.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Moon moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 865.

Mr. Moon spoke in favor of the motion, and Ms. Brough spoke against it.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 865 as amended by the Senate.

Mr. Ebersole 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. 865 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 20; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Barnes, Braddock, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Isaacson, McDonald, Nelson G, Padden, Sanders, Smith, Taylor, Tilly, West, Williams J - 20.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 865 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 867 with the following amendments:

On page 6, after line 2 of the engrossed bill, being page 6, line 4 of the printed bill insert "The executive director of the arts commission, the superintendent of public instruction and the Washington state school directors association shall appoint a study group to review the operations of the one-half of one percent for works of art under this section."

On page 6, line 34 of the printed bill, being page 6, line 32 of the engrossed bill, after "commission" insert "with the approval of the board of regents or trustees"

On page 7, after line 12 of the printed bill, being line 10 of the engrossed bill, insert:

"NEW SECTION. Sec. 10. Implementation of section 7 of this 1983 act shall become effective upon approval by the arts commission, the superintendent of public instruction and the Washington state school directors association."

Renumber the remaining section consecutively, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Walk, the House concurred in the Senate amendment to Engrossed House Bill No. 867.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 867 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 867 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Barnes, Barrett, Clayton, Dickie, Fuhrman, Hastings, Nealey, Nelson G, Padden, Silver, Smith, Struthers, Taylor, Vander Sloep, Williams B - 15.  
Excused: Representative Bond - 1.

Engrossed House Bill No. 867 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. Heck, the House adjourned until 9:30 a.m., Saturday, April 23, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ONE HUNDRED FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 23, 1983

The House was called to order at 9:30 a.m. by the Speaker. 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 Kolleen Roe and Gregg Ovenell. Prayer was offered by The Reverend David S. Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 21, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills, and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 3034,  
 SUBSTITUTE SENATE BILL NO. 3035,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3042,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3055,  
 SUBSTITUTE SENATE BILL NO. 3087,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3088,  
 SUBSTITUTE SENATE BILL NO. 3124,  
 SUBSTITUTE SENATE BILL NO. 3127,  
 ENGROSSED SENATE BILL NO. 3134,  
 SENATE BILL NO. 3142.

Bill Gleason, Assistant Secretary.

April 22, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3106, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 22, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3297, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HCR 18 by Representatives Haugen, Holland, Armstrong, Long, P. King, G. Nelson, Sayan, McDonald, Powers, Ballard, Zellinsky, Fiske, Galloway, Brough, Belcher, Patrick, Vekich, Wilson, Martinis and Addison

Establishing a joint select committee to study funding for alcohol-related problems.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

April 22, 1983

HB 53 Prime Sponsor, Representative Grimm: Specifying the sums to be transferred from the institutional loan fund to the institutions of higher education's local general funds. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Braddock, Brekke, Ellis, Heck, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman and Struthers.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Appelwick, Fiske, Hastings, Hine, Tilly and Vander Stoep.

Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

April 22, 1983

HB 181 Prime Sponsor, Representative Stratton: Modifying provisions regarding public lands. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by Committee on Natural Resources be substituted therefor and the substitute bill do pass with the following amendments by Committee on Ways & Means:

On page 3, beginning on line 7 strike all material through "fund" on line 8 and insert "There is created an account within the general fund known as the land bank account"

On page 3, line 11 after "purposes," strike all material through "fund," on line 17.

On page 3, beginning on line 25 strike all of section 6 and renumber the remaining sections consecutively.

On page 4, line 1 after "bank" strike "revolving fund" and insert "account"

On page 9, beginning on line 22 strike all of section 15 and insert the following:

"On July 1, 1983, or when sufficient moneys exist, the state treasurer shall transfer the sum of three million dollars, from the resource management cost account in the state general fund to the land bank account in the state general fund.

There is appropriated from the land bank account in the state general fund to the department of natural resources for the biennium ending June 30, 1985, the sum of six million dollars, or so much thereof as may be necessary to implement this act."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Bond, Braddock and Taylor.

Passed to Committee on Rules for second reading.

April 22, 1983

SSB 3067 Prime Sponsor, Committee on Transportation: Modifying provisions and the taxation of motor vehicle and special fuels. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representative McDonald.

Absent: Representatives Appelwick, Bond, Braddock, Ellis, J. King, G. Nelson, Smitherman and Tilly.

Passed to Committee on Rules for second reading.

April 22, 1983

ESB 3162 Prime Sponsor, Senator Talmadge: Modifying the property taxation on nonprofit organizations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and J. King.

Passed to Committee on Rules for second reading.

April 22, 1983

ESSB 3163 Prime Sponsor, Committee on Ways & Means: Granting reparation to certain state employees who suffered salary losses during World War II. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Braddock, Brekke, Ellis, Heck, Hine, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Appelwick, Fiske, Hastings, J. King, G. Nelson, Struthers, Taylor and Tilly.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 22, 1983

SB 3188 Prime Sponsor, Senator Talmadge: Regulating timeshare offerings in this state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 15, line 32 strike "two hundred twenty-one thousand forty dollars" and insert "one hundred thirty thousand dollars"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 22, 1983

ESB 3390 Prime Sponsor, Senator Owen: Permitting up to seven letters or numbers on personalized license plates. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments by Committee on Natural Resources and Committee on Ways & Means:

On page 1, after line 17 insert the following:

"Sec. 2. Section 11, chapter 200, Laws of 1973 1st ex. sess as last amended by section 118, chapter 3, Laws of 1983 and RCW 46.16.605 are each amended to read as follows:

All revenue derived from the fees provided for in RCW 46.16.585 shall be forwarded to the state treasurer ~~((accompanied by a proper identifying detailed report and by him))~~ and be deposited to the credit of the state game fund to be used for the preservation, protection, perpetuation, and enhancement of nongame species of wildlife including but not limited to song birds, raptors, protected wildlife, rare and endangered wildlife, aquatic life, and specialized-habitat types, both terrestrial and aquatic, as well as all unclassified marine fish, shellfish, and marine invertebrates.

Administrative costs incurred by the department of licensing as a direct result of RCW 46.16.560 through 46.16.605 and 77.12.170 shall be appropriated by the legislature from the state game fund from those funds deposited therein resulting from the sale of personalized license plates. If the actual costs incurred by the department of licensing are less than that which has been appropriated by the legislature the remainder shall revert to the state game fund."

Re-number the sections following consecutively.

On page 1, line 21, after "purposes" insert "of section 1"

In line 1 of the title, after "plates;" strike "and"

In line 3 of the title, after "46.16.570;" insert "amending section 11, chapter 200, Laws of 1973 1st ex. sess. as last amended by section 118, chapter 3, Laws of 1983 and RCW 46.16.605;"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.



Absent: Representatives Bond and Taylor.

Passed to Committee on Rules for second reading.

April 22, 1983

E2SSB 3624

Prime Sponsor, Committee on Ways & Means: Establishing a conservation corps. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) The unemployment rate in the state of Washington is the highest since the great depression, with a significantly higher rate among Washington youth.

(2) The policy of the state is to conserve and protect its natural and urban resources, scenic beauty, and historical and cultural sites.

(3) It is in the public interest to target employment projects to those activities which have the greatest benefit to the local economy.

(4) There are many unemployed young adults without hope or opportunities for entrance into the labor force who are unable to afford higher education and who create a serious strain on tax revenues in community services.

(5) The severe cutbacks in community and human services funding leave many local community service agencies without the resources to provide necessary services to those in need.

(6) The talent and energy of Washington's unemployed young adults are an untapped resource which should be challenged to meet the serious shortage in community services and promote and conserve the valuable resources of the state.

Therefore, the legislature finds it necessary and in the public interest to enact the Washington youth employment and conservation act. As part of this act, the Washington youth employment exchange and the Washington conservation corps are established as operating programs of the employment security department. The legislature desires to facilitate the potential of youth to obtain available job opportunities in both public and private agencies. It also desires to establish a youth conservation corps that will provide for employment and training opportunities to unemployed youths and to promote and conserve natural and urban areas.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 20 of this act.

(1) 'Commissioner' means the commissioner of the employment security department.

(2) 'Department' means the employment security department.

(3) 'Enrollees' means those persons who have completed enrollment forms, completed a work agreement, and who have entered into service following the approval of the director of the supervising agency.

(4) 'Exchange' means the Washington youth employment exchange.

(5) 'Work agreement' means the written agreement between the department, the enrollee and the supervising agency under this act for a period of up to eighteen months.

(6) 'Supervising agencies' means those private or public agencies which develop and implement full-time service projects in which enrollees agree to participate.

(7) 'Matching funds' means funding that is provided to the employment security department by agencies or individuals as financial support for a portion of the stipend or wage and benefits paid to the enrollee.

(8) 'Financial support' means any thing of value contributed by agencies or individuals to the department for a youth employment project which is reasonably calculated to support directly the development and expansion of a particular program under this act and which represents an addition to any financial support previously or customarily provided by the individual or agency. 'Financial support' includes, but is not limited to funds, equipment, facilities, and training.

(9) 'Public lands' means any lands or waters (or interests therein) owned or administered by any agency or instrumentality of the state, federal, or local government.

(10) 'Private lands' means any land or waters (or interests therein) not owned or administered by any agency or instrumentality of the state, federal, or local government.

(11) 'Corps' means the Washington conservation corps.

(12) 'Corps member' means an individual enrolled in the Washington conservation corps.

(13) 'Corps member leaders' or 'specialists' means members of the corps who serve in leadership or training capacities or who provide specialized services other than or in addition to the types of work and services that are performed by the corps members in general.

(14) 'Director' means the individual who shall serve simultaneously as both the director of the corps and as the director of the exchange.

NEW SECTION. Sec. 3. The Washington youth employment exchange is established within the employment security department. The commissioner shall:

(1) Appoint a director for the exchange and other personnel as necessary to carry out the purposes of this act. Such director shall be the same individual who is appointed corps director as provided in section 15(2) of this act;

(2) Coordinate youth employment and training efforts under the department's jurisdiction and cooperate with other agencies or departments providing youth services to ensure that funds appropriated for the purposes of this act will not be expended to duplicate existing services, but will increase the services of youth to the state;

(3) The employment security department is authorized to place subgrants with other federal, state, and local governmental agencies and private agencies to provide youth employment projects and to increase the numbers of youth employed;

(4) Determine appropriate financial support levels by private business, community groups, foundations, public agencies, and individuals which will provide matching funds for enrollees in service projects under work agreements. The matching funds requirement may be waived for public agencies or reduced for private agencies;

(5) Recruit enrollees who are residents of the state unemployed at the time of application and are at least sixteen years of age but not more than twenty-two years of age;

(6) Recruit supervising agencies to host the enrollees in full-time service activities which shall not exceed twelve months' duration;

(7) Assist supervising agencies in the development of scholarships and matching funds from private and public agencies, individuals, and foundations in order to support a portion of the enrollee's stipend and benefits;

(8) Develop general employment guidelines for placement of enrollees in supervising agencies to establish appropriate authority for hiring, firing, grievance procedures, and employment standards which are consistent with state and federal law;

(9) Match enrollees with appropriate public agencies and available service projects;

(10) Monitor enrollee activities for compliance with this act and compliance with work agreements;

(11) Assist enrollees in transition to employment upon termination from the programs, including such activities as orientation to the labor market, on-the-job training, and placement in the private sector.

NEW SECTION. Sec. 4. The commissioner may select and enroll in the Washington youth employment exchange program any person who is at least sixteen years of age but not more than twenty-two years of age, is a resident of the state, and who is not for medical, legal, or psychological reasons incapable of service. In the selection of enrollees of the exchange, preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment above the state average. Efforts shall be made to enroll youths who are economically, socially, physically, or educationally disadvantaged. The commissioner may prescribe such additional standards and procedures in consultation with supervising agencies as may be necessary in conformance with this act.

NEW SECTION. Sec. 5. The commissioner shall use existing local offices of the employment security department or contract with independent, private nonprofit agencies in a local community to establish the local youth employment exchange program and to insure coverage of the program state-wide. Each local youth employment exchange program shall maintain a list of available youth employment opportunities in the jurisdiction covered by the local office and the appropriate forms or work agreements to enable the youths to apply for employment in private or public supervising agencies.

NEW SECTION. Sec. 6. Placements in the Washington youth employment exchange shall be made in supervising agencies under work agreements as provided under this act and shall include those assignments which provide for addressing community needs and conservation problems and will assist the community in economic development efforts. Each work agreement shall:

(1) Demonstrate that the service project is appropriate for the enrollee's interests, skills, and abilities and that the project is designed to meet unmet community needs;

(2) Include a requirement of regular performance evaluation leading to a work experience credential for the enrollee. This shall include clear work performance standards set by the supervising agency and procedures for identifying strengths, recommended improvement areas and conditions for probation or dismissal of the enrollee; and

(3) Include a commitment for partial financial support for the enrollee for a private industry, public agency, community group, or foundation. The commissioner may establish additional standards for the development of placements for enrollees with supervising agencies and assure that the work agreements comply with those standards.

Agencies of the state may use the youth employment exchange for the purpose of employing youth qualifying under this act.

NEW SECTION. Sec. 7. The assignment of enrollees shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonvertime work, wages, or other employment benefits. Supervising agencies that participate

in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of utilizing an enrollee with funds available. In circumstances where substantial efficiencies or a public purpose may result, supervising agencies may utilize enrollees to carry out essential agency work or contractual functions without displacing current employees.

NEW SECTION, Sec. 8. The commissioner shall seek and may accept, on behalf of the youth employment exchange and the conservation corps, charitable donations of cash and other assistance including, but not limited to, equipment and materials if the donations are available for appropriate use for the purposes set forth in this act.

NEW SECTION, Sec. 9. All parties entering into work agreements under this act shall agree that they will not discriminate in the providing of any service on the basis of race, creed, ethnic origin, sex, age, or political affiliation.

NEW SECTION, Sec. 10. Not more than the federal minimum wage or subsistence living allowance, comprehensive medical insurance, and medical aid shall be paid for the enrollees in the youth employment exchange by the commissioner in accordance with the standards and limitations of the appropriation provided for this act. The department shall give notice of coverage to the director of labor and industries after enrollment. The department shall not be deemed an employer of an enrollee for any other purpose.

NEW SECTION, Sec. 11. The services of enrollees placed with supervising agencies described in chapter 50.44 RCW are exempt from unemployment compensation coverage under RCW 50.44.040(5) and the enrollees shall be so advised by the department.

NEW SECTION, Sec. 12. The commissioner shall submit a report to the legislature by January 15, 1985, indicating the number of work agreements entered into and the number of young adults enrolled under this act.

NEW SECTION, Sec. 13. In addition to any other power, duty, or function described by law or rule, the employment security department, through the program established under this act, may accept federal or private sector funds and grants and implement such programs relating to community services or employment programs and may enter into contracts respecting such funds or grants. The department may also use funds appropriated for the purposes of this act as matching funds for federal or private source funds to accomplish the purposes of this act.

NEW SECTION, Sec. 14. If any part of this act is 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 declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION, Sec. 15. The Washington conservation corps is created to exercise the powers under this act.

(1) There is created within the employment security department an employment and conservation program which shall direct and administer a year-round conservation employment rehabilitation and improvement program which shall be known as the Washington conservation corps.

(2) The commissioner shall appoint a corps director for the program and other personnel as necessary to carry out the purposes of this act. The corps director shall be the same individual who is appointed director for the exchange as provided in section 3(1) of this act.

(3) The commissioner of employment security shall report annually to the governor and the legislature on the activities undertaken by the employment and conservation program in the preceding fiscal year, including a cost-effectiveness analysis of all completed, ongoing, and proposed projects. The commissioner shall promulgate from time to time all necessary rules to carry out the purposes and objectives of the program and to regulate the standards of conduct and other operating guidelines for corps members and other personnel. The commissioner may take, but is not limited, to the following actions: (a) Recruiting and employing staff and corps member leaders and specialists; (b) adopting criteria for the selection of applicants to the program from among the enrollees of the youth employment exchange program; (c) executing agreements for furnishing the services of the employment conservation program to any federal, state, or local public agency, any local or state-wide private organization, or any private-for-profit organization as specified in this act in concern with the overall objectives of the conservation corps; (d) applying for and accepting grants or contributions of funds from any public or private source; and (e) purchasing or contracting for necessary private services, equipment, materials, and property if needed to carry out the projects approved for and undertaken by the program.

NEW SECTION, Sec. 16. The commissioner shall determine a preference for those projects which will provide long-term benefits to the public; will provide productive training and work experiences to the members involved; will be labor-intensive; may result in payments to the state for services performed; and can be promptly completed. The program established under this act may include, but shall not be limited to, projects such as:

- (1) Forestry and nursery operations, including firewood distribution and reforestation;
- (2) Rangeland conservation, rehabilitation, and improvement;
- (3) Endangered species and other wildlife habitat conservation and rehabilitation;

- (4) Urban revitalization;
- (5) Historical and cultural site preservation;
- (6) Recreational area development, maintenance, improvement, and beautification;
- (7) Road and trail maintenance and improvement;
- (8) Soil conservation work, including erosion control;
- (9) Flood, drought, and storm drainage assistance relief;
- (10) Stream, lake, waterfront, harbor, and port improvement and pollution control;
- (11) Fish culture and habitat maintenance and improvement;
- (12) Insect, disease, rodent, and other pest control;
- (13) Improvement of abandoned railroad beds and rights of ways;
- (14) Land reclamation and improvement, including volcano-scarred lands, public landscape work, and tree planting programs;
- (15) Energy conservation projects, including assistance in the performance of energy efficient audits, recycling, and renewable resources enhancement;
- (16) Emergency assistance in times of natural or other disaster; and
- (17) Fire prevention and suppression.

**NEW SECTION.** Sec. 17. The commissioner may enter into income-generating projects with public or private organizations to further the purposes of this act. Moneys received from contractual projects qualifying under this act shall be deposited in the state general fund.

**NEW SECTION.** Sec. 18. Except for corps member leaders or specialists, enrollment in the conservation corps shall be limited to individuals who at the time of enrollment are: (1) Lawful permanent residents of the state; (2) unemployed; and (3) at least eighteen but not more than twenty-two years of age. However, summer programs in the months of June, July, and August may include individuals at least sixteen years but not more than twenty-two years of age at the time of their enrollment. Individuals who at the time of applying for enrollment have reached sixteen years of age but have not reached eighteen years of age and who are no longer enrolled in secondary school are not eligible to participate in the conservation corps unless they provide adequate and verifiable written assurance that they did not leave school for the expressed purpose of enrolling in the program.

**NEW SECTION.** Sec. 19. In the selection of corps members, preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment above the state average. Efforts shall be made to enroll youths who are economically, socially, physically, or educationally disadvantaged. Once selected and enrolled in the corps, the following terms and conditions of service apply:

(1) Corps members shall be paid the minimum wage as established by federal law. Corps member leaders and specialists may be paid up to fifty percent above the federal minimum wage.

(2) Corps members may serve in the corps for one year and may be extended an additional six months by mutual consent.

(3) Corps member leaders and specialists may serve in the corps for a period of up to two years, inclusive of any period of prior service as a corps member.

(4) Corps members shall not be considered state employees.

Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to the Washington conservation corps except for the crew leaders, who shall be project employees, and the administrative and supervisory personnel.

**NEW SECTION.** Sec. 20. Corps members and enrollees shall be required to spend sixteen hours during each work month searching for employment, developing resumes, completing general education development requirements, attending appropriate job training programs or classes, working on environmental awareness projects, or performing other similar tasks. A training plan shall be developed for each corps member for effective use of time and to facilitate employment after corps work.

**NEW SECTION.** Sec. 21. 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. 22. This act expires on June 30, 1985.

**NEW SECTION.** Sec. 23. There is hereby appropriated from the general fund to the employment security department for the biennium ending June 30, 1985, the sum of two million dollars for the youth employment exchange program, the sum of four million dollars for the Washington conservation corps, and the sum of five hundred thousand dollars from the general fund to youth development conservation corps in the state parks and recreation commission for summer employment of youths, or so much thereof as may be necessary, to carry out the purposes of this act."

On page 1, line 1 of the title, after "sections;" strike the remainder of the title and insert "making appropriations; and providing an expiration date."

Signed by Representatives J. King, Chair; Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison,

Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Haugen, Kaiser, Niemi, Powers, Schmidt, Schoon, Silver, Smitherman, Stratton, Tilly and Wilson.

Voting nay: Representative Padden.

Absent: Representatives Barrett, Halsan, Van Dyken and Walk.

Passed to Committee on Rules for second reading.

SENATE AMENDMENT TO HOUSE BILL

April 16, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 284 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 4, page 404, Laws of 1854 as last amended by section 69, chapter 81, Laws of 1971 and RCW 26.04.050 are each amended to read as follows:

The following named officers and persons are hereby authorized to solemnize marriages, to wit: Justices of the supreme court, judges of the court of appeals, judges of the superior courts, any regularly licensed or ordained minister or any priest of any church or religious denomination anywhere within the state, and (~~Justices of the peace~~) judges of any court of limited jurisdiction, as defined in RCW 3.02.010, within their respective counties.

Sec. 2. Section 100, chapter 299, Laws of 1961 as last amended by section 8, chapter 162, Laws of 1980 and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time district court judge shall be ninety percent of the salary of a judge of a superior court: PROVIDED, That in cities having a population in excess of four hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located(~~PROVIDED FURTHER, That no full time district court judge shall perform any civil marriage between 8:00 a.m. and 5:00 p.m. Monday through Friday~~): PROVIDED FURTHER, That a member of the legislature whose term of office is partly coextensive with or extends beyond the present term of office of any of the officials whose salary is increased by virtue of the provisions of RCW 43.03.010, 2.04.090, 2.06.060, 2.08.090, and 3.58.010, as now or hereafter amended, shall be eligible to be appointed or elected to any of the offices the salary of which is increased hereby but he shall not be entitled to receive such increased salary until after the expiration of his present term of office and his subsequent election or reelection to the office to which he was appointed or elected respectively during his term of office as legislator.

Sec. 3. Section 122, chapter 299, Laws of 1961 and RCW 3.66.110 are each amended to read as follows:

It shall be a breach of judicial ethics for any (~~justice of the peace~~) judge of any court of limited jurisdiction, as defined in RCW 3.02.010, to advertise in any manner that he or she is authorized to solemnize marriages. Any violation of this section shall be grounds for forfeiture of office."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to Engrossed House Bill No. 284.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 284 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 284 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives King R, Niemi, Todd, Walk - 4.

Excused: Representative Bond - 1.

Engrossed House Bill No. 284 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 15, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 318 with the following amendment:

Strike everything after the enacting clause and insert the following:

:Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 and 2 of this act.

(1) 'Port charges' mean charges of a moorage facility operator for moorage and storage, and all other charges owing or to become owing under a contract between a vessel owner and the moorage facility operator, or under an officially adopted tariff including, but not limited to, costs of sale and related legal expenses.

(2) 'Vessel' means every species of watercraft or other artificial contrivance capable of being used as a means of transportation on water and which does not exceed two hundred feet in length. 'Vessel' includes any trailer used for the transportation of watercraft.

(3) 'Moorage facility' means any properties or facilities owned or operated by a moorage facility operator which are capable of use for the moorage or storage of vessels.

(4) 'Moorage facility operator' means any port district, city, town, metropolitan park district, or county which owns and/or operates a moorage facility.

(5) 'Owner' means every natural person, firm, partnership, corporation, association, or organization, or agent thereof, with actual or apparent authority, who expressly or impliedly contracts for use of a moorage facility.

NEW SECTION. Sec. 2. A moorage facility operator may adopt all regulations necessary for rental and use of moorage facilities and for the expeditious collection of port charges. The regulations may also establish procedures for the enforcement of these regulations by port district, city, county, metropolitan park district or town personnel. The regulations shall include the following:

(1) Procedures authorizing moorage facility personnel to take reasonable measures, including the use of chains, ropes, and locks, to secure vessels within the moorage facility so that the vessels are in the possession and control of the moorage facility operator and cannot be removed from the moorage facility. These procedures may be used if an owner mooring or storing a vessel at the moorage facility fails, for more than sixty days after being notified that charges are owing, to pay the port charges owed. Notification shall be by registered mail to the owner at his last known address. If no address was furnished by the owner, the port district, city, county, metropolitan park district, or town need not give such notice. At the time of securing the vessel, an authorized moorage facility employee shall attach to the vessel two readily visible notification stickers. The stickers shall be of a reasonable size and shall contain the following information:

(a) The date and time the stickers were attached;

(b) The identity of the authorized employee;

(c) A statement that if the account is not paid in full within one hundred eighty days from the time the stickers are attached, the vessel may be sold at public auction to satisfy the port charges; and

(d) The address and telephone number where additional information may be obtained concerning release of the vessel.

If the vessel is the subject of a delinquent moorage account, and sixty days have expired since notification pursuant to subsection (1) of this section, the moorage facility operator shall review its records to ascertain the identity of the owner. The operator shall make a reasonable effort to contact the owner by registered mail in order to give the owner the information on the notification stickers.

(2) Procedures authorizing moorage facility personnel at their discretion to move moored vessels ashore for storage within properties under the operator's control or for storage with private persons under their control as bailees of the moorage facility, if the vessel is, in the opinion of port personnel, in danger of sinking or of sustaining other damage. Reasonable costs of any such procedure shall be paid by the vessel's owner.

(3) If a vessel is secured under subsection (1) of this section or moved ashore under subsection (2) of this section, the owner who is obligated to the moorage facility operator for port charges may regain possession of the vessel by:

(a) Making arrangements satisfactory with the moorage facility operator for the immediate removal of the vessel from the moorage facility or for authorized moorage; and

(b) Making payment to the operator of all port charges, or by posting with the operator a sufficient cash bond or other security acceptable to such operator, to be held in trust by the operator pending written agreement of the parties with respect to payment by the vessel owner of the amount owing, or pending resolution of the matter of the port charges in a civil action in a court of competent jurisdiction. After entry of judgment, including any appeals, in a court of competent jurisdiction, the trust shall terminate and the moorage facility operator shall receive so much of the bond or other security as is necessary to satisfy any judgment, costs, and interest as may be awarded to the moorage facility operator. The balance shall be refunded immediately to the owner at his last known address.

(4) If a vessel moored or stored at a moorage facility is abandoned, the port district, city, county, metropolitan park district, or town, may, by resolution of its legislative authority, authorize the public sale of the vessel by authorized personnel to the highest and best bidder for cash as follows:

(a) If a vessel has been secured by the moorage facility operator under subsection (1) of this section and is not released to the owner under the bonding provisions of this section within one hundred eighty days after notifying the owner under subsection (1) of this section, or in all other cases, for one hundred eighty days after the operator secures the vessel, the vessel shall be conclusively presumed to have been abandoned by the owner;

(b) Before the vessel is sold, the owner of the vessel shall be given at least twenty days' notice of the sale in the manner set forth in subsection (1) of this section if the name and address of the owner is known. The notice shall contain the time and place of the sale, a reasonable description of the vessel to be sold, and the amount of port charges owed with respect to the vessel. The notice of sale shall be published at least once, more than ten but not more than twenty days before the sale, in a newspaper of general circulation in the county in which the moorage facility is located. Such notice shall include the name of the vessel, if any, the last known owner and address, and a reasonable description of the vessel to be sold. The moorage facility operator may bid all or part of its port charges at the sale and may become a purchaser at the sale;

(c) The proceeds of a sale under section 2 of this act shall first be applied to the payment of port charges. The balance, if any, shall be paid to the owner. If the owner cannot in the exercise of due diligence be located by the moorage facility operator within one year of the date of the sale, the excess funds from the sale shall revert to the department of revenue pursuant to chapter 63.28 RCW. If the sale is for a sum less than the applicable port charges, the moorage facility operator is entitled to assert a claim for a deficiency.

(5) The regulations authorized under this section shall be enforceable only if the moorage facility has had its tariff containing such regulations conspicuously posted at all moorage facility offices at all times.

NEW SECTION. Sec. 3. Nothing contained in sections 1 and 2 of this act may be construed as a limitation of any rights, privileges, or remedies previously existing under any applicable laws of port districts, cities, towns, metropolitan park districts, or counties.

NEW SECTION. Sec. 4. Sections 1 and 2 of this act are added to chapter 53.08 RCW. The code reviser shall put cross references to sections 1 and 2 of this act in Titles 35 and 36 RCW.

NEW SECTION. Sec. 5. 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. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Moon moved that the House do concur in the Senate amendment to Engrossed House Bill No. 318.

Representatives Moon and Brough spoke in favor of the motion, and it was carried.

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

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 318 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 318 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Niemi, Todd, Walk - 3.

Excused: Representative Bond - 1.

Engrossed House Bill No. 318 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, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 336 with the following amendments:

On page 2, line 6 after "organization" strike everything down through "RCW" on line 10 and insert "as defined in RCW 48.46.020(1)"

On page 2, line 15 after "representatives," insert "Benefits for chiropractic care shall be offered by the employer in good faith on the same basis as any other care as a subject for collective bargaining for group contracts for health care services."

On page 1, line 28 strike "provide benefits" and insert "offer coverage" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Lux, the House concurred in the Senate amendment to Substitute House Bill No. 336.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 336 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 336 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Niemi, Todd, Walk - 3.

Excused: Representative Bond - 1.

Substitute House Bill No. 336 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 15, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 434 with the following amendment:

On page 3, after line 26 strike all material down through line 22 on page 4 and insert the following:

"Sec. 4. Section 5, chapter 131, Laws of 1973 as amended by section 3, chapter 184, Laws of 1979 ex. sess. and RCW 41.56.460 are each amended to read as follows:

In making its determination, the panel shall be mindful of the legislative purpose enumerated in RCW 41.56.430 and as additional standards or guidelines to aid it in reaching a decision, it shall take into consideration the following factors:

- (a) The constitutional and statutory authority of the employer((:));
- (b) Stipulations of the parties((:));
- (c) Comparison of the wages, hours and conditions of employment of ~~((the uniformed))~~ personnel ~~((of cities and counties))~~ involved in the proceedings with the wages, hours, and conditions of employment of ~~((uniformed))~~ like personnel of ~~((cities and counties respectively))~~ like employers of similar size on the west coast of the United States;

(d) The average consumer prices for goods and services, commonly known as the cost of living((:));

(e) Changes in any of the foregoing circumstances during the pendency of the proceedings((:)); and

(f) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment.

Sec. 5. Section 10, chapter 131, Laws of 1973 and RCW 41.56.905 are each amended to read as follows:

The provisions of this ~~((1973 amendatory act relating to uniformed personnel))~~ chapter are intended to be additional to other remedies and shall be liberally construed to accomplish their purpose. Except as provided in section 1 of this 1983 act, if any provision of this ((1973 amendatory act)) chapter conflicts with any other statute, ordinance, rule or regulation of any public employer ((as it relates to uniformed employees)), the provisions of this ((1973 amendatory act)) chapter shall control.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. R. King, the House concurred in the Senate amendment to Substitute House Bill No. 434.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 434 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 434 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; nays, 22; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Ballard, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Haugen, Long, McDonald, Nealey, Nelson G, Padden, Prince, Schmidt, Smith, Struthers, Van Dyken, Williams J, Wilson - 22.

Absent: Representatives Burns, Niemi, Todd - 3.

Excused: Representative Bond - 1.

Substitute House Bill No. 434 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 753 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.43.130, chapter 7, Laws of 1965 as amended by section 6, chapter 52, Laws of 1967 and RCW 35.43.130 are each amended to read as follows:

Upon the filing of a petition or upon the adoption of a resolution, as the case may be, initiating a proceeding for the formation of a local improvement district or utility local improvement district, the proper board, officer, or authority designated by charter or ordinance to make the preliminary estimates and assessment roll shall cause an estimate to be made of the cost and expense of the proposed improvement and certify it to the legislative authority of the city or town together with all papers and information in its possession touching the proposed improvement, a description of the boundaries of the district, and a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed district(~~a statement in detail of the local improvement assessments outstanding and unpaid against the property in the proposed district, and a statement of the aggregate actual valuation of the real estate including twenty-five percent of the actual valuation of the improvements in the proposed district according to the valuation last placed upon it for the purposes of general taxation~~)).

If the proceedings were initiated by petition the designated board, officer or authority shall also determine the sufficiency of the petition and whether the facts set forth therein are true. If the petition is found to be sufficient and in all proceedings initiated by resolution of the legislative authority of the city or town, the estimates must be accompanied by a diagram showing thereon the lots, tracts, and parcels of land and other property which will be specially benefited by the proposed improvement and the estimated amount of the cost and expense thereof to be borne by each lot, tract, or parcel of land or other property: PROVIDED, That no such diagram shall be required where such estimates are on file in the office of the city engineer, or other designated city office, together with a detailed copy of the preliminary assessment roll and the plans and assessment maps of the proposed improvement.

For the purpose of estimating and levying local improvement assessments, the value of property of the United States, of the state, or of any county, city, town, school district, or other public corporation whose property is not assessed for general taxes shall be computed according to the standards afforded by similarly situated property which is assessed for general taxes.

Sec. 2. Section 35.43.150, chapter 7, Laws of 1965 and RCW 35.43.150 are each amended to read as follows:

Notice of the hearing upon a resolution declaring the intention of the legislative authority of a city or town to order an improvement shall be given by mail at least fifteen days before the day fixed for hearing to the owners or reputed owners of all lots, tracts, and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the county (~~treasurer~~) assessor, directed to the address thereon shown.

The notice shall set forth the nature of the proposed improvement, the estimated cost, and the estimated benefits of the particular lot, tract, or parcel.

Sec. 3. Section 35.43.180, chapter 7, Laws of 1965 as last amended by section 8, chapter 52, Laws of 1967 and RCW 35.43.180 are each amended to read as follows:

The jurisdiction of the legislative authority of a city or town to proceed with any local improvement initiated by resolution shall be divested by a protest filed with the city or town council within thirty days from the date of passage of the ordinance ordering the improvement, signed by the owners of the property within the proposed local improvement district or utility local improvement district subject to sixty percent or more of the total cost of the improvement including federally-owned or other nonassessable property as shown and determined by the preliminary estimates and assessment roll of the proposed improvement district or, if all or part of the local improvement district or utility local improvement district lies outside of the city or town, such jurisdiction shall be divested by a protest filed in the same manner and signed by the owners of property which is within the proposed local improvement district or utility local improvement district but outside the boundaries of the city or town, and which is subject to sixty percent or more of that part of the total cost of the improvement allocable to property within the proposed local improvement district or utility local improvement district but outside the boundaries of the city or town, including federally-owned or other nonassessable property: PROVIDED, That such restraint by protest shall not apply to (~~any local improvement by sanitary sewers or watermains and fire hydrants where the health officer of any city or town shall file with the legislative authority thereof a report showing the necessity for such improvement accompanied by a report of the chief of the fire department in the event such improvement includes fire hydrants, and such~~) any of the following local improvements, if the legislative body finds and recites in the ordinance or resolution authorizing the improvement that such

improvement is necessary for the protection of the public health and safety and such ordinance or resolution is passed by unanimous vote of all members present: (1) Sanitary sewers or watermains where the health officer of the city or town, or department of ecology, files with the legislative authority a report showing the necessity for such improvement; and (2) fire hydrants where the chief of the fire department files a report showing the necessity for such improvement.

**NEW SECTION.** Sec. 4. The legislature finds that the abandonment of rail lines and rail freight service may alter the delivery to market of many commodities. In addition, the resultant motor vehicle freight traffic increases the burden on state highways and county roads. In many cases, the cost of upgrading the state highways and county roads exceeds the cost of maintaining rail freight service. Thus, the economy of the state will be best served by a policy of maintaining and encouraging a healthy rail freight system by creating a mechanism which keeps rail freight lines operating if the benefits of the service outweigh the cost.

**NEW SECTION.** Sec. 5. (1) The transportation commission shall prepare and periodically update a state rail plan, the objective of which is to identify, evaluate, and encourage essential rail service. The plan shall:

- (a) Identify and evaluate those rail freight lines that may be abandoned;
- (b) Quantify the costs and benefits of maintaining rail service on those lines that are likely to be abandoned; and
- (c) Establish priorities for determining which rail lines should receive state support. The priorities should include the anticipated benefits to the state and local economy, the anticipated cost of road and highway improvements necessitated by the abandonment of the rail line, the likelihood the rail line receiving funding can meet operating costs from freight charges, surcharges on rail traffic, and other funds authorized to be raised by a county or port district, and the impact of abandonment on changes in energy utilization and air pollution.

(2) The state rail plan may be prepared in conjunction with the rail plan prepared by the department pursuant to the federal railroad revitalization and regulatory reform act.

**NEW SECTION.** Sec. 6. (1) The essential rail assistance account is hereby created in the state general fund. Moneys in the account may be appropriated only for the purposes specified in this section.

(2) Moneys in the account may be distributed to county rail districts and port districts for the purpose of:

- (a) Acquiring, maintaining, or improving branch rail lines; or
- (b) Operating railroad equipment necessary to maintain essential rail service.
- (3) County rail districts and port districts may grant franchises to private railroads for the right to operate on lines acquired, repaired, or improved under this chapter.
- (4) Moneys distributed under this section shall not exceed eighty percent of the cost of the service or project undertaken. At least twenty percent of the cost shall be provided by the county, port district, or other local sources.

(5) The amount distributed under this section shall be repaid to the state by the county rail district or port district. The repayment shall occur within ten years of the distribution of the moneys and shall be deposited in the essential rail assistance account. The repayment schedule and rate of interest, if any, shall be set at the time of the distribution of the moneys.

**NEW SECTION.** Sec. 7. Sections 4 through 6 of this act shall constitute a new chapter in Title 47 RCW.

**NEW SECTION.** Sec. 8. Subject to section 9 of this act, the legislative authority of a county may establish one or more county rail districts within the county for the purpose of providing and funding improved rail freight service. The boundaries of county rail districts shall be drawn to include contiguous property in an area from which agricultural or other goods could be shipped by the rail service provided. The district shall not include property outside this area which does not, or, in the judgment of the county legislative authority, is not expected to produce goods which can be shipped by rail, or property substantially devoted to fruit crops or producing goods that are shipped in a direction away from the district. A county rail district is a quasi municipal corporation, an independent taxing 'authority' within the meaning of Article VII, section 1 of the state Constitution, and a 'taxing district' within the meaning of Article VII, section 2 of the state Constitution.

A county rail district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purposes as well as all other powers that may now or hereafter be specifically conferred by statute, including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to accept and expend or use gifts, grants, and donations, and to sue and be sued.

The county legislative authority shall be the governing body of a county rail district. The county treasurer shall act as the ex officio treasurer of the county rail district. The electors of a district are all registered voters residing within the district.

**NEW SECTION.** Sec. 9. (1) A county legislative authority proposing to establish a county rail district, or to modify the boundaries of an existing county rail district, or to dissolve an existing

county rail district, shall conduct a hearing at the time and place specified in a notice published at least once, not less than ten days prior to the hearing, in a newspaper of general circulation within the proposed county rail district. This notice shall be in addition to any other notice required by law to be published. Additional notice of the hearing may be given by mail, posting within the proposed county rail district, or in any manner the county legislative authority deems necessary to notify affected persons. All hearings shall be public and the county legislative authority shall hear objections from any person affected by the formation, modification of the boundaries, or dissolution of the county rail district.

(2) Following the hearing held under subsection (1) of this section, the county legislative authority may adopt a resolution providing for the submission of a proposal to establish a county rail district, modify the boundaries of an existing county rail district, or dissolve an existing county rail district, if the county legislative authority finds the proposal to be in the public interest. The resolution shall contain the boundaries of the district if applicable.

A proposition to create a county rail district, modify the boundaries of an existing county rail district, or dissolve an existing rail district shall be submitted to the affected voters at the next general election held sixty or more days after the adoption of the resolution providing for the submittal by the county legislative authority. The resolution shall establish the boundaries of the district and include a finding that the creation of the district is in the public interest and that the area included within the district can reasonably be expected to benefit from its creation. No portion of a city may be included in such a district unless the entire city is included.

The district shall be created upon approval of the proposition by simple majority vote. The ballot proposition submitted to the voters shall be in substantially the following form:

FORMATION OF COUNTY RAIL DISTRICT

Shall a county rail district be established for the area described in a resolution of the legislative authority of \_\_\_\_\_ county, adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ ?

**NEW SECTION.** Sec. 10. A county rail district is authorized to contract with a person, partnership, or corporation to provide rail service along a light-density essential-service rail line for the purpose of carrying commodities. The district shall also have the power to acquire, maintain, improve, or extend rail facilities within the district that are necessary for the safe and efficient operation of the contracted rail service. A county rail district may receive state rail assistance under chapter 47, RCW (sections 4 through 6 of this act). Two or more county rail districts may enter into interlocal cooperation agreements under chapter 39.34 RCW to carry out the purposes of this chapter.

**NEW SECTION.** Sec. 11. A county rail district is not authorized to impose a regular ad valorem property tax levy but may:

(1) Levy an ad valorem property tax, in excess of the one percent limitation, upon the property within the district for a one-year period to be used for operating or capital purposes whenever authorized by the voters of the district pursuant to RCW 84.52.052 and Article VII, section 2(a) of the state Constitution.

(2) Provide for the retirement of voter approved general obligation bonds, issued for capital purposes only, by levying bond retirement ad valorem property tax levies, in excess of the one percent limitation, whenever authorized by the voters of the district pursuant to Article VII, section 2(b) of the state Constitution and RCW 84.52.056.

**NEW SECTION.** Sec. 12. (1) To carry out the purpose of this chapter, a county rail district may issue general obligation bonds, not to exceed an amount, together with any outstanding nonvoter approved general obligation indebtedness, equal to three-eighths of one percent of the value of taxable property within the district, as the term 'value of taxable property' is defined in RCW 39.36.015. A county rail district may additionally issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to one and one-fourth percent of the value of the taxable property within the district, as the term 'value of taxable property' is defined in RCW 39.36.015, as prescribed in Article VIII, section 6 of the state Constitution, and to provide for the retirement thereof by excess property tax levies as provided in section 11(2) of this act. The county rail district may submit a single proposition to the voters which, if approved, authorizes both the issuance of the bonds and the bond retirement property tax levies.

(2) General obligation bonds with a maturity in excess of forty years shall not be issued. The governing body of the county rail district shall by resolution determine for each general obligation bond issue the amount, date or dates, terms, conditions, denominations, interest rate or rates, which may be fixed or variable, maturity or maturities, redemption rights, registration privileges, manner of execution, price, manner of sale, and covenants. The bonds may be in any form, including bearer bonds or registered bonds. Facsimile signatures may be used on the bonds and any coupons. Refunding general obligation bonds may be issued in the same manner as general obligation bonds are issued.

(3) Whenever general obligation bonds are issued to fund specific projects or enterprises that generate revenues, charges, user fees, or special assessments, the county rail district which issues the bonds may specifically pledge all or a portion of the revenues, charges, user fees, or special assessments to refund the general obligation bonds.

**NEW SECTION.** Sec. 13. (1) A county rail district may issue revenue bonds to fund revenue generating facilities which it is authorized to provide or operate. Whenever revenue bonds are to be issued, the governing body of the district shall create or have created a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the governing body may obligate the district to pay such amounts of the gross revenue of all or any part of the facilities constructed, acquired, improved, repaired, or replaced pursuant to this chapter as the governing body determines.

(2) The governing body of a county rail district issuing revenue bonds shall create a special fund or funds from which, along with any reserves created under RCW 39.44.140, the principal and interest on the revenue bonds shall exclusively be payable. The governing body may obligate the county rail district to set aside and pay into the special fund or funds a fixed proportion or a fixed amount of the revenues from the public improvements, projects, facilities, and all related additions funded by the revenue bonds. This amount or proportion shall be a lien and charge against these revenues, subject only to operating and maintenance expenses. The governing body shall consider the cost of operation and maintenance of the public improvement, project, facility, or additions funded by the revenue bonds and shall not place into the special fund or funds a greater amount or proportion of the revenues than it thinks will be available after maintenance and operation expenses have been paid and after the payment of revenue previously pledged. The governing body may also provide that revenue bonds payable from the same source or sources of revenue may later be issued on parity with any revenue bonds issued and sold.

(3) Revenue bonds issued pursuant to this section shall not be an indebtedness of the county rail district issuing the bonds, and the interest and principal on the bonds shall only be payable from the revenues lawfully pledged to meet the principal and interest requirements and any reserves created pursuant to RCW 39.44.140. The owner of a revenue bond or any interest coupon issued pursuant to this section shall not have any claim against the county rail district arising from the bond or coupon except for payment from the revenues lawfully pledged to meet the principal and interest requirements and any reserves created pursuant to RCW 39.44.140. The substance of the limitations included in this subsection shall be plainly printed, written, or engraved on each bond issued pursuant to this section.

(4) Revenue bonds with a maturity in excess of thirty years shall not be issued. The governing body of the county rail district shall by resolution determine for each revenue bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, callable provisions, if any, and covenants including the refunding of existing revenue bonds. The bonds may be in any form, including bearer bonds or registered bonds. Facsimile signatures may be used on the bonds and any coupons. Refunding revenue bonds may be issued in the same manner as revenue bonds are issued.

**NEW SECTION.** Sec. 14. A county rail district may exercise the power of eminent domain to obtain property for its authorized purposes in the manner counties exercise the powers of eminent domain.

**NEW SECTION.** Sec. 15. The rule of strict construction does not apply to this chapter, and this chapter shall be liberally construed to permit the accomplishment of its purposes.

Sec. 16. Section 19, chapter 2, Laws of 1983 and RCW 84.52.052 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district except school districts in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, solid waste disposal district, county rail district, public hospital district, road district, rural county library district, island library district, intercounty rural library district, fire protection district, cemetery district, city, or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and RCW 84.52.043, or RCW 84.55.010 through 84.55.050, when authorized so to do by the electors of such county, metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, solid waste disposal district, county rail district, public hospital district, road district, rural county library district, island library district, intercounty rural library district, fire protection district, cemetery district, city, town, or cultural arts, stadium and convention district in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 64 and as thereafter amended, at a special or general election to be held in the year in which the levy is made.

A special election may be called and the time therefor fixed by the county legislative authority, or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, solid waste disposal district, county rail district, public hospital district, road district, rural county library district, island library district, intercounty rural library district, fire protection district, cemetery district, city, town, or cultural arts, stadium and convention district, by giving notice thereof by publication in the manner provided by law for giving notices of

general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'.

NEW SECTION. Sec. 17. Sections 8 through 15 of this act constitute a new chapter in Title 36 RCW.

Sec. 18. Section 35.50.030, chapter 7, Laws of 1965 as last amended by section 1, chapter 91, Laws of 1982 and RCW 35.50.030 are each amended to read as follows:

If on the first day of January in any year, two installments of any local improvement assessment are delinquent, or if the final installment thereof has been delinquent for more than one year, the city or town shall proceed with the foreclosure of the delinquent assessment or delinquent installments thereof by proceedings brought in its own name in the superior court of the county in which the city or town is situate.

The proceedings shall be commenced on or before March 1st of that year or on or before such other date in such year as may be fixed by general ordinance, but not before the city or town treasurer has notified by certified mail the persons whose names appear on the assessment roll as owners of the property charged with the assessments or installments which are delinquent, at the address last known to the treasurer, a notice thirty days before the commencement of the proceedings. If the person whose name appears on the tax rolls of the ~~((county treasurer))~~ county assessor as owner of the property, or the address shown for the owner, differs from that appearing on the city or town assessment roll, then the treasurer shall also mail a copy of the notice to that person or that address.

The notice shall state the amount due upon each separate lot, tract, or parcel of land and the date after which the proceedings will be commenced. The city or town treasurer shall file with the clerk of the superior court at the time of commencement of the foreclosure proceeding the affidavit of the person who mailed the notices. This affidavit shall be conclusive proof of compliance with the requirements of this section.

Sec. 19. Section 35.50.230, chapter 7, Laws of 1965 as last amended by section 3, chapter 91, Laws of 1982 and RCW 35.50.230 are each amended to read as follows:

~~((In foreclosing local improvement assessment liens, all or any of the lots, tracts, or parcels of land or other property included in the assessment for one local improvement district or one utility local improvement district may be proceeded against in the same action:))~~ In foreclosing local improvement assessment liens, it is not necessary to bring a separate suit for each of the lots, tracts, or parcels of land or other property or for each separate local improvement district or utility local improvement district. All or any of the lots, tracts, or parcels of land or other property upon which local improvement assessments are delinquent under any and all local improvement assessment rolls in the city or town may be proceeded against in the same action. For all lots, tracts, or parcels which contain a residential structure with an assessed value of at least two thousand dollars, all persons owning or claiming to own ((or having or claiming to have any interest in or lien upon the lots, tracts, or parcels involved in the action and all persons unknown who may have an interest or claim of interest therein)) the property shall be made defendants thereto. For all other lots, tracts, or parcels, the persons whose names appear on the assessment roll and property tax rolls as owners of the property charged with the assessments or taxes shall be made defendants thereto.

Sec. 20. Section 35.50.250, chapter 7, Laws of 1965 as amended by section 5, chapter 91, Laws of 1982 and RCW 35.50.250 are each amended to read as follows:

In foreclosing local improvement assessments, ~~((summons and the service thereof shall be governed by the statutes governing the foreclosure of mortgages on real property))~~ if the lot, tract, or parcel contains a residential structure with an assessed value of at least two thousand dollars, the summons shall be served upon the defendants in the manner required by RCW 4.28.080. For all other lots, tracts, or parcels the summons shall be served by either personal service on the defendants or by certified and regular mail.

Sec. 21. Section 35.50.260, chapter 7, Laws of 1965 as last amended by section 7, chapter 91, Laws of 1982 and RCW 35.50.260 are each amended to read as follows:

In foreclosing local improvement assessments the action shall be tried to the court without a jury. If the parties interested in any particular lot, tract, or parcel default, the court may enter judgment of foreclosure and sale as to such parties and lots, tracts, or parcels and the action may proceed as to the remaining defendants and lots, tracts, or parcels. Judgment and order of sale may be entered as to any one or more separate lots, tracts, or parcels involved in the action and the court shall retain jurisdiction to others.

The judgment shall specify separately the amount of the installments with interest, penalty, and all reasonable costs, including the title searches, chargeable to each lot, tract, or parcel. The judgment shall have the effect of a separate judgment as to each lot, tract, or parcel described in the judgment, and any appeal shall not invalidate or delay the judgment except as to the property concerning which the appeal is taken. In the judgment the court shall order the lots, tracts, or parcels therein described sold~~((:))~~ by the city or town treasurer or by the county sheriff and an order of sale shall issue pursuant thereto for the enforcement of the judgment.

In all other respects, the trial, judgment (~~and order of sale~~), and appeals to the supreme court or the court of appeals shall be governed by the statutes governing the foreclosure of mortgages on real property.

Prior to the sale of the property, if the property is shown on the property tax rolls under unknown owner or if the property contains a residential structure having an assessed value of two thousand dollars or more, the treasurer shall order or conduct a title search of the property to determine the record title holders and all persons claiming a mortgage, deed of trust, or mechanic's, laborer's, materialmen's, or vendor's lien on the property.

At least thirty days prior to the sale of the property, a copy of the notice of sale shall be mailed by certified and regular mail to all defendants in the foreclosure action as to that parcel, lot, or tract and, if the owner is unknown or the property contains a residential structure having an assessed value of two thousand dollars or more, a copy of the notice of sale shall be mailed by regular and certified mail to any additional record title holders and persons claiming a mortgage, deed of trust, or mechanic's, laborer's, materialmen's, or vendor's lien on the property.

In all other respects the procedure for sale shall be conducted in the same manner as property tax sales described in RCW 84.64.080.

Sec. 22. Section 35.50.270, chapter 7, Laws of 1965 as amended by section 8, chapter 91, Laws of 1982 and RCW 35.50.270 are each amended to read as follows:

In foreclosing local improvement assessments, all sales shall be subject to the right of redemption within two years from the date of sale. (~~In all other respects, the sale, redemption and issuance of deed shall be governed by the statutes governing the foreclosure of mortgages on real property and the terms "judgment debtor" and "successor in interest" as used in such statutes shall be held to include an owner or a vendor.~~)

**NEW SECTION.** Sec. 23. 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 "improvements;" strike the remainder of the title and insert: "amending section 35.43.130, chapter 7, Laws of 1965 as amended by section 6, chapter 52, Laws of 1967 and RCW 35.43.130; amending section 35.43.150, chapter 7, Laws of 1965 and RCW 35.43.150; amending section 35.43.180, chapter 7, Laws of 1965 as last amended by section 8, chapter 52, Laws of 1967 and RCW 35.43.180; amending section 19, chapter 2, Laws of 1983 and RCW 84.52.052; amending section 35.50.030, chapter 7, Laws of 1965 as last amended by section 1, chapter 91, Laws of 1982 and RCW 35.50.030; amending section 35.50.230, chapter 7, Laws of 1965 as last amended by section 3, chapter 91, Laws of 1982 and RCW 35.50.230; amending section 35.50.250, chapter 7, Laws of 1965 as amended by section 5, chapter 91, Laws of 1982 and RCW 35.50.250; amending section 35.50.260, chapter 7, Laws of 1965 as last amended by section 7, chapter 91, Laws of 1982 and RCW 35.50.260; amending section 35.50.270, chapter 7, Laws of 1965 as amended by section 8, chapter 91, Laws of 1982 and RCW 35.50.270; adding a new chapter to Title 47 RCW; and adding a new chapter to Title 36 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Moon moved that the House do concur in the Senate amendments to Engrossed House Bill No. 753.

Representatives Moon, Martinis, Van Dyken, Brough, Charnley and Ballard spoke in favor of the motion, and it was carried.

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

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 753 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 753 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 6; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Clayton, Dickie, Fuhrman, Padden, Taylor, West - 6.  
 Absent: Representatives Todd, Williams J - 2.  
 Excused: Representative Bond - 1.

Engrossed House Bill No. 753 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 493 with the following amendments:

On page 29, beginning on line 19 of the engrossed bill, being page 29, line 7 of the printed bill, strike all material down to and including "42.17.130;" on line 21

Renumber the remaining subsections consecutively.

On page 30, line 30 of the engrossed bill, being page 30, line 18 of the printed bill, after "42.17.397;" strike "and"

On page 30, line 31 of the engrossed bill, being page 30, line 19 of the printed bill, after "42.17.405" insert ";

On page 30, after line 31 of the engrossed bill, being page 30, line 19 of the printed bill insert the following:

"(39) Section 42, chapter 1, Laws of 1973 and RCW 42.17.420;

(40) Section 43, chapter 1, Laws of 1973 and RCW 42.17.430; and

(41) Section 45, chapter 1, Laws of 1973 and RCW 42.17.450"

On page 31, line 10, being page 30, line 34 of the printed bill, after "1980" insert ", section 99, chapter 3, Laws of 1983"

On page 6, line 29 of the title of the engrossed and printed bill, after "42.17.125;" strike all material down to and including "42.17.130;" on line 32

On page 7, line 35 of the title of the engrossed and printed bill, after "42.17.405;" insert "repealing section 42, chapter 1, Laws of 1973 and RCW 42.17.420; repealing section 43, chapter 1, Laws of 1973 and RCW 42.17.430; repealing section 45, chapter 1, Laws of 1973 and RCW 42.17.450"

On page 8, line 5 of the title of the printed and engrossed bill, after "1980" insert ", section 99, chapter 3, Laws of 1983"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Walk, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 493.

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

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 493 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 493 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Todd - 1.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 493 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

April 20, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 661,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 21, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 89,  
 ENGROSSED HOUSE BILL NO. 150,  
 ENGROSSED HOUSE BILL NO. 419,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 484,  
 SUBSTITUTE HOUSE BILL NO. 548,  
 HOUSE BILL NO. 569,  
 SUBSTITUTE HOUSE BILL NO. 576,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 620,  
 HOUSE BILL NO. 765,  
 SUBSTITUTE HOUSE BILL NO. 882,  
 SUBSTITUTE HOUSE BILL NO. 888,  
 HOUSE JOINT MEMORIAL NO. 15,  
 HOUSE JOINT MEMORIAL NO. 17,  
 HOUSE JOINT MEMORIAL NO. 31,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 21, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3426,  
 SUBSTITUTE SENATE BILL NO. 3494,  
 SENATE BILL NO. 3501,  
 SENATE BILL NO. 3537,  
 SENATE BILL NO. 3840,  
 SUBSTITUTE SENATE BILL NO. 4135,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1983

Mr. Speaker:

The Senate has passed:

HOUSE JOINT MEMORIAL NO. 4,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 22, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3123,  
 SUBSTITUTE SENATE BILL NO. 3166,  
 SENATE BILL NO. 3448,  
 SUBSTITUTE SENATE BILL NO. 3483,  
 SUBSTITUTE SENATE BILL NO. 3522,  
 SENATE BILL NO. 3531,  
 SENATE BILL NO. 3532,  
 SENATE BILL NO. 3535,  
 SENATE BILL NO. 3585,  
 SENATE BILL NO. 3644,  
 SUBSTITUTE SENATE BILL NO. 3646,  
 SUBSTITUTE SENATE BILL NO. 3664,  
 SUBSTITUTE SENATE BILL NO. 3757,

SENATE BILL NO. 3763,  
 SUBSTITUTE SENATE BILL NO. 3812,  
 SUBSTITUTE SENATE BILL NO. 4107,  
 SENATE BILL NO. 4156,  
 SENATE JOINT MEMORIAL NO. 110,  
 SENATE JOINT MEMORIAL NO. 118,  
 SENATE JOINT RESOLUTION NO. 105,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

April 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 107 with the following amendment:

On page 1, line 22 after "state" and before the comma insert "or subject to RCW 70.39.150(3)" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. R. King moved that the House do concur in the Senate amendment to Engrossed House Bill No. 107.

Representatives R. King, Chandler and Lux spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 107 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 107 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 31; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Ellis, Fiske, Fuhrman, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, King J, King R, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, and Mr. Speaker - 64.

Voting nay: Representatives Appelwick, Armstrong, Brekke, Burns, Charnley, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Garrett, Halsan, Jacobsen, Kaiser, King P, Kreidler, Lux, Moon, Nelson D, Niemi, Powers, Pruitt, Ristuben, Rust, Smitherman, Sommers, Sutherland, Tanner, Vekich, Wang, Zellinsky - 31.

Absent: Representatives Locke, Stratton - 2.

Excused: Representative Bond - 1.

Engrossed House Bill No. 107 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 21, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 177 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that unnecessarily hot tap or bath water creates an extreme risk of severe burns, especially among the elderly, children, and retarded persons. Annually, numerous persons suffer severe scald burns, some resulting in death, from tap or bath water which is inordinately hot. Excessive tap and bath water temperatures in residential usage is unnecessary for sanitary purposes. Regulation of the setting of water temperatures upon installation can virtually eliminate incidences of dangerous scalding. Further, the

legislature finds that projected future shortages of energy in our state could be reduced or prevented by the efficient utilization of existing energy resources. Reducing the temperature settings on thermostats to one hundred twenty degrees Fahrenheit (or forty-nine degrees Celsius) would save energy that is now unnecessarily consumed, reduce homeowners' average utility costs, and promote home safety without any loss of comfort or health.

NEW SECTION. Sec. 2. There is added to chapter 19.27 RCW a new section to read as follows:

(1) 'Hot water heater' means the primary source of hot water for a residence.

(2) The thermostat of a new water heater offered for sale or lease in this state for use in a residential unit, shall be preset by the manufacturer no higher than one hundred twenty degrees Fahrenheit (or forty-nine degrees Celsius) or the minimum setting on any water heater which cannot be set as low as that temperature. Water heating systems may utilize higher reservoir temperature if mixing valves are set or systems are designed to restrict the temperature of water to one hundred twenty degrees Fahrenheit.

(3) Upon occupancy of a new tenant in a residential unit leased or rented in this state, if hot water is supplied from an accessible, individual water heater, the water heater shall be set by the owner or agent at a temperature not higher than one hundred twenty degrees Fahrenheit (forty-nine degrees Celsius) or the minimum setting on any water heater which cannot be set as low as that temperature. Water heating systems may utilize higher reservoir temperature if mixing valves are set or systems are designed to restrict the temperature of water to one hundred twenty degrees Fahrenheit.

(4) Nothing in this section shall prohibit an owner of an owner-occupied residential unit or resident of a leased or rented residential unit from readjusting the temperature setting after occupancy. Any readjustment of the temperature setting by the resident relieves the owner or agent of an individual residential unit and the manufacturer of water heaters from liability for damages attributed to the readjustment by the resident.

(5) The utility providing energy for any water heater under this section shall at least annually, include in its billing a statement:

(a) Recommending that water heaters be set no higher than one hundred twenty degrees Fahrenheit or the minimum setting on a water heater which cannot be set as low as that temperature to prevent severe burns and reduce excessive energy consumption; and

(b) That the thermostat of an individual water heater furnished in a residential unit leased or rented in this state to new tenants shall be set no higher than one hundred twenty degrees Fahrenheit or the minimum setting on a water heater which cannot be set as low as that temperature pursuant to chapter 19.27 RCW.

(6) The manufacturer of a water heater under this section which is offered for sale or installed after the effective date of this act shall have a tag attached to the thermostat access plate or immediately adjacent to exposed thermostats. The tag shall state that the thermostat settings above the preset temperature may cause severe burns and consume excessive energy.

(7) Nothing in this section requires or permits any inspections other than those otherwise required or permitted by law."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Wang, the House concurred in the Senate amendment to Substitute House Bill No. 177.

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

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 177 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 177 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Clayton, Dickie - 2.  
Excused: Representative Bond - 1.

Substitute House Bill No. 177 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 22, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 179 with the following amendments:

On page 4, beginning on line 34 strike all of subsection (2) and renumber the remaining subsections consecutively.

On page 5, line 6 after "tickets" insert "and unpresented winning parimutuel tickets" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 179.

Representatives Appelwick and Barrett spoke in favor of the motion, and Representatives Van Dyken and Padden spoke against it.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Van Dyken, is this money used for racetrack maintenance?"

Mr. Van Dyken: "To answer your question directly, Representative Taylor, I specifically checked into that. These moneys are commingled in the general coffers of the racetrack owners along with breakage, in which all of the pennies of winning that amount to hundreds of thousands of dollars per year, that don't go to the individuals, also go to the racetrack owners. The racetrack owners then pay expenditures from these funds for racetrack maintenance and pay their employees and all those things, but the profits also come out of this fund and any additional money, of course, that comes into their general fund also turns up in the form of profits. To answer specifically, it does not go into a designated account to be used specifically for racetrack maintenance or for health care--as was alleged on the floor from other parties last session when this was discussed--but generally into the overall checkbook of the racetrack owners. That is one of the points that is specifically under consideration in this bill."

Mr. Appelwick spoke again in favor of the motion.

#### 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. 179, and the motion was carried by the following vote: Yeas, 75; nays, 22; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Niemi, O'Brien, Patrick, Powers, Prince, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vekich, Waik, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Addison, Ballard, Barnes, Betrozoff, Broback, Cantu, Fuhrman, Locke, Long, McDonald, Miller, Nealey, Nelson D, Nelson G, Padden, Pruitt, Ristuben, Sanders, Tilly, Van Dyken, Vander Stoep, Williams B - 22.

Excused: Representative Bond - 1.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 179 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 179 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 179 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 13, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 289 with the following amendments:

Strike everything after the enacting clause, and insert the following:

\*Sec. 1. Section 11, chapter 260, Laws of 1981 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~~) is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her 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))~~ The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test. The officer shall warn the driver that his refusal to take the test may be used against him in any subsequent criminal trial.

Unless the person to be tested is unconscious, the chemical test administered shall be of ~~((his))~~ the breath only~~((-- PROVIDED-- That))~~. If an individual is unconscious or is under arrest for the crime of ((negligent)) vehicular homicide ((by motor vehicle)) as provided in RCW 46.61.520 or vehicular assault as provided in section 2, chapter ... (SB 3106), Laws of 1983, 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 46.61.502, 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 or her arrest, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his or her 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))~~ one year after the date of the alleged violation or for two years if it is the second such refusal in a five-year period, 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))~~ directed 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))~~ the 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))~~ the 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 in this section 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))~~ that 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))~~ has the right to file a petition in the superior court of the county ~~((wherein))~~ in which he or she 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 or she has a license.

Sec. 2. Section 11, chapter 260, Laws of 1981 as amended by section 1 of this act 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))~~ within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her 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.

(2) 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))~~ within this state while under the influence of intoxicating liquor. The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that (a) his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test ~~((: The officer shall warn the driver))~~, (b) that his or her privilege to drive will be suspended, revoked, or denied if the test is administered and the test indicates a concentration of alcohol in his or her blood of 0.10 percent or more, and (c) that his or her refusal to take the test may be used against him or her in ((any)) a subsequent criminal trial.

~~((Unless the person to be tested is unconscious))~~ (3) Except as provided in this subsection and subsection (4) of this section, the chemical test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520 or vehicular assault as provided in section 2, chapter .... (SB 3106), Laws of 1983, 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 46.61.502, 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))~~ (4) 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, and the person shall be deemed to have received the warnings required under subsection (2) of this section.

~~((3))~~ (5) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his or her breath, ~~((after being informed that his refusal will result in the revocation or denial of his privilege to drive,))~~ no test shall be given except as authorized under subsection (3) or (4) of this section. ~~((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 one year after the date of the alleged violation or for two years if it is the second such refusal in a five-year period, 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 directed in this section, 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 the 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 the 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 provided in this section or during the pendency of a subsequent appeal to superior court so long as there is no conviction for a moving violation or no finding that the person has committed a traffic infraction that 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 has the right to file a petition in the superior court of the county in which he or she 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 or she has a license.))

NEW SECTION. Sec. 3. (1) If, after arrest and after the other applicable conditions and requirements of RCW 46.20.308 have been satisfied, a person submits to a chemical test of his or her blood, breath, or other bodily fluids, or such a test has been administered without that person's express consent as permitted by RCW 46.20.308 (3) or (4), and the test results indicate an alcoholic concentration in that person's blood of 0.10 percent or more by weight, or the person refuses to submit to a test, the arresting officer or other law enforcement officer at whose direction any test has been given shall:

(a) Serve notice in writing on the person on behalf of the department of its intention to suspend, revoke, or deny the person's license, permit, or privilege to drive as required by section 5 of this act;

(b) Confiscate the person's Washington state license or permit to drive, if any;

(c) Issue a temporary license as provided for in subsection (2) of this section to any driver who surrenders a current and valid license; and

(d) Immediately notify the department of licensing of the arrest and transmit to the department of licensing any confiscated license or permit and a sworn report that states:

(i) That the officer had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drugs, or both; and

(ii) That after receipt of the warnings required by RCW 46.20.308(2) the person refused to submit, or submitted to chemical testing, or that a test was administered without the person's express consent as permitted under RCW 46.20.308 (3) or (4); and

(iii) That, if a test was administered, the applicable requirements of RCW 46.20.308 were met before administration of the test and that the test was administered in accordance with RCW 46.61.506; and

(iv) That the results of any test administered indicated an alcoholic concentration in that person's blood of 0.10 percent or more.

(2) The department shall provide law enforcement agencies with temporary license forms and written notice statements for use under subsection (1) of this section. Any temporary license issued under subsection (1) of this section shall indicate that it is effective for forty-five days from the arrest or, until the suspension, revocation, or denial of the person's license, permit, or privilege to drive is sustained at a hearing pursuant to section 6 of this act, whichever occurs first. No temporary license is valid to any greater degree than the license or permit that it replaces.

**NEW SECTION.** Sec. 4. (1) The department shall suspend, revoke, or deny the arrested person's driving privileges as follows:

(a) In the case of a person who has refused a test:

(i) For a first refusal within five years, revocation or denial for one year;

(ii) For a second refusal within five years, revocation or denial for two years.

(b) In the case of a person who has submitted to or been administered a test indicating a blood alcohol concentration of 0.10 percent or more:

(i) For a first incident within five years, suspension or denial for ninety days;

(ii) For a second incident within five years, revocation or denial for one year;

(iii) For a third incident within five years, revocation or denial for two years.

(c) A suspension, revocation, or denial shall take effect when sustained at a hearing under section 6 of this act, or forty-five days after the person's arrest if no hearing was requested, whichever occurs first.

(2) The department shall not grant or reinstate a person's privilege to drive that has been suspended, revoked, or denied under subsection (1) of this section until it has determined the person is eligible for reinstatement under RCW 46.20.031 and 46.61.515 and is otherwise qualified.

(3) For purposes of this section and section 5 of this act, driving privileges include:

(a) A Washington state driver's license or permit;

(b) A nonresident privilege to drive; and

(c) The privilege of a person to apply for a new or duplicate license or permit or to renew a license, permit, or nonresident privilege.

**NEW SECTION.** Sec. 5. No suspension, revocation, or denial of a driving privilege under section 4 of this act is effective until the department of licensing or a law enforcement officer acting on its behalf notifies the person in writing by personal service, by certified mail, or by first class mail addressed to that person's last known address of record with the department of the department's intention to suspend, revoke, or deny together with the grounds therefor and allows the person a seven-day period to request in writing that the department provide a hearing as provided in section 6 of this act. The notice shall specify the steps the person must take to obtain a hearing. If no written request for a hearing is postmarked or delivered to the department within seven days from the date of notification, the department shall issue an order effective as provided in section 4 of this act. If a request for a hearing is filed in time, the department shall give the person an opportunity for a hearing as provided in section 6 of this act.

**NEW SECTION.** Sec. 6. (1) Administrative hearings held to determine the propriety of any suspension, revocation, or denial imposed under section 4 of this act shall be in accordance with rules adopted by the director.

(2) The department shall fix a time, no more than forty-five days after arrest, and a place for a hearing to be held in the county in which the arrest was made that resulted in a report being transmitted under section 3 of this act. The hearing may be set for some other county by agreement between the department and the person. If the hearing is not held and an order issued under section 8 of this act within forty-five days after arrest, the suspension, revocation, or denial under section 4 of this act shall not be imposed.

(3) The department shall give the person at least fourteen days advance notice of the time and place of hearing, but the period of notice may be waived by the person. RCW 46.20.332 and 46.20.333 apply to the hearings. The department shall issue a subpoena upon the request of any party and, to the extent required by department rule, upon a statement showing the general relevance and reasonable scope of the evidence sought. The subpoena may be issued with like effect by the person's attorney of record or the office of the attorney general, and the form of the subpoena in each case may be the same as when issued by the agency, except that it shall only be subscribed by the signature of the person's attorney or an assistant attorney general. Every party has the right of cross-examination of any witness who testifies



and has the right to submit rebuttal evidence. Subpoenas issued under this section may be enforced in the manner provided by RCW 34.04.105(5).

(4) With respect to arrested drivers who have submitted to or been administered chemical tests, the department by rule may permit the admission into evidence at the hearing of (a) copies of official reports of persons who possess a valid permit or certificate from the state toxicologist to perform tests or chemical analyses of the blood or breath, as to results of particular tests or analyses performed by that person when the copies have been certified as true copies of the report by the writer of the report, under oath, and (b) certificates of Breathalyzer maintenance operators who possess a valid permit or certificate from the state toxicologist, as to the testing and calibration of Breathalyzers or similar machines by that person. The reports or certificates may be admitted without further proof or foundation as prima facie evidence of the facts stated in them unless the arrested driver has given written notice received by the department not less than seven days before the date set for the hearing that he or she requests that the person administering the test, or the Breathalyzer maintenance operator, be produced by the department at the hearing.

NEW SECTION. Sec. 7. The scope of the administrative hearing under section 6 of this act shall include:

(1) With respect to a person who has refused a chemical test, the issues of:

(a) 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 within this state while under the influence of intoxicating liquor;

(b) Whether the person was placed under arrest; and

(c) Whether the person 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 or her privilege to drive and that the person had the right to additional tests.

(2) With respect to a person upon whom a chemical test was administered, the issues of:

(a) 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 within this state while under the influence of intoxicating liquor;

(b) Whether the person was placed under arrest;

(c) Whether the applicable requirements of RCW 46.20.308 were satisfied before the administration of the chemical test;

(d) Whether the person either submitted to the test or a test was administered without express consent as permitted under RCW 46.20.308; and

(e) Whether the test indicated a concentration of alcohol in the person's blood of 0.10 percent, or more. The person may challenge whether the testing methods used were in accordance with RCW 46.61.506 and were valid and reliable.

NEW SECTION. Sec. 8. After a hearing held under section 6 of this act, the department shall order that the appropriate suspension, revocation, or denial of privileges be imposed effective ten days after receipt of the order. In the alternative, the department may order that the administrative action be dismissed.

NEW SECTION. Sec. 9. (1) If the suspension, revocation, or denial imposed by the department under section 4 of this act is sustained after a hearing, the person whose license, permit, or privilege is affected has the right to file a petition in the superior court of the county of arrest or the county in which the person resides or, if a nonresident of this state, the superior court of Thurston county, for review of the final order of suspension, revocation, or denial by the department. The petition shall be filed within ten days following receipt by the person of the department's final order, or the right to appeal is deemed to have been waived. The review shall be conducted by the court without a jury, and shall be confined to the record, except that in cases of alleged irregularities in procedure before the department, not shown in the record, testimony on that issue may be taken in court. The scope of the review is limited to that prescribed by RCW 7.16.120, governing writs of certiorari.

(2) The filing of the appeal does not stay the effective date of the suspension, revocation, or denial unless it is stayed by the court after motion and argument. Such a stay may be granted only if the court finds upon the arguments and affidavits presented that there is a reasonable probability that the petitioner will prevail upon the merits of the petition, that the public interest will not be substantially harmed by the stay, and that the petitioner will suffer irreparable harm if the order is not stayed. If such a stay is granted it shall provide that it is effective only so long as there is no conviction of the petitioner for a moving violation or no finding that the petitioner has committed a traffic infraction which is a moving violation during the pendency of the appeal.

(3) The court may affirm the department's decision, remand the matter for further administrative proceedings, or reverse the department's order of suspension, revocation, or denial.

(4) The actual costs of preparing and transmitting the record to superior court shall be borne by the petitioner and awarded by the court to the department if the department's decision is affirmed. The costs shall be borne by the department if the department's decision is remanded or reversed.

**NEW SECTION.** Sec. 10. When it has been finally determined under the procedures of sections 4 through 8 of this act that a nonresident's privilege to operate a motor vehicle in this state has been suspended or 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 the person has a driver's license.

**NEW SECTION.** Sec. 11. When the department is required to suspend, revoke, or deny a person's license, permit, or nonresident privilege to drive under either section 4 of this act or under RCW 46.61.515(5), and (1) the department has earlier imposed a suspension, revocation, or denial under the other of those two provisions or is preparing to do so, and (2) each of those two sanctions has been required as the result of civil or criminal proceedings arising from the same arrest, the department shall proceed as follows:

(a) If the civil and criminal sanctions imposed or to be imposed are for the same minimum length of time, the suspension, revocation, or denial imposed by the department is limited to that first imposed and fully effective under one of those provisions;

(b) If the civil and criminal sanctions are of different minimum lengths of time, the department shall impose the sanction of longer duration. If the sanction with the shorter minimum duration has earlier been imposed by the department, the department shall reduce the minimum duration of the longer revocation by the number of days the license, permit, or privilege to drive was actually under suspension, revocation, or denial pursuant to the earlier action by the department.

If a suspension, revocation, or denial of a person's license, permit, or nonresident privilege to drive would have been imposed by the department under section 4 of this act but for the operation of this section, the suspension, revocation, or denial shall be treated as if it had been imposed for the purposes of determining the minimum duration of subsequent suspensions or revocations required under that section.

**NEW SECTION.** Sec. 12. (1) The director, or his or her designee, shall administer and enforce the provisions of sections 3 through 11 of this act. The director may adopt such rules as he or she deems necessary to carry out the purposes of sections 3 through 11 of this act.

(2) The department shall prescribe and provide such forms as it deems necessary or desirable to carry out the purposes of sections 3 through 11 of this act.

Sec. 13. Section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480 are each amended to read as follows:

'Revoke,' in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue: PROVIDED, That under the provisions of RCW 46.20.285, 46.20.311, or 46.61.515 and chapter 46.65 RCW the invalidation may last for a period ~~((to exceed))~~ other than one calendar year.

Sec. 14. Section 46.04.480, chapter 12, Laws of 1961 as last amended by section 13 of this act and RCW 46.04.480 are each amended to read as follows:

'Revoke,' in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue: PROVIDED, That under the provisions of RCW 46.20.285, 46.20.311, ~~((or))~~ 46.61.515, or section 4 of this act and chapter 46.65 RCW the invalidation may last for a period other than one calendar year.

Sec. 15. Section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285 are each amended to read as follows:

The department shall forthwith revoke the license of any driver for the period of one calendar year unless otherwise provided in this section, upon receiving a record of ~~((such))~~ the driver's conviction of any of the following offenses, when ((such)) the conviction has become final:

(1) ~~((Manslaughter (or negligent)))~~ For vehicular homicide ((resulting from the operation of a motor vehicle)) the period of revocation shall be two years;

(2) Vehicular assault;

(3) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, upon a showing by the department's records that the conviction is the ((third)) second such conviction ((of such)) for the driver within a period of five years. Upon a showing that the conviction is the third such conviction for the driver within a period of five years, the period of revocation shall be two years;

~~((3))~~ (4) Any felony in the commission of which a motor vehicle is used;

~~((4))~~ (5) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

~~((5))~~ (6) Perjury or the making of a false affidavit or statement under oath to the department under Title 46 RCW or under any other law relating to the ownership or operation of motor vehicles;

~~((6))~~ (7) Reckless driving upon a showing by the department's records that the conviction is the third such conviction ((of such)) for the driver within a period of two years.

Sec. 16. Section 24, chapter 121, Laws of 1965 ex. sess. as amended by section 15 of this act and RCW 46.20.285 are each amended to read as follows:

The department shall forthwith revoke the license of any driver for the period of one year unless otherwise provided in this section, upon receiving a record of the driver's conviction of any of the following offenses, when the conviction has become final:

- (1) For vehicular homicide the period of revocation shall be two years;
- (2) Vehicular assault;
- (3) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, upon a showing by the department's records that the conviction is the second such conviction for the driver within a period of five years. Upon a showing that the conviction is the third such conviction for the driver within a period of five years, the period of revocation shall be two years. A revocation imposed under this subsection shall run concurrently with any corresponding revocation which may be imposed by the department pursuant to section 4 of this act or RCW 46.61.515(5) arising out of the same arrest;
- (4) Any felony in the commission of which a motor vehicle is used;
- (5) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;
- (6) Perjury or the making of a false affidavit or statement under oath to the department under Title 46 RCW or under any other law relating to the ownership or operation of motor vehicles;
- (7) Reckless driving upon a showing by the department's records that the conviction is the third such conviction for the driver within a period of two years.

Sec. 17, Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 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 or 46.61.515. 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))~~ the suspension shall remain in effect and the department shall not issue to ((such)) the person any new, duplicate, or renewal ((of)) license until ((such)) the person ((shall)) pays a reinstatement fee of twenty dollars and ((shall)) give and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked ~~((shall)), unless the revocation was for a cause which has been removed, is not ((be))~~ entitled to have ((such)) the 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)) until; (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department ((-such)); (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(5) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with ((an additional)) a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of ((such)) the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until ((such)) the person ((shall)) give and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was denied under RCW 46.20.308(3) shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person ~~((shall))~~ pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

Sec. 18, Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 17 of this act 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 or 46.61.515. 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, the suspension shall remain in effect and the department shall not issue to the person any new, duplicate, or renewal license until the person pays a reinstatement fee of twenty dollars and gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504 or was imposed under section 4 (1) (a) or (b) of this act, the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(5) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was denied under ~~((RCW 46.20.308(3)))~~ section 4 of this act shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

NEW SECTION. Sec. 19. There is added to chapter 46.68 RCW a new section to read as follows:

(1) Until July 1, 1984, thirty dollars of any driver's license reinstatement fee paid under RCW 46.20.311 when the suspension or revocation was for a violation involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, shall be deposited by the department in the DWI impact account, hereby created, of the general fund.

(2) By December 31, 1983, and by August 1, 1984, the office of financial management shall distribute the proceeds of the DWI impact account to the counties for the increased needs of the courts, the prosecuting attorneys, the public defenders, and local law enforcement in handling cases involving driving while intoxicated. To receive a grant from the DWI impact account, a county shall establish, to the satisfaction of the office of financial management, its need for the funds, that a satisfactory effort by the county is being maintained to the extent possible with available funds, and that local resources have been exhausted.

(3) In making grants from the DWI impact account, the office of financial management shall consider the following:

(a) The number of arrests for driving while intoxicated made in the county in the immediately preceding fiscal year;

(b) The percentage of change over the corresponding number for the second preceding fiscal year;

(c) The judicial caseload predicted by the administrator for the courts for the current fiscal year;

(d) Increases in financial support provided by counties for enforcement and conviction relating to offenses involving driving while intoxicated; and

(e) The increase in efforts of law enforcement agencies to arrest persons violating laws against driving while intoxicated.

(4) This section shall expire on August 31, 1984.

NEW SECTION. Sec. 20. There is added to chapter 46.68 RCW a new section to read as follows:

After June 30, 1984, thirty dollars of any driver's license reinstatement fee paid under RCW 46.20.311 when the suspension or revocation was for a violation involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, shall be deposited by the department in the highway safety fund for the exclusive use of the department in implementing sections 3 through 12 of this act.

Sec. 21. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than twenty-four consecutive hours nor more than one year, and by a fine of not more than ~~((five))~~ seven hundred fifty dollars. The person shall, in addition, be required to complete a course at an alcohol information school approved by the department of social and health services. If, after completing an alcohol evaluation at the alcohol information school, the convicted person is found to have a serious alcohol problem, the alcohol information school may recommend more intensive alcoholism treatment in a program approved by the department of social and health services. In the alternative, the court may bypass alcohol information school if the court determines that more intensive alcoholism treatment in a program approved by the department of social and health services is appropriate. Standards for approval shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonpetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate.

(2) On a second or subsequent conviction for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five-year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine of not more than one thousand five hundred dollars. District courts and courts organized under chapter 35.20 RCW are authorized to impose such fine. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If ~~((such person))~~, at the time of a second or subsequent conviction, the driver is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete diagnostic evaluation at an alcoholism program approved by the department of social and health services or other diagnostic evaluation as the court designates. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeferrable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonpetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor ~~((PROVIDED: That))~~. All funds derived from ((such)) the penalty assessment ((shall be)) are in addition to and exclusive of assessments made under RCW 46.81.030 and shall be for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic offenders. ~~((Such))~~ The penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from ~~((such))~~ the penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either ~~((such))~~ offense, be suspended by the department until the person reaches age eighteen or for ~~((not less than thirty))~~ ninety days ~~(- PROVIDED: That the court may recommend that no suspension action be taken), whichever is longer.~~ The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either ~~((such))~~ offense within a five-year period, be ~~((suspended))~~ revoked by the department for ~~((not less than sixty days))~~ one year. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports as provided in RCW 46.20.031 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction ~~((under either such offense))~~ of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs, vehicular homicide, or vehicular assault, or any combination thereof within a five-year period, be revoked by the department for two years.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, ~~((such))~~ the revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case ~~((such))~~ the conviction is sustained on appeal ~~((such))~~ the revocation or suspension ~~((shall))~~ takes effect as of the date that the conviction becomes effective for other purposes.

NEW SECTION. Sec. 22. There is added to chapter 46.20 RCW a new section to read as follows:

A suspension or revocation of the license, permit, or nonresident privilege to drive that is required to be imposed by the department of licensing under RCW 46.61.515 shall be coordinated by the department with any suspension or revocation which has been imposed by the department following any civil action it may have taken pursuant to sections 3 through 12 of this act arising out of the same arrest, as required by section 11 of this act.

Sec. 23. Section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than ~~((negligent))~~ vehicular homicide or vehicular assault, may petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting to the department an application for an occupational driver's license. The court upon determining that the petitioner is engaged in an occupation or trade ~~((which))~~ that makes it essential that the petitioner operate a motor vehicle may stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days and may set definite restrictions as ~~((to hours of the day which may not exceed twelve hours in any one day, days of the week, type of occupation, and areas or routes of travel permitted under the occupational driver's license))~~ provided in section 25 of this act. No person may petition for, and the court may not order, a stay affecting the first thirty days of any suspension or revocation imposed under RCW 46.61.515.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) The applicant is engaged in an occupation or trade ~~((which))~~ that makes it essential that he or she operate a motor vehicle; and

(c) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section ~~((for a period of not more than one year which))~~ that permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade. No person may apply for, and the department may not issue, an occupational license for the first thirty days of any suspension or revocation imposed under RCW 46.61.515.

(4) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense ~~((which))~~ that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. ~~((Such))~~ The cancellation ~~((shall be))~~ is effective as

of the date of ~~((such))~~ the conviction, and shall continue with the same force and effect as any suspension or revocation under this title.

Sec. 24. Section 1, chapter 5, Laws of 1973 as last amended by section 23 of this act and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter whose driving privilege has been suspended or revoked under section 4(1)(b)(i) of this act or who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than vehicular homicide or vehicular assault, may ~~((petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting))~~ submit to the department an application for an occupational driver's license. The ~~((court))~~ department, upon receipt of the prescribed fee and upon determining that the petitioner is engaged in an occupation or trade that makes it essential that the petitioner operate a motor vehicle, may ~~((stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days))~~ issue an occupational driver's license and may set definite restrictions as provided in section ~~((25))~~ 26 of this act. No person may petition for, and the ~~((court may not order, a stay affecting))~~ department shall not issue, an occupational driver's license that is effective during the first thirty days of any suspension or revocation imposed under RCW 46.61.515 or pursuant to section 4(1)(b)(i) of this act. A person aggrieved by the decision of the department on the application for an occupational driver's license may request a hearing as provided by rule of the department.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction or administrative action the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) Within five years immediately preceding the present conviction or administrative action, the applicant has not been convicted under RCW 46.61.502 or 46.61.504, or had a license administratively suspended or revoked under section 4 of this act; and

(c) The applicant is engaged in an occupation or trade that makes it essential that he or she operate a motor vehicle; and

~~((c))~~ (d) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) ~~((The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section that permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade. No person may apply for, and the department may not issue, an occupational license for the first thirty days of any suspension or revocation imposed under RCW 46.61.515.~~

(4) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has had a driver's license administratively suspended or revoked under section 4 of this act or has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. The cancellation is effective as of the date of the conviction or administrative action, and shall continue with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 25. There is added to chapter 46.20 RCW a new section to read as follows:

In issuing an order staying the mandatory suspension or revocation of a person's driver's license so that the person may apply for an occupational driver's license under RCW 46.20.391, the court shall describe the type of occupation permitted and shall set forth in detail the specific hours of the day during which the person may drive to and from his place of work, which may not exceed twelve hours in any one day; the days of the week during which the license may be used; and the general routes over which the person may travel.

Any restrictions shall be prepared in written form by the department, which document shall be carried in the vehicle at all times and presented to a law enforcement officer under the same terms as the occupational driver's license. Any violation of the restrictions constitutes a violation of RCW 46.20.342 and subjects the person to all procedures and penalties therefor.

NEW SECTION. Sec. 26. There is added to chapter 46.20 RCW a new section to read as follows:

In issuing an occupational driver's license under RCW 46.20.391, the department shall describe the type of occupation permitted and shall set forth in detail the specific hours of the day during which the person may drive to and from his place of work, which may not exceed twelve hours in any one day; the days of the week during which the license may be used; and the general routes over which the person may travel. These restrictions shall be prepared in written form by the department, which document shall be carried in the vehicle at all times and presented to a law enforcement officer under the same terms as the occupational driver's license. Any violation of the restrictions constitutes a violation of RCW 46.20.342 and subjects the person to all procedures and penalties therefor.

NEW SECTION. Sec. 27. There is added to chapter 46.61 RCW a new section to read as follows:

The refusal of a person to submit to a test of the alcoholic content of his blood under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial without any comment and with a jury instruction, where applicable, that there shall be no speculation as to the reason for the refusal and that no inference is to be drawn from the refusal.

NEW SECTION. Sec. 28. There is added to chapter 46.61 RCW a new section to read as follows:

(1) It is a traffic infraction to drink any alcoholic beverage in a motor vehicle when the vehicle is upon a highway.

(2) It is a traffic infraction for a person to have in his possession while in a motor vehicle upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage if the container has been opened or a seal broken or the contents partially removed.

(3) It is a traffic infraction for the registered owner of a motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage which has been opened or a seal broken or the contents partially removed, unless the container is kept in the trunk of the vehicle or in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle does not have a trunk. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers.

(4) This section does not apply to a public conveyance that has been commercially chartered for group use or to the living quarters of a motor home or camper or, except as otherwise provided by RCW 66.44.250 or local law, to any passenger for compensation in a for-hire vehicle licensed under city, county, or state law.

Sec. 29. Section 442, chapter 249, Laws of 1909 and RCW 66.44.240 are each amended to read as follows:

Every person engaged wholly or in part in the business of carrying passengers for hire, and every agent, servant, or employee of such person, who ~~((shall))~~ knowingly permits any person to drink any intoxicating liquor in any public conveyance, ~~except in the compartment where such liquor is sold or served under the authority of a license lawfully issued, ~~((shall be))~~ is guilty of a misdemeanor.~~ This section does not apply to a public conveyance that is commercially chartered for group use or a for-hire vehicle licensed under city, county, or state law.

Sec. 30. Section 441, chapter 249, Laws of 1909 and RCW 66.44.250 are each amended to read as follows:

Every person who ~~((shall))~~ drinks any intoxicating liquor in any public conveyance, except in a compartment or place where sold or served under the authority of a license lawfully issued, ~~((shall be))~~ is guilty of a misdemeanor. With respect to a public conveyance that is commercially chartered for group use and with respect to a for-hire vehicle licensed under city, county, or state law, this section applies only to the driver of the vehicle.

NEW SECTION. Sec. 31. The administrator for the courts may assign one or more justices from other judicial districts to serve as visiting justices in a judicial district which the administrator determines is experiencing an increase in case filings as the result of enhanced enforcement of laws related to driving, or being in physical control of, a motor vehicle while intoxicated. The prosecuting, city, or town attorney of the county, city, or town in which a judicial district lies, or the presiding judge of the judicial district, may request the administrator for the courts to designate the district as an enhanced enforcement district and to make assignments under this section. An assignment shall be for a specified period of time not to exceed thirty days. A visiting justice has the same powers as a justice of the district to which he or she is assigned. A visiting justice shall be reimbursed for expenses under RCW 2.56.070.

Sec. 32. Section 118, chapter 299, Laws of 1961 and RCW 3.66.070 are each amended to read as follows:

All criminal actions shall be brought in the justice court district where the alleged violation occurred: PROVIDED, That (1) the prosecuting attorney may file felony cases in the district in which the county seat is located ~~((and)),~~ (2) with the consent of the defendant criminal actions other than those arising out of violations of city ordinances may be brought in or transferred to the district in which the county seat is located, and (3) if the alleged violation relates to driving, or being in actual physical control of, a motor vehicle while intoxicated and the alleged violation occurred within a judicial district which has been designated an enhanced enforcement district under section 31 of this act, the charges may be filed in that district or in a district within the same county which is adjacent to the district in which the alleged violation occurred.

NEW SECTION. Sec. 33. There is added to chapter 46.61 RCW a new section to read as follows:

A sentencing court may allow persons convicted of violating RCW 46.61.502 or 46.61.504 to fulfill the terms of the sentence provided in RCW 46.61.515 (1) or (2) in nonconsecutive or intermittent time periods. However, the first twenty-four hours of any sentence under RCW 46.61.515(1) and the first forty-eight hours of any sentence under RCW 46.61.515(2) shall be served consecutively unless suspended or deferred as otherwise provided by law.



Sec. 34. Section 2, chapter 316, Laws of 1977 ex. sess. as last amended by section 25, chapter 136, Laws of 1981 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) 'Special detention facility' means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(4) '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)) (5) 'Jail' means any holding, detention, or correctional facility as defined in this section.

((5)) (6) '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)) (7) 'Commission' means the state jail commission created pursuant to RCW 70.48.030 but, after June 30, 1983, 'commission' and 'state jail commission' means the state corrections standards board.

((7)) (8) 'Substantially remodeled' means significant alterations made to the physical plant of a jail to conform with the physical plant standards.

((8)) (9) 'Department' means the department of social and health services.

((9)) (10) 'Secretary' means the secretary of social and health services.

((10)) (11) '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)) (12) '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)) (13) 'Advisory custodial care standards' means custodial care standards recommended by the commission which are not mandatory.

((13)) (14) '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)) (15) 'Jail inspector' means a person with at least five years in a supervisory position as a law enforcement or custodial corrections officer.

((15)) (16) '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)) (17) '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)) (18) '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.

NEW SECTION. Sec. 35. There is added to chapter 70.48 RCW a new section to read as follows:

Mandatory custodial care standards adopted under RCW 70.48.050 for special detention facilities shall be limited to those necessary to meet minimum legal requirements for health, welfare, and security for low-risk prisoners considering the length of stay and the prisoner classification involved. The standards shall not incorporate standards applicable to correction and detention facilities except where specifically justified.

NEW SECTION. Sec. 36. There is added to chapter 70.48 RCW a new section to read as follows:

The legislative authority of a county or city that establishes a special detention facility as defined in RCW 70.48.020 for persons convicted of violating RCW 46.61.502 or 46.61.504 may

establish a reasonable fee schedule to cover the cost of housing in the facility. The schedule shall be on a sliding basis that reflects the person's ability to pay.

Sec. 37. Section 16, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.180 are each amended to read as follows:

Counties may acquire, build, operate, and maintain holding, detention, special 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.

Sec. 38. Section 35.21.330, chapter 7, Laws of 1965 as amended by section 19, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.190 are each amended to read as follows:

Cities and towns may acquire, build, operate, and maintain holding, detention, special detention, and correctional facilities as defined in RCW 70.48.020 at any place within the territorial limits of the county in which the city or town is situated, as may be selected by the legislative authority of the municipality (~~(- PROVIDED, That such))~~. The facilities comply with the provisions of chapter 70.48 RCW and rules adopted ((thereof)) thereunder.

Sec. 39. Section 17, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.210 are each amended to read as follows:

(1) All cities and counties are authorized to establish and maintain farms, camps, and work release programs and facilities, as well as special detention 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 or her 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))~~ a 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.

(4) A special detention facility may be operated by a noncorrectional agency or by noncorrectional personnel by contract with the governing unit. The employees shall meet the standards of training and education established by the criminal justice training commission as authorized by RCW 43.101.080. The special detention facility may use combinations of features including, but not limited to, low-security or honor prisoner status, work farm, work release, community review, prisoner facility maintenance and food preparation, training programs, or alcohol or drug rehabilitation programs, with or without cost to the prisoners.

NEW SECTION. Sec. 40. There is added to chapter 35.21 RCW a new section to read as follows:

Except as limited by the maximum penalties authorized by law, no city or town may establish a penalty for an act that constitutes the crime of driving while under the influence of intoxicating liquor or any drug, as provided in RCW 46.61.502, or the crime of being in actual

physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, as provided in RCW 46.61.504, that is less than the penalties prescribed for those crimes in RCW 46.61.515.

**NEW SECTION.** Sec. 41. There is added to chapter 36.32 RCW a new section to read as follows:

No county may establish a penalty for an act that constitutes the crime of driving while under the influence of intoxicating liquor or any drug, as provided for in RCW 46.61.502, or the crime of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, as provided in RCW 46.61.504, that is less than the penalties prescribed for those crimes in RCW 46.61.515.

**NEW SECTION.** Sec. 42. There is added to chapter 43.59 RCW a new section to read as follows:

The Washington traffic safety commission shall produce and disseminate through all possible media, informational and educational materials explaining the extent of the problems caused by drinking drivers, the need for public involvement in their solution, and the penalties of existing and new laws against driving while intoxicated.

**NEW SECTION.** Sec. 43. The standing committees on transportation and judiciary of the state senate and house of representatives, with the assistance of the department of licensing, shall conduct a joint study to analyze and evaluate the issues involved in authorizing administrative revocation of the driver's license of a person who operates a motor vehicle while under the influence of alcohol. The study shall include an analysis and evaluation of other states that have enacted statutes that provide for administrative revocation of driver's licenses, the effects on reducing drunken driving, the cost of implementing and administering such a program, and any impacts on the criminal justice system.

The committees shall submit a report that includes their findings and recommendations, together with proposed legislation, to the legislature before January 1, 1984.

**NEW SECTION.** Sec. 44. The legislature finds that previous attempts to curtail the incidence of driving while intoxicated have been inadequate. The legislature further finds that property loss, injury, and death caused by drinking drivers have reached unacceptable levels. This act is intended to convey the seriousness with which the legislature views this problem. To that end the legislature seeks to insure swift and certain punishment for those who drink and drive. The legislature does not intend to discourage or deter courts and other agencies from directing or providing treatment for problem drinkers. However, it is the intent that such treatment, where appropriate, be in addition to and not in lieu of the sanctions to be applied to all those convicted of driving while intoxicated.

**NEW SECTION.** Sec. 45. Sections 3 through 12 of this act are added to chapter 46.20 RCW.

**NEW SECTION.** Sec. 46. Sections 2, 3 through 12, 14, 16, 18, 20, 22, 24, and 26 of this act shall take effect on January 1, 1985. The remainder 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 on July 1, 1983. The director of licensing may immediately take such steps as are necessary to insure that all sections of this act are implemented on their respective effective dates.

**NEW SECTION.** Sec. 47. 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 "intoxicated;" strike the remainder of the title, and insert "amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 11, chapter 260, Laws of 1981 as amended by section 1 of this act and RCW 46.20.308; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480; amending section 46.04.480, chapter 12, Laws of 1961 as last amended by section 13 of this act and RCW 46.04.480; amending section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285; amending section 24, chapter 121, Laws of 1965 ex. sess. as amended by section 15 of this act and RCW 46.20.285; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 17 of this act and RCW 46.20.311; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 27, chapter 47, Laws of 1982 1st ex. sess. and RCW 46.61.515; amending section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391; amending section 1, chapter 5, Laws of 1973 as last amended by section 23 of this act and RCW 46.20.391; amending section 442, chapter 249, Laws of 1909 and RCW 66.44.240; amending section 441, chapter 249, Laws of 1909 and RCW 66.44.250; amending section 118, chapter 299, Laws of 1961 and RCW 3.66.070; amending section 2, chapter 316, Laws of 1977 ex. sess. as last amended by section 25, chapter 136, Laws of 1981 and RCW 70.48.020; amending section 16, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.180; amending section 35.21.330, chapter 7, Laws of 1965 as amended by section 19, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.190; amending section 17, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.210; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; adding a new section to chapter 43.59 RCW; adding new sections to chapter 46.20 RCW; adding new sections to

chapter 46.61 RCW; adding new sections to chapter 46.68 RCW; adding new sections to chapter 70.48 RCW; creating new sections; prescribing penalties; providing an expiration date; declaring an emergency; and providing effective dates." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Armstrong moved that the House do not concur with the Senate amendments to Engrossed Substitute house Bill No. 289 and ask the Senate to recede therefrom.

Representatives Tilly and Padden spoke in favor of the motion, and it was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

April 17, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 359 with the following amendments:

On page 8, line 27, strike "a permanent fund" and insert "an account within the general fund"

On page 8, line 28, strike "fund" and insert "account"

On page 8, line 32, strike "fund" and insert "account"

On page 8, line 34, strike "fund" and insert "account"

On page 8, line 35, strike "fund" and insert "account"

On page 9, line 9, strike "fund" and insert "account"

On page 9, line 13, strike "fund" and insert "account"

On page 10, line 8, strike "fund" and insert "account"

On page 11, after line 28 insert the following:

"NEW SECTION. Sec. 14. There is added to chapter 18.29 RCW a new section to read as follows:

The director of licensing shall appoint a committee of three licensed dental hygienists to prepare and conduct examinations for dental hygiene licensure. The committee shall require an applicant for licensure to pass an examination consisting of written and practical tests upon such subjects and of such scope as the committee determines. The standards for passage of the examination shall be set by the committee.

At least two examinations shall be given each calendar year in conjunction with examinations for licensure of dentists under chapter 18.32 RCW.

NEW SECTION. Sec. 15. Section 29, chapter 16, Laws of 1923, section 2, chapter 47, Laws of 1969, section 31, chapter 158, Laws of 1979 and RCW 18.29.030 are each repealed.

NEW SECTION. Sec. 16. Sections 14 and 15 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 institutions, and shall take effect immediately."

ReNUMBER the sections consecutively.

On page 1, line 8 of the title after "18 RCW;" insert "adding a new section to chapter 18.29 RCW;" and on line 12, after "43.24.085" insert "; repealing section 29, chapter 16, Laws of 1923, section 2, chapter 47, Laws of 1969, section 31, chapter 158, Laws of 1979 and RCW 18.29.030; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. J. King moved that the House do concur in the Senate amendments to Substitute House Bill No. 359.

Representatives J. King, Patrick, Lewis, Belcher, Tanner and Brough spoke in favor of the motion, and Representatives Kreidler, Stratton, Barrett, Mitchell, Taylor, Moon and West spoke against it.

Representatives Patrick and J. King spoke again in favor of the motion, and Representative Stratton again opposed it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Substitute House Bill No. 359, and the motion was carried by the following vote: Yeas, 50; nays, 46; absent, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Ebersole, Ellis, Fisch, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, Lewis, Locke, Long, McClure, McDonald, McMullen, Miller, Monohon, Nelson D, Niemi, Patrick, Powers, Pruitt, Ristuben, Sanders, Sayan, Smitherman, Sommers, Sutherland, Tanner, Vander Stoep, Vekich - 50.

Voting nay: Representatives Barnes, Barrett, Broback, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Fisher, Fuhrman, Garrett, Hastings, Heck, Johnson, King R, Kreidler, Lux, Martinis, Mitchell, Moon, Nealey, Nelson G, O'Brien, Padden, Prince, Rust, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 46.

Absent: Representative Addison - 1.

Excused: Representative Bond - 1.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 359 as amended by the Senate.

Representatives Kreidler, Lewis and Stratton 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 House Bill No. 359 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 10; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barrett, Clayton, Fisher, Garrett, Hastings, Martinis, O'Brien, Silver, Struthers, West - 10.

Excused: Representative Bond - 1.

Substitute House Bill No. 359 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 16, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 431 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 1, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.010 are each amended to read as follows:

It is the intention of the legislature in enacting this chapter to increase the protection afforded the citizens of this state, to ~~((permit a more even administration of justice in the juvenile courts, to rehabilitate juvenile offenders, and to reduce the necessity for commitment of juveniles to state juvenile correctional institutions by strengthening and improving the supervision of juveniles placed on probation by the juvenile courts of this state))~~ require community planning, to provide necessary services and supervision for juvenile offenders in the community when appropriate, to reduce reliance on state-operated correctional institutions for offenders whose standard range disposition does not include commitment of the offender to the department, and to encourage the community to efficiently and effectively provide community services to juvenile offenders through consolidation of service delivery systems.

Sec. 2. Section 2, chapter 165, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1979 and RCW 13.06.020 are each amended to read as follows:

From any state moneys made available for such purpose, the state of Washington, through the department of social and health services, shall, in accordance with this chapter and applicable departmental rules, share in the cost of ((supervising probationers who could otherwise be committed by the juvenile courts to the custody of the secretary of social and health services, and who are granted probation and placed in special supervision programs\*)) providing services to juveniles.

Sec. 3. Section 3, chapter 165, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1979 and RCW 13.06.030 are each amended to read as follows:

The department of social and health services shall adopt rules prescribing minimum standards for the operation of (~~((special supervision programs))~~) consolidated juvenile services programs for juvenile offenders and such other rules as may be necessary for the administration of the provisions of this chapter. ((A 'special supervision program' is one embodying a degree of supervision substantially above the usual or the use of new techniques in addition to, or instead of routine supervision techniques, and which meets the standards prescribed pursuant to this section. Such)) Consolidated juvenile services is a mechanism through which the department of social and health services supports local county comprehensive program plans in providing services to offender groups. Standards shall be sufficiently flexible to ((foster the development of new and improved supervision practices)) support current programs which have demonstrated effectiveness and efficiency, to foster development of innovative and improved services for juvenile offenders, to permit direct contracting with private vendors, and to encourage community support for and assistance to local programs. The secretary of social and health services shall seek advice from appropriate (~~(county officials))~~) juvenile justice system participants in developing standards and procedures for the operation of ((special supervision programs)) consolidated juvenile services programs and the distribution of funds under this chapter.

Sec. 4. Section 4, chapter 165, Laws of 1969 ex. sess. as amended by section 15, chapter 141, Laws of 1979 and RCW 13.06.040 are each amended to read as follows:

Any county or group of counties may make application to the department of social and health services in the manner and form prescribed by the department for financial aid for the cost of (~~((special supervision programs))~~) consolidated juvenile services programs. Any such application must include a plan or plans for providing (~~(special supervision of juveniles on probation and a method for certifying that moneys received are spent only for these 'special supervision programs'))~~) consolidated services to juvenile offenders in accordance with standards of the department.

Sec. 5. Section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 9, chapter 151, Laws of 1979 and RCW 13.06.050 are each amended to read as follows:

No county shall be entitled to receive any state funds provided by this chapter until its application (~~(its)~~) and plan are approved, and unless and until the minimum standards prescribed by the department of social and health services are complied with and then only on such terms as are set forth (~~(hereafter)~~) in this section.

(1) (~~((A base commitment rate for each county and for the state as a whole shall be calculated by the department of social and health services. The base commitment rate shall be determined by computing the ratio of the number of juveniles committed to state juvenile correctional institutions plus the number of juveniles who have been convicted of felonies and committed to state correctional institutions after a juvenile court has declined jurisdiction of their cases and remanded them for prosecution in the superior courts, to the county population, such ratio to be expressed in a rate per hundred thousand population, for each of the calendar years 1964 through 1968. The average of these rates for a county for the five year period or the average of the last two years of the period, whichever is higher, shall be the base commitment rate, as certified by the secretary. PROVIDED, That a county may elect as its base commitment rate the average of the base commitment rates of all counties in the state over the last two years of the period described above. The county and state population shall be that certified as of April 1st of each year by the office of financial management, such population figures to be provided to the secretary of social and health services not later than June 30th of each year.~~))

(2) An annual commitment rate shall be calculated by the department at the end of each year for each participating county and for the state as a whole, in a like manner as provided in subsection (1). The annual commitment rate shall exclude commitments that fall within the high risk categories as defined by the department.

(3) The amount that may be paid to a county pursuant to this chapter shall be the standard cost of the operation of a special supervision program based upon workload standards established by the department. Payment shall not exceed five thousand dollars per commitment reduction. The 'commitment reduction number' is obtained by subtracting (a) the product of the most recent annual commitment rate and population of the county for the same year from (b) the product of the base commitment rate and population of the county for the same year employed in (a).

(4) The distribution of funds to a county or a group of counties shall be based on criteria including but not limited to the county's per capita income, regional or county at-risk populations, juvenile crime or arrest rates, existing programs, and the effectiveness and efficiency of consolidating local programs towards reducing commitments to state correctional facilities for offenders whose standard range disposition does not include commitment of the offender to the department and reducing reliance on other traditional departmental services.

(2) The secretary will reimburse a county upon presentation and approval of a valid claim pursuant to the provisions of this chapter based on actual performance in (~~(reducing the annual commitment rate from its base commitment rate. Whenever a claim made by a county~~

pursuant to this chapter, covering a prior year, is found to be in error, an adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year:

(5) In the event a participating county earns in a payment period less than one-half of the sum paid in the previous payment period because of extremely unusual circumstances claimed by the county and verified by the secretary of the department of social and health services, the secretary may pay to the county a sum not to exceed actual program expenditures, provided, however, that in subsequent periods the county will be paid only the amount earned. PROVIDED: That the amendatory provisions of subsection (5) of this act may be applied to payment periods prior to May 20, 1971:

(6) If the amount received by a county in reimbursement of its expenditures in a calendar year is less than the maximum amount computed under subsection (3) above, the difference may be paid to the county as reimbursement of program costs during the next two succeeding years upon receipt of valid claims for reimbursement of program expenses:

(7) Meeting the terms and conditions of the approved plan and contract. Funds received by participating counties under this chapter shall not be used to replace local funds for existing programs ((for delinquent juveniles or to develop county institutional programs:

(8) Any county averaging less than thirty commitments annually during either the two year or five year period used to determine the base commitment rate as defined in subsection (1) above may:

(a) apply for subsidies under subsection (1); or

(b) as an alternative, elect to receive from the state the salary of one full time additional probation officer and related employee benefits; or

(c) elect to receive from the state the salary and related employee benefits of one full time additional probation officer and in addition, reimbursement for certain supporting services other than capital outlay and equipment whose total will not exceed a maximum limit established by the secretary of the department of social and health services; or

(d) elect to receive from the state reimbursement for certain supporting services other than capital outlay and equipment whose total cost will not exceed a maximum limit established by the secretary of the department of social and health services:

(9) In the event a county chooses one of the alternative proposals in subsection (8), it will be eligible for reimbursement only so long as the officer and supporting services are wholly used in the performance of probation services to supervision of persons eligible for state commitment and are paid the salary referred to in this section in accordance with a salary schedule adopted by rule of the department and:

(a) if its base commitment rate is below the state average, its annual commitment rate does not exceed the base commitment rate for the entire state; or

(b) if its base commitment rate is above the state average, its annual commitment rate does not in the year exceed by two its own base commitment rate:

(10) Where any county does not have a juvenile probation officer, but obtains such services by agreement with another county or counties, or, where two or more counties mutually provide probation services by agreement for such counties, then under such circumstances the secretary may make the computations and payments under this chapter as though the counties served with probation services were one geographical unit)).

Sec. 6. Section 57, chapter 291, Laws of 1977 ex. sess. as last amended by section 5, chapter 299, Laws of 1981 and RCW 13.40.030 are each amended to read as follows:

(1) (a) The juvenile disposition standards commission shall propose to the legislature no later than November 1st of each even-numbered year disposition standards for all offenses. The standards shall establish, in accordance with the purposes of this chapter, ranges which may include terms of confinement and/or community supervision established on the basis of a youth's age, the instant offense, and the history and seriousness of previous offenses, but in no case may the period of confinement and supervision exceed that to which an adult may be subjected for the same offense(s). Standards proposed for offenders listed in RCW 13.40.020(1) shall include a range of confinement which may not be less than thirty days. No standard range may include a period of confinement which includes both more than thirty, and thirty or less, days. Disposition standards proposed by the commission shall provide that in all cases where a youth is sentenced to a term of confinement in excess of thirty days the department may impose an additional period of parole not to exceed eighteen months. Standards of confinement which may be proposed may relate only to the length of the proposed terms and not to the nature of the security to be imposed. In developing proposed disposition standards between the effective date of this act and June 30, 1985, the commission shall consider the capacity of the state juvenile facilities and the projected impact of the proposed standards on that capacity through June 30, 1985.

(b) The secretary shall submit guidelines pertaining to the nature of the security to be imposed on youth placed in his or her custody based on the age, offense(s), and criminal history of the juvenile offender. Such guidelines shall be submitted to the legislature for its review no later than November 1st of each even-numbered year. At the same time the secretary shall submit a report on security at juvenile facilities during the preceding two-year period. The

report shall include the number of escapes from each juvenile facility, the most serious offense for which each escapee had been confined, the number and nature of offenses found to have been committed by juveniles while on escape status, the number of authorized leaves granted, the number of failures to comply with leave requirements, the number and nature of offenses committed while on leave, and the number and nature of offenses committed by juveniles while in the community on minimum security status; to the extent this information is available to the secretary. The department shall include security status definitions in the security guidelines it submits to the legislature pursuant to this section.

(2) If the commission fails to propose disposition standards as provided in this section, the existing standards shall remain in effect and may be adopted by the legislature or referred to the commission for modification as provided in subsection (3) of this section. If the standards are referred for modification, the provisions of subsection (4) shall be applicable.

(3) The legislature may adopt the proposed standards or refer the proposed standards to the commission for modification. If the legislature fails to adopt or refer the proposed standards to the commission by February 15th of the following year, the proposed standards shall take effect without legislative approval on July 1st of that year.

(4) If the legislature refers the proposed standards to the commission for modification on or before February 15th, the commission shall resubmit the proposed modifications to the legislature no later than March 1st. The legislature may adopt or modify the resubmitted proposed standards. If the legislature fails to adopt or modify the resubmitted proposed standards by April 1st, the resubmitted proposed standards shall take effect without legislative approval on July 1st of that year.

(5) In developing and promulgating the permissible ranges of confinement under this section the commission shall be subject to the following limitations:

(a) Where the maximum term in the range is ninety days or less, the minimum term in the range may be no less than fifty percent of the maximum term in the range;

(b) Where the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range may be no less than seventy-five percent of the maximum term in the range; and

(c) Where the maximum term in the range is more than one year, the minimum term in the range may be no less than eighty percent of the maximum term in the range.

Sec. 7, Section 57, chapter 291, Laws of 1977 ex. sess. as last amended by section 5, chapter 299, Laws of 1981 and RCW 13.40.020 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Serious offender' means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

(a) A class A felony, or an attempt to commit a class A felony;

(b) Manslaughter in the first degree or rape in the second degree; or

(c) Assault in the second degree, extortion in the first degree, indecent liberties, kidnaping in the second degree, robbery in the second degree, burglary in the second degree, or statutory rape in the second degree, where such offenses include the infliction of bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator is armed with a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense;

(3) 'Community supervision' means an order of disposition by the court of an adjudicated youth. A community supervision order for a single offense may be for a period of up to one year and include one or more of the following:

(a) A fine, not to exceed one hundred dollars;

(b) Community service not to exceed one hundred fifty hours of service;

(c) Attendance of information classes;

(d) Counseling; or

(e) Such other services to the extent funds are available for such services, conditions, or limitations as the court may require which may not include confinement;

(4) 'Confinement' means physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a facility operated by or pursuant to a contract with any county. Confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

(5) 'Court', when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(6) 'Criminal history' includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or



(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

(7) 'Department' means the department of social and health services;

(8) 'Diversion unit' means any probation counselor who enters into a diversion agreement with an alleged youthful offender or any other person or entity with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.04.040, as now or hereafter amended, or any person or entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter;

(9) 'Institution' means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(10) 'Juvenile,' 'youth,' and 'child' mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court;

(11) 'Juvenile offender' means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(12) 'Manifest injustice' means a disposition that would either impose an excessive penalty on the juvenile or ((a)) would impose a serious, and clear danger to society in light of the purposes of this chapter;

(13) 'Middle offender' means a person who has committed an offense and who is neither a minor or first offender nor a serious offender;

(14) 'Minor or first offender' means a person sixteen years of age or younger whose current offense(s) and criminal history fall entirely within one of the following categories:

(a) Four misdemeanors;

(b) Two misdemeanors and one gross misdemeanor;

(c) One misdemeanor and two gross misdemeanors;

(d) Three gross misdemeanors;

(e) One class C felony and one misdemeanor or gross misdemeanor;

(f) One class B felony except: Any felony which constitutes an attempt to commit a class A felony; manslaughter in the first degree; rape in the second degree; assault in the second degree; extortion in the first degree; indecent liberties; kidnapping in the second degree; robbery in the second degree; burglary in the second degree; ((or)) statutory rape in the second degree; vehicular homicide; or arson in the second degree.

For purposes of this definition, current violations shall be counted as misdemeanors;

(15) 'Offense' means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(16) 'Respondent' means a juvenile who is alleged or proven to have committed an offense;

(17) 'Restitution' means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, and lost wages resulting from physical injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(18) 'Secretary' means the secretary of the department of social and health services;

(19) 'Services' mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(20) 'Foster care' means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

(21) 'Violation' means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration.

Sec. 8. Section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 13, chapter 299, Laws of 1981 and RCW 13.40.160 are each amended to read as follows:

(1) When the respondent is found to be a serious offender, the court shall commit the offender to the department for the standard range of disposition for the offense.

If the court concludes, and enters reasons for its conclusion, that disposition within the standard range would effectuate a manifest injustice the court shall impose a disposition outside the standard range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

A disposition outside the standard range shall be determinate and shall be comprised of confinement or community supervision, or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030(5), as now or

hereafter amended, shall be used to determine the range. A disposition outside the standard range is appealable under RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition within the standard range is not appealable under RCW 13.40.230 as now or hereafter amended.

(2) Where the respondent is found to be a minor or first offender, the court shall order that the respondent serve a term of community supervision. If the court determines that a disposition of community supervision would effectuate a manifest injustice the court may impose another disposition. A disposition other than a community supervision may be imposed only after the court enters reasons upon which it bases its conclusions that imposition of community supervision would effectuate a manifest injustice. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030(5), as now or hereafter amended, shall be used to determine the range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

Any disposition other than community supervision may be appealed as provided in RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition of community supervision may not be appealed under RCW 13.40.230 as now or hereafter amended.

(3) Where a respondent is found to have committed an offense for which the respondent declined to enter into a diversion agreement, the court shall impose a term of community supervision limited to the conditions allowed in a diversion agreement as provided in RCW 13.40.080(2) as now or hereafter amended.

(4) If a respondent is found to be a middle offender:

(a) The court shall impose a determinate disposition within the standard range(s) for such offense: PROVIDED, That if the standard range includes a term of confinement exceeding thirty days, commitment shall be to the department for the standard range of confinement; or

(b) The court shall impose a determinate disposition of community supervision and/or up to thirty days confinement in which case, if confinement has been imposed, the court shall state either aggravating or mitigating factors as set forth in RCW 13.40.150 as now or hereafter amended.

(c) Only if the court concludes, and enters reasons for its conclusions, that disposition as provided in subsection (4) (a) or (b) of this section would effectuate a manifest injustice, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030(5), as now or hereafter amended, shall be used to determine the range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

(d) A disposition pursuant to subsection (4)(c) of this section is appealable under RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition pursuant to subsection (4) (a) or (b) of this section is not appealable under RCW 13.40.230 as now or hereafter amended.

(5) Whenever a juvenile offender is entitled to credit for time spent in detention prior to a dispositional order, the dispositional order shall specifically state the number of days of credit for time served.

(6) In its dispositional order, the court shall not suspend or defer the imposition or the execution of the disposition.

(7) In no case shall the term of confinement imposed by the court at disposition exceed that to which an adult could be subjected for the same offense.

Sec. 9. Section 73, chapter 291, Laws of 1977 ex. sess. as amended by section 69, chapter 155, Laws of 1979 and RCW 13.40.190 are each amended to read as follows:

(1) In its dispositional order, the court shall require the respondent to make restitution to any persons who have suffered loss or damage as a result of the offense committed by the respondent. In addition, restitution may be ordered for loss or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which, pursuant to a plea agreement, are not prosecuted. The payment of restitution shall be in addition to any punishment which is imposed pursuant to the other provisions of this chapter. The court may determine the amount, terms, and conditions of the restitution. If the respondent participated in the crime with another person or other persons, all such participants shall be jointly and severally responsible for the payment of restitution. The court may not require the respondent to pay full or partial restitution if the respondent reasonably satisfies the court that he or she does not have the means to make full or partial restitution and could not reasonably acquire the means to pay such restitution. In cases where an offender has been committed to the department for a period of confinement exceeding fifteen weeks, restitution may be waived.

(2) A respondent under obligation to pay restitution may petition the court for modification of the restitution order.

NEW SECTION. Sec. 10. There is added to chapter 13.40 RCW a new section to read as follows:

(1) A juvenile sentenced to a term of confinement to be served under the supervision of the department shall not be released from the physical custody of the department prior to the release date established under RCW 13.40.210 except as otherwise provided in this section.

(2) A juvenile serving a term of confinement under the supervision of the department may be released on authorized leave from the physical custody of the department only if consistent with public safety and if:

(a) Sixty percent of the minimum term of confinement has been served; and

(b) The purpose of the leave is to enable the juvenile:

(i) To visit the juvenile's family for the purpose of strengthening or preserving family relationships;

(ii) To make plans for parole or release which require the juvenile's personal appearance in the community and which will facilitate the juvenile's reintegration into the community; or

(iii) To make plans for a residential placement out of the juvenile's home which requires the juvenile's personal appearance in the community.

(3) No authorized leave may exceed seven consecutive days. The total of all pre-minimum term authorized leaves granted to a juvenile prior to final discharge from confinement shall not exceed thirty days.

(4) Prior to authorizing a leave, the secretary shall require a written leave plan, which shall detail the purpose of the leave and how it is to be achieved, the address at which the juvenile shall reside, the identity of the person responsible for supervising the juvenile during the leave, and a statement by such person acknowledging familiarity with the leave plan and agreeing to supervise the juvenile and to notify the secretary immediately if the juvenile violates any terms or conditions of the leave. The leave plan shall include such terms and conditions as the secretary deems appropriate and shall be signed by the juvenile.

(5) Upon authorizing a leave, the secretary shall issue to the juvenile an authorized leave order which shall contain the name of the juvenile, the fact that the juvenile is on leave from a designated facility, the time period of the leave, and the identity of an appropriate official of the department to contact when necessary. The authorized leave order shall be carried by the juvenile at all times while on leave.

(6) Prior to the commencement of any authorized leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will reside during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave.

(7) The secretary may authorize a leave, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the period of time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. In cases of emergency or medical leave the secretary may waive all or any portions of subsections (2)(a), (3), (4), (5), and (6) of this section.

(8) If requested by the juvenile's victim or the victim's immediate family prior to confinement, the secretary shall give notice of any leave to the victim or the victim's immediate family.

(9) A juvenile who violates any condition of an authorized leave plan may be taken into custody and returned to the department in the same manner as an adult in identical circumstances.

(10) Notwithstanding the provisions of this section, a juvenile placed in minimum security status may participate in work, educational, community service, or treatment programs in the community up to twelve hours a day if approved by the secretary. Such a release shall not be deemed a leave of absence.

Sec. 11. Section 75, chapter 291, Laws of 1977 ex. sess. as amended by section 71, chapter 155, Laws of 1979 and RCW 13.40.210 are each amended to read as follows:

(1) The secretary shall, except in the case of a juvenile committed by a court to a term of confinement in a state institution outside the appropriate standard range for the offense(s) for which the juvenile was found to be guilty established pursuant to RCW 13.40.030, as now or hereafter amended, set a release or discharge date for each juvenile committed to its custody which shall be within the prescribed range to which a juvenile has been committed. Such dates shall be determined prior to the expiration of sixty percent of a juvenile's minimum term of confinement included within the prescribed range to which the juvenile has been committed. The secretary shall release any juvenile committed to the custody of the department within four calendar days prior to the juvenile's release date or on the release date set under this chapter: PROVIDED, That days spent in the custody of the department shall be tolled by any period of time during which a juvenile has absented himself or herself from the department's supervision without the prior approval of the secretary or the secretary's designee.

(2) The secretary shall monitor the average daily population of the state's juvenile residential facilities. When the secretary concludes that in-residence population of residential facilities exceeds one hundred five percent of the rated bed capacity specified in statute, or in absence of such specification, as specified by the department in rule, the secretary may, until

June 30, 1985, recommend reductions to the governor. On certification by the governor that the recommended reductions are necessary, the secretary may have temporary authority until June 30, 1985, to administratively release a sufficient number of offenders to reduce in-residence population to one hundred percent of rated bed capacity. The secretary shall release those offenders who have served the greatest proportion of their sentence. However, the secretary may deny release in a particular case at the request of an offender, or if the secretary finds that there is no responsible custodian, as determined by the department, to whom to release the offender, or if the release of the offender would pose a clear danger to society. The department shall notify the committing court of the release. In no event shall a serious offender, as defined in RCW 13.40.020(1) be granted release under the provisions of this subsection.

(3) Following the juvenile's release pursuant to subsection (1) of this section, the secretary may require the juvenile to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months. Such a parole program shall be mandatory for offenders released under subsection (2) of this section. The secretary shall, for the period of parole, facilitate the juvenile's reintegration into his or her community and to further this goal may require the juvenile to: (a) Undergo available medical or psychiatric treatment; (b) report as directed to a parole officer; (c) pursue a course of study or vocational training; (d) remain within prescribed geographical boundaries and notify the department of any change in his or her address; and (e) refrain from committing new offenses. After termination of the parole period, the juvenile shall be discharged from the department's supervision.

~~((3))~~ (4) The department may also modify parole for violation thereof. If, after affording a juvenile all of the due process rights to which he or she would be entitled if the juvenile were an adult, the secretary finds that a juvenile has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (a) Continued supervision under the same conditions previously imposed; (b) intensified supervision with increased reporting requirements; (c) additional conditions of supervision authorized by this chapter; and (d) imposition of a period of confinement not to exceed thirty days in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days or weeks spent under supervision.

~~((4))~~ (5) A parole officer of the department of social and health services shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest such person.

Sec. 12. Section 72.05.130, chapter 28, Laws of 1959 as last amended by section 8, chapter 217, Laws of 1979 ex. sess. 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 RCW 28A.58.772 through 28A.58.776, 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 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 them 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. When the secretary determines it necessary, the secretary may create waiting lists and set priorities for use of diagnostic services for juvenile offenders on the basis of those most severely in need.

(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.

**NEW SECTION.** Sec. 13. Section 6, chapter 165, Laws of 1969 ex. sess., section 16, chapter 141, Laws of 1979, section 1, chapter 60, Laws of 1981 and RCW 13.06.060 are each repealed.

Sec. 14. Section 3, chapter 160, Laws of 1913 as last amended by section 6, chapter 155, Laws of 1979 and RCW 13.04.040 are each amended to read as follows:

The administrator shall, in any county or judicial district in the state, appoint or designate one or more persons of good character to serve as probation counselors during the pleasure of the administrator. The probation counselor shall:

(1) Receive and examine referrals to the juvenile court for the purpose of considering the filing of a petition or information pursuant to RCW 13.34.040, 13.34.180, and 13.40.070 as now or hereafter amended, and RCW 13.32A.150;

(2) Make recommendations to the court regarding the need for continued detention or shelter care of a child unless otherwise provided in this title;

(3) Arrange and supervise diversion agreements as provided in RCW 13.40.080, as now or hereafter amended, and ensure that the requirements of such agreements are met except as otherwise provided in this title;

(4) Prepare predisposition studies as required in RCW 13.34.120 and 13.40.130, as now or hereafter amended, and be present at the disposition hearing to respond to questions regarding the predisposition study: PROVIDED, That such duties shall be performed by the department of social and health services for cases relating to dependency or to the termination of a parent and child relationship which is filed by the department of social and health services unless otherwise ordered by the court; and

(5) Supervise court orders of disposition to ensure that all requirements of the order are met.

All probation counselors shall possess all the powers conferred upon sheriffs and police officers to serve process and make arrests of juveniles under their supervision for the violation of any state law or county or city ordinance.

The administrator may, in any county or judicial district in the state, appoint one or more persons who shall have charge of detention rooms or houses of detention.

The probation counselors and persons appointed to have charge of detention facilities shall each receive compensation which shall be fixed by the legislative authority of the county, or in cases of joint counties, judicial districts of more than one county, or joint judicial districts such sums as shall be agreed upon by the legislative authorities of the counties affected, and such persons shall be paid as other county officers are paid.

The administrator is hereby authorized, and to the extent possible is encouraged to, contract with private agencies existing within the community for the provision of services to youthful offenders and youth who have entered into diversion agreements pursuant to RCW 13.40.080, as now or hereafter amended.

The administrator shall establish procedures for the collection of fines assessed under RCW 13.40.080 (2)(d) and (13) and for the payment of the fines into the county general fund.

Sec. 15. Section 74, chapter 291, Laws of 1977 ex. sess. as amended by section 70, chapter 155, Laws of 1979 and RCW 13.40.200 are each amended to read as follows:

(1) When a respondent fails to comply with an order of restitution, community supervision, penalty assessments, or confinement of less than thirty days, the court upon motion of the prosecutor or its own motion, may modify the order after a hearing on the violation.

(2) The hearing shall afford the respondent the same due process of law as would be afforded an adult probationer. The court may issue a summons or a warrant to compel the respondent's appearance. The state shall have the burden of proving by a preponderance of the evidence the fact of the violation. The respondent shall have the burden of showing that the violation was not a (~~willful~~) wilful refusal to comply with the terms of the order. If a respondent has failed to pay a fine, penalty assessments, or restitution or to perform community service hours, as required by the court, it shall be the respondent's burden to show that he or she did not have the means and could not reasonably have acquired the means to pay the fine, penalty assessments, or restitution or perform community service.

(3) (a) If the court finds that a respondent has wilfully violated the terms of an order pursuant to subsections (1) and (2) of this section, it may impose a penalty of up to thirty days confinement.

(b) If the violation of the terms of the order under (a) of this subsection is failure to pay fines, penalty assessments, complete community service, or make restitution, the term of confinement imposed under (a) of this subsection shall be assessed at a rate of one day of confinement for each twenty-five dollars or eight hours owed.

(4) If a respondent has been ordered to pay a fine or monetary penalty and due to a change of circumstance cannot reasonably comply with the order, the court, upon motion of the respondent, may order that the unpaid fine or monetary penalty be converted to community service. The number of hours of community service in lieu of a monetary penalty or fine shall be converted at the rate of the prevailing state minimum wage per hour. The monetary penalties or fines collected shall be deposited in the county general fund. A failure to comply with an order under this subsection shall be deemed a failure to comply with an order of community supervision and may be proceeded against as provided in this section.

Sec. 16. Section 62, chapter 291, Laws of 1977 ex. sess. as last amended by section 8, chapter 299, Laws of 1981 and RCW 13.40.080 are each amended to read as follows:

(1) A diversion agreement shall be a contract between a juvenile accused of an offense and a diversionary unit whereby the juvenile agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor, or probation counselor pursuant to this chapter, has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it.

(2) A diversion agreement shall be limited to:

(a) Community service not to exceed one hundred fifty hours, not to be performed during school hours if the juvenile is attending school;

(b) Restitution limited to the amount of actual loss incurred by the victim, and to an amount the juvenile has the means or potential means to pay; ~~((and))~~

(c) Attendance at up to two hours of counseling and/or up to ten hours of educational or informational sessions at a community agency: PROVIDED, That the state shall not be liable for costs resulting from the diversionary unit exercising the option to permit diversion agreements to mandate attendance at up to two hours of counseling and/or up to ten hours of educational or informational sessions; and

(d) A fine, not to exceed one hundred dollars. In determining the amount of the fine, the diversion unit shall consider only the juvenile's financial resources and whether the juvenile has the means to pay the fine. The diversion unit shall not consider the financial resources of the juvenile's parents, guardian, or custodian in determining the fine to be imposed.

(3) In assessing periods of community service to be performed and restitution to be paid by a juvenile who has entered into a diversion agreement, the court officer to whom this task is assigned shall to the extent possible involve members of the community. Such members of the community shall meet with the juvenile and advise the court officer as to the terms of the diversion agreement and shall supervise the juvenile in carrying out its terms.

(4) A diversion agreement may not exceed a period of six months for a misdemeanor or gross misdemeanor or one year for a felony and may include a period extending beyond the eighteenth birthday of the diveree. Any restitution assessed during its term may not exceed an amount which the juvenile could be reasonably expected to pay during this period. If additional time is necessary for the juvenile to complete restitution to the victim, the time period limitations of this subsection may be extended by an additional six months.

(5) The juvenile shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(6) Divertees and potential divertees shall be afforded due process in all contacts with a diversionary unit regardless of whether the juveniles are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) Violation of the terms of the agreement shall be the only grounds for termination;

(c) No diveree may be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the diveree;

(d) The hearing shall be conducted by the juvenile court and shall include:

(i) Opportunity to be heard in person and to present evidence;

(ii) The right to confront and cross-examine all adverse witnesses;

(iii) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(iv) Demonstration by evidence that the diveree has substantially violated the terms of his or her diversion agreement.

(e) The prosecutor may file an information on the offense for which the diveree was diverted:

(i) In juvenile court if the diveree is under eighteen years of age; or

(ii) In superior court or the appropriate court of limited jurisdiction if the diveree is eighteen years of age or older.

(7) The diversion unit shall be responsible for advising a diveree of his or her rights as provided in this chapter.

(8) The right to counsel shall inure prior to the initial interview for purposes of advising the juvenile as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The juvenile may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The juvenile shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews mean all interviews regarding the diversion agreement process.

The juvenile shall be advised that a diversion agreement shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020(6) as now or hereafter amended. A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the diversionary unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

(9) When a juvenile enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

- (a) The fact that a charge or charges were made;
- (b) The fact that a diversion agreement was entered into;
- (c) The juvenile's obligations under such agreement;
- (d) Whether the alleged offender performed his or her obligations under such agreement;

and

- (e) The facts of the alleged offense.

(10) A diversionary unit may refuse to enter into a diversion agreement with a juvenile. It shall immediately refer such juvenile to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversionary unit shall also immediately refer the case to the prosecuting attorney for action if such juvenile (~~fails to make restitution or perform community service as required by~~) violates the terms of the diversion agreement.

(11) A diversionary unit may, in instances where it determines that the act or omission of an act for which a juvenile has been referred to it involved no victim, or where it determines that the juvenile referred to it has no prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a juvenile without entering into a diversion agreement: PROVIDED, That any juvenile so handled shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020(6) as now or hereafter amended. A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the unit, and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language: PROVIDED FURTHER, That a juvenile determined to be eligible by a diversionary unit for such release shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other juvenile referred to the unit.

(12) A diversion unit may supervise the fulfillment of a diversion agreement entered into before the juvenile's eighteenth birthday and which includes a period extending beyond the diveree's eighteenth birthday.

(13) If a fine required by a diversion agreement cannot reasonably be paid due to a change of circumstance, the diversion agreement may be modified at the request of the diveree and with the concurrence of the diversion unit to convert an unpaid fine into community service. The modification of the diversion agreement shall be in writing and signed by the diveree and the diversion unit. The number of hours of community service in lieu of a monetary penalty shall be converted at the rate of the prevailing state minimum wage per hour.

(14) Fines imposed under this section shall be collected and paid into the county general fund in accordance with procedures established by the juvenile court administrator under RCW 13.04.040 and may be used only for juvenile services. In the expenditure of funds for juvenile services, there shall be a maintenance of effort whereby counties exhaust existing resources before using amounts collected under this section.

(15) The authority to impose and collect fines under this section shall terminate on June 30, 1985.

Sec. 17. Section 1, chapter 170, Laws of 1975 1st ex. sess. as last amended by section 17, chapter 299, Laws of 1981 and RCW 13.40.300 are each amended to read as follows:

(1) In no case may a juvenile offender be committed by the juvenile court to the department of social and health services for placement in a juvenile correctional institution beyond the juvenile offender's twenty-first birthday. A juvenile may be under the jurisdiction of the juvenile court or the authority of the department of social and health services beyond the juvenile's eighteenth birthday only if prior to the juvenile's eighteenth birthday:

(a) The juvenile court has committed the juvenile offender to the department of social and health services for a sentence consisting of the standard range of disposition for the offense and the sentence includes a period beyond the juvenile offender's eighteenth birthday; or

(b) The juvenile court has committed the juvenile offender to the department of social and health services for a sentence outside the standard range of disposition for the offense and the sentence includes a period beyond the juvenile's eighteenth birthday and the court by written order setting forth its reasons extends jurisdiction of juvenile court over the juvenile offender for that period; or

(c) Proceedings are pending seeking the adjudication of a juvenile offense or seeking a disposition order or the enforcement of such an order and the court by written order setting forth its reasons extends jurisdiction of juvenile court over the juvenile beyond his or her eighteenth birthday.

(2) If the juvenile court previously has extended jurisdiction beyond the juvenile offender's eighteenth birthday and that period of extension has not expired, the court may further extend jurisdiction by written order setting forth its reasons.

(3) In no event may the juvenile court have authority to extend jurisdiction over any juvenile offender beyond the juvenile offender's twenty-first birthday.

~~((3))~~ (4) Notwithstanding any extension of jurisdiction over a person pursuant to this section, the juvenile court has no jurisdiction over any offenses alleged to have been committed by a person eighteen years of age or older.

Sec. 18. Section 61, chapter 291, Laws of 1977 ex. sess. as last amended by section 7, chapter 299, Laws of 1981 and RCW 13.40.070 are each amended to read as follows:

(1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsections (1) (a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections ~~((4-))~~ (5) ~~((and))~~, (6), and (7) of this section. If the prosecutor neither files nor diverts the case, he shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify community supervision where such offense constitutes a violation of community supervision.

~~((3))~~ (4) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

~~((4))~~ (5) Where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if:

(a) An alleged offender is accused of a class A felony, a class B felony, an attempt to commit a class B felony, assault in the third degree, rape in the third degree, or any other offense listed in RCW 13.40.020(1) (b) or (c); or

(b) An alleged offender is accused of a felony and has a criminal history of at least one class A or class B felony, or two class C felonies, or at least two gross misdemeanors, or at least two misdemeanors and one additional misdemeanor or gross misdemeanor, or at least one class C felony and one misdemeanor or gross misdemeanor; or

(c) An alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion.

~~((5))~~ (6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense(s) in combination with the alleged offender's criminal history do not exceed three offenses or violations and do not include any felonies: PROVIDED, That if the alleged offender is charged with a related offense that must or may be filed under subsections ~~((4))~~ (5) and ~~((6))~~ (7) of this section, a case under this subsection may also be filed.

~~((6))~~ (7) Where a case is legally sufficient and falls into neither subsection ~~((4))~~ (5) nor ~~((5))~~ (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor shall be guided only by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

~~((7))~~ (8) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversionary interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile.

~~((8))~~ (9) The responsibilities of the prosecutor under subsections (1) through ~~((7))~~ (8) of this section may be performed by a juvenile court probation counselor for any complaint referred



to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

Sec. 19. Section 9, chapter 155, Laws of 1979 as amended by section 19, chapter 299, Laws of 1981 and RCW 13.50.050 are each amended to read as follows:

(1) This section governs records relating to the commission of juvenile offenses, including records relating to diversions.

(2) The official juvenile court file of any alleged or proven juvenile offender shall be open to public inspection, unless sealed pursuant to subsection (11) of this section.

(3) All records other than the official juvenile court file are confidential and may be released only as provided in this section and RCW 13.50.010.

(4) Except as otherwise provided in this section and RCW 13.50.010, records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility for supervising the juvenile.

(5) Information not in an official juvenile court file concerning a juvenile or a juvenile's family may be released to the public only when that information could not reasonably be expected to identify the juvenile or the juvenile's family.

(6) Notwithstanding any other provision of this chapter, the release, to the juvenile or his or her attorney, of law enforcement and prosecuting attorneys' records pertaining to investigation, diversion, and prosecution of juvenile offenses shall be governed by the rules of discovery and other rules of law applicable in adult criminal investigations and prosecutions.

(7) The juvenile court and the prosecutor may set up and maintain a central record-keeping system which may receive information on all alleged juvenile offenders against whom a complaint has been filed pursuant to RCW 13.40.070 whether or not their cases are currently pending before the court. The central record-keeping system may be computerized. If a complaint has been referred to a diversion unit, the diversion unit shall promptly report to the juvenile court or the prosecuting attorney when the juvenile has agreed to diversion. An offense shall not be reported as criminal history in any central record-keeping system without notification by the diversion unit of the date on which the offender agreed to diversion.

(8) Upon request of the victim of a crime or the victim's immediate family, the identity of an alleged or proven juvenile offender alleged or found to have committed a crime against the victim and the identity of the alleged or proven juvenile offender's parent, guardian, or custodian and the circumstance of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.

(9) Subject to the rules of discovery applicable in adult criminal prosecutions, the juvenile offense records of an adult criminal defendant or witness in an adult criminal proceeding may be released to prosecution and defense counsel after a charge has actually been filed. The juvenile offense records of any adult convicted of a crime and placed under the supervision of the adult corrections system may be released to the adult corrections system.

(10) In any case in which an information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and order the sealing of the official juvenile court file, the social file, and records of the court and of any other agency in the case.

(11) The court shall grant the motion to seal records made pursuant to subsection (10) of this section if it finds that:

(a) Two years have elapsed from the later of: (i) Final discharge of the person from the supervision of any agency charged with supervising juvenile offenders; or (ii) from the entry of a court order relating to the commission of a juvenile offense or a criminal offense;

(b) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense; and

(c) No proceeding is pending seeking the formation of a diversion agreement with that person.

(12) The person making a motion pursuant to subsection (10) of this section shall give reasonable notice of the motion to the prosecution and to any person or agency whose files are sought to be sealed.

(13) If the court grants the motion to seal made pursuant to subsection (10) of this section, it shall order sealed the official juvenile court file, the social file, and other records relating to the case as are named in the order. Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(14) Inspection of the files and records included in the order to seal may thereafter be permitted only by order of the court upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8).

(15) Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying the sealing order.

(16) In any case in which an information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person who is the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and order the destruction of the official juvenile court file, the social file, and records of the court and of any other agency in the case.

(17) The court may grant the motion to destroy records made pursuant to subsection (16) of this section if it finds:

(a) The person making the motion is at least twenty-three years of age;

(b) The person has not subsequently been convicted of a felony;

(c) No proceeding is pending against that person seeking the conviction of a criminal offense; and

(d) The person has never been found guilty of a serious offense.

(18) A person eighteen years of age or older whose criminal history consists of only one referral for diversion may request that the court order the records in that case destroyed. The request shall be granted if the court finds that two years have elapsed since completion of the diversion agreement.

(19) If the court grants the motion to destroy records made pursuant to subsection (16) or (18) of this section, it shall order the official juvenile court file, the social file, and any other records named in the order to be destroyed.

(20) The person making the motion pursuant to subsection (16) or (18) of this section shall give reasonable notice of the motion to the prosecuting attorney and to any agency whose records are sought to be destroyed.

(21) Any juvenile to whom the provisions of this section may apply shall be given written notice of his or her rights under this section at the time of his or her disposition hearing or during the diversion process.

(22) Nothing in this section may be construed to prevent a crime victim or a member of the victim's family from divulging the identity of the alleged or proven juvenile offender or his or her family when necessary in a civil proceeding.

(23) Any juvenile justice or care agency may, subject to the limitations in subparagraphs (a) and (b) of this subsection, develop procedures for the routine destruction of records relating to juvenile offenses and diversions.

(a) Records may be routinely destroyed only when the person the subject of the information or complaint has attained twenty-three years of age or older, or is eighteen years of age or older and his or her criminal history consists entirely of one diversion agreement and two years have passed since completion of the agreement.

(b) The court may not routinely destroy the official juvenile court file or recordings or transcripts of any proceedings.

Sec. 20. Section 10, chapter 155, Laws of 1979 and RCW 13.50.100 are each amended to read as follows:

(1) This section governs records not covered by RCW 13.50.050.

(2) Records covered by this section shall be confidential and shall be released only pursuant to this section and RCW 13.50.010.

(3) Records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility of supervising the juvenile. Records covered under this section and maintained by the juvenile courts which relate to the official actions of the agency may be entered in the state-wide juvenile court information system.

(4) A juvenile, his or her parents, the juvenile's attorney and the juvenile's parent's attorney, shall, upon request, be given access to all records and information collected or retained by a juvenile justice or care agency which pertain to the juvenile except:

(a) If it is determined by the agency that release of this information is likely to cause severe psychological or physical harm to the juvenile or his or her parents the agency may withhold the information subject to other order of the court: PROVIDED, That if the court determines that limited release of the information is appropriate, the court may specify terms and conditions for the release of the information; or

(b) If the information or record has been obtained by a juvenile justice or care agency in connection with the provision of counseling, psychological, psychiatric, or medical services to the juvenile, and the juvenile has a legal right to receive those services without the consent of any person or agency, then the information or record may not be disclosed to the juvenile's parents without the informed consent of the juvenile.

(5) A juvenile or his or her parent denied access to any records following an agency determination under subsection (4) of this section may file a motion in juvenile court requesting access to the records. The court shall grant the motion unless it finds access may not be permitted according to the standards found in subsections (4) (a) and (b) of this section.

(6) The person making a motion under subsection (5) of this section shall give reasonable notice of the motion to all parties to the original action and to any agency whose records will be affected by the motion.

(7) Subject to the rules of discovery in civil cases, any party to a proceeding seeking a declaration of dependency or a termination of the parent-child relationship and any party's counsel and the guardian ad litem of any party, shall have access to the records of any natural or adoptive child of the parent, subject to the limitations in subsection (4) of this section.

(8) Information concerning a juvenile or a juvenile's family contained in records covered by this section may be released to the public only when that information could not reasonably be expected to identify the juvenile or the juvenile's family.

NEW SECTION. Sec. 21. Section 7, chapter 214, Laws of 1959, section 203, chapter 141, Laws of 1979, section 94, chapter 136, Laws of 1981 and RCW 72.13.070 are each repealed.

NEW SECTION. Sec. 22. There is added to chapter 13.40 RCW a new section to read as follows:

(1) Notwithstanding the provisions of RCW 13.04.115, the secretary, with the consent of the secretary of the department of corrections, has the authority to transfer a juvenile presently or hereafter committed to the department of social and health services to the department of corrections for appropriate institutional placement in accordance with this section.

(2) The secretary of the department of social and health services may, with the consent of the secretary of the department of corrections, transfer a juvenile offender to the department of corrections if it is established at a hearing before a review board that continued placement of the juvenile offender in an institution for juvenile offenders presents a continuing and serious threat to the safety of others in the institution. The department of social and health services shall establish rules for the conduct of the hearing, including provision of counsel for the juvenile offender.

(3) A juvenile offender transferred to an institution operated by the department of corrections shall not remain in such an institution beyond the maximum term of confinement imposed by the juvenile court.

(4) A juvenile offender who has been transferred to the department of corrections under this section may, in the discretion of the secretary of the department of social and health services and with the consent of the secretary of the department of corrections, be transferred from an institution operated by the department of corrections to a facility for juvenile offenders deemed appropriate by the secretary.

NEW SECTION. Sec. 23. There is added to chapter 13.40 RCW a new section to read as follows:

A juvenile offender ordered to serve a term of confinement with the department of social and health services who is subsequently sentenced to the department of corrections may, with the consent of the department of corrections, be transferred by the secretary of social and health services to the department of corrections to serve the balance of the term of confinement ordered by the juvenile court. The juvenile and adult sentences shall be served consecutively. In no case shall the secretary credit time served as a result of an adult conviction against the term of confinement ordered by the juvenile court.

NEW SECTION. Sec. 24. Section 1 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."

On page 1, line 1 of the title, strike everything after "justice;" through "emergency;" on line 12 and insert "amending section 1, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.010; amending section 2, chapter 165, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1979 and RCW 13.06.020; amending section 3, chapter 165, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1979 and RCW 13.06.030; amending section 4, chapter 165, Laws of 1969 ex. sess. as amended by section 15, chapter 141, Laws of 1979 and RCW 13.06.040; amending section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 9, chapter 151, Laws of 1979 and RCW 13.06.050; amending section 57, chapter 291, Laws of 1977 ex. sess. as last amended by section 5, chapter 299, Laws of 1981 and RCW 13.40.030; amending section 57, chapter 291, Laws of 1977 ex. sess. as last amended by section 5, chapter 299, Laws of 1981 and RCW 13.40.020; amending section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 13, chapter 299, Laws of 1981 and RCW 13.40.160; amending section 73, chapter 291, Laws of 1977 ex. sess. as amended by section 69, chapter 155, Laws of 1979 and RCW 13.40.190; amending section 75, chapter 291, Laws of 1977 ex. sess. as amended by section 71, chapter 155, Laws of 1979 and RCW 13.40.210; amending section 72.05.130, chapter 28, Laws of 1959 as last amended by section 8, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.130; amending section 3, chapter 160, Laws of 1913 as last amended by section 6, chapter 155, Laws of 1979 and RCW 13.04.040; amending section 74, chapter 291, Laws of 1977 ex. sess. as amended by section 70, chapter 155, Laws of 1979 and RCW 13.40.200; amending section 62, chapter 291, Laws of 1977 ex. sess. as last amended by section 8, chapter 299, Laws of 1981 and RCW 13.40.080; amending section 1, chapter 170, Laws of 1975 1st ex. sess. as last amended by section 17, chapter 299, Laws of 1981 and RCW 13.40.300; amending section 61, chapter 291, Laws of 1977 ex. sess. as last amended by section 7, chapter 299, Laws

of 1981 and RCW 13.40.070; amending section 9, chapter 155, Laws of 1979 as amended by section 19, chapter 299, Laws of 1981 and RCW 13.50.050; amending section 10, chapter 155, Laws of 1979 and RCW 13.50.100; adding new sections to chapter 13.40 RCW; repealing section 6, chapter 165, Laws of 1969 ex. sess., section 16, chapter 141, Laws of 1979, section 1, chapter 60, Laws of 1981 and RCW 13.06.060; repealing section 7, chapter 214, Laws of 1959, section 203, chapter 141, Laws of 1979, section 94, chapter 136, Laws of 1981 and RCW 72.13.070; prescribing penalties; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kreidler moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 431.

Representatives Kreidler and Lewis spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 431 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 431 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 19; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Smitherman, Sommers, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Addison, Cantu, Chandler, Clayton, Dickie, Ebersole, Fuhrman, Garrett, McDonald, Padden, Sanders, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, West - 19.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 431 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 433 with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature reaffirms its declarations under RCW 13.34.020 that the family unit is the fundamental resource of American life which should be nurtured and that the family unit should remain intact in the absence of compelling evidence to the contrary. The legislature declares that the goal of serving emotionally disturbed and mentally ill children, potentially dependent children, and families-in-conflict in their own homes to avoid out-of-home placement of the child, when that form of care is premature, unnecessary, or inappropriate, is a high priority of this state.

**NEW SECTION.** Sec. 2. The department of social and health services shall address the needs of emotionally disturbed and mentally ill children, potentially dependent children, and families-in-conflict by:

(1) Serving children and families as a unit in the least restrictive setting available and in close proximity to the family home, consistent with the best interests and special needs of the child;

(2) Ensuring that appropriate social and health services are provided to the family unit both prior to the removal of a child from the home and after family reunification;

(3) Developing and implementing comprehensive, preventive, and early intervention social and health services which have demonstrated the ability to delay or reduce the need for out-of-home placements and ameliorate problems before they become chronic or severe;

(4) Developing coordinated social and health services which:

- (a) Identify problems experienced by children and their families early and provide services which are adequate in availability, appropriate to the situation, and effective;
- (b) Seek to bring about meaningful change before family situations become irreversibly destructive and before disturbed psychological behavioral patterns and health problems become severe or permanent;
- (c) Serve children and families in their own homes thus preventing unnecessary out-of-home placement or institutionalization;
- (d) Focus resources on social and health problems as they begin to manifest themselves rather than waiting for chronic and severe patterns of illness, criminality, and dependency to develop which require long-term treatment, maintenance, or custody;
- (e) Reduce duplication of and gaps in service delivery;
- (f) Improve planning, budgeting, and communication among all units of the department serving children and families; and
- (g) Develop outcome standards for measuring the effectiveness of social and health services for children and families.

NEW SECTION. Sec. 3. The department shall address the needs of juvenile offenders whose standard range sentences do not include commitment by developing nonresidential community-based programs designed to reduce the incidence of manifest injustice commitments when consistent with public safety.

NEW SECTION. Sec. 4. The department shall involve a juvenile offender's family as a unit in the treatment process. The department need not involve the family as a unit in cases when family ties have by necessity been irrevocably broken. When the natural parents have been or will be replaced by a foster family or guardian, the new family will be involved in the treatment process.

NEW SECTION. Sec. 5. The department shall develop a plan in cooperation with an advisory committee of community representatives appointed by the secretary for the implementation of sections 2 through 4 of this act for submission to the appropriate committees of the house of representatives and the senate by November 15, 1983. The plan shall include:

- (1) Policies and procedures for the coordinated and cooperative functioning of all units of the department serving children and families which eliminate duplications, inconsistencies, and conflicting rules;
- (2) Policies and procedures for the coordinated and cooperative functioning of the department with agencies of local government, schools, courts, and the private sector;
- (3) An evaluation of the desirability and feasibility of locating out-of-home placements, treatment programs, and institutions in close geographical proximity to the area or residence of the child and the family;
- (4) Priorities for all departmental units serving children and families;
- (5) Training initiatives directed toward all departmental units and contractors serving children and families;
- (6) Policies and procedures which address the appropriate role of the department of social and health services in fostering services which address the special needs of parents and their young children. The policies and procedures shall pay attention to the unique needs of culturally diverse groups;
- (7) Policies and procedures designed to ensure coordination between all departmental units serving children and families and the public schools;
- (8) Policies for the evaluation, treatment, and referral of children and families by all departmental units serving children and families;
- (9) Procedures for all departmental units serving children and families to use in identifying and meeting the needs of children and families at the local level;
- (10) Changes which may be necessary in statutes to permit the full implementation of sections 2 through 4 of this act;
- (11) An evaluation of whether the existing organizational structure of the department will permit the full implementation of sections 2 through 4 of this act or whether an alternative organizational structure is more appropriate;
- (12) Outcome standards which can be used to measure the effectiveness of social and health service programs; and
- (13) Procedures for the establishment of local volunteer oversight groups within each department service area. The oversight group shall be comprised of parents, professionals in the field of children and family services not employed by the department, local government employees in law enforcement or children and family services, and members of other nonprofit organizations participating in children and family services activities.

NEW SECTION. Sec. 6. This act may be known and cited as the "children and family services act."

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. Sections 2 through 4 of this act shall take effect January 1, 1984.

NEW SECTION. Sec. 9. Sections 1 through 4 of this act shall constitute a new chapter in Title 74 RCW."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "adding a new chapter to Title 74 RCW; creating new sections; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kreidler moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 433.

Representatives Kreidler and Lewis spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 433 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 433 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed Substitute 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.

#### SENATE AMENDMENTS TO HOUSE BILL

April 20, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 452 with the following amendments:

On page 4, line 31 after "Annually" strike "inform" and insert "make recommendations to"

On page 4, line 32 after "legislature" strike "of" and insert "on"

On page 4, line 35 after "Advise" insert "and make recommendations to"

On page 10, after line 26, insert the following:

NEW SECTION. Sec. 27. (1) All classified civil service employees employed on the effective date of this section by the commission for the blind engaged in duties pertaining to functions transferred to the department of social and health services by section 26 of this act shall be assigned and transferred to the department of social and health services and shall retain their permanent or probationary status together with all rights, privileges, and immunities attaching thereto.

(2) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the commission for the blind and pertaining to the powers, functions, and duties transferred by section 26 of this act shall be delivered to the custody of the department of social and health services. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the commission for the blind in carrying out the powers, functions, and duties transferred by section 26 of this act shall be made available to the department of social and health services. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred by section 26 of this act shall be assigned to the department of social and health services.

Any appropriations made to the commission for the blind for carrying out the powers, functions, and duties transferred by section 26 of this act shall, on the effective date of this act, be transferred and credited to the department of social and health services.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All rules and all pending business before the commission for the blind pertaining to the powers, functions, and duties transferred by section 26 of this act shall be continued and acted upon by the department of social and health services. All existing contracts and obligations shall remain in full force and shall be performed by the department of social and health services.

(4) The transfer of the powers, duties, functions, and personnel of the commission for the blind shall not affect the validity of any act performed by such employee prior to the effective date of this act.

(5) If apportionments of budgeted funds are required because of the transfers directed by subsections (2) through (4) of this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(6) Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 12, after line 29, strike everything down to and including "immediately." and insert the following:

"NEW SECTION, Sec. 32. 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. Section 27 of this act which transfers functions from the commission for the blind to the department of social and health services and section 26 of this act shall take effect immediately. All other sections of this act shall take effect June 30, 1983."

On page 2, line 14 of the title, after "74.17.040," insert "providing effective dates:" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kreidler moved that the House do concur in the Senate amendments to Substitute House Bill No. 452.

Representatives Kreidler, Lewis and Stratton spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 452 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 452 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Galloway - 1.

Excused: Representative Bond - 1.

Substitute House Bill No. 452 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 15, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 463 with the following amendment:

On page 1, beginning on line 7 of the engrossed bill, being page 1, line 7 of the printed bill, strike all language through "business." on line 22 and insert the following:

"Sec. 1. Section 13, chapter 299, Laws of 1961 as last amended by section 2, chapter 95, Laws of 1974 ex. sess. and RCW 3.34.040 are each amended to read as follows:

Justices of the peace serving districts having a population of forty thousand or more persons, and justices receiving a salary greater than (~~fifteen thousand dollars~~) the maximum salary provided in RCW 3.58.020(f) for serving as a justice, shall be deemed full time justices and shall devote all of their time to the office and shall not engage in the practice of law. Other justices shall devote sufficient time to the office to properly fulfill the duties thereof and may engage in other occupations but such justice shall not use the office or supplies furnished by the judicial district for his private business but shall maintain a separate office for his private business nor shall he use the services of any clerk or secretary paid for by the county for his private business."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 463.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 463 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 463 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brække, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 463 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 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 479 with the following amendments:

On page 1, line 20 after "notice," insert "and after receiving the return receipt from the post office indicating that the addressee has received the notice."

On page 4, line 24 after "it." strike all the underscored language down through "holder" on line 29.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Appelwick moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 479, and ask the Senate to recede therefrom.



Representatives Appelwick and Padden spoke in favor of the motion, and it was carried.

## SENATE AMENDMENTS TO HOUSE BILL

April 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 520 with the following amendments:

On page 1, line 11 before "classes" strike "distinguishable"

On page 1, line 23 before "classes" strike "distinguishable"

On page 1, lines 12, 13, 25, 26, 27 and 28 strike "low-income" and insert "poor"

On page 1, line 10 after "adjust," strike "delay, or eliminate" and insert "or delay"

On page 1, line 25 after "adjust," strike "delay, or eliminate" and insert "or delay"

On page 1, line 19 of the engrossed bill, being line 11 of the House amendment to page 1, line 13 of the printed bill, after "notification," insert "Any reduction in charges and rates granted to poor persons in one part of a service area shall be uniformly extended to poor persons in all other parts of the service area."

On page 2, line 6 of the engrossed bill, being line 11 of the House amendment to page 1, line 22 of the printed bill, after "notification," insert "Any reduction in charges and rates granted to poor persons in one part of a service area shall be uniformly extended to poor persons in all other parts of the service area."

On page 2, line 11 of the engrossed bill, being "NEW SECTION," of the House amendment to page 1, following line 26, beginning with "NEW" strike all the language down to and including "area," on line 14 of the engrossed bill.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. D. Nelson moved that the House do concur in the Senate amendments to Engrossed House Bill No. 520.

## POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, in most cases in our statutes we have inserted in a number of places 'low-income' and in some sections we have identified and defined what 'low-income' is. Is there any definition of 'poor' in the statute? Do we know what 'poor' is and how it should be referred to?"

Mr. D. Nelson: "Representative Isaacson, I do not know if there is a definition of 'poor' in the statutes. I assume that it could be a subject of litigation to determine what 'poor' means. It would be up to the sewer and water districts to make a definition of 'poor' and then to sell that to their customers. There may have been some cases on this, but I'm not aware of them."

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 520 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 520 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed House Bill No. 520 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

April 22, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 269,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 23, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills, and has passed the bills as amended by the House:

SENATE BILL NO. 3145,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3156,  
 SENATE BILL NO. 3184,  
 ENGROSSED SENATE BILL NO. 3203,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3217,  
 ENGROSSED 2ND SUBSTITUTE SENATE BILL NO. 3245,  
 SENATE BILL NO. 3255,  
 SUBSTITUTE SENATE BILL NO. 3299,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3308,  
 SENATE BILL NO. 3363,  
 ENGROSSED SENATE BILL NO. 3392,  
 ENGROSSED SENATE BILL NO. 3416,  
 ENGROSSED SENATE BILL NO. 3442,  
 SUBSTITUTE SENATE BILL NO. 3453,  
 SUBSTITUTE SENATE BILL NO. 3480,  
 SUBSTITUTE SENATE BILL NO. 3492,  
 SUBSTITUTE SENATE BILL NO. 3497,  
 ENGROSSED SENATE BILL NO. 3523,  
 SUBSTITUTE SENATE BILL NO. 3595.

Bill Gleason, Assistant Secretary.

April 22, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on SENATE BILL NO. 3182, and the President has appointed as Senate conferees: Senators Moore, Jones, Warnke.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

April 21, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 555 with the following amendments:

On page 2, line 19 after "chapter," insert "including action that could be ordered by a court, except that damages for humiliation and mental suffering shall not exceed one thousand dollars."

On page 2, line 21 after "(6)" strike all the material down to and including "(8)" on line 28

On page 2 at the beginning of line 32 strike "(9)" and insert "(7)"

On page 2 at the beginning of line 36 strike "(10)" and insert "(8)"

On page 3, beginning on line 2 strike all of the material down to and including the period on line 3.

On page 3, after line 3 insert the following:

\*Sec. 3. Section 5, chapter 100, Laws of 1961 and RCW 49.44.090 are each amended to read as follows:

It shall be an unfair practice:

(1) For an employer or licensing agency, because an individual is between the ages of forty and ~~(sixty-five)~~ seventy, to refuse to hire or employ or license or to bar or to terminate from employment such individual, or to discriminate against such individual in promotion, compensation or in terms, conditions or privileges of employment: PROVIDED, That employers

or licensing agencies may establish reasonable minimum and/or maximum age limits with respect to candidates for positions of employment, which positions are of such a nature as to require extraordinary physical effort, endurance, condition or training, subject to the approval of the director of labor and industries through the division of industrial relations.

(2) For any employer, licensing agency or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses any limitation, specification or discrimination respecting individuals between the ages of forty and (~~sixty-five~~) seventy: PROVIDED, That nothing herein shall forbid a requirement of disclosure of birth date upon any form of application for employment or by the production of a birth certificate or other sufficient evidence of the applicant's true age.

Nothing contained in this section or in RCW 49.60.180 as to age shall be construed to prevent the termination of the employment of any person who is physically unable to perform his duties or to affect the retirement policy or system of any employer where such policy or system is not merely a subterfuge to evade the purposes of this section; nor shall anything in this section or in RCW 49.60.180 be deemed to preclude the varying of insurance coverages according to an employee's age; nor shall this section be construed as applying to any state, county, or city law enforcement agencies, or as superseding any law fixing or authorizing the establishment of reasonable minimum or maximum age limits with respect to candidates for certain positions in public employment which are of such a nature as to require extraordinary physical effort, or which for other reasons warrant consideration of age factors."

On page 1, line 3 of the title, after "49.60.250;" strike the remainder of the title and insert: "amending section 5, chapter 100, Laws of 1961 and RCW 49.44.090." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Locke moved that the House do concur in the Senate amendments to House Bill No. 555.

Representatives Locke and Padden spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 555 as amended by the Senate.

Mr. Locke spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. McMullen.

Mr. McMullen: "Representative Locke, I noticed that the Senate deleted section 2 of the version which was originally passed by the House. Is that because this bill, if enacted, is only to have prospective effect?"

Mr. Locke: "No, Representative McMullen. That section was deleted because the bill is essentially procedural and clarifies the original intent of the legislature and, therefore, would apply retroactively. Section 2 was considered unnecessary. I've confirmed this with the members of the Senate Judiciary Committee who made the motion to delete section 2."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 555 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Neadley, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

House Bill No. 555 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 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 579 with the following amendments:

On page 1, line 16 of the engrossed bill, being page 1, line 16 of the printed bill, after "shall" strike all of the language down to and including "establishing" on line 17 and insert "implement"

On page 1, line 19 of the engrossed bill, being page 1, line 19 of the printed bill, after "government." strike all of the material down to and including the period on line 21.

On page 1, line 22 of the engrossed bill, after "NEW SECTION. Sec. 4." strike all of the language down to and including "January 1, 1984" on line 27 and insert the following: "Class II institutional industries may subcontract its data input and microfilm capacities to firms from the private sector. Inmates employed under these subcontracts will be paid in accordance with the Class I free venture industries procedures and wage scale"

On page 1, after line 27 of the engrossed bill, being page 1, line 21 of the printed bill, insert:

"NEW SECTION. Sec. 5. There is added to chapter 43.19 RCW a new section to read as follows:

General administration and the data processing authority shall report biennially to the legislature about the degree to which the data entry and microfilm services of institutional industries were used to perform the state's data entry and microfilm work. The report shall include information on the comparative costs of such services."

On page 1, line 1 of the title after "programs," insert "adding a new section to chapter 43.19 RCW:"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Tanner moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 579.

Representatives Tanner and Long spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 579 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 579 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brøkke, Broback, Brough, Burns, Cantu, Chandler, Charley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Stratton, Wang - 2.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 579 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, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 667 with the following amendments:

On page 11, line 7 of the engrossed bill, being line 15 of the House amendment to page 10, line 29, strike the underscored material.

On page 11, line 21 of the engrossed bill, being page 2, line 3 of the House amendment to page 10, line 29, after "provision" and before the period insert ": PROVIDED, HOWEVER, That any group disability insurance policy which is issued as part of an employee insurance benefit program authorized by RCW 41.05.025(3) may exclude all or part of any deductible amounts from the definition of total allowable expenses for purposes of coordination of benefits within the plan and between such plan and other applicable group coverages: AND PROVIDED FURTHER, That any group disability insurance policy providing coverage for persons in this state may exclude all or part of any deductible amounts required by a group disability insurance policy from the definition of total allowable expenses for purposes of coordination of benefits between such policy and a group disability insurance policy issued as part of an employee insurance benefit program authorized by RCW 41.05.025(3)"

Beginning on page 11, line 25 of the engrossed bill, being page 2, line 8 of the House amendment to page 10, line 29, strike all of subsection (4). and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Lux, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 667.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 667 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 667 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 667 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 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 674 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. In an effort to enhance recreational opportunity and improve management of the resource, the director shall pursue the elimination of set line fishing for sturgeon through the Columbia river compact, RCW 75.40.010.

NEW SECTION, Sec. 2. There is added to chapter 75.28 RCW a new section to read as follows:

In addition to a set line license, a Columbia river sturgeon endorsement is required to take sturgeon commercially with set lines in the waters of the Columbia river or its tributaries. The annual endorsement fee is two hundred dollars for residents and four hundred dollars for nonresidents.

NEW SECTION, Sec. 3. This act shall take effect on January 1, 1984."

On page 1, beginning on line 1 of the title after "fish;" strike the remainder of the title and insert "adding a new section to chapter 75.28 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Sutherland moved that the House do concur in the Senate amendments to Engrossed House Bill No. 674.

Representatives Sutherland, Martinis and Sanders spoke in favor of the motion, and Mr. Mitchell spoke against 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. 674, and the motion was carried by the following vote: Yeas, 71; nays, 25; absent, 1; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hastings, Haugen, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Allen, Ballard, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Hankins, Holland, Johnson, Locke, Miller, Mitchell, Nealey, Patrick, Schmidt, Schoon, Silver, Smith, Williams J, Wilson - 25.

Absent: Representative Lux - 1.

Excused: Representative Bond - 1.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 674 as amended by the Senate.

Mr. Sutherland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 674 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed House Bill No. 674 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 RESOLUTION

March 9, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 6 with the following amendments:

On page 2, line 14 after "twenty-" strike "four" and insert "two"

On page 2, line 28 after ";" strike "and"

On page 2, line 29 after "public" strike the period and insert "; and" and insert the following new subsection:

“(10) The executive director of the state investment board.”

On page 2, beginning on line 30 strike all material through “branch.” on line 32.

On page 2, line 33 strike “At least two members of the commission shall be” and insert “The commission shall include at least two representatives”

On page 3, line 12 strike “final” and insert “initial”

On page 3, beginning on line 14 after “1983” strike all material through “1984” on line 16. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Tanner moved that the House do concur in the Senate amendments to Substitute House Concurrent Resolution No. 6.

Mr. Tanner spoke in favor of the motion, and Representatives B. Williams and Padden spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to House Concurrent Resolution No. 6, and the motion was carried by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Excused: Representative Bond - 1.

#### FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION AS AMENDED BY SENATE

The Speaker declared the question before the House to be the adoption of House Concurrent Resolution No. 6 as amended by the Senate.

Representatives Tanner and B. Williams spoke in favor of adoption of the resolution.

#### ROLL CALL

The Clerk called the roll on the adoption of Substitute House Concurrent Resolution No. 6 as amended by the Senate, and the resolution was adopted by the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Substitute House Concurrent Resolution No. 6 as amended by the Senate, having received the constitutional majority, was declared adopted.

#### SENATE AMENDMENTS TO HOUSE BILL

April 19, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 39 with the following amendments:

On page 2, after line 21 strike all the material down to and including “43.131.070.” on line 29 and insert the following:

"Any state agency scheduled for termination by the processes provided in this chapter may be reestablished by the legislature for a specified period of time (~~(specified by law, but not to exceed six years. At the end of such period of time)~~) or indefinitely. The legislature (~~(shall)~~) may again review (~~(such)~~) the state agency in a manner consistent with the provisions of this chapter (~~(and RCW 43.06.016)~~) and reestablish, modify, or consolidate such agency or allow it to be terminated."

On page 3, line 31 after "bill," insert "Bills reestablishing or modifying any state agency shall not include any matter not considered in the final report of the legislative budget committee."

On page 7, beginning on line 20 strike all of section 9 and insert:

"NEW SECTION. Sec. 9. The following acts or part of acts are each repealed:

(1) Section 9, chapter 260, Laws of 1981 and RCW 43.131.140; and

(2) Section 86, chapter 99, Laws of 1979 and RCW 43.131.145."

On page 7, line 22 after "RCW" strike "43.131.140."

On page 7, after line 27 strike all the material down to and including "legislature." on page 9, line 29 and insert the following:

"NEW SECTION. Sec. 11. There is added to chapter 18.44 RCW a new section to read as follows:

There is established an escrow commission of the state of Washington consisting of the limited practice board created by the supreme court of the state of Washington by its limited practice rule for closing officers. The commission shall be appointed by the supreme court of the state of Washington and shall have such duties and powers as shall be granted by the supreme court of the state of Washington. Any conflicts between orders, rules, and regulations promulgated by the limited practice board acting as the state escrow commission and any provisions of this chapter shall be resolved in favor of orders or rules of the supreme court of the state of Washington or the limited practice board acting in behalf of the supreme court of the state of Washington and as the state escrow commission.

Sec. 12. Section 1, chapter 153, Laws of 1965 as last amended by section 42, chapter 158, Laws of 1979 and RCW 18.44.010 are each amended to read as follows:

Unless the context otherwise requires terms used in this chapter shall have the following meanings:

(1) 'Department' means the department of licensing.

(2) 'Director' means the director of licensing, or his duly authorized representative.

(3) 'Escrow' means any transaction wherein any person or persons, for the purpose of effecting and closing the sale, purchase, exchange, transfer, encumbrance, or lease of real or personal property to another person or persons, delivers any written instrument, money, evidence of title to real or personal property, or other thing of value to a third person to be held by such third person until the happening of a specified event or the performance of a prescribed condition or conditions, when it is then to be delivered by such third person, in compliance with instructions under which he is to act, to a grantee, grantor, promisee, promisor, obligee, obligor, lessee, lessor, bailee, bailor, or any agent or employee thereof.

(4) 'Escrow agent' means any sole proprietorship, firm, association, partnership, or corporation engaged in the business of performing for compensation the duties of the third person referred to in RCW 18.44.010(3) above.

(5) 'Certificated escrow agent' means any sole proprietorship, firm, association, partnership, or corporation holding a certificate of registration as an escrow agent under the provisions of this chapter.

(6) 'Person' unless a different meaning appears from the context, includes an individual, a firm, association, partnership or corporation, or the plural thereof, whether resident, nonresident, citizen or not.

(7) 'Escrow officer' means any natural person handling escrow transactions and licensed as such by the director; PROVIDED, That such person is also certified by the supreme court to select, prepare, and complete documents in connection with a sale, exchange, or transfer of property.

(8) 'Escrow commission' means the escrow commission of the state of Washington created by (RCW 18.44.216) section 11 of this 1983 act.

(9) 'Controlling person' is any person who owns or controls ten percent or more of the beneficial ownership of any escrow agent, regardless of the form of business organization employed and regardless of whether such interest stands in such person's true name or in the name of a nominee.

Sec. 13. Section 2, chapter 153, Laws of 1965 as last amended by section 2, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.020 are each amended to read as follows:

It shall be unlawful for any person to engage in business as an escrow agent within this state unless such person possesses a valid certificate of registration issued by the director pursuant to this chapter: PROVIDED, That except for a person who, in addition to acting as an escrow agent, selects, prepares, and completes documents in connection with a sale, exchange, or transfer of real or personal property between third parties, the registration and licensing requirements of this chapter shall not apply to:



(1) Any person doing business under the law of this state or the United States relating to banks, trust companies, mutual savings banks, savings and loan associations, credit unions, insurance companies, title insurance companies, the duly authorized agents of title insurance companies the business of which agents is exclusively devoted to the title insurance business, or any federally approved agency or lending institution under the National Housing Act.

(2) Any person licensed to practice law in this state while engaged in the performance of his professional duties.

(3) Any company, broker, or agent subject to the jurisdiction of the director while performing acts in the course of or incidental to sales or purchases of real or personal property handled or negotiated by such company, broker, or agent: PROVIDED, HOWEVER, That no compensation is received for escrow services.

(4) Any transaction in which money or other property is paid to, deposited with, or transferred to a joint control agent for disbursement or use in payment of the cost of labor, material, services, permits, fees, or other items of expense incurred in the construction of improvements upon real property.

(5) Any receiver, trustee in bankruptcy, executor, administrator, guardian, or other person acting under the supervision or order of any superior court of this state or of any federal court.

Sec. 14. Section 29, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.215 are each amended to read as follows:

The ((four)) escrow commission members shall each receive fifty dollars per day for each day engaged in official business of the commission, plus travel expenses as provided for state officials and employees in RCW 43.03.050 and 43.03.060, when called into session by the ((director)) commission or when otherwise engaged in the business of the commission."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 10, after line 29 strike all the material down to and including "18.44.215;" on line 31

Renumber the remaining subsection consecutively.

On page 1, line 3 of the title, after "18.44.010;" strike all the material down to and including "18.44.360;" on line 6 and insert "amending section 2, chapter 153, Laws of 1965 as last amended by section 2, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.020; amending section 29, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.215;"

On page 1, line 15 of the title, after "43.131.150;" insert "adding a new section to chapter 18.44 RCW;"

On page 1, line 16 of the title after "RCW" strike "43.131.140."

On page 1, line 26 of the title after "18.04.090;" insert "repealing section 9, chapter 260, Laws of 1981 and RCW 43.131.140;"

On page 1, line 22 of the title, after "18.44.210;" strike all the material down to and including "18.44.215;" on line 24

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

On motion of Mr. Walk, the House concurred in the Senate amendments to page 2, line 21; page 7, line 20; page 7, line 22; page 1, line 16 and page 1, line 26.

On motion of Mr. Walk, the House refused to concur in the Senate amendments to page 3, line 31; page 7, line 27; page 10, line 29; page 1, line 3; page 1, line 15 and page 1, line 22, and asked the Senate to recede therefrom.

#### MESSAGE FROM THE SENATE

April 23, 1983

Mr. Speaker:

The Senate receded from the amendment to page 1, line 23 of SUBSTITUTE HOUSE BILL NO. 334, and passed the bill as amended on page 1, line 24, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENT

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 334 without the Senate amendment to page 1, line 23.

Mr. Burns spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 334 without the Senate amendment to page 1, line 23, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Barnes - 1.

Excused: Representative Bond - 1.

Substitute House Bill No. 334 without certain Senate 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 AMENDMENTS TO HOUSE BILL

April 20, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 233 with the following amendments:

On page 6, after line 3 insert a new section to read as follows:

"NEW SECTION. Sec. 8. The legislature finds that there are commercial fish buyers benefiting financially from the propagation of game fish in the state. The legislature recognizes that license fees obtained from sports fishermen support the majority of the production of these game fish. The legislature finds that commercial operations which benefit from the commercial harvest of these fish should pay a tax to assist in the funding of these facilities. However, the intent of the legislature is not to support the commercial harvest of steelhead and other game fish."

On page 1, line 13 of the title after "RCW 82.27.070" and before the period insert "; and adding a new section"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 233.

Representatives Haugen and Mitchell spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 233 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 233 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 10; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Allen, Burns, Dellwo, Fisher, Garrett, Locke, Niemi, Stratton, Taylor, Wang - 10.

Excused: Representative Bond - 1.

Substitute House Bill No. 233 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 SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 419,  
 SUBSTITUTE HOUSE BILL NO. 620,  
 SUBSTITUTE HOUSE BILL NO. 1011,  
 HOUSE JOINT MEMORIAL NO. 15,  
 HOUSE JOINT MEMORIAL NO. 17,  
 SENATE BILL NO. 3123,  
 SUBSTITUTE SENATE BILL NO. 3166,  
 SENATE BILL NO. 3426,  
 SENATE BILL NO. 3448,  
 SUBSTITUTE SENATE BILL NO. 3483,  
 SUBSTITUTE SENATE BILL NO. 3494,  
 SENATE BILL NO. 3501,  
 SUBSTITUTE SENATE BILL NO. 3522,  
 SENATE BILL NO. 3531,  
 SENATE BILL NO. 3532,  
 SENATE BILL NO. 3535,  
 SENATE BILL NO. 3537,  
 SENATE BILL NO. 3585,  
 SENATE BILL NO. 3644,  
 SUBSTITUTE SENATE BILL NO. 3646,  
 SUBSTITUTE SENATE BILL NO. 3664,  
 SUBSTITUTE SENATE BILL NO. 3757,  
 SENATE BILL NO. 3763,  
 SUBSTITUTE SENATE BILL NO. 3812,  
 SENATE BILL NO. 3840,  
 SUBSTITUTE SENATE BILL NO. 4107,  
 SUBSTITUTE SENATE BILL NO. 4135,  
 SENATE BILL NO. 4156,  
 SENATE JOINT MEMORIAL NO. 110,  
 SENATE JOINT MEMORIAL NO. 118,  
 SENATE JOINT RESOLUTION NO. 105.

## SENATE AMENDMENT TO HOUSE BILL

April 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 511 with the following amendment:

On page 2, line 33 of the engrossed bill, being page 2, line 35 of the printed bill, after "property" and before the period insert "including any waterfront property owned by the department of natural resources or any other state agency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Moon, the House concurred in the Senate amendment to Engrossed House Bill No. 511.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed House Bill No. 511 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 511 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed House Bill No. 511 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 22, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1093 with the following amendments:

On page 4, line 11 of the engrossed bill, being line 9 of the House amendment to page 4, line 4 of printed bill, after "it shall" strike "take into consideration" and insert "provide a credit for"

On page 4, line 13 after "a" on line 12 strike "person or" and insert "public" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

On motion of Mr. Moon, the House concurred in the Senate amendment to page 4, line 11.

On motion of Mr. Moon, the House refused to concur in the Senate amendment to page 4, line 13 of Engrossed Substitute House Bill No. 1093, and asked the Senate to recede therefrom.

#### MESSAGES FROM THE SENATE

April 23, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 23,  
HOUSE BILL NO. 203,  
SUBSTITUTE HOUSE BILL NO. 232,  
HOUSE BILL NO. 260,  
HOUSE BILL NO. 446,  
SUBSTITUTE HOUSE BILL NO. 476,  
SUBSTITUTE HOUSE BILL NO. 790,  
SUBSTITUTE HOUSE BILL NO. 848,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3290,  
SENATE CONCURRENT RESOLUTION NO. 126,  
ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Wang, the House reverted to the fourth order of business.

## INTRODUCTIONS AND FIRST READING

ESSB 3290 by Committee on Natural Resources (originally sponsored by Senators Moore, Barr, Goltz and Williams)

Modifying provisions relating to the lease of aquatic lands.

Referred to Committee on Natural Resources

SCR 126 by Senators Shinpoch, Talmadge, Vognild, McDermott, Moore, Owen, Warnke, Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McManus, Peterson, Rinehart, Thompson, Williams, Wojahn and Woody

Relating to reasonable home mortgage financing through state investments.

Referred to Committee on Rules

ESCR 127 by Senators Vognild, Bottiger, Hayner, Fleming and Jones (by Lieutenant Governor request)

Establishing a joint select legislative committee on international trade, tourism, and investment.

Referred to Committee on Rules

## REPORT OF STANDING COMMITTEE

April 22, 1983

HB 983 Prime Sponsor, Representative Martinis: Relating to motor vehicle excise taxes. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Martinis, Chair; Egger, Vice Chair, Eastern Wa; Sutherland, Vice Chair, Western Wa; Wilson, Ranking Minority Chair; Betrozoff, Ranking Minority Vice Chair; Burns, Charnley, Clayton, Fisch, Fisher, Gallagher, Hankins, McMullen, Mitchell, Patrick, Powers, Prince, Ristuben, Smith, Vekich and Walk.

Absent: Representatives Barrett, Garrett, Sanders, Schmidt and J. Williams.

Passed to Committee on Rules for second reading.

## MOTIONS

On motion of Mr. Wang, the House advanced to the eighth order of business.

On motion of Mr. Wang, HOUSE BILL NO. 752 was rereferred from Committee on Local Government to Committee on Energy & Utilities.

On motion of Mr. Wang, HOUSE BILL NO. 1094 was rereferred from Committee on Rules to Committee on Energy & Utilities.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 89,  
 SUBSTITUTE HOUSE BILL NO. 116,  
 HOUSE BILL NO. 150,  
 SUBSTITUTE HOUSE BILL NO. 197,  
 HOUSE BILL NO. 269,  
 SUBSTITUTE HOUSE BILL NO. 426,  
 SUBSTITUTE HOUSE BILL NO. 484,  
 SUBSTITUTE HOUSE BILL NO. 548,  
 HOUSE BILL NO. 569,  
 SUBSTITUTE HOUSE BILL NO. 576,  
 HOUSE BILL NO. 643,  
 SUBSTITUTE HOUSE BILL NO. 661,  
 HOUSE BILL NO. 747.

HOUSE BILL NO. 765,  
 SUBSTITUTE HOUSE BILL NO. 882,  
 SUBSTITUTE HOUSE BILL NO. 888,  
 HOUSE JOINT MEMORIAL NO. 4,  
 HOUSE JOINT MEMORIAL NO. 31.

## MESSAGES FROM THE SENATE

April 22, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3022 on page 2, line 5 and page 2, line 11, and asks the House for a conference on the amendment to page 3, line 10, and the President has appointed as Senate conferees: Senators Talmadge, Hemstad, Hughes, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. McMullen, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3022, and the Speaker appointed Representatives Armstrong, McMullen and Tilly as conferees.

April 22, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3079 on page 1, line 19 and page 2, line 7, and asks for a conference on the amendments to page 2, line 16 and page 4, line 6, and the President has appointed as Senate conferees: Senators Thompson, Zimmerman, Bauer, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Moon, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3079, and the Speaker appointed Representatives Moon, Haugen and Miller as conferees.

April 22, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3253, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Talmadge, Hemstad, Hughes, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. McMullen, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3253, and the Speaker appointed Representatives Dellwo, McMullen and Padden as conferees.

April 22, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3640, except for the amendment to page 1, line 19; page 2, line 27; page 2, line 33; page 2, line 34 and page 2, line 36, and asks the House for a conference thereon. The President has appointed as Senate conferees: Senators Talmadge, Hemstad, Hughes, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. McMullen, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3640, and the Speaker appointed Representatives Niemi, Armstrong and Isaacson as conferees.

April 22, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3856, and asks for a conference thereon, and the President has appointed as Senate conferees: Senators Talmadge, Hughes, Hemstad, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3856, and the Speaker appointed Representatives McMullen, Dellwo and Padden as conferees.

April 23, 1983

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 139, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Moore, Deccio, Bender.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Lux, the House granted the request of the Senate for a conference on Substitute House Bill No. 139, and the Speaker appointed Representatives Lux, Wang and Sanders as conferees.

MOTION

On motion of Mr. Heck, the House adjourned until 3:00 p.m. Sunday, April 24, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## ONE HUNDRED FIFTH DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, April 24, 1983

The House was called to order at 3:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Fiske, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tricia Hart and Nicole Smith. Prayer was offered by The Reverend David S. Steen, Minister of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

April 23, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills, and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 3026.  
 SUBSTITUTE SENATE BILL NO. 3068.  
     SENATE BILL NO. 3393,  
 SUBSTITUTE SENATE BILL NO. 3614.  
 SUBSTITUTE SENATE BILL NO. 3630.  
 SUBSTITUTE SENATE BILL NO. 3637.  
 SUBSTITUTE SENATE BILL NO. 3642.  
 SUBSTITUTE SENATE BILL NO. 3657.  
 ENGROSSED SENATE BILL NO. 3674.  
 SUBSTITUTE SENATE BILL NO. 3782.  
 ENGROSSED SENATE BILL NO. 3811.  
 ENGROSSED SENATE BILL NO. 3843.  
 ENGROSSED SENATE BILL NO. 3846.  
     SENATE BILL NO. 3857.  
 SUBSTITUTE SENATE BILL NO. 3880.  
 SUBSTITUTE SENATE BILL NO. 4066.  
     SENATE BILL NO. 4082,  
     SENATE BILL NO. 4088.  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4092,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4101,  
 ENGROSSED SENATE BILL NO. 4103,  
 ENGROSSED SENATE BILL NO. 4112,  
 ENGROSSED SENATE BILL NO. 4153,  
     SENATE BILL NO. 4204.  
 SUBSTITUTE SENATE BILL NO. 4226,  
 ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 112.

Bill Gleason, Assistant Secretary.

April 23, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 89,  
 SUBSTITUTE HOUSE BILL NO. 116,  
     HOUSE BILL NO. 150,  
 SUBSTITUTE HOUSE BILL NO. 197,  
 ENGROSSED HOUSE BILL NO. 269,  
     HOUSE BILL NO. 419,  
 SUBSTITUTE HOUSE BILL NO. 426.



SUBSTITUTE HOUSE BILL NO. 484.  
 SUBSTITUTE HOUSE BILL NO. 548.  
     HOUSE BILL NO. 569.  
 SUBSTITUTE HOUSE BILL NO. 576.  
 SUBSTITUTE HOUSE BILL NO. 620.  
     HOUSE BILL NO. 643.  
 SUBSTITUTE HOUSE BILL NO. 646.  
     HOUSE BILL NO. 653.  
 SUBSTITUTE HOUSE BILL NO. 661.  
     HOUSE BILL NO. 747.  
     HOUSE BILL NO. 765.  
 SUBSTITUTE HOUSE BILL NO. 793.  
     HOUSE BILL NO. 804.  
 SUBSTITUTE HOUSE BILL NO. 882.  
 SUBSTITUTE HOUSE BILL NO. 888.  
     HOUSE BILL NO. 905.  
     SUBSTITUTE HOUSE BILL NO. 1011.  
     SUBSTITUTE HOUSE BILL NO. 1089.  
 HOUSE JOINT MEMORIAL NO. 4.  
 HOUSE JOINT MEMORIAL NO. 15.  
 HOUSE JOINT MEMORIAL NO. 17.  
 HOUSE JOINT MEMORIAL NO. 31.  
 SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 2.  
     SUBSTITUTE SENATE BILL NO. 3034.  
     SUBSTITUTE SENATE BILL NO. 3035.  
     SUBSTITUTE SENATE BILL NO. 3042.  
     SUBSTITUTE SENATE BILL NO. 3055.  
     SUBSTITUTE SENATE BILL NO. 3087.  
     SUBSTITUTE SENATE BILL NO. 3088.  
         SENATE BILL NO. 3106.  
     SUBSTITUTE SENATE BILL NO. 3124.  
     SUBSTITUTE SENATE BILL NO. 3127.  
         SENATE BILL NO. 3134.  
         SENATE BILL NO. 3142.  
         SENATE BILL NO. 3145.  
     SUBSTITUTE SENATE BILL NO. 3156.  
         SENATE BILL NO. 3184.  
         SENATE BILL NO. 3203.  
     SUBSTITUTE SENATE BILL NO. 3217.  
 SECOND SUBSTITUTE SENATE BILL NO. 3245.  
     SENATE BILL NO. 3255.  
     SENATE BILL NO. 3297.  
     SUBSTITUTE SENATE BILL NO. 3299.  
     SUBSTITUTE SENATE BILL NO. 3308.  
         SENATE BILL NO. 3363.  
         SENATE BILL NO. 3392.  
         SENATE BILL NO. 3416.  
         SENATE BILL NO. 3442.  
     SUBSTITUTE SENATE BILL NO. 3453.  
     SUBSTITUTE SENATE BILL NO. 3480.  
         SENATE BILL NO. 3492.  
     SUBSTITUTE SENATE BILL NO. 3497.  
         SENATE BILL NO. 3523.  
     SUBSTITUTE SENATE BILL NO. 3595.  
     SUBSTITUTE SENATE BILL NO. 4101.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	SUBSTITUTE HOUSE BILL NO.	44,
	HOUSE BILL NO.	76,
	HOUSE BILL NO.	107,
	SUBSTITUTE HOUSE BILL NO.	117,
	SUBSTITUTE HOUSE BILL NO.	129,
	SUBSTITUTE HOUSE BILL NO.	134,
	SUBSTITUTE HOUSE BILL NO.	177,
	SUBSTITUTE HOUSE BILL NO.	179,
	HOUSE BILL NO.	185,
	SUBSTITUTE HOUSE BILL NO.	233,
	HOUSE BILL NO.	284,
	HOUSE BILL NO.	318,
	SUBSTITUTE HOUSE BILL NO.	334,
	SUBSTITUTE HOUSE BILL NO.	336,
	SUBSTITUTE HOUSE BILL NO.	359,
	SUBSTITUTE HOUSE BILL NO.	390,
	SUBSTITUTE HOUSE BILL NO.	433,
	SUBSTITUTE HOUSE BILL NO.	434,
	HOUSE BILL NO.	436,
	SUBSTITUTE HOUSE BILL NO.	452,
	SUBSTITUTE HOUSE BILL NO.	458,
	SUBSTITUTE HOUSE BILL NO.	463,
	SUBSTITUTE HOUSE BILL NO.	493,
	HOUSE BILL NO.	511,
	HOUSE BILL NO.	520,
	HOUSE BILL NO.	555,
	SUBSTITUTE HOUSE BILL NO.	667,
	HOUSE BILL NO.	674,
	HOUSE BILL NO.	753,
	SUBSTITUTE HOUSE BILL NO.	865,
	HOUSE BILL NO.	867,
	SUBSTITUTE SENATE BILL NO.	3034,
	SUBSTITUTE SENATE BILL NO.	3035,
	SUBSTITUTE SENATE BILL NO.	3042,
	SUBSTITUTE SENATE BILL NO.	3055,
	SUBSTITUTE SENATE BILL NO.	3087,
	SUBSTITUTE SENATE BILL NO.	3088,
	SENATE BILL NO.	3106,
	SUBSTITUTE SENATE BILL NO.	3124,
	SUBSTITUTE SENATE BILL NO.	3127,
	SENATE BILL NO.	3134,
	SENATE BILL NO.	3142,
	SENATE BILL NO.	3145,
	SUBSTITUTE SENATE BILL NO.	3156,
	SENATE BILL NO.	3184,
	SENATE BILL NO.	3203,
	SUBSTITUTE SENATE BILL NO.	3217,
SECOND	SUBSTITUTE SENATE BILL NO.	3245,
	SENATE BILL NO.	3255,
	SENATE BILL NO.	3297,
	SUBSTITUTE SENATE BILL NO.	3299,
	SUBSTITUTE SENATE BILL NO.	3308,
	SENATE BILL NO.	3363,
	SENATE BILL NO.	3392,
	SENATE BILL NO.	3416,
	SENATE BILL NO.	3442,
	SUBSTITUTE SENATE BILL NO.	3453,
	SUBSTITUTE SENATE BILL NO.	3480,
	SENATE BILL NO.	3492,

SUBSTITUTE SENATE BILL NO. 3497,  
 SENATE BILL NO. 3523,  
 SUBSTITUTE SENATE BILL NO. 3595,  
 SUBSTITTUTE SENATE BILL NO. 4101.

MOTION

Mr. Heck moved that House Rule 26 be suspended to allow consideration of certain Conference Committee reports.

Mr. Kreidler spoke against the motion, and Mr. McDonald spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend Rule 26 to allow consideration of Conference Committee reports, and the motion was carried by the following vote: Yeas, 78; nays, 18; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Fisher, Garrett, Halsan, Heck, King J, King R, Kreidler, Locke, Lux, Niemi, Powers, Pruitt, Sutherland - 18.

Excused: Representatives Bond, Fiske - 2.

SENATE AMENDMENTS TO HOUSE BILL

April 23, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 289 with the following amendments:

Strike everything after the enacting clause, and insert the following:

\*Sec. 1. Section 11, chapter 260, Laws of 1981 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~~) is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her 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))~~ The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test. The officer shall warn the driver that his refusal to take the test may be used against him in any subsequent criminal trial.

Unless the person to be tested is unconscious, the chemical test administered shall be of ~~((his))~~ the breath only ~~((-PROVIDED-That))~~. If an individual is unconscious or is under arrest for the crime of ~~((negligent))~~ vehicular homicide (by motor vehicle) as provided in RCW 46.61.520 or vehicular assault as provided in section 2, chapter ... (SB 3106), Laws of 1983, 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 46.61.502, 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 or her arrest, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his or her 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))~~ one year after the date of the alleged violation or for two years if it is the second such refusal in a five-year period, 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))~~ directed 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))~~ the 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))~~ the 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 in this section 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))~~ that 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))~~ has the right to file a petition in the superior court of the county ~~((wherein))~~ in which he or she 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 or she has a license.

Sec. 2. Section 11, chapter 260, Laws of 1981 as amended by section 1 of this act 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))~~ within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her 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.

(2) 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))~~ within this state while under the influence of intoxicating liquor. The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that (a) his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test ~~((: The officer shall warn the driver))~~, (b) that his or her privilege to drive will be suspended, revoked, or denied if the test is administered and the test indicates a concentration of alcohol in his or her blood of 0.10 percent or more, and (c) that his or her refusal to take the test may be used against him or her in ~~((any))~~ a subsequent criminal trial.

~~((Unless the person to be tested is unconscious))~~ (3) Except as provided in this subsection and subsection (4) of this section, the chemical test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520 or vehicular assault as provided in section 2, chapter ..., (SB 3106), Laws of 1983, 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 46.61.502, 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)) (4) 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, and the person shall be deemed to have received the warnings required under subsection (2) of this section.~~

~~((3)) (5) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his or her breath, ~~((after being informed that his refusal will result in the revocation or denial of his privilege to drive.))~~ no test shall be given except as authorized under subsection (3) or (4) of this section. ~~((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 one year after the date of the alleged violation or for two years if it is the second such refusal in a five-year period, 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 directed in this section, 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 the 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 the 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 provided in this section or during the pendency of a subsequent appeal to superior court so long as there is no conviction for a moving violation or no finding that the person has committed a traffic infraction that 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 has the right to file a petition in the superior court of the county in which he or she 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 or she has a license.)~~

NEW SECTION. Sec. 3. (1) If, after arrest and after the other applicable conditions and requirements of RCW 46.20.308 have been satisfied, a person submits to a chemical test of his or her blood, breath, or other bodily fluids, or such a test has been administered without that person's express consent as permitted by RCW 46.20.308 (3) or (4), and the test results indicate an alcoholic concentration in that person's blood of 0.10 percent or more by weight, or the person refuses to submit to a test, the arresting officer or other law enforcement officer at whose direction any test has been given shall:

(a) Serve notice in writing on the person on behalf of the department of its intention to suspend, revoke, or deny the person's license, permit, or privilege to drive as required by section 5 of this act;

(b) Confiscate the person's Washington state license or permit to drive, if any;

(c) Issue a temporary license as provided for in subsection (2) of this section to any driver who surrenders a current and valid license; and

(d) Immediately notify the department of licensing of the arrest and transmit to the department of licensing any confiscated license or permit and a sworn report that states:

(i) That the officer had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drugs, or both; and

(ii) That after receipt of the warnings required by RCW 46.20.308(2) the person refused to submit, or submitted to chemical testing, or that a test was administered without the person's express consent as permitted under RCW 46.20.308 (3) or (4); and

(iii) That, if a test was administered, the applicable requirements of RCW 46.20.308 were met before administration of the test and that the test was administered in accordance with RCW 46.61.506; and

(iv) That the results of any test administered indicated an alcoholic concentration in that person's blood of 0.10 percent or more.

(2) The department shall provide law enforcement agencies with temporary license forms and written notice statements for use under subsection (1) of this section. Any temporary license issued under subsection (1) of this section shall indicate that it is effective for forty-five days from the arrest or, until the suspension, revocation, or denial of the person's license, permit, or privilege to drive is sustained at a hearing pursuant to section 6 of this act, whichever occurs first. No temporary license is valid to any greater degree than the license or permit that it replaces.

**NEW SECTION.** Sec. 4. (1) The department shall suspend, revoke, or deny the arrested person's driving privileges as follows:

(a) In the case of a person who has refused a test:

(i) For a first refusal within five years, revocation or denial for one year;

(ii) For a second refusal within five years, revocation or denial for two years.

(b) In the case of a person who has submitted to or been administered a test indicating a blood alcohol concentration of 0.10 percent or more:

(i) For a first incident within five years, suspension or denial for ninety days;

(ii) For a second incident within five years, revocation or denial for one year;

(iii) For a third incident within five years, revocation or denial for two years.

(c) A suspension, revocation, or denial shall take effect when sustained at a hearing under section 6 of this act, or forty-five days after the person's arrest if no hearing was requested, whichever occurs first.

(2) The department shall not grant or reinstate a person's privilege to drive that has been suspended, revoked, or denied under subsection (1) of this section until it has determined the person is eligible for reinstatement under RCW 46.20.031 and 46.61.515 and is otherwise qualified.

(3) For purposes of this section and section 5 of this act, driving privileges include:

(a) A Washington state driver's license or permit;

(b) A nonresident privilege to drive; and

(c) The privilege of a person to apply for a new or duplicate license or permit or to renew a license, permit, or nonresident privilege.

**NEW SECTION.** Sec. 5. No suspension, revocation, or denial of a driving privilege under section 4 of this act is effective until the department of licensing or a law enforcement officer acting on its behalf notifies the person in writing by personal service, by certified mail, or by first class mail addressed to that person's last known address of record with the department of the department's intention to suspend, revoke, or deny together with the grounds therefor and allows the person a seven-day period to request in writing that the department provide a hearing as provided in section 6 of this act. The notice shall specify the steps the person must take to obtain a hearing. If no written request for a hearing is postmarked or delivered to the department within seven days from the date of notification, the department shall issue an order effective as provided in section 4 of this act. If a request for a hearing is filed in time, the department shall give the person an opportunity for a hearing as provided in section 6 of this act.

**NEW SECTION.** Sec. 6. (1) Administrative hearings held to determine the propriety of any suspension, revocation, or denial imposed under section 4 of this act shall be in accordance with rules adopted by the director.

(2) The department shall fix a time, no more than forty-five days after arrest, and a place for a hearing to be held in the county in which the arrest was made that resulted in a report being transmitted under section 3 of this act. The hearing may be set for some other county by agreement between the department and the person. If the hearing is not held and an order issued under section 8 of this act within forty-five days after arrest, the suspension, revocation, or denial under section 4 of this act shall not be imposed.

(3) The department shall give the person at least fourteen days advance notice of the time and place of hearing, but the period of notice may be waived by the person. RCW 46.20.332 and 46.20.333 apply to the hearings. The department shall issue a subpoena upon the request of any party and, to the extent required by department rule, upon a statement showing the general relevance and reasonable scope of the evidence sought. The subpoena may be

issued with like effect by the person's attorney of record or the office of the attorney general, and the form of the subpoena in each case may be the same as when issued by the agency, except that it shall only be subscribed by the signature of the person's attorney or an assistant attorney general. Every party has the right of cross-examination of any witness who testifies and has the right to submit rebuttal evidence. Subpoenas issued under this section may be enforced in the manner provided by RCW 34.04.105(5).

(4) With respect to arrested drivers who have submitted to or been administered chemical tests, the department by rule may permit the admission into evidence at the hearing of (a) copies of official reports of persons who possess a valid permit or certificate from the state toxicologist to perform tests or chemical analyses of the blood or breath, as to results of particular tests or analyses performed by that person when the copies have been certified as true copies of the report by the writer of the report, under oath, and (b) certificates of Breathalyzer maintenance operators who possess a valid permit or certificate from the state toxicologist, as to the testing and calibration of Breathalyzers or similar machines by that person. The reports or certificates may be admitted without further proof or foundation as prima facie evidence of the facts stated in them unless the arrested driver has given written notice received by the department not less than seven days before the date set for the hearing that he or she requests that the person administering the test, or the Breathalyzer maintenance operator, be produced by the department at the hearing.

NEW SECTION. Sec. 7. The scope of the administrative hearing under section 6 of this act shall include:

(1) With respect to a person who has refused a chemical test, the issues of:

(a) 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 within this state while under the influence of intoxicating liquor;

(b) Whether the person was placed under arrest; and

(c) Whether the person 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 or her privilege to drive and that the person had the right to additional tests.

(2) With respect to a person upon whom a chemical test was administered, the issues of:

(a) 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 within this state while under the influence of intoxicating liquor;

(b) Whether the person was placed under arrest;

(c) Whether the applicable requirements of RCW 46.20.308 were satisfied before the administration of the chemical test;

(d) Whether the person either submitted to the test or a test was administered without express consent as permitted under RCW 46.20.308; and

(e) Whether the test indicated a concentration of alcohol in the person's blood of 0.10 percent, or more. The person may challenge whether the testing methods used were in accordance with RCW 46.61.506 and were valid and reliable.

NEW SECTION. Sec. 8. After a hearing held under section 6 of this act, the department shall order that the appropriate suspension, revocation, or denial of privileges be imposed effective ten days after receipt of the order. In the alternative, the department may order that the administrative action be dismissed.

NEW SECTION. Sec. 9. (1) If the suspension, revocation, or denial imposed by the department under section 4 of this act is sustained after a hearing, the person whose license, permit, or privilege is affected has the right to file a petition in the superior court of the county of arrest or the county in which the person resides or, if a nonresident of this state, the superior court of Thurston county, for review of the final order of suspension, revocation, or denial by the department. The petition shall be filed within ten days following receipt by the person of the department's final order, or the right to appeal is deemed to have been waived. The review shall be conducted by the court without a jury, and shall be confined to the record, except that in cases of alleged irregularities in procedure before the department, not shown in the record, testimony on that issue may be taken in court. The scope of the review is limited to that prescribed by RCW 7.16.120, governing writs of certiorari.

(2) The filing of the appeal does not stay the effective date of the suspension, revocation, or denial unless it is stayed by the court after motion and argument. Such a stay may be granted only if the court finds upon the arguments and affidavits presented that there is a reasonable probability that the petitioner will prevail upon the merits of the petition, that the public interest will not be substantially harmed by the stay, and that the petitioner will suffer irreparable harm if the order is not stayed. If such a stay is granted it shall provide that it is effective only so long as there is no conviction of the petitioner for a moving violation or no finding that the petitioner has committed a traffic infraction which is a moving violation during the pendency of the appeal.

(3) The court may affirm the department's decision, remand the matter for further administrative proceedings, or reverse the department's order of suspension, revocation, or denial.

(4) The actual costs of preparing and transmitting the record to superior court shall be borne by the petitioner and awarded by the court to the department if the department's decision is affirmed. The costs shall be borne by the department if the department's decision is remanded or reversed.

**NEW SECTION, Sec. 10.** When it has been finally determined under the procedures of sections 4 through 8 of this act that a nonresident's privilege to operate a motor vehicle in this state has been suspended or 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 the person has a driver's license.

**NEW SECTION, Sec. 11.** When the department is required to suspend, revoke, or deny a person's license, permit, or nonresident privilege to drive under either section 4 of this act or under RCW 46.61.515(5), and (1) the department has earlier imposed a suspension, revocation, or denial under the other of those two provisions or is preparing to do so, and (2) each of those two sanctions has been required as the result of civil or criminal proceedings arising from the same arrest, the department shall proceed as follows:

(a) If the civil and criminal sanctions imposed or to be imposed are for the same minimum length of time, the suspension, revocation, or denial imposed by the department is limited to that first imposed and fully effective under one of those provisions;

(b) If the civil and criminal sanctions are of different minimum lengths of time, the department shall impose the sanction of longer duration. If the sanction with the shorter minimum duration has earlier been imposed by the department, the department shall reduce the minimum duration of the longer revocation by the number of days the license, permit, or privilege to drive was actually under suspension, revocation, or denial pursuant to the earlier action by the department.

If a suspension, revocation, or denial of a person's license, permit, or nonresident privilege to drive would have been imposed by the department under section 4 of this act but for the operation of this section, the suspension, revocation, or denial shall be treated as if it had been imposed for the purposes of determining the minimum duration of subsequent suspensions or revocations required under that section.

**NEW SECTION, Sec. 12.** (1) The director, or his or her designee, shall administer and enforce the provisions of sections 3 through 11 of this act. The director may adopt such rules as he or she deems necessary to carry out the purposes of sections 3 through 11 of this act.

(2) The department shall prescribe and provide such forms as it deems necessary or desirable to carry out the purposes of sections 3 through 11 of this act.

Sec. 13. Section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979 and RCW 46.04.480 are each amended to read as follows:

'Revoke,' in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue: PROVIDED, That under the provisions of RCW 46.20.285, 46.20.311, or 46.61.515 and chapter 46.65 RCW the invalidation may last for a period (~~to exceed~~) other than one calendar year.

Sec. 14. Section 46.04.480, chapter 12, Laws of 1961 as last amended by section 13 of this act and RCW 46.04.480 are each amended to read as follows:

'Revoke,' in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue: PROVIDED, That under the provisions of RCW 46.20.285, 46.20.311, (~~or~~) 46.61.515, or section 4 of this act and chapter 46.65 RCW the invalidation may last for a period other than one calendar year.

Sec. 15. Section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285 are each amended to read as follows:

The department shall forthwith revoke the license of any driver for the period of one calendar year unless otherwise provided in this section, upon receiving a record of ((such)) the driver's conviction of any of the following offenses, when ((such)) the conviction has become final:

(1) (~~Manslaughter (or negligent)~~) For vehicular homicide(~~) resulting from the operation of a motor vehicle~~) the period of revocation shall be two years;

(2) Vehicular assault;

(3) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, upon a showing by the department's records that the conviction is the ((third)) second such conviction ((of such)) for the driver within a period of five years. Upon a showing that the conviction is the third such conviction for the driver within a period of five years, the period of revocation shall be two years;

(~~(4)~~) (4) Any felony in the commission of which a motor vehicle is used;

(~~(4)~~) (5) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

(~~(5)~~) (6) Perjury or the making of a false affidavit or statement under oath to the department under Title 46 RCW or under any other law relating to the ownership or operation of motor vehicles;



~~((6))~~ (7) Reckless driving upon a showing by the department's records that the conviction is the third such conviction ~~((of such))~~ for the driver within a period of two years.

Sec. 16. Section 24, chapter 121, Laws of 1965 ex. sess. as amended by section 15 of this act and RCW 46.20.285 are each amended to read as follows:

The department shall forthwith revoke the license of any driver for the period of one year unless otherwise provided in this section, upon receiving a record of the driver's conviction of any of the following offenses, when the conviction has become final:

(1) For vehicular homicide the period of revocation shall be two years;

(2) Vehicular assault;

(3) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, upon a showing by the department's records that the conviction is the second such conviction for the driver within a period of five years. Upon a showing that the conviction is the third such conviction for the driver within a period of five years, the period of revocation shall be two years. A revocation imposed under this subsection shall run concurrently with any corresponding revocation which may be imposed by the department pursuant to section 4 of this act or RCW 46.61.515(5) arising out of the same arrest:

(4) Any felony in the commission of which a motor vehicle is used;

(5) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

(6) Perjury or the making of a false affidavit or statement under oath to the department under Title 46 RCW or under any other law relating to the ownership or operation of motor vehicles;

(7) Reckless driving upon a showing by the department's records that the conviction is the third such conviction for the driver within a period of two years.

Sec. 17. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 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 or 46.61.515. 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))~~ the suspension shall remain in effect and the department shall not issue to ~~((such))~~ the person any new, duplicate, or renewal ~~((of))~~ license until ~~((such))~~ the person ~~((shall))~~ pays a reinstatement fee of twenty dollars and ~~((shall))~~ gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked ~~((shall))~~, unless the revocation was for a cause which has been removed, is not ~~((be))~~ entitled to have ~~((such))~~ the 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))~~ until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department ~~((such))~~; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(5) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with ~~((an additional))~~ a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of ~~((such))~~ the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until ~~((such))~~ the person ~~((shall))~~ gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was denied under RCW 46.20.308(3) shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person ~~((shall))~~ pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating

liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

Sec. 18. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 17 of this act 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 or 46.61.515. 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, the suspension shall remain in effect and the department shall not issue to the person any new, duplicate, or renewal license until the person pays a reinstatement fee of twenty dollars and gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504 or was imposed under section 4 (1) (a) or (b) of this act, the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(5) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was denied under (~~RCW 46.20.308(3)~~) section 4 of this act shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

NEW SECTION. Sec. 19. There is added to chapter 46.68 RCW a new section to read as follows:

(1) Until July 1, 1984, thirty dollars of any driver's license reinstatement fee paid under RCW 46.20.311 when the suspension or revocation was for a violation involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, shall be deposited by the department in the DWI impact account, hereby created, of the general fund.

(2) By December 31, 1983, and by August 1, 1984, the office of financial management shall distribute the proceeds of the DWI impact account to the counties for the increased needs of the courts, the prosecuting attorneys, the public defenders, and local law enforcement in handling cases involving driving while intoxicated. To receive a grant from the DWI impact account, a county shall establish, to the satisfaction of the office of financial management, its need for the funds, that a satisfactory effort by the county is being maintained to the extent possible with available funds, and that local resources have been exhausted.

(3) In making grants from the DWI impact account, the office of financial management shall consider the following:

(a) The number of arrests for driving while intoxicated made in the county in the immediately preceding fiscal year;

(b) The percentage of change over the corresponding number for the second preceding fiscal year;

(c) The judicial caseload predicted by the administrator for the courts for the current fiscal year;

(d) Increases in financial support provided by counties for enforcement and conviction relating to offenses involving driving while intoxicated; and

(e) The increase in efforts of law enforcement agencies to arrest persons violating laws against driving while intoxicated.

(4) This section shall expire on August 31, 1984.

NEW SECTION. Sec. 20. There is added to chapter 46.68 RCW a new section to read as follows:

After June 30, 1984, thirty dollars of any driver's license reinstatement fee paid under RCW 46.20.311 when the suspension or revocation was for a violation involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, shall be deposited by the department in the highway safety fund for the exclusive use of the department in implementing sections 3 through 12 of this act.

Sec. 21. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter ... (SHB 498), Laws of 1983 and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than twenty-four consecutive hours nor more than one year, and by a fine of not more than ~~(five)~~ seven hundred fifty dollars. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The convicted person shall, in addition, be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a program approved by the department of social and health services, as determined by the court. A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the department of licensing. Based on the diagnostic evaluation, the court shall determine whether the convicted person shall be required to complete a course in an alcohol information school approved by the department of social and health services or more intensive treatment in a program approved by the department of social and health services. Standards for approval for alcohol treatment programs shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions.

(2) On a second or subsequent conviction for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five-year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine of not more than one thousand five hundred dollars. District courts and courts organized under chapter 35.20 RCW are authorized to impose such fine. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If, at the time of a second or subsequent conviction, the driver is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete a diagnostic evaluation by an alcoholism agency approved by the department of social and health services or a qualified probation department approved by the department of social and health services. The report shall be forwarded to the department of licensing. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeterrable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor. All funds derived from the penalty assessment are in addition to and exclusive of assessments made under RCW 46.81.030 and are for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic

offenders. The penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from the penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either offense, be suspended by the department until the person reaches age nineteen or for ((not less than thirty)) ninety days (~~PROVIDED, That the court may recommend that no suspension action be taken~~), whichever is longer. The department of licensing shall determine the person's eligibility for licensing based upon the reports provided by the designated alcoholism agency or probation department and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either offense within a five-year period, be ~~(suspended)~~ revoked by the department for ~~((not less than sixty days)) one year~~. The department of licensing shall determine the person's eligibility for licensing based upon the reports provided by the designated alcoholism agency or probation department and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction ~~((under either such offense)) of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs, vehicular homicide, or vehicular assault, or any combination thereof~~ within a five-year period, be revoked by the department for two years.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, the revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case the conviction is sustained on appeal the revocation or suspension takes effect as of the date that the conviction becomes effective for other purposes.

NEW SECTION. Sec. 22. There is added to chapter 46.20 RCW a new section to read as follows:

A suspension or revocation of the license, permit, or nonresident privilege to drive that is required to be imposed by the department of licensing under RCW 46.61.515 shall be coordinated by the department with any suspension or revocation which has been imposed by the department following any civil action it may have taken pursuant to sections 3 through 12 of this act arising out of the same arrest, as required by section 11 of this act.

Sec. 23. Section 1, chapter 5, Laws of 1973 as last amended by section 4, chapter ... (ESB 3106), Laws of 1983 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than vehicular homicide or vehicular assault, may petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting to the department an application for an occupational driver's license. The court upon determining that the petitioner is engaged in an occupation or trade ~~((which)) that~~ makes it essential that the petitioner operate a motor vehicle may stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days and may set definite restrictions as ~~((to hours of the day which may not exceed twelve hours in any one day, days of the week, type of occupation, and areas or routes of travel permitted under the occupational driver's license))~~ provided in section 25 of this act. No person may petition for, and the court may not order, a stay affecting the first thirty days of any suspension or revocation imposed under RCW 46.61.515.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) Within five years immediately preceding the present conviction the applicant has not been convicted more than once of driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor under RCW 46.61.502 or 46.61.504, of vehicular homicide under RCW 46.61.520, or of vehicular assault under section 2 ~~((of this act))~~; chapter ... (ESB 3106), Laws of 1983; and

(c) The applicant is engaged in an occupation or trade ~~((which)) that~~ makes it essential that he or she operate a motor vehicle; and

(d) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section ~~((for a period of not more than one year which))~~ that permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade. No person may apply for, and the department may not issue, an occupational license for the first thirty days of any suspension or revocation imposed under RCW 46.61.515.

(4) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense ~~((which))~~ that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. The cancellation is effective as of the date of the conviction, and continues with the same force and effect as any suspension or revocation under this title.

Sec. 24. Section 1, chapter 5, Laws of 1973 as last amended by section 23 of this act and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter whose driving privilege has been suspended or revoked under section 4(1)(b)(i) of this act or who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than vehicular homicide or vehicular assault, may ((petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting)) submit to the department an application for an occupational driver's license. The ~~((court))~~ department, upon receipt of the prescribed fee and upon determining that the petitioner is engaged in an occupation or trade that makes it essential that the petitioner operate a motor vehicle, may ((stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days)) issue an occupational driver's license and may set definite restrictions as provided in section ~~((25))~~ 26 of this act. No person may petition for, and the ((court may not order, a stay affecting)) department shall not issue, an occupational driver's license that is effective during the first thirty days of any suspension or revocation imposed under RCW 46.61.515 or pursuant to section 4(1)(b)(i) of this act. A person aggrieved by the decision of the department on the application for an occupational driver's license may request a hearing as provided by rule of the department.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction or administrative action, the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) Within five years immediately preceding the present conviction or administrative action, the applicant has not been convicted more than once of driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor under RCW 46.61.502 or 46.61.504, of vehicular homicide under RCW 46.61.520, or of vehicular assault under section 2, chapter ... (ESB 3106), Laws of 1983, or had a license administratively suspended or revoked under section 4 of this act; and

(c) The applicant is engaged in an occupation or trade that makes it essential that he or she operate a motor vehicle; and

(d) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

~~(3) ((The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section that permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade. No person may apply for, and the department may not issue, an occupational license for the first thirty days of any suspension or revocation imposed under RCW 46.61.515.~~

~~((4))~~ The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has had a driver's license administratively suspended or revoked under section 4 of this act or has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. The cancellation is effective as of the date of the conviction or administrative action, and continues with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 25. There is added to chapter 46.20 RCW a new section to read as follows:

In issuing an order staying the mandatory suspension or revocation of a person's driver's license so that the person may apply for an occupational driver's license under RCW 46.20.391, the court shall describe the type of occupation permitted and shall set forth in detail the specific hours of the day during which the person may drive to and from his place of work, which may not exceed twelve hours in any one day; the days of the week during which the license may be used; and the general routes over which the person may travel.

Any restrictions shall be prepared in written form by the department, which document shall be carried in the vehicle at all times and presented to a law enforcement officer under

the same terms as the occupational driver's license. Any violation of the restrictions constitutes a violation of RCW 46.20.342 and subjects the person to all procedures and penalties therefor.

NEW SECTION. Sec. 26. There is added to chapter 46.20 RCW a new section to read as follows:

In issuing an occupational driver's license under RCW 46.20.391, the department shall describe the type of occupation permitted and shall set forth in detail the specific hours of the day during which the person may drive to and from his place of work, which may not exceed twelve hours in any one day; the days of the week during which the license may be used; and the general routes over which the person may travel. These restrictions shall be prepared in written form by the department, which document shall be carried in the vehicle at all times and presented to a law enforcement officer under the same terms as the occupational driver's license. Any violation of the restrictions constitutes a violation of RCW 46.20.342 and subjects the person to all procedures and penalties therefor.

NEW SECTION. Sec. 27. There is added to chapter 46.61 RCW a new section to read as follows:

The refusal of a person to submit to a test of the alcoholic content of his blood under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial without any comment and with a jury instruction, where applicable, that there shall be no speculation as to the reason for the refusal and that no inference is to be drawn from the refusal.

NEW SECTION. Sec. 28. There is added to chapter 46.61 RCW a new section to read as follows:

(1) It is a traffic infraction to drink any alcoholic beverage in a motor vehicle when the vehicle is upon a highway.

(2) It is a traffic infraction for a person to have in his possession while in a motor vehicle upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage if the container has been opened or a seal broken or the contents partially removed.

(3) It is a traffic infraction for the registered owner of a motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage which has been opened or a seal broken or the contents partially removed, unless the container is kept in the trunk of the vehicle or in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle does not have a trunk. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers.

(4) This section does not apply to a public conveyance that has been commercially chartered for group use or to the living quarters of a motor home or camper or, except as otherwise provided by RCW 66.44.250 or local law, to any passenger for compensation in a for-hire vehicle licensed under city, county, or state law.

Sec. 29. Section 442, chapter 249, Laws of 1909 and RCW 66.44.240 are each amended to read as follows:

Every person engaged wholly or in part in the business of carrying passengers for hire, and every agent, servant, or employee of such person, who ~~((shall))~~ knowingly permits any person to drink any intoxicating liquor in any public conveyance, except in the compartment where such liquor is sold or served under the authority of a license lawfully issued, ~~((shall be))~~ is guilty of a misdemeanor. This section does not apply to a public conveyance that is commercially chartered for group use or a for-hire vehicle licensed under city, county, or state law.

Sec. 30. Section 441, chapter 249, Laws of 1909 and RCW 66.44.250 are each amended to read as follows:

Every person who ~~((shall))~~ drinks any intoxicating liquor in any public conveyance, except in a compartment or place where sold or served under the authority of a license lawfully issued, ~~((shall be))~~ is guilty of a misdemeanor. With respect to a public conveyance that is commercially chartered for group use and with respect to a for-hire vehicle licensed under city, county, or state law, this section applies only to the driver of the vehicle.

NEW SECTION. Sec. 31. The administrator for the courts may assign one or more justices from other judicial districts to serve as visiting justices in a judicial district which the administrator determines is experiencing an increase in case filings as the result of enhanced enforcement of laws related to driving, or being in physical control of, a motor vehicle while intoxicated. The prosecuting, city, or town attorney of the county, city, or town in which a judicial district lies, or the presiding judge of the judicial district, may request the administrator for the courts to designate the district as an enhanced enforcement district and to make assignments under this section. An assignment shall be for a specified period of time not to exceed thirty days. A visiting justice has the same powers as a justice of the district to which he or she is assigned. A visiting justice shall be reimbursed for expenses under RCW 2.56.070.

Sec. 32. Section 118, chapter 299, Laws of 1961 and RCW 3.66.070 are each amended to read as follows:

All criminal actions shall be brought in the justice court district where the alleged violation occurred: PROVIDED, That (1) the prosecuting attorney may file felony cases in the district in which the county seat is located ~~((and)),~~ (2) with the consent of the defendant criminal actions

other than those arising out of violations of city ordinances may be brought in or transferred to the district in which the county seat is located, and (3) if the alleged violation relates to driving, or being in actual physical control of, a motor vehicle while intoxicated and the alleged violation occurred within a judicial district which has been designated an enhanced enforcement district under section 31 of this act, the charges may be filed in that district or in a district within the same county which is adjacent to the district in which the alleged violation occurred.

NEW SECTION. Sec. 33. There is added to chapter 46.61 RCW a new section to read as follows:

A sentencing court may allow persons convicted of violating RCW 46.61.502 or 46.61.504 to fulfill the terms of the sentence provided in RCW 46.61.515 (1) or (2) in nonconsecutive or intermittent time periods. However, the first twenty-four hours of any sentence under RCW 46.61.515(1) and the first forty-eight hours of any sentence under RCW 46.61.515(2) shall be served consecutively unless suspended or deferred as otherwise provided by law.

Sec. 34. Section 2, chapter 316, Laws of 1977 ex. sess. as last amended by section 25, chapter 136, Laws of 1981 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) 'Special detention facility' means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(4) '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)) (5) 'Jail' means any holding, detention, or correctional facility as defined in this section.

((5)) (6) '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)) (7) 'Commission' means the state jail commission created pursuant to RCW 70.48.030 but, after June 30, 1983, 'commission' and 'state jail commission' means the state corrections standards board.

((7)) (8) 'Substantially remodeled' means significant alterations made to the physical plant of a jail to conform with the physical plant standards.

((8)) (9) 'Department' means the department of social and health services.

((9)) (10) 'Secretary' means the secretary of social and health services.

((10)) (11) '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)) (12) '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)) (13) 'Advisory custodial care standards' means custodial care standards recommended by the commission which are not mandatory.

((13)) (14) '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)) (15) 'Jail inspector' means a person with at least five years in a supervisory position as a law enforcement or custodial corrections officer.

((15)) (16) '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)) (17) '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.

((+7)) (18) '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.

NEW SECTION. Sec. 35. There is added to chapter 70.48 RCW a new section to read as follows:

Mandatory custodial care standards adopted under RCW 70.48.050 for special detention facilities shall be limited to those necessary to meet minimum legal requirements for health, welfare, and security for low-risk prisoners considering the length of stay and the prisoner classification involved. The standards shall not incorporate standards applicable to correction and detention facilities except where specifically justified.

NEW SECTION. Sec. 36. There is added to chapter 70.48 RCW a new section to read as follows:

The legislative authority of a county or city that establishes a special detention facility as defined in RCW 70.48.020 for persons convicted of violating RCW 46.61.502 or 46.61.504 may establish a reasonable fee schedule to cover the cost of housing in the facility. The schedule shall be on a sliding basis that reflects the person's ability to pay.

Sec. 37. Section 16, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.180 are each amended to read as follows:

Counties may acquire, build, operate, and maintain holding, detention, special 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.

Sec. 38. Section 35.21.330, chapter 7, Laws of 1965 as amended by section 19, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.190 are each amended to read as follows:

Cities and towns may acquire, build, operate, and maintain holding, detention, special detention, and correctional facilities as defined in RCW 70.48.020 at any place within the territorial limits of the county in which the city or town is situated, as may be selected by the legislative authority of the municipality(~~(-PROVIDED, That such)~~). The facilities comply with the provisions of chapter 70.48 RCW and rules adopted (~~(thereto)~~) thereunder.

Sec. 39. Section 17, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.210 are each amended to read as follows:

(1) All cities and counties are authorized to establish and maintain farms, camps, and work release programs and facilities, as well as special detention 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 or her 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)~~) a 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.

(4) A special detention facility may be operated by a noncorrectional agency or by noncorrectional personnel by contract with the governing unit. The employees shall meet the standards of training and education established by the criminal justice training commission as authorized by RCW 43.101.080. The special detention facility may use combinations of features including, but not limited to, low-security or honor prisoner status, work farm, work release, community review, prisoner facility maintenance and food preparation, training programs, or alcohol or drug rehabilitation programs, with or without cost to the prisoners.

NEW SECTION. Sec. 40. There is added to chapter 35.21 RCW a new section to read as follows:

Except as limited by the maximum penalties authorized by law, no city or town may establish a penalty for an act that constitutes the crime of driving while under the influence of intoxicating liquor or any drug, as provided in RCW 46.61.502, or the crime of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, as provided in RCW 46.61.504, that is less than the penalties prescribed for those crimes in RCW 46.61.515.

NEW SECTION. Sec. 41. There is added to chapter 36.32 RCW a new section to read as follows:

No county may establish a penalty for an act that constitutes the crime of driving while under the influence of intoxicating liquor or any drug, as provided for in RCW 46.61.502, or the crime of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, as provided in RCW 46.61.504, that is less than the penalties prescribed for those crimes in RCW 46.61.515.

NEW SECTION. Sec. 42. There is added to chapter 43.59 RCW a new section to read as follows:

The Washington traffic safety commission shall produce and disseminate through all possible media, informational and educational materials explaining the extent of the problems caused by drinking drivers, the need for public involvement in their solution, and the penalties of existing and new laws against driving while intoxicated.

NEW SECTION. Sec. 43. The standing committees on transportation and judiciary of the state senate and house of representatives, with the assistance of the department of licensing, shall conduct a joint study to analyze and evaluate the issues involved in authorizing administrative revocation of the driver's license of a person who operates a motor vehicle while under the influence of alcohol. The study shall include an analysis and evaluation of other states that have enacted statutes that provide for administrative revocation of driver's licenses, the effects on reducing drunken driving, the cost of implementing and administering such a program, and any impacts on the criminal justice system.

The committees shall submit a report that includes their findings and recommendations, together with proposed legislation, to the legislature before January 1, 1984.

NEW SECTION. Sec. 44. The legislature finds that previous attempts to curtail the incidence of driving while intoxicated have been inadequate. The legislature further finds that property loss, injury, and death caused by drinking drivers have reached unacceptable levels. This act is intended to convey the seriousness with which the legislature views this problem. To that end the legislature seeks to insure swift and certain punishment for those who drink and drive. The legislature does not intend to discourage or deter courts and other agencies from directing or providing treatment for problem drinkers. However, it is the intent that such treatment, where appropriate, be in addition to and not in lieu of the sanctions to be applied to all those convicted of driving while intoxicated.

Sec. 45. Section 12, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.120 are each amended to read as follows:

~~(Two)~~ Five years from the date of the court's approval of deferred prosecution for an individual defendant, those dockets that remain in the special court deferred prosecution file relating to such defendant shall be dismissed and the records removed.

NEW SECTION. Sec. 46. Sections 3 through 12 of this act are added to chapter 46.20 RCW.

NEW SECTION. Sec. 47. Sections 2, 3 through 12, 14, 16, 18, 22, 24, and 26 of this act shall take effect on January 1, 1985. The remainder 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 on July 1, 1983. The director of licensing may immediately take such steps as are necessary to insure that all sections of this act are implemented on their respective effective dates.

NEW SECTION. Sec. 48. 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 "intoxicated;" strike the remainder of the title, and insert "amending section 11, chapter 260, Laws of 1981 and RCW 46.20.308; amending section 11, chapter 260, Laws of 1981 as amended by section 1 of this act and RCW 46.20.308; amending section 46.04.480, chapter 12, Laws of 1961 as amended by section 7, chapter 62, Laws of 1979

and RCW 46.04.480; amending section 46.04.480, chapter 12, Laws of 1961 as last amended by section 13 of this act and RCW 46.04.480; amending section 24, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.285; amending section 24, chapter 121, Laws of 1965 ex. sess. as amended by section 15 of this act and RCW 46.20.285; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 5, chapter 212, Laws of 1982 and RCW 46.20.311; amending section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 17 of this act and RCW 46.20.311; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter ... (SHB 498), Laws of 1983 and RCW 46.61.515; amending section 1, chapter 5, Laws of 1973 as last amended by section 4, chapter ... (ESB 3106), Laws of 1983 and RCW 46.20.391; amending section 1, chapter 5, Laws of 1973 as last amended by section 23 of this act and RCW 46.20.391; amending section 442, chapter 249, Laws of 1909 and RCW 66.44.240; amending section 441, chapter 249, Laws of 1909 and RCW 66.44.250; amending section 118, chapter 299, Laws of 1961 and RCW 3.66.070; amending section 2, chapter 316, Laws of 1977 ex. sess. as last amended by section 25, chapter 136, Laws of 1981 and RCW 70.48.020; amending section 16, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.180; amending section 35.21.330, chapter 7, Laws of 1965 as amended by section 19, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.190; amending section 17, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.210; amending section 12, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.120; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; adding a new section to chapter 43.59 RCW; adding new sections to chapter 46.20 RCW; adding new sections to chapter 46.61 RCW; adding new sections to chapter 46.68 RCW; adding new sections to chapter 70.48 RCW; creating new sections; prescribing penalties; providing an expiration date; declaring an emergency; and providing effective dates." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 289.

Representatives Armstrong, Padden and Tilly spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 289 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 289 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Engrossed Substitute House Bill No. 289 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

April 24, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to the following bills, and has passed the bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3101,

ENGROSSED SENATE BILL NO. 3224,

SENATE JOINT MEMORIAL NO. 116.

Sidney R. Snyder, Secretary.

April 24, 1983

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED HOUSE BILL NO. 479, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

April 23, 1983

Mr. Speaker:

Mr. President:

We, of your Conference committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3022, clarifying the Crime Victim Compensation Act, have had the same under consideration, and we report that we are unable to agree on the House amendment to page 3, line 10 and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Hughes, Hemstad; Representatives Armstrong, McMullen, Tilly.

## MOTION

On motion of Mr. McMullen, the House adopted the report of the Conference Committee and granted the committee powers of Free Conference.

## MESSAGE FROM THE SENATE

April 23, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3614,  
 SUBSTITUTE SENATE BILL NO. 3637,  
 SUBSTITUTE SENATE BILL NO. 3642,  
 SUBSTITUTE SENATE BILL NO. 3657,  
 SUBSTITUTE SENATE BILL NO. 3782,  
 SUBSTITUTE SENATE BILL NO. 3811,  
 SENATE BILL NO. 3843,  
 SENATE BILL NO. 3846,  
 SUBSTITUTE SENATE BILL NO. 3880,  
 SUBSTITUTE SENATE BILL NO. 4066,  
 SENATE BILL NO. 4082,  
 SENATE BILL NO. 4088,  
 SENATE BILL NO. 4103,  
 SENATE BILL NO. 4112,  
 SENATE BILL NO. 4153,  
 SENATE BILL NO. 4204,  
 SUBSTITUTE SENATE BILL NO. 4226,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 112.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

April 24, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 3182, modifying provisions relating to financial institutions, have had the same under consideration, and we report that we are unable to agree and respectfully request the House for the Powers of Free Conference for the purpose of amending the bill.

Signed by Senators Moore, Jones, Warnke; Representatives Wang, Sanders.

## MOTION

Mr. Wang moved that the House adopt the report of the Conference Committee and grant the committee the powers of Free Conference.

Representatives Wang, Sanders and G. Nelson spoke in favor of the motion, and Mr. Lux spoke against it.

Mr. Sanders spoke again in favor of the motion, and it was carried.

#### REPORT OF CONFERENCE COMMITTEE

April 23, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3253, requiring law enforcement officers to take certain abused children into custody, have had the same under consideration, and we report that we are unable to agree to the House amendment to page 6, line 23 and respectfully request the powers of Free Conference.

Signed by Senators Talmadge, Hughes, Hemstad; Representatives Dellwo, McMullen, Padden.

#### MOTION

Mr. McMullen moved that the Conference Committee report be adopted and the committee be granted the powers of Free Conference.

Representatives McMullen and Padden spoke in favor of the motion, and it was carried.

#### REPORT OF CONFERENCE COMMITTEE

April 23, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3640, modifying the residential landlord-tenant act, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference to amend the bill.

Signed by Senators Talmadge, Hughes, Hemstad; Representatives Niemi, Armstrong, Isaacson.

#### MOTION

Mr. Armstrong moved that the Conference Committee report be adopted, and the committee be granted the powers of Free Conference.

Mr. Armstrong spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Armstrong, could you explain more fully your comments with respect to the time in which remedies might take place?"

Mr. Armstrong: "It limits the tenant's right to come back against the landlord except in cases where the landlord has intentionally committed the act in question. In other words, if it's an advantage to the landlord it avoids the tenant's being able to come back to the landlord in which the landlord merely neglectfully did so."

Mr. Isaacson spoke in favor of the motion, and it was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

April 21, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 906 with the following amendments:

On page 2, line 14 after "RCW" strike "71.20.015" and insert "71.20.016"

On page 2, line 15 after "custodian" strike all material through "home," on line 17 and insert "together with the department determines that services appropriate to the child's needs can not be provided in the home. However, (a), (b), and (c) of this subsection may still be applied if other reasons for removal of the child from the home exist."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Kreidler moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 906.

Representatives Kreidler and Lewis spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 906 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 906 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Yoting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Engrossed Substitute House Bill No. 906 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 CONCURRENT RESOLUTION

April 22, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3 with the following amendment:

On page 1, line 1 after "WHEREAS," strike the remaining material and insert "House Concurrent Resolution No. 33 of the 1980 Regular Session of the Washington State Legislature recreated the Joint Ad Hoc Committee on Science and Technology whose report was submitted to the 1980 Legislative Session; and

WHEREAS, House Concurrent Resolution No. 33 was the authority for the Joint Committee to begin to develop plans as envisioned under the 1979 report; and

WHEREAS, House Concurrent Resolution No. 2 of the 1981 Regular Session of the Washington State Legislature recreated the Joint Ad Hoc Committee on Science and Technology to continue to develop plans for implementing the recommendations of the report filed by the 1979 Joint Ad Hoc Committee on Science and Technology and to implement the recommendations; and

WHEREAS, The 1981 Joint Ad Hoc Committee on Science and Technology developed plans for implementing a science and technology information system for the Washington State Legislature and has begun to implement the system on a pilot demonstration basis;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, the Senate concurring, That the Joint Ad Hoc Committee on Science and Technology is extended throughout the term of the 48th Legislature and is renamed the Joint Legislative Committee on Science and Technology with four members appointed by the Speaker of the House and four members by the President of the Senate. In each case, two members shall represent each caucus; and

BE IT FURTHER RESOLVED, That the Joint Committee shall continue to implement the recommendations of the report filed by the 1979 Joint Ad Hoc Committee on Science and Technology and initiated by the 1980 Committee, shall conclude demonstration of the science and technology information system on a pilot basis by April 30, 1983, and shall complete an evaluation of the demonstration within ninety days thereafter; and

BE IT FURTHER RESOLVED, That the Joint Committee on Science and Technology shall evaluate those issues and problems it deems important plus those referred to it. Normally the issues and problems would contain scientific and technical information and require input from more than one standing committee. The joint committee shall report to the initial session of the forty-ninth legislature; and

BE IT FURTHER RESOLVED, That the House of Representatives and the Senate provide necessary resources, as approved by the House Executive Rules Committee and the Senate Facilities and Operations Committee, to support the activities of the Joint Committee; and

BE IT FURTHER RESOLVED, That the Joint Committee may apply for, receive, and expend federal or other grant funds for the purpose of carrying out its tasks. The Joint Committee shall be directly accountable to the granting party for administration of grant funds and compliance with the terms and conditions of any grants received; and

BE IT FURTHER RESOLVED, That the Joint Committee may appoint a technical advisory committee made up of representatives of the public and private scientific communities to assist the Washington State Legislature in the design and implementation of a science and technology information system.\*

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendment to Engrossed House Concurrent Resolution No. 3.

#### FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION AS AMENDED BY SENATE

The Speaker declared the question before the House to be adoption of Engrossed House Concurrent Resolution No. 3 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on adoption of Engrossed House Concurrent Resolution No. 3 as amended by the Senate, and the resolution was adopted by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruit, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Engrossed House Concurrent Resolution No. 3 as amended by the Senate, having received the constitutional majority, was declared adopted.

#### MESSAGE FROM THE SENATE

April 23, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3433, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Lux, the House refused to recede from its amendments to Substitute Senate Bill No. 3433, and again asked the Senate to concur.

#### MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has receded from its amendment to page 4, line 13 of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1093, and passed the bill as amended on page 4, line 11, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1093 as amended by the Senate.

Representatives Moon and Van Dyken 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. 1093 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Engrossed Substitute House Bill No. 1093 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 22, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTION HOUSE BILL NO. 126 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 50, chapter 80, Laws of 1947 as last amended by section 3, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.500 are each amended to read as follows:

(1) Membership in the retirement system is terminated when a member retires for service or disability, dies, withdraws his accumulated contributions or does not establish service credit with the retirement system for five consecutive years; however, a member may retain membership in the teachers' retirement system by leaving his accumulated contributions in the teachers' retirement fund under one of the following conditions:

((1)) (a) If he is eligible for retirement;

((2)) (b) If he is a member of another public retirement system in the state of Washington by reason of change in employment and has arranged to have membership extended during the period of such employment;

((3)) (c) If he is not eligible for retirement but has established five or more years of Washington membership service credit.

The prior service certificate becomes void when a member dies, withdraws his accumulated contributions or does not establish service credit with the retirement system for five consecutive years, and any prior administrative interpretation of the board of trustees, consistent with this section, is hereby ratified, affirmed and approved.

(2) Any member, except an elected official, who reentered service and who failed to restore withdrawn contributions, shall now have from the effective date of this 1983 act through June 30, 1984, to restore the contributions, with interest as determined by the director.

(3) Within the ninety days following the employee's resumption of employment, the employer shall notify the department of the resumption and the department shall then return to the employer a statement of the potential service credit to be restored, the amount of funds required for restoration, and the date when the restoration must be accomplished. The employee shall be given a copy of the statement and shall sign a copy of the statement which signed copy shall be placed in the employee's personnel file.

Sec. 2. Section 16, chapter 274, Laws of 1947 as last amended by section 20, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.150 are each amended to read as follows:

Should any member die, or should the individual separate or be separated from service without leave of absence before attaining age sixty years, or should the individual become a beneficiary, except a beneficiary of an optional retirement allowance as provided by RCW 41.40.185 or 41.40.190, 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 director, which restoration must be completed within a total period of five years of membership service following the member's first resumption of employment, be returned to the status, either as an original member or new member which the member held at time of separation.

(3) Any member, except an elected official, who reentered service and who failed to restore withdrawn contributions, shall now have from the effective date of this 1983 act through June 30, 1984, to restore the contributions, with interest as determined by the director.

(4) Within the ninety days following the employee's resumption of employment, the employer shall notify the department of the resumption and the department shall then return to the employer a statement of the potential service credit to be restored, the amount of funds required for restoration, and the date when the restoration must be accomplished. The employee shall be given a copy of the statement and shall sign a copy of the statement which signed copy shall be placed in the employee's personnel file.

(5) A member who separates or has separated after having completed at least five years of service shall remain a member during the period of absence from service for the exclusive purpose of receiving a retirement allowance to begin at attainment of age sixty-five, however, such a member may on written notice to the 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 the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), the individual shall thereupon cease to be a member and this section shall not apply.

((4)) (6) (a) The recipient of a retirement allowance who is employed in an eligible position other than under RCW 41.40.120(12) shall be considered to have terminated his or her retirement status and shall immediately become a member of the retirement system with the status of membership the member held as of the date of retirement. Retirement benefits shall be suspended during the period of eligible employment and the individual 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 the member had at the time of the member's previous retirement shall be reinstated, but no additional service credit shall be allowed;

(b) The recipient of a retirement allowance elected to office or appointed 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 or her retirement status and shall become a member of the retirement system with the status of membership the member held as of the date of retirement. Retirement benefits shall be suspended from the date of return to membership until the date when the member again retires and the member 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 the member had at the time of the member's previous retirement shall be reinstated, but no additional service credit shall be allowed: 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), the member shall be considered to remain in a retirement status and the individual's retirement benefits shall continue without interruption.

((5)) (7) 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 Washington public 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 membership therein until attaining age sixty, shall remain a member for the exclusive purpose 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 on written notice to the 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 the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), the individual shall thereupon cease to be a member and this section shall not apply.

NEW SECTION. Sec. 3. There is added to chapter 41.40 RCW a new section to read as follows:

Those currently employed members who were eligible to recover service earned prior to July 1, 1953, under a retirement system authorized pursuant to RCW 28B.10.400 through 28B.10.430, but who failed to do so, shall have until June 30, 1984, to pay the appropriate employee and employer contributions plus interest, as determined by the director of retirement systems, for such service which was not so recovered.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.



**NEW SECTION.** Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "service;" strike the remainder of the title and insert "amending section 50, chapter 80, Laws of 1947 as last amended by section 3, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.500; amending section 16, chapter 274, Laws of 1947 as last amended by section 20, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.150; adding a new section to chapter 41.40 RCW; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Monohon, the House concurred in the Senate amendments to Substitute House Bill No. 126.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 126 as amended by the Senate.

Representatives B. Williams, Cantu, McDonald and Tilly spoke against passage of the bill, and Representatives Sayan and Monohon spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 126 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 32; excused, 2.

Yoting yea: Representatives Addison, Allen, Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Steep, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 64.

Yoting nay: Representatives Armstrong, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Locke, McDonald, Nealey, Padden, Prince, Sanders, Silver, Smith, Stratton, Struthers, Tilly, West, Williams B, Williams J - 32.

Excused: Representatives Bond, Fiske - 2.

Substitute House Bill No. 126 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

April 24, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 585 with the following amendment:

On page 1, line 13 after "director" insert "or his designee" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. McClure, the House concurred in the Senate amendment to House Bill No. 585.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 585 as amended by the Senate.

Mr. McClure spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 585 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

House Bill No. 585 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 22, 1983

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3056 on page 1, line 16, and asks the House to recede from the remaining amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. J. King, the House insisted on its position on Substitute Senate Bill No. 3056, and again asked the Senate to concur therewith.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3614,  
 SUBSTITUTE SENATE BILL NO. 3637,  
 SUBSTITUTE SENATE BILL NO. 3642,  
 SUBSTITUTE SENATE BILL NO. 3657,  
 SUBSTITUTE SENATE BILL NO. 3782,  
 SUBSTITUTE SENATE BILL NO. 3811,  
 SENATE BILL NO. 3843,  
 SENATE BILL NO. 3846,  
 SUBSTITUTE SENATE BILL NO. 3880,  
 SUBSTITUTE SENATE BILL NO. 4066,  
 SENATE BILL NO. 4082,  
 SENATE BILL NO. 4088,  
 SENATE BILL NO. 4103,  
 SENATE BILL NO. 4112,  
 SENATE BILL NO. 4153,  
 SENATE BILL NO. 4204,  
 SUBSTITUTE SENATE BILL NO. 4226,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 112.

#### MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3433, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

#### MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3022, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

April 24, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3022, clarifying the Crime Victim Compensation Act, have had the same under consideration, and we recommend that the bill pass as amended by the House on page 2, line 5 and page 2, line 11, and with the following amendment:

On page 3, after line 10 insert the following:

"Before a program in any county west of the Cascade mountains is submitted to the department for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The department will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county."

Signed by Senators Talmadge, Hughes, Hemstad; Representatives McMullen, Tilly.

## MOTION

On motion of Mr. McMullen, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3022.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3022 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3022 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Engrossed Substitute Senate Bill No. 3022 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3253, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

April 24, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3253, requiring law enforcement officers to take certain abused

children into custody, have had the same under consideration, and we recommend that the bill pass as amended by the House with the exception of the amendment to page 6, line 23, and that the following amendment be adopted, and the bill do pass as amended by the Free Conference Committee:

On page 6, line 25 after "for" strike "any action or omission" and insert "the decision for taking the child into custody, if done"

Signed by Senators Talmadge, Hughes, Hemstad; Representatives Dellwo, McMullen, Padden.

#### MOTION

On motion of Mr. McMullen, the House adopted the report of the Free Conference Committee on Substitute Senate bill No. 3253.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Substitute Senate Bill No. 3253 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3253 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Substitute Senate Bill No. 3253 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3640, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

April 24, 1983

Mr. Speaker:

Mr. President:

We, of your Free conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3640, modifying the residential landlord-tenant act, have had the same under consideration, and we recommend that the bill pass with the following amendments:

On page 2, line 34 after "(6)" strike "~~(A person who)~~ When he" and insert "A person who"

On page 2, line 36 after "and" strike "~~(who)~~" and insert "who"

On page 6, line 3 strike "or neglects" and insert "~~(or neglects)~~"

On page 11, after line 17 insert the following new subsection:

"(1) The remedies provided by this section are in addition to other remedies provided by this chapter."

Remember the following subsections consecutively and correct any internal references accordingly.

On page 12, line 3 after "restitution" insert "without bond"

On page 12, line 17 strike "writ"

On page 12, line 31 after "statement" insert "signed and sworn under penalty of perjury"  
Signed by Senators Talmadge, Hughes, Hemstad; Representatives Niemi, Armstrong, Isaacson.

## MOTION

On motion of Mr. McMullen, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 3640.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Substitute Senate Bill No. 3640 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3640 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Fiske - 2.

Substitute Senate Bill No. 3640 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 3182, and has granted said committee the powers of Free conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

April 24, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 3182, modifying provisions relating to financial institutions, have had the same under consideration, and we recommend that Senate Bill No. 3182 be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 30.04 RCW a new section to read as follows:

A bank or trust company may purchase for its own account shares of stock of a bank or a holding company that owns or controls a bank if the stock of the bank or company is owned exclusively, except to the extent directly qualifying shares are required by law, by depository institutions and the bank or company and all subsidiaries thereof are engaged exclusively in providing services for other depository institutions and their officers, directors, and employees. In no event may the total amount of such stock held by a bank or trust company in any bank or bank holding company exceed at any time ten percent of its capital stock and paid-in and unimpaired surplus, and in no event may the purchase of such stock result in a bank or trust company acquiring more than twenty-five percent of any class of voting securities of such bank or company. Such a bank or bank holding company shall be called a 'banker's bank.'

NEW SECTION. Sec. 2. There is added to chapter 30.04 RCW a new section to read as follows:

Sales of federal reserve funds with a maturity of one business day or under a continuing contract are not 'loans or obligations' or 'liabilities' for the purposes of the loan limits established by RCW 30.04.110. However, sales of federal reserve funds with a maturity of more than one business day are subject to those limits.

For the purposes of this section, 'sale of federal reserve funds' means any transaction among depository institutions involving the disposal of immediately available funds resulting from credits to deposit balances at federal reserve banks or from credits to new or existing deposit balances due from a correspondent depository institution.

Sec. 3. Section 30.04.060, chapter 33, Laws of 1955 as amended by section 6, chapter 196, Laws of 1982 and RCW 30.04.060 are each amended to read as follows:

The supervisor, the deputy supervisor, or a bank examiner, without previous notice, shall visit each bank and each trust company at least once in each year, and oftener if necessary, for the purpose of making a full investigation into the condition of such corporation, and for that purpose they are hereby empowered to administer oaths and to examine under oath any director, officer, employee, or agent of such corporation. ~~((Said))~~ The supervisor may make such other full or partial examinations as deemed necessary and may examine any bank holding company that owns any portion of a bank or trust company chartered by the state of Washington and obtain reports of condition for any bank holding company that owns any portion of a bank or trust company chartered by the state of Washington. The supervisor may visit and examine into the affairs of any nonpublicly held corporation in which the bank, trust company, or bank holding company has an investment or any publicly held corporation the capital stock of which is controlled by the bank, trust company, or bank holding company; may appraise and revalue such corporations' investments and securities; and shall have full access to all the books, records, papers, securities, correspondence, bank accounts, and other papers of such corporations for such purposes. The supervisor may, in his or her discretion, accept in lieu of the examinations required in this section the examinations required under the terms of the federal reserve act for banks which are, or may become, members of a federal reserve bank or the deposits of which are insured by the Federal Deposit Insurance Corporation. Any wilful false swearing in any examination ~~((shall be))~~ is perjury in the second degree.

Sec. 4. Section 30.04.110, chapter 33, Laws of 1955 as amended by section 1, chapter 136, Laws of 1969 and RCW 30.04.110 are each amended to read as follows:

The total liability to any bank or trust company of any person for money borrowed, including in the liabilities of a firm or association the liabilities of the several members thereof, shall not at any time exceed ~~((fifteen))~~ twenty percent of the capital and surplus of such bank or trust company; but the discount of bills of exchange drawn in good faith against actually existing values and the discount of commercial or business paper of solvent parties, actually owned by the person negotiating the same, shall not be considered as money borrowed by him: PROVIDED, That loans secured by collateral security having an ascertained market value of at least fifteen percent more than the amount of the loans secured, shall not be limited by this section.

Loans or obligations shall not be subject under this section to any limitation based upon such capital and surplus to the extent that they are secured or covered by guaranties, or by commitments or agreements to take over or to purchase the same, made by any federal reserve bank or by the United States or any department, bureau, board, commission or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States.

For the purposes of this section, 'capital' includes capital notes or debentures issued under chapter 30.36 RCW.

Sec. 5. Section 2, chapter 194, Laws of 1963 and RCW 30.04.128 are each amended to read as follows:

Any state bank or trust company, stock savings bank, or mutual savings bank may invest in the capital stock of banking service corporations ~~((organized for the purpose of performing or providing mechanical, clerical, or record-keeping services for two or more banks))~~. The total amount which any such bank may invest in the shares of such corporations may not exceed in the case of a bank or trust company or stock savings bank, ten percent of its paid in or unimpaired capital and unimpaired surplus, or in the case of a mutual savings bank, ten percent of its guaranty fund. Such a bank service corporation may not engage in any activity other than ~~((the performance of services for banks))~~ those permitted by the bank service corporation act, 12 U.S.C. Sec. 1861, et seq., as amended by P.L. 97-320, and in effect on the effective date of this 1983 act. The performance of any service, and any records maintained by any such corporation for a bank, shall be subject to regulation and examination by the supervisor and appropriate federal agencies to the same extent as if such services or records were being performed or maintained by the bank on its own premises.

Sec. 6. Section 30.04.140, chapter 33, Laws of 1955 as amended by section 2, chapter 133, Laws of 1967 and RCW 30.04.140 are each amended to read as follows:

No bank or trust company shall pledge or hypothecate any of its securities or assets to any depositor, ~~((or creditor:))~~ except that it may qualify as depository for United States deposits, postal savings funds or other public funds, or funds held in trust and deposited by any public

officer by virtue of his office, or funds held by the United States or the state of Washington, or any officer thereof in trust, or for funds of corporations owned or controlled by the United States, and may give such security for such deposits as are required by law or by the officer making the same; and it may give security to its trust department for deposits with itself which represent trust funds invested in savings accounts or which represent fiduciary funds awaiting investment or distribution (~~(- PROVIDED: That any bank or trust company may borrow, for temporary purposes, not to exceed in the aggregate amount the paid-in capital and surplus thereof, and may pledge as security therefor assets of such corporation, not exceeding one and one-half times the amount borrowed).~~).

Sec. 7. Section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160 are each amended to read as follows:

~~(When it shall appear to the supervisor that any bank or trust company is habitually borrowing for the purpose of reloaning, he may require such corporation to pay off such borrowed money. Nothing herein shall prevent any bank or trust company from rediscounting in good faith and indorsing any of its negotiable notes, but all such moneys borrowed and all such rediscounts shall at all times show on its books and in its reports. No certificates of deposit shall be issued for the purpose of borrowing money.)~~ No officer of any bank or trust company shall issue the note of such corporation for money borrowed or rediscount any of its notes except when authorized by resolution of its board of directors or by an authorized committee thereof. Violation of any provision of RCW 30.04.140 or 30.04.150 or of this section shall constitute a felony.

Sec. 8. Section 7, chapter 136, Laws of 1969 and RCW 30.04.215 are each amended to read as follows:

In addition to all powers (~~previously~~) enumerated by this title, and those necessarily implied therefrom, a bank may engage in other business ((activity- PROVIDED: That)) activities that have been determined by the board of governors of the federal reserve system or by the United States Congress to be closely related to the business of banking, as of the effective date of this 1983 act. At least thirty days before investment in corporations or other entities under this chapter, notification by letter shall be made to the supervisor in accordance with such terms and conditions as the supervisor might establish by rule. A bank((- which)) that desires to perform an activity ((which)) that is not expressly authorized by ((the powers enumerated in)) this section(;) shall first apply to the supervisor for authorization to conduct such activity. Within thirty days of the receipt of this application, the supervisor shall determine whether the activity is ((and appropriate adjunct)) closely related to the business of banking, whether the public convenience and advantage will be promoted, whether the activity is apt to create an unsafe or unsound practice by the bank and whether the applicant is capable of performing such an activity. If the supervisor finds the activity to be ((an appropriate adjunct)) closely related to the business of banking and the bank is otherwise qualified, he shall forthwith inform the applicant that the activity is authorized. If the supervisor determines that such activity is not ((an appropriate adjunct)) closely related to the business of banking or the bank is not otherwise qualified, he shall forthwith inform the applicant in writing. The applicant shall have the right to appeal from an unfavorable determination in accordance with the procedures of the Administrative Procedure Act, chapter 34.04 RCW((- as now or hereafter amended)). In determining whether a particular activity is ((an appropriate adjunct)) closely related to the business of banking, the supervisor shall be guided by ((whether national banks under federal laws and administrative regulations and rulings have the authority to perform such activity)) the rulings of the board of governors of the federal reserve system in making determinations in connection with the powers exercisable by bank holding companies, and the activities performed by other commercial banks or their holding companies. Any activity which may be performed by a bank, except the taking of deposits, may be performed by a corporation, all of the outstanding stock of which is owned by the bank. A bank shall not invest a sum greater than twenty-five percent of its capital and surplus in the capital stock of corporations organized to perform activities authorized by this section.

Sec. 9. Section 30.04.230, chapter 33, Laws of 1955 as last amended by section 7, chapter 196, Laws of 1982 and RCW 30.04.230 are each amended to read as follows:

(1) A corporation or association organized under the laws of this state or licensed to transact business in the state, other than a bank or trust company, may acquire any or all shares of stock of any bank, trust company, or national banking association. Nothing in this section shall be construed to prohibit the merger, consolidation, or reorganization of a bank or trust company in accordance with this title((- or to permit a)).

(2) ~~Unless the terms of this section are complied with, an out-of-state bank holding company ((the operations of which are principally conducted outside this state to)) shall not~~ acquire more than five percent of the shares of the voting stock or all or substantially all of the assets of a bank, trust company, or national banking association the principal operations of which are conducted within this state.

(3) As used in this section a 'bank holding company' means a company that is a bank holding company as defined by the Bank Holding Company Act of 1956, as amended (12 U.S.C. Sec. 1941 et seq.). An 'out-of-state bank holding company' is a bank holding company that

principally conducts its operations outside this state, as measured by total deposits held or controlled by its bank subsidiaries on the date on which it became a holding company. A 'domestic bank holding company' is a bank holding company that principally conducts its operations within this state, as measured by total deposits held or controlled by its bank subsidiaries on the date on which it became a bank holding company.

(4) Any such acquisition referred to under subsection (2) of this section by an out-of-state bank holding company requires the express written approval of the supervisor of banking. Approval shall not be granted unless and until the following conditions are met:

(a) An out-of-state bank holding company desiring to make an acquisition referred to under subsection (2) of this section and the bank, trust company, national banking association, or domestic bank holding company parent thereof, if any, proposed to be acquired shall file an application in writing with the supervisor of banking and pay an investigation fee of five thousand dollars to the supervisor of banking. The application shall contain such information as the supervisor of banking may prescribe by rule as necessary or appropriate for the purpose of making a determination under this section. The application and supporting information and all examination reports and information obtained by the supervisor and the supervisor's staff in conducting its investigation shall be confidential and privileged and not subject to public disclosure under chapter 42.17 RCW. The application and information may be disclosed to federal bank regulatory agencies and to officials empowered to investigate criminal charges, subject to legal process, valid search warrant, or subpoena. In any civil action in which such application or information is sought to be discovered or used as evidence, any party may, upon notice to the supervisor and other parties, petition for an in camera review. The court may permit discovery and introduction of only those portions that are relevant and otherwise unobtainable by the requesting party. The application and information shall be discoverable in any judicial action challenging the approval of an acquisition by the supervisor as arbitrary and capricious or unlawful.

(b) The supervisor of banking shall find that:

(i) The bank, trust company, or national banking association that is proposed to be acquired or the domestic bank holding company controlling such bank, trust company, or national banking association is in such a liquidity or financial condition as to be in danger of closing, failing, or insolvency. In making any such determination the supervisor shall be guided by the criteria developed by the federal regulatory agencies with respect to emergency acquisitions under the provisions of 12 U.S.C. Sec. 1828(c);

(ii) There is no state bank, trust company, or national banking association doing business in the state of Washington or domestic bank holding company with sufficient resources willing to acquire the entire bank, trust company, or national banking association on at least as favorable terms as the out-of-state bank holding company is willing to acquire it;

(iii) The applicant out-of-state bank holding company has provided all information and documents requested by the supervisor in relation to the application; and

(iv) The applicant out-of-state bank holding company has demonstrated an acceptable record of meeting the credit needs of its entire community, including low and moderate income neighborhoods, consistent with the safe and sound operation of such institution.

(c) The supervisor shall consider:

(i) The financial institution structure of this state; and

(ii) The convenience and needs of the public of this state.

(5) Nothing in this section may be construed to prohibit, limit, restrict, or subject to further regulation the ownership by a bank of the stock of a bank service corporation or a banker's bank.

NEW SECTION. Sec. 10. Section 30.04.150, chapter 33, Laws of 1955 and RCW 30.04.150 are each repealed.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 241, Laws of 1981 and RCW 43.19.095; and

(2) Section 2, chapter 241, Laws of 1981 and RCW 43.19.112.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Sections 1 through 10 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."

In line 1 of the title, after "institutions;" strike the remainder of the title and insert "amending section 30.04.060, chapter 33, Laws of 1955 as amended by section 6, chapter 196, Laws of 1982 and RCW 30.04.060; amending section 30.04.110, chapter 33, Laws of 1955 as amended by section 1, chapter 136, Laws of 1969 and RCW 30.04.110; amending section 2, chapter 194, Laws of 1963 and RCW 30.04.128; amending section 30.04.140, chapter 33, Laws of 1955 as amended by section 2, chapter 133, Laws of 1967 and RCW 30.04.140; amending section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160; amending section 7, chapter 136, Laws of 1969 and RCW 30.04.215; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 7, chapter 196, Laws of 1982 and RCW 30.04.230; adding new sections to chapter 30.04 RCW;



repealing section 30.04.150, chapter 33, Laws of 1955 and RCW 30.04.150; repealing section 1, chapter 241, Laws of 1981 and RCW 43.19.095; repealing section 2, chapter 241, Laws of 1981 and RCW 43.19.112; and declaring an emergency."

Signed by Senators Moore, Jones, Warnke; Representatives Wang, Sanders.

#### MOTION

On motion of Mr. Wang, the House adopted the report of the Free Conference Committee on Senate Bill No. 3182.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker declared the question before the House to be the final passage of Senate Bill No. 3182 as amended by the Free Conference Committee.

Representatives Wang, Sanders, Taylor, West and Sommers spoke in favor of passage of the bill, and Representatives Kreidler and Lux spoke against it.

#### POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Sanders.

Mr. Sanders: "Under the language of the bill, must the appropriate federal regulatory agency be involved?"

Mr. Wang: "Yes. The Federal Bank Holding Company Act of 1956 requires that the Federal Reserve Board approve the transaction. The existing language of SB 3182 further requires that the state Supervisor of Banking make his findings in accordance with the criteria established by the federal regulatory agencies. In practice, this means that the state Supervisor of Banking must work very closely in consultation with the appropriate federal regulators."

Mr. Sanders: "Will in-state institutions be given information allowing them to make an informed decision as to whether or not they desire to compete for acquisition of the troubled institution?"

Mr. Wang: "Yes. Under section 9(4)(b)(ii), the supervisor must provide such information to potential in-state bidders to make a knowledgeable finding as required by this subsection to the effect that there are no bank or bank holding companies within the state willing to acquire the troubled institutions on at least as favorable terms as the offer made by an out-of-state entity. Thus, at the appropriate time, information must be shared, while avoiding premature disclosure that could endanger further the troubled financial institution. The supervisor is thereby enabled to properly resolve the emergent situation."

Mr. Sanders: "Does the language of the bill ensure that Washington state financial institutions will have an opportunity to match out-of-state offers?"

Mr. Wang: "Yes. That is the explicit requirement of section 9(4)(b)(ii) on page 13. Under the terms of this in-state preference clause, in-state financial institutions which have submitted bids will be given the opportunity to match the terms of the most favorable out-of-state bid, if the out-of-state bid is superior to all in-state bids. If this has not been done, then the supervisor would not be in a position to make a determination under the provisions of section 9(4)(b)(ii)."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3182 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 72; nays, 24; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, Lewis, Long, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Charnley, Ebersole, Fisch, Fisher, Garrett, Halsan, Heck, King J, King R, Kreidler, Locke, Lux, McMullen, Moon, Nelson D, Niemi, Powers, Pruitt, Sutherland - 24.

Excused: Representatives Bond, Fiske - 2.

Senate Bill No. 3182 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, Senate bill No. 3182 was ordered immediately transmitted to the Senate.

#### MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 325,  
SUBSTITUTE HOUSE BILL NO. 784,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 325,  
SUBSTITUTE HOUSE BILL NO. 431,  
HOUSE BILL NO. 479,  
SUBSTITUTE HOUSE BILL NO. 579,  
SUBSTITUTE HOUSE BILL NO. 784.

#### MESSAGES FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION SENATE BILL NO. 3022, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION SENATE BILL NO. 3253, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 24, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTION SENATE BILL NO. 3433, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION SENATE BILL NO. 3640, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 3182, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3022,  
 SENATE BILL NO. 3182,  
 SUBSTITUTE SENATE BILL NO. 3253,  
 SUBSTITUTE SENATE BILL NO. 3433,  
 SUBSTITUTE SENATE BILL NO. 3640,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 44,  
 HOUSE BILL NO. 76,  
 HOUSE BILL NO. 107,  
 SUBSTITUTE HOUSE BILL NO. 117,  
 SUBSTITUTE HOUSE BILL NO. 129,  
 SUBSTITUTE HOUSE BILL NO. 134,  
 SUBSTITUTE HOUSE BILL NO. 177,  
 SUBSTITUTE HOUSE BILL NO. 179,  
 HOUSE BILL NO. 185,  
 SUBSTITUTE HOUSE BILL NO. 233,  
 HOUSE BILL NO. 284,  
 HOUSE BILL NO. 318,  
 SUBSTITUTE HOUSE BILL NO. 325,  
 SUBSTITUTE HOUSE BILL NO. 334,  
 SUBSTITUTE HOUSE BILL NO. 336,  
 SUBSTITUTE HOUSE BILL NO. 359,  
 SUBSTITUTE HOUSE BILL NO. 390,  
 SUBSTITUTE HOUSE BILL NO. 431,  
 SUBSTITUTE HOUSE BILL NO. 433,  
 SUBSTITUTE HOUSE BILL NO. 434,  
 HOUSE BILL NO. 436,  
 SUBSTITUTE HOUSE BILL NO. 452,  
 SUBSTITUTE HOUSE BILL NO. 458,  
 SUBSTITUTE HOUSE BILL NO. 463,  
 HOUSE BILL NO. 479,  
 SUBSTITUTE HOUSE BILL NO. 493,  
 HOUSE BILL NO. 511,  
 HOUSE BILL NO. 520,  
 HOUSE BILL NO. 555,  
 SUBSTITUTE HOUSE BILL NO. 579,  
 SUBSTITUTE HOUSE BILL NO. 667,  
 HOUSE BILL NO. 674,  
 HOUSE BILL NO. 753,  
 SUBSTITUTE HOUSE BILL NO. 784,  
 SUBSTITUTE HOUSE BILL NO. 865,  
 HOUSE BILL NO. 867,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 126,  
 SUBSTITUTE HOUSE BILL NO. 289,  
 HOUSE BILL NO. 585,  
 SUBSTITUTE HOUSE BILL NO. 906,  
 SUBSTITUTE HOUSE BILL NO. 1093,  
 HOUSE CONCURRENT RESOLUTION NO. 3,  
 SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 6,

SUBSTITUTE SENATE BILL NO. 3026,  
 SUBSTITUTE SENATE BILL NO. 3068,  
 SUBSTITUTE SENATE BILL NO. 3101,  
 SENATE BILL NO. 3182,  
 SENATE BILL NO. 3224,  
 SENATE BILL NO. 3393,  
 SUBSTITUTE SENATE BILL NO. 3630,  
 SENATE BILL NO. 3674,  
 SENATE BILL NO. 3857,  
 SUBSTITUTE SENATE BILL NO. 4092,  
 SENATE JOINT MEMORIAL NO. 116.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### REPORTS OF STANDING COMMITTEES

April 24, 1983

**HB 752** Prime Sponsor, Representative Moon: Granting authority to cities, towns, counties, and special purpose districts. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 122, Laws of 1935 and RCW 4.92.080 are each amended to read as follows:

No bond shall be required of the state of Washington, its political subdivisions, municipal corporations, or quasi municipal corporations for any purpose in any case in any of the courts of the state of Washington and the state of Washington, its political subdivisions, municipal corporations, and quasi municipal corporations shall be, on proper showing, entitled to any orders, injunctions and writs of whatever nature without bond notwithstanding the provisions of any existing statute requiring that bonds be furnished by private parties.

**NEW SECTION.** Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, beginning on line 1 of the title, after "government;" strike the remainder of the title and insert "amending section 1, chapter 122, Laws of 1935 and RCW 4.92.080; and declaring an emergency."

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Barnes, Fuhrman, Gallagher, Jacobsen, Locke, Nealey and Sutherland.

Absent: Representatives Armstrong, Bond, Fiske, Hastings, Martinis, Miller, Moon and Pruitt.

Passed to Committee on Rules for second reading.

April 24, 1983

**HB 1094** Prime Sponsor, Representative Moon: Relating to local government. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The exercise by public officials of their duties in an objective manner during litigation relating to such duties is a most important public concern. It is declared to be the public policy of the state of Washington to eliminate personal liability and related consequences accruing to public officials resulting from certain acts pertaining to participants' agreements.

**NEW SECTION.** Sec. 2. The definitions set forth in this section apply throughout sections 1 through 5 of this act, unless the context indicates or requires another or different meaning or intent.

(1) 'Joint operating agency' means a municipal corporation created pursuant to RCW 43.52.360.

(2) 'Litigation' means judicial proceedings in which a joint operating agency and a participant are subject to the jurisdiction of the court, and the validity or enforceability of a participants' agreement to which the joint operating agency and the participant are parties is in issue and is within the subject matter jurisdiction of the court.

(3) 'Participant' means any political subdivision, municipal corporation, or quasi municipal corporation under the laws of the state of Washington that has entered into a contract with a joint operating agency to participate in the construction or acquisition of a project.

(4) 'Participants' agreement' means an agreement pursuant to which a participant has contracted to pay sums to a joint operating agency in connection with a project and which agreement is the subject of litigation.

(5) 'Project' means an installation or facility that is an energy facility as defined in chapter 80.50 RCW, whether or not acquisition or construction, or both, are completed.

NEW SECTION. Sec. 3. The members of the legislative body of a participant are immune from civil and criminal liability for mistakes and errors of judgment in the good faith decision as to whether or not or how to vote for or against, or approve, disapprove, or authorize, any act to carry out, perform, or enforce, or not to carry out, perform, or enforce during litigation, any covenant or provision in any participants' agreement.

NEW SECTION. Sec. 4. Neither the members of the legislative body of the participant nor any public official or officer, employee, or agent of any participant acting in good faith pursuant to motion, resolution, or ordinance passed or adopted by the legislative body during litigation, shall have any personal, direct, or vicarious liability by virtue of having approved or disapproved, voted for or against, executed or delivered, or failed to execute or deliver, any agreement or instrument relating to, or carried out, or failed to carry out, performed, or enforced, any covenant or provision in any participants' agreement during litigation. However, nothing in this section exempts any such member of a legislative body or such public official, officer, employee, or agent from mandamus, injunction, and orders, or judgments or decrees in furtherance of such mandamus, injunction, and orders.

NEW SECTION. Sec. 5. When acting in good faith, the carrying out, or causing to be carried out in any capacity, and the refusal to carry out or cause to be carried out in any capacity, of any payment or performance of any participant's obligation under a participants' agreement during litigation regardless of outcome, shall not constitute a misfeasance, malfeasance, or nonfeasance in office for the purposes of chapter 43.09 RCW. However, nothing in this section may be construed to limit rights of legal voters of the state, or of any political subdivision, granted by sections 33 and 34 of Article I of the state Constitution or chapter 29.82 RCW.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act shall be added to chapter 43.52 RCW.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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."

On page 1, line 1 of the title, after "government" insert "; adding new sections to chapter 43.52 RCW; and declaring an emergency"

Signed by Representatives D. Nelson, Chair; Todd, Vice Chair; Isaacson, Ranking Minority Chair; Long, Ranking Minority Vice Chair; Barnes, Fuhrman, Gallagher, Jacobsen, Locke, Nealey and Sutherland.

Absent: Representatives Armstrong, Bond, Fiske, Hastings, Martinis, Miller, Moon and Pruitt.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO.	126,
SUBSTITUTE HOUSE BILL NO.	289,
HOUSE BILL NO.	585,
SUBSTITUTE HOUSE BILL NO.	906,
SUBSTITUTE HOUSE BILL NO.	1093,
HOUSE CONCURRENT RESOLUTION NO.	3,
SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO.	6,
SUBSTITUTE SENATE BILL NO.	3026,
SUBSTITUTE SENATE BILL NO.	3068,
SUBSTITUTE SENATE BILL NO.	3101,
SENATE BILL NO.	3224,
SENATE BILL NO.	3393,
SUBSTITUTE SENATE BILL NO.	3630,
SENATE BILL NO.	3674,

SENATE BILL NO. 3857,  
 SUBSTITUTE SENATE BILL NO. 4092,  
 SENATE JOINT MEMORIAL NO. 116,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3022,  
 SUBSTITUTE SENATE BILL NO. 3253,  
 SUBSTITUTE SENATE BILL NO. 3433,  
 SUBSTITUTE SENATE BILL NO. 3640.

INTRODUCTION AND FIRST READING

HCR 20 by Representatives Heck and G. Nelson  
 Returning bills to house of origin.

On motion of Mr. Heck, 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. Heck, the rules were suspended, the second reading considered the third, and the resolution was adopted.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-71, by Representatives Heck and G. Nelson

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House of Representatives is ready to adjourn sine die.

On motion of Mr. Heck, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Ellis, Lux and Barrett to notify the Senate that the House was ready to adjourn sine die.

COMMITTEE FROM SENATE

A Special Committee from the Senate, consisting of Senators McDermott, Zimmerman and Rasmussen, appeared at the bar of the House and reported that the Senate was ready to adjourn sine die.

The report was received and the committee returned to the Senate.

FIRST READING

HCR 19 by Representatives Heck and G. Nelson

Notifying the Governor that the legislature will adjourn sine die.

On motion of Mr. Heck, the rules were suspended and House Concurrent Resolution No. 19 was advanced to second reading and read the second time in full.

On motion of Mr. Heck, the rules were suspended, the second reading considered the third, and the resolution was adopted.

REPORT OF SPECIAL COMMITTEE

The Special Committee from the House appeared at the bar of the House and reported that they had notified the Senate that the House was ready to adjourn sine die.

The report was received and the committee was discharged.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Concurrent Resolution No. 19, the Speaker appointed Representatives Hine, Smitherman and B. Williams to notify the Governor that the Legislature was about to adjourn sine die.

## PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has all but concluded the 1983 Regular Session without finishing its essential tasks. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

The state budget and budget-related items;  
 Revenues to support the budget;  
 The Washington Public Power Supply System;  
 Bills in dispute;  
 Gubernatorial appointments.

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed thirty days in the Capitol at Olympia at 12:00 noon on April 25, 1983.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th Day of April, A.D. nineteen hundred and eighty-three.

(Seal)

JOHN SPELLMAN, Governor.

## MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 19,  
 HOUSE CONCURRENT RESOLUTION NO. 20,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF SPECIAL COMMITTEE

The Special Committee appointed under the terms of House Concurrent Resolution No. 19, appeared at the bar of the House and reported they had notified the Governor that the Legislature was about to adjourn sine die.

The report was received and the committee was discharged.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 19,  
 HOUSE CONCURRENT RESOLUTION NO. 20.

## MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 19,  
 HOUSE CONCURRENT RESOLUTION NO. 20,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MESSAGE FROM THE SENATE

April 24, 1983

Mr. Speaker:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 20, we are herewith returning the following House Bills:

SUBSTITUTE HOUSE BILL NO.	6.
SUBSTITUTE HOUSE BILL NO.	9.
SUBSTITUTE HOUSE BILL NO.	22.
HOUSE BILL NO.	31.
SUBSTITUTE HOUSE BILL NO.	39.
SUBSTITUTE HOUSE BILL NO.	43.

ENGROSSED HOUSE BILL NO.	66.
SUBSTITUTE HOUSE BILL NO.	71.
HOUSE BILL NO.	73.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	79.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	84.
ENGROSSED HOUSE BILL NO.	96.
ENGROSSED HOUSE BILL NO.	101.
SUBSTITUTE HOUSE BILL NO.	105.
HOUSE BILL NO.	122.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	127.
SUBSTITUTE HOUSE BILL NO.	132.
HOUSE BILL NO.	138.
SUBSTITUTE HOUSE BILL NO.	139.
ENGROSSED HOUSE BILL NO.	140.
ENGROSSED HOUSE BILL NO.	141.
HOUSE BILL NO.	145.
SUBSTITUTE HOUSE BILL NO.	149.
ENGROSSED HOUSE BILL NO.	152.
HOUSE BILL NO.	217.
SECOND SUBSTITUTE HOUSE BILL NO.	226.
ENGROSSED 2ND SUBSTITUTE HOUSE BILL NO.	231.
SUBSTITUTE HOUSE BILL NO.	234.
SUBSTITUTE HOUSE BILL NO.	235.
ENGROSSED 2ND SUBSTITUTE HOUSE BILL NO.	245.
SUBSTITUTE HOUSE BILL NO.	251.
REENGROSSED SUBSTITUTE HOUSE BILL NO.	254.
ENGROSSED HOUSE BILL NO.	257.
SUBSTITUTE HOUSE BILL NO.	296.
SUBSTITUTE HOUSE BILL NO.	306.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	307.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	311.
HOUSE BILL NO.	344.
HOUSE BILL NO.	374.
ENGROSSED HOUSE BILL NO.	378.
ENGROSSED HOUSE BILL NO.	392.
SUBSTITUTE HOUSE BILL NO.	410.
ENGROSSED HOUSE BILL NO.	411.
ENGROSSED HOUSE BILL NO.	412.
HOUSE BILL NO.	417.
HOUSE BILL NO.	420.
ENGROSSED HOUSE BILL NO.	432.
SUBSTITUTE HOUSE BILL NO.	435.
SUBSTITUTE HOUSE BILL NO.	439.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	448.
ENGROSSED HOUSE BILL NO.	449.
SUBSTITUTE HOUSE BILL NO.	470.
HOUSE BILL NO.	471.
SUBSTITUTE HOUSE BILL NO.	475.
SUBSTITUTE HOUSE BILL NO.	478.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	480.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	495.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	509.
ENGROSSED HOUSE BILL NO.	517.
HOUSE BILL NO.	524.
HOUSE BILL NO.	531.
ENGROSSED HOUSE BILL NO.	536.
SUBSTITUTE HOUSE BILL NO.	538.
SUBSTITUTE HOUSE BILL NO.	551.
SUBSTITUTE HOUSE BILL NO.	552.
ENGROSSED HOUSE BILL NO.	570.
SUBSTITUTE HOUSE BILL NO.	571.
ENGROSSED HOUSE BILL NO.	574.
SUBSTITUTE HOUSE BILL NO.	583.
ENGROSSED HOUSE BILL NO.	596.
SUBSTITUTE HOUSE BILL NO.	603.
ENGROSSED HOUSE BILL NO.	606.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	608.
HOUSE BILL NO.	611.
ENGROSSED HOUSE BILL NO.	618.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	685.



SUBSTITUTE HOUSE BILL NO.	689.
SUBSTITUTE HOUSE BILL NO.	700.
SUBSTITUTE HOUSE BILL NO.	701.
SUBSTITUTE HOUSE BILL NO.	708.
HOUSE BILL NO.	710.
ENGROSSED HOUSE BILL NO.	724.
HOUSE BILL NO.	725.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	726.
HOUSE BILL NO.	739.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	740.
SUBSTITUTE HOUSE BILL NO.	749.
ENGROSSED HOUSE BILL NO.	756.
ENGROSSED HOUSE BILL NO.	769.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	796.
ENGROSSED HOUSE BILL NO.	803.
SUBSTITUTE HOUSE BILL NO.	806.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	816.
ENGROSSED HOUSE BILL NO.	839.
SUBSTITUTE HOUSE BILL NO.	856.
ENGROSSED HOUSE BILL NO.	860.
SUBSTITUTE HOUSE BILL NO.	861.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	863.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	864.
SUBSTITUTE HOUSE BILL NO.	868.
ENGROSSED HOUSE BILL NO.	872.
HOUSE BILL NO.	911.
HOUSE BILL NO.	939.
SUBSTITUTE HOUSE BILL NO.	954.
SUBSTITUTE HOUSE BILL NO.	1016.
SUBSTITUTE HOUSE BILL NO.	1017.
ENGROSSED HOUSE JOINT MEMORIAL NO.	11.
ENGROSSED HOUSE JOINT MEMORIAL NO.	16.
HOUSE JOINT MEMORIAL NO.	30.
HOUSE JOINT RESOLUTION NO.	11.
HOUSE JOINT RESOLUTION NO.	27.
SUBSTITUTE HOUSE JOINT RESOLUTION NO.	29.
HOUSE JOINT RESOLUTION NO.	35.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

On motion of Mr. Heck, reading of the Journal of the 105th Day of the Regular Session was dispensed with, and it was ordered to stand approved.

On motion of Mr. Heck, the House adjourned sine die.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

